



## **ALCOHOL AND SUBSTANCE ABUSE Policy and Procedure**

The Council is committed to ensuring the health, safety and welfare of its employees and those affected by its activities. It will take all reasonable steps to reduce, if not eliminate, the risk of injuries or incidents occurring due to individuals suffering from the effects of alcohol or substance abuse. This policy applies to all employees and all persons coming onto the Council's premises.

The Council will undertake and regularly review risk assessments to identify and assess the risks associated with alcohol and substance abuse. The risk assessments will consider the scope of all work activities undertaken by the Council (in particular any safety critical operations) to determine the appropriate policies and arrangements for managing the risks associated with alcohol and substance abuse by employees and, where relevant, contractors, customers and the public.

The Council prohibits the drinking of alcohol by employees [and contractors] in the workplace or on Council business other than reasonable drinking of alcohol in connection with approved social functions. The Council regards drinking to an 'unreasonable level' as any of the following situations:

- The individual is over the legal limit stipulated for driving (ie 35mcg/100ml of breath alcohol concentration).
- In the opinion of management, the individual's performance is impaired. This may be at less than the legal limit stipulated for driving and may result in different requirements, depending on the function of the member of staff concerned.
- In the opinion of management, the individual's behaviour may cause embarrassment, distress or offence to others.
- The individual continues to drink when instructed to stop by a manager.

The Council will take all reasonable steps to prevent employees [and contractors] carrying out work-related activities if they are considered to be unfit/unsafe to undertake the work as a result of alcohol consumption or substance abuse.

The Council expressly prohibits the use of any illegal drugs or any prescription drugs that have not been prescribed for the user. It is a criminal offence to be in possession of, use or distribute an illicit substance. If any such incidents take place on council premises, in council vehicles or at a council function, they will be regarded as serious, will be investigated by the Council, and may lead to disciplinary action and possible reporting to the Police.

No employee or other person under the Council's control shall, in connection with any work-related activity:

- report, or endeavour to report, for duty having consumed drugs or alcohol likely to render him/her unfit and/or unsafe for work;
- consume or be under the influence of drugs or alcohol whilst on duty (unless, in the case of alcohol, with the agreement of line management for the purposes of official Council entertaining);
- store drugs or alcohol in personal areas such as lockers and desk drawers;
- attempt to sell or give drugs or alcohol to any other employee or other person on the company premises.

Employees must inform their line manager regarding any prescribed medication that may have an effect on their ability to carry out their work safely, and must follow any instructions subsequently given. Drugs that cause drowsiness must not be used whilst at work.

Any employee suffering from drug or alcohol dependency should declare such dependency, and the Council will subsequently provide reasonable assistance, treating absences for treatment and/or rehabilitation as any other sickness absence. (Failure to accept help or continue with treatment will render the employee liable to normal disciplinary procedures.)

## **Notes**

In this policy the term substance abuse includes misuse of controlled and prescription drugs, and use of illegal and designer drugs and other substances such as solvents. Drugs are defined as any substance that affects the way the body functions physically, emotionally or mentally. Misuse is defined as any use that harms social or physical functioning.

## **Warning**

There is potential conflict between discrimination legislation and the need under health and safety law to take account of individuals' ability to carry out tasks safely before allowing them to do the tasks.

**Every employee is reminded that under section 7 of the Health and Safety at Work etc. Act 1974 employees have a duty to take reasonable care of themselves and others who may be affected by their acts or omissions at work.**