



**Mental Health and  
Emotional Wellbeing  
Service for Children  
and Young People**

Underage Substance Misuse Policy

Implementation Date: December 2013

Reviewed: February 2023

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## **Background**

For the purposes of this policy substance misuse refers to all drugs, including illegal and legal drugs, tobacco, alcohol and volatile substances. Drugs and alcohol use in children and young people is associated with health risks, including on healthy physical development. Drugs and alcohol can be physically and/or psychologically addictive and can result in increased vulnerability for children and young people. Due to an awareness of the law relating to under-age alcohol and drug misuse, stigma, and fear of consequences, children and young people may be reluctant to disclose their use of alcohol or substances to a professional. This issue requires sensitive handling with the aims to support a child/young person be fully honest, support them make safe and healthy choices, protect them from harm, and facilitate an exploration of any issues which may be causing them to use alcohol/drugs.

### *Alcohol*

Alcohol can be harmful to children and young people, with health risks associated with its use and increased risk of alcohol-related injuries, involvement in violence, and risky social behaviours.

In the UK, it is illegal to sell alcohol to under-18s, or to buy alcohol for the purpose of giving or selling it to under 18s. It is illegal for Under 18s to drink alcohol in a licensed premise, excepting for 16 and 17 year olds accompanied by an adult who may drink (but not buy) beer, wine or cider with a meal.

It is illegal to give alcohol to a child under 5 years.

5-17 year olds may drink alcohol at home or other private premises. However, the NHS guidance states advises that under 15 year olds should not drink alcohol, and if they do, should not exceed recommended weekly limits (14 units of alcohol).

### *Substance Misuse*

Illegal drugs are organised into 3 classes- A, B or C. The class of drug used guides the maximum penalty for an offence involving the drug. Drugs which are controlled under the Misuse of Drugs Act are illegal to have, produce, give away or sell. Taking illegal drugs has many risks including potential health risks and having no control as to how the drugs are produced so you may not be aware of what you are consuming or how much.



### *Legal Highs*

These are substances which mimic the effects of illegal drugs but are not covered by current Misuse of Drugs laws. In May 2016, New Psychoactive Substances (NPS) – ‘legal highs’ - were criminalised under the Psychoactive Substances Act. This bans the production, supply and sale of legal highs for human consumption.

It is important to remember that even if a drug is legal, it does not necessarily mean it is safe for a child or young person to consume.

### *County Lines*

County Lines is a form of exploitation where illegal drugs are transported from one area to another across local authority boundaries by vulnerable people under coercion by gangs. Where children or young people are used for this purpose, this constitutes a form of child abuse and child exploitation and must be responded to as a child protection issue.

### *Hidden Harm*

Hidden Harm refers to children or young people, unknown to services, who are being negatively affected by their parents’ substance misuse. Not all parents who use substances experience difficulties with parenting capacity. However, it is a cause for concern if a parent’s substance misuse affects their capacity to supervise their child appropriately; provide them with appropriate emotional and physical care; facilitate their access to medical care or education, or if it exposes the child or young person to risky or illegal activity. Any concerns of this nature should be responded to as a child protection issue.

### *Confidentiality and Information Sharing*

In working with young people, it must always be made clear to them that absolute confidentiality cannot be guaranteed, and that there will be some circumstances where the needs of the young person can only be safeguarded by sharing information with others. Information shared by a child or young person will be treated as confidential, unless there are concerns that maintaining confidentiality is not in the best interest of the child/young person, or in the best interests of the public. Information shared by a child or young person will be made available only to those who have a need to know. Every effort should be made to obtain the child/young person’s consent before passing on personal information.

Sharing confidential information without consent will normally be justified in the public interest:



- When there is evidence that the child is suffering or is at risk of suffering significant harm; or
- Where there is reasonable cause to believe that a child may be suffering or at risk of significant harm; or
- To prevent significant harm arising to children and young people or serious harm to adults, including through the prevention, detection and prosecution of serious crime

It is imperative that any cause for concern should be documented in a timely fashion.

CHUMS has a duty of confidentiality to young people and is not legally obliged to inform parents of a young person's substance misuse. In a situation where a young person's substance misuse has been disclosed by themselves or others, the worker must assess the impact on the young person of informing the parents of their child's alleged use, and be very clear of the potential results of a disclosure. All cases where a child or young person's wellbeing is a concern should be discussed with the Safeguarding Lead.

*What do I do if a young person under the age of 16 discloses they are misusing substances?*

CHUMS practitioners routinely set boundaries at the start of any piece of work, stating quite clearly that confidentiality will be maintained unless they believe the young person or someone they know is 'at risk of harm'.

Concern will also be with regards to the age of the young person, there is an increased element of harm if the young person is under the age of 14.

However, each case must be decided on its own merits. In making the decision the practitioner must weigh up what might happen if the information is shared against what might happen if it is not, and to make a decision based on a reasonable judgment.

### **Onward Referral**

If established that a young person is regularly misusing a harmful substance, referral on to an appropriate agency should be considered and discussed with the young person. Discussion should also take place with the Safeguarding Lead.



## **Appendix A**

Aquarius - covers Central Beds and Bedford Borough – support for those aged 5-18 who misuse drugs or alcohol or are affected by someone else's use.

22 Grove Place, Bedford, MK40 3JJ – 01234 344911

ResoLUTiONs – covers Luton – support for young people up to the age of 19 who are misusing drugs (or up to the age of 25 for those who are considered to be vulnerable)

14-16 Chapel Street, Luton - 0800 054 6603

**CHUMS**  
**Mental Health & Emotional Wellbeing Service**  
**For Children & Young People**  
*Underage Substance Misuse Policy*



**Governance Committee Authorisation**

Signature \*

Name Print: Dee Hogman

Position/Role: Head of Quality/Interim Chair of Governance Committee

Date: February 2023

Date of Review: February 2026

- Authorised signatory must be the chair (or deputising chair) of Governance Committee