

Substance and Alcohol Abuse Policy

Adopted: 22nd February 2022
Review: February 2024

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1. Policy

- 1.1 Datchworth Parish Council is committed to maintaining a productive, safe and healthy work environment and to safeguard other persons at the workplace occupied whether as contractors or visitors. Alcohol or drug misuse or abuse can be a serious problem within the workplace.
- 1.2 Employees who drink excessively or take illegal drugs are more likely to work inefficiently, be absent from work, have work accidents and endanger their colleagues.
- 1.3 We expect you to act responsibly and within the legal limit and the taking of drugs other than those prescribed or taken for a medical condition during working hours is strictly forbidden. It is your duty to be aware of the effect of taking prescribed drugs/medication and if taking such drugs/medication might affect your ability to perform your duties or health and safety at work you must advise your line manager or the Chair of the HR Committee immediately.
- 1.4 You should not give advice on dispensing over the counter medicines within the workplace.
- 1.5 Drug and alcohol abuse at or in the place of work will not be tolerated. Even a small amount of alcohol can affect work performance and if you are found to be under the influence of alcohol or drugs whilst at work there could be serious health and safety consequences. Incapacity or misconduct caused by an excess of alcohol or drugs at work or any breach of the terms of this Policy is a disciplinary offence and will be dealt with in accordance with the Council's Disciplinary Procedure. Depending on the seriousness of the offence, it may amount to gross misconduct and could result in your summary dismissal. This also applies to an employee believed to be buying or selling drugs or in possession of or taking drugs on the Council's premises or sites/locations in which Council employees operate.
- 1.6 However we recognise drug and alcohol abuse as a treatable illness and if you suffer in this way you are encouraged to seek help through an occupational health adviser nominated by the Datchworth Parish Council or your own Doctor or other medical adviser.
- 1.7 The Council reserves the right in under the influence of alcohol or drugs whilst at work to arrange for you to be escorted from any Council premises or site immediately and sent home without pay for the rest of the day. If you appear to be under the influence of drug or alcohol during the course of a meeting, you will be asked to leave immediately, regardless of whether the meeting is in person or virtual e.g. Zoom.

2. Definition

- 2.1 For the purpose of this Policy a substance is defined as any substance which chemically modifies the body's function resulting in physical, psychological or behavioural change. In this context the term substance includes, but is not limited to, drugs, alcohol and solvents. Substance abuse is the use of these substances in an improper way.

3. Rules on Substance Abuse

3.1 The following rules apply to you during your employment with the Council.

- Drugs

Illegal (controlled) drugs are defined under the Misuse of Drugs Act 1971 and subsequent regulations. In general it is a criminal offence for a person to produce, supply and offer to supply or be in possession of illegal drugs.

Prohibited substances are defined as:-

- any substances which an individual may not sell, possess, use or distribute under applicable law;
- any other legal but unlawfully-used substances, such as prescription drugs obtained or used without permission, or such drugs not being used for their originally intended purposes.

We reserve the right to take whatever action we consider appropriate if we believe that anyone on Council business or at any work location is under the influence of drugs and impairing performance and/or putting other persons at risk.

You are forbidden to produce, supply, offer to supply or possess illegal drugs at any time whilst on Council business or a work location. If you contravene these rules the Council reserves the right to take whatever action it considers appropriate including removing you from the premises and contacting the police. You will also be subject to the Council's Disciplinary Procedure which could result in dismissal.

- Alcohol

Consuming alcohol or bringing it on to Council work locations is prohibited unless with the prior approval of your line manager or the Chair of the HR Committee. We reserve the right to take whatever action we consider appropriate if we believe that anyone on Council business or at any of its work locations is under the influence of alcohol and that it is impairing your performance and/or putting other persons at risk.

This action may include seeking individual medical assistance or your removal of the person from the work location and disciplinary action could follow under the Council's Disciplinary Procedure which could result in dismissal.

If you represent the Council at business/client functions or conferences or attend Council organised social events outside normal working hours you are expected to be moderate if drinking alcohol and to ensure you are well within the legal limits if you are driving. You are obviously prohibited from taking drugs on those occasions. Social drinking after normal working hours and away from the Council's premises is, of course, generally a personal matter and does not directly concern the Council. The Council's concern only arises when, because of the pattern or amount of alcoholic drink involved, your attendance, work performance or conduct at work deteriorates.

- Solvents and Other Substances

Your abuse of solvents or other substances, such as glue sniffing, is forbidden on any work location and the rules for alcohol abuse as described above will also apply.

- Driving

You must never drink alcohol or take drugs if you are required to drive a private or a Council vehicle on Council business.

4. Employee Support

4.1 Through encouragement and support we will assist you if you have a drug and/or alcohol problem to seek help and it is our policy to ensure that if you inform the Chair of the HR Committee in confidence of any such problem the matter will be treated sensitively and in strict confidence subject to any legal constraints.

4.2 The Council, with the guidance of the external occupational health service and/or your GP, will support and provide assistance where reasonably practical, and also provide appropriate confidential guidance and support for you to seek help including access to rehabilitation and treatment programmes.

4.3 Disciplinary action may be taken against any employee who refuses to seek counselling or medical treatment for what is deemed to be a drug or alcohol problem.

4.4 Where appropriate we will contribute to and support employee awareness and management training programmes to assist in the implementation of this Policy.

5. Advice

5.1 Any queries on this Policy should be raised in the first instance with your Line Manager or the Chair of the HR Committee.

This policy will be reviewed every two years or earlier if so required by legislation or additional material.

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Approving committee: Full Council

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