



The Oak Tree Federation follow the ESCC Policy Reviewed April 2019



Drugs & Alcohol at Work Policy

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Document summary

The County Council is committed to providing a safe, healthy and effective working environment. All employees should be aware of the risks associated with drugs and alcohol misuse to protect themselves and those who receive the services of the County Council.

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About this document:

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Drugs and Alcohol at Work Policy

Key points:

- This policy aims to raise awareness of the risks associated with the inappropriate use of drugs and alcohol and to ensure that those who may be experiencing problems through the misuse of drugs and/or alcohol are treated with care and concern and are provided with the appropriate support
- It is acknowledged that individuals are able to decide for themselves whether it is appropriate to drink alcohol or take drugs. However, this use must not adversely impact on their workplace, driving, work performance or compromise service provision to pupils, service users etc
- The lowest level of alcohol is shown to have a significant impact on the ability to process and react. Managers are to assess the risk of workers either using or coming into contact with hazardous machinery or work operations where impaired response time or misjudgement may lead to an injury
- Therefore, the County Council takes the view that employees are responsible for their own health, safety and welfare not only during normal working hours but also where their inappropriate use of drugs and alcohol outside normal working hours may subsequently affect behaviour and performance at work and constitute a safety risk
- Drug and alcohol related health issues and the legal situation are contained in Appendices 1 and 2 respectively
- Copies of all the Health and Safety Policies can be found on the intranet.

1. Introduction

1.1 The County Council is committed to providing a safe, healthy and effective working environment which it is recognised will not only help our staff, but also increase our ability to offer high standards of service.

1.2 The County Council has a responsibility for the health, safety and welfare of its employees and recognises that their wellbeing is important. The aim is for all employees to be aware of the risks associated with drug and alcohol misuse and to ensure that those served by the County Council are not put at risk by the inappropriate use of alcohol or drugs by its employees.

1.3 This policy should be read in conjunction with the County Council's Policies on the Safe Use of Motor Vehicles on County Council Business and with the Disciplinary and Grievance Policies and Procedures.

1.4 This policy has been drawn up after consultation with Chief Officers, Departments and Trade Unions and in compliance with relevant legislation. The County Council is a member of the East Sussex Drug and Alcohol Action Team (DAAT) and this policy also reflects the DAAT Statement of Intent which is incorporated in Appendix 3.

1.5 The consumption of alcohol while actually at work is normally prohibited, with the exception of officially sanctioned work events where alcohol is provided.

1.6 Consumption of alcohol during lunch/break periods and immediately prior to commencing work is discouraged but not prohibited. However, if its consumption results in an unacceptable effect on an employee's behaviour or work performance, this would be addressed by their manager.

1.7 The consumption of alcohol prior to the operation of hazardous machinery or where employees are likely to come into contact with hazardous machinery and/or operation is prohibited.

1.8 The County Council does not condone illegal activities in association with the use of drugs and would have to take immediate action under the Misuse of Drugs Act should an employee be found to be using or supplying illegal drugs at work. This would mean invoking the disciplinary procedure and referring matters to the Police.

1.9 Employees should be aware that the effects of some drugs, including prescribed and proprietary medications can remain in the system for lengthy periods of time and, if taken prior to or during working hours, can impact on driving, work performance and behaviour. If in doubt, employees should seek medical advice and discuss the situation with their manager.

1.10 The prolonged use of tranquillisers/anti-depressants can lead to dependence. Employees wishing to reduce their use of these prescribed medicines should not do so without medical supervision. Failure to do so may result in a medical emergency. There are many agencies able to assist employees and their GP, or a specialist GP, can support them to reduce their usage in a manageable and safe way.

1.11 There are many possible indicators of inappropriate drug or alcohol use; such as lateness, absenteeism, poor work and output, poor appearance and unreliability, bad relations with colleagues, impaired concentration, co-ordination, memory or judgement and accidents.

1.12 Where such indicators, after having been assessed by specialist services, GPs, etc are found to be related to drug or alcohol misuse, the problem will be regarded as a general sickness matter and normal benefits under sick pay provision will apply and support will be given.

1.13 However, in instances where this Policy is not adhered to, or where employees are reluctant or refuse to accept referral to an appropriate helping agency, or where a particular incident of misconduct occurs, use of the Disciplinary Procedure may be considered. If any treatment is not completed or fails after fair and reasonable effort have been made to overcome the problem, consideration would be given to other means of resolving the situation.

1.14 Inappropriate drinking which adversely affects performance during work may result in the use of disciplinary procedures.

1.15 Drug and alcohol problems can be dramatically reduced through employees making positive and responsible choices about their drug and alcohol use and by managers being supportive and encouraging to those who are experiencing problems.

2. Responsibilities

2.1 Chief Officers will:

2.1.1 ensure that arrangements are in place for implementing this Policy, where appropriate, through department-specific guidance on its application

2.1.2 have systems in place for the periodic monitoring of the implementation of this Policy

2.1.3 ensure that all managers/supervisors are aware of the Policy and the appropriate support available in to support relevant employees.

2.2 LMG and other Line Managers will:

2.2.1 raise awareness of the Policy and its aims with their staff

2.2.2 ensure that their staff are aware of the risks associated with the use of drugs and alcohol and their potential adverse impact on work performance and safety and the possible compromise to service provision to pupils, service users, etc

2.2.3 not permit the consumption of alcohol by their staff whilst they are actually at work with the exception of officially sanctioned work events where alcohol is provided

2.2.4 not permit the consumption of alcohol prior to the operation of hazardous machinery or where contact with hazardous machinery is foreseeable

2.2.5 be aware of the potential for drug or alcohol misuse at work, adopt a sensitive approach in raising concerns with staff and provide appropriate help and support

2.2.6 be obliged to take legitimate management action if they consider that an employee's unacceptable behaviour at work is due to their inappropriate consumption of alcohol during lunch/break periods, or immediately prior to work. This may include requiring an employee to refrain from work

2.2.7 ensure confidentiality is maintained when dealing with drug and alcohol problems in the workplace

2.2.8 ensure that other employees, pupils, service users, members of the public and those in their charge are not put at risk or adversely affected as a result of the use of drugs or alcohol by County Council employees

2.2.9 ensure that as representatives of the County Council, employees behave in a professional manner at all times and that this is not undermined by drug or alcohol use

2.2.10 identify any work practices that could lead to drug or alcohol problems and seek to improve them;

2.2.11 encourage employees with drug or alcohol problems to seek help and advise them of the sources of help available, as outlined in Section 3 below

2.2.12 offer support to other staff, including if appropriate pupils and service users, whose wellbeing and work performance may be affected by drug or alcohol problems.

2.3 Employees will:

2.3.1 familiarise themselves with the Policy, its aims and their responsibilities in relation to drug and alcohol misuse at work

2.3.2 maintain a professional approach whilst at work and on County Council business, especially when dealing with pupils, service users, contractors and members of the public

2.3.3 be aware that the consumption of alcohol whilst actually at work is prohibited; with the exception of officially sanctioned work events where alcohol is provided. The same expectations on staff and consequences set out below in paragraph 3.3.4 apply in respect of alcohol consumption at such events

2.3.4 appreciate that if alcohol consumed during lunch/break periods, and immediately prior to work, resulted in an unacceptable effect on their behaviour or work performance, this would lead to the matter being addressed by their manager

2.3.5 understand the information provided in the Policy about drug and alcohol use and its effects on work and health, and manage their behaviour accordingly

2.3.6 encourage colleagues who may have a drug or alcohol problem to seek help. If this approach is not effective, the matter may be raised in confidence with the line manager

2.3.7 avoid covering up or colluding with colleagues where a drug or alcohol problem is affecting work

2.3.8 seek out appropriate support and help for drug or alcohol misuse as outlined in Section 3 below, particularly where this may be affecting behaviour or work performance

2.3.9 ensure that no alcohol is consumed prior to driving, the operation of hazardous machinery or where work in a hazardous environment is likely.

3. Advice and Support

3.1 If employees are concerned about a drug or alcohol problem within their workplace, whether their own situation or someone else's, they are strongly advised to seek help and advice through the appropriate channels to enable advice, counselling and practical support to be arranged.

3.2 The problem should also be discussed with their manager/supervisor, who will treat the matter in strict confidence, and may recommend the involvement of the occupational health service and/or an external specialist agency.

3.3 Contact can be made directly with the Council's Occupational Health provider who can offer confidential information, advice and support.

3.4 Additionally help and advice may be sought from GPs and relevant specialist agencies. Information is available from the National Drugs help lines including Alcohol Concern, Talk to Frank and Drugscope. Information is also available in County Council libraries. Trade Unions may also be able to offer support and advice.

3.5 The County Council is committed to helping staff overcome problems with alcohol and/or drugs in a sympathetic and confidential manner. However, it may not be possible to maintain confidentiality where there is a clear danger to the individual or to others. This may also apply where a criminal act is involved or suspected.

Appendix 1: Health Issues

- The use of mood enhancing drugs such as alcohol, illegal drugs, prescribed and over-the-counter drugs and chemicals such as solvents can be physically and psychologically harmful, even in small quantities.
- When a substance is used regularly, a tolerance can develop when the body becomes accustomed to it. This means that the user may find that increasing amounts of the substance are needed to create the same effect.
- When alcohol or drugs become an individual's main concern they are considered to be dependent. Dependency has two aspects, psychological and physical. Specialist help, such as counselling, may be needed to help individuals end their dependence.
- There are three main categories of drugs according to their effect.
These are:
 - Depressants – e.g. alcohol, tranquillisers, heroin and methadone
 - Stimulants – e.g. amphetamines, ecstasy, cocaine and tobacco
 - Hallucinogens – e.g. cannabis, LSD, magic mushrooms
- The effects experienced by someone when they use a drug can be difficult to predict and will depend on factors that include the amount and method used, the tolerance of that individual and their mood and surroundings at the time.
- Even though alcohol is widely used and accepted, employees should be aware that it is absorbed into the bloodstream within five minutes and the effect can last for several hours, depending on a combination of factors. Alcohol is a depressant and its effect is to slow down reaction times, impair judgement and co-ordination.
- The combination of mixing different types of alcohol and drugs is particularly dangerous as it can magnify the effects of individual substances and increase the risk of overdose.
- Alcohol increases its depressant effect when mixed with other depressants and can result in sedation, drowsiness, confusion or even coma. An overdose created by depressants can lead to cardiac and respiratory failure.
- The combination of alcohol and stimulants can put a strain on the heart; create unexpected behavioural changes and feelings of anxiety, paranoia or aggression.

- Alcohol and illicit drugs will also interact with prescribed medication leading to behaviour changes, strain on the body and confusion. All of which can have serious health consequences.

Appendix 2: Legal Background

- The Health and Safety at Work Act etc 1974 places a duty on employers to ensure so far as is reasonably practicable the health, safety and welfare of their employees, so that they do not injure themselves or endanger the public or colleagues. This has particular relevance to alcohol, drugs and the use of machinery. Employees also have legal obligations to take care to ensure the health and safety of others who may be affected by their actions at work. This includes members of the public.
- The Road Traffic Act 1988 stipulates that any person driving or attempting to drive a motor vehicle whilst unfit to drive through use of a substance may be prosecuted. This includes driving on County Council business.
- The Misuse of Drugs Act 1971 states that it is illegal to produce, supply or be in possession of drugs covered by this Act unless prescribed by a doctor. Drugs are classified into three categories – Classes A, B and C – according to their potential for harm. Class A drugs are regarded as the most dangerous and so carry the heaviest penalties for misuse. Supply of drugs is punished more severely than possession. Allowing premises to be used for supplying or producing drugs is an offence and carries severe penalties. If this should happen in the workplace, the County Council could be found liable with attendant consequences for both managers and staff.
- Not all drugs or substances that can be misused are illegal or obtained illegally. Many ordinary office or household substances can intoxicate e.g. glue, solvents. This Policy covers all intoxicating substances, not just those that are illegal.

Appendix 3: Drug and Alcohol Action Team

1. As a Drug and Alcohol Action Team member organisation, we are committed to providing a safe, healthy and effective working environment. In doing so, we recognise that not only will we help our staff, but also increase our ability to offer high standards of service.
2. It is acknowledged that individuals are able to decide for themselves whether it is appropriate to drink alcohol or take drugs. However, this use should not adversely impact on the workplace and/or individual and collective work performance.
3. Use affecting work performance may lead to reduced efficiency, increased risk of accidents, sickness absence and even incidents of misconduct. These may have serious consequences for individuals, their families and employers.
4. We are committed to helping staff overcome problems with alcohol and/or drugs. Individuals and their managers should refer concerns through the appropriate channels to enable advice, counselling and practical support to be available. This support will also be available to others who may also be involved.
5. All such individuals will be dealt with sympathetically and in confidence. However, confidentiality cannot be maintained where there is a clear danger either to the individual or to others. This may also apply where a criminal act is involved or suspected
6. All member organisations are committed to informing and educating their workforce about the issues surrounding the use of alcohol and/or drugs, their commitment to helping staff with problems and the possible consequences for such individuals who cannot overcome their problems. The emphasis will be on help and support.
7. All member organisations will need to have their own policies on incapacity and disciplinary procedures may need to be applied should the problems persist. Individuals should be reminded of this possibility at the appropriate stage.
8. All member organisations will maintain their own drug and alcohol policies. All will adopt this Statement of Intent and comply with the relevant legislation, particularly that covering health, safety and welfare issues and with the Human Rights Act. We are also committed to sharing our experiences and best practice for the benefit of our staff and those with whom we have contact.