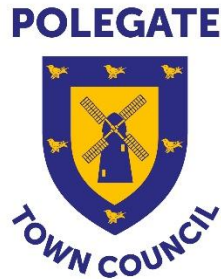


Polegate Town Council



ALCOHOL AND DRUGS MISUSE POLICY

Policy Number 15		
Issue No.	Date completed	Details of amendments
1	21.04.23	21.04.23 adopted by Finance and Policy Committee
2	22.05.23	Adopted at Annual Stat Meeting
3	20.05.24	Adopted at Annual Stat Meeting
4	19.05.25	Adopted at Annual Stat Meeting
5	11.05.26	Adopted at Annual Stat Meeting

1. Purpose

1.1 Polegate Town Council has adopted a policy on alcohol and drug misuse in the workplace in order to provide a safe and productive working environment, to promote the health, safety, and wellbeing of all its employees and to comply with relevant legislation, for example, the Health and Safety at Work Act 1974 and the Misuse of Drugs Act 1971.

1.2 This policy covers the use and misuse of intoxicating substances, in work or outside of work that could adversely affect work performance and/ or health and safety. The definition of intoxicating substances includes:

- Alcohol
- Solvents
- Legal and Illegal drugs
- Prescription drugs
- Over the counter medicines and,
- Other substances

2. Policy Aim

2.1 The aims of the policy are:

- To achieve a balance between supporting the employee to come forward with a problem and the need to preserve the health, safety and welfare of employees and others, the organisation's reputation and the delivery of high quality, effective services;
- To create a climate of openness which removes the tendency to conceal or deny alcohol or drug related problems;
- To encourage employees who are experiencing alcohol and drug related problems to seek appropriate assistance voluntarily at the earliest opportunity and to ensure the availability of appropriate professional advice, such as the Employee Assistance Programme;
- To promote awareness and provide a procedure on identifying and managing alcohol and drug misuse which includes treatment as well as disciplinary action as required.

3. Scope

3.1 This policy applies to all employees. The organisation also expects agency and casual workers, contractors and others working on its behalf to comply with this policy. Failure to do so is likely to result in the working arrangement being terminated.

4. Roles and Responsibilities

4.1 Employees responsibilities:

- To take reasonable care of themselves and other who may be affected by their action at work;
- Ensure that their performance or ability to carry out their activities at work safely and competently is not impaired in any way;
- To adopt a responsible attitude towards drinking and taking prescribed over the counter drugs and to arrive at work free from the effects of alcohol and drugs and to remain so during the working day;
- When representing Polegate Town Council outside normal working hours, including at staff social events, employees are expected to take a responsible attitude to alcohol and taking prescribed and over the counter drugs as they are representing the Council and must not jeopardise its reputation;
- To inform their line manager of prescribed and over medications that may cause side effects that have potential safety implications for their duties at work;
- When seeking treatment or medicines to be aware of the conditions and side effects notified and where possible seek out alternatives that do not impair performance through drowsiness or other symptoms;
- Not possess, store, trade or sell controlled drugs on organisation premises or bring the organisation into disrepute by engaging in such activities outside of work;
- To seek help if they have concerns regarding their alcohol or drug consumption. It is recommended that individual approaches their line manager or a member of the Management Team in the first instances to allow the organisation to arrange for the provision of appropriate support, for example, access to the Employee Assistance Programme, referral to the Occupational Health Advisor or other medical professionals;
- To co-operate with any support and assistance provided to address alcohol or drug misuse;
- Encourage colleagues with an alcohol or drug misuse problem to seek help;
- To raise concerns with an individual's line manager if they genuinely suspect that an employee may be misusing drugs or alcohol and that the individual concerned does not wish to come forward to seek help.

4.2 Managers Responsibilities:

- Provide support and assistance, where appropriate and for a reasonable period, to staff who are dependent on drugs and alcohol to help their recovery e.g. consider what reasonable adjustments can be made when an employee engaged on safety critical tasks, such as driving a van, is undertaking a period of medical treatment. This may necessitate taking advice from an Occupational Health Advisor;
- Assess the risks to the Health and Safety of their employees under the Health and Safety at Work Regulations 1999. Knowingly allowing an employee to continue working if affected by alcohol or drugs, whilst their behaviour places the employee or others at risk could make the employer liable to prosecution. Employees under the influence of alcohol or drugs will be escorted home safely by 2 members of the team and arrangements made for an initial interview at the earliest opportunity;
- Notify the Town Clerk and Police if an employee is found to be in possession of drugs or to be supplying illegal substances under the Misuse of Drugs Act 1971;
- To inform the Town Clerk and Police of any behaviour or activity which may not be legal e.g. having a drink driving accident in a work vehicle;
- To take an objective and non-judgemental approach when counselling or interviewing employees;
- To refer employees for assistance when appropriate;
- To intervene early when there are changes in performance, behaviour, sickness levels and attendance patterns to establish whether alcohol or drug misuse is an underlying cause;
- To be alert to and to monitor changes in work performance, attendance, sickness and accident patterns;
- To refer to the disciplinary/capability procedures where appropriate; and
- To act promptly on information from staff

5. The Procedure

5.1 Support for Employees

- 5.1.1 Polegate Town Council is committed to providing appropriate professional help and support to employees who have an alcohol or drug related problem and who seek help via the Employee Assistance Programme, their GP, or another recognised external agency. Management reserve the right, with the individual's consent, to refer the employee to the company's Occupational Health Adviser.
- 5.1.2 Help and Support will not be provided for any employee who has been involved in an accident or other situation where screening in accordance with this policy has been undertaken, nor where the

employee discloses an alcohol or drug dependency problem during disciplinary proceedings. Employees are therefore strongly encouraged to disclose any alcohol or drug dependency voluntarily to their line manager (or another member of the management team if preferred) and at the earliest opportunity.

- 5.1.3 During a period of treatment consideration will be given to any adjustments to the job role that may be required. This could include time off to attend appointments/ treatment.
- 5.1.4 It is the responsibility of the employee's manager, in conjunction with advice from the Occupational Health Advisor, to determine a time frame for an employee to achieve a sustained improvement, a period of 6 month is often appropriate. Employees will be required to comply with an agreed programme of support during this time.
- 5.1.5 However, if performance, attendance, or behaviour is unacceptable, despite any support and assistance that can be offered, ultimately dismissal may be unavoidable.
- 5.1.6 Confidentiality will be maintained but may not apply if the employee is deemed, under Health and Safety legislation, to be putting themselves or others at risk.

5.2 Performance relating to alcohol and drugs

- 5.2.1 Where an employee's health, attendance or work performance is affected by an alcohol or drug related problem, they will be dealt with under the absence or capability procedures at 12 and 13 in the Staff Handbook.
- 5.2.2 Where the employee's unsatisfactory attendance or work performance is related to an alcohol or drug related problem the Town Council may wish to refer the employee to the Occupational Health Advisor for guidance and medical report.
- 5.2.3 Where an employee refuses to attend an Occupational Health appointment, or to give consent for a medical report, management may have to take action based on information available to them.
- 5.2.4 After returning to work following a period of absence associated with drugs or alcohol, the employee may be requested to undergo a return to work medical with the Occupational Health Adviser, which may include follow up screening.
- 5.2.5 Should an employee's health, attendance or work performance continue to be affected, and unsatisfactory, further stages of the absence and capability procedures will be followed and could ultimately lead to dismissal.

5.3 Misconduct relating to Alcohol and Drugs

- 5.3.1 Misconduct related to the consumption of alcohol or drugs will be dealt with under the Disciplinary Procedure at 14 in this Handbook as an act of gross misconduct which may result in summary dismissal.
- 5.3.2 In these circumstances, if the employee is thought to be unfit for work, he or she may be suspended from their duties whilst any investigation takes place, to minimise danger to him or herself, other employees and customers.
- 5.3.3 Where an employee's alcohol or drug related problem comes to light in the course of disciplinary proceedings, the admission of dependency may be a mitigating factor but will not necessarily result in the suspension of disciplinary action.
- 5.3.4 Examples of issues that will be subject to disciplinary action, including the possibility of dismissal are:
- Deliberate disregard for personal safety and that of others associated with the use of intoxicating substances;
 - Unacceptable behaviour in the workplace associated with the use of intoxicating substances;
 - Being found incapable of performing normal duties satisfactorily and safely as a result of consuming alcohol or taking drugs;
 - Consuming intoxicating substances during the working day
 - Possession, consumption, dealing/trafficking, selling, storage of controlled drugs either on work premises or outside of work;
 - Being disqualified from driving as a result of alcohol or drug related offences (when employees are required to drive a vehicle in their contract of employment);
 - Making vexatious or malicious allegations that a colleague is misusing intoxicating substances.

This list is not exhaustive.

6. Post incident testing

- 6.1 To assist in the implementation of this Policy an established screening procedure to test for the presence of drugs or alcohol may be used when there is a good cause.
- 6.2 Post incident testing may be used when there are reasonable grounds to believe that alcohol or drugs could have, or potentially could have had, an adverse effect on the Health and Safety of an individual and/ or a manager considers there is evidence that alcohol consumption or drug use has occurred.

- 6.3 Possible examples of incidents that may result in post incident testing could include a workplace incident/ accident; signs of current intoxication whilst at work; possession of a controlled substance; discovery of an alcoholic container with a broken seal and abnormal behaviour whilst at work. (This list is not exhaustive)
- 6.4 The Town Clerk is responsible for making the decision to screen an employee and for informing the employee. The Business Administrator will contact the screening organisation.
- 6.5 Post incident screening leading to a positive result will result in an investigatory interview and the breach of the Alcohol and Drugs Policy may be treated as a disciplinary matter. If following action under the Disciplinary Procedure, no disciplinary action is taken or that action is short of dismissal then the individual (with informed consent) will be referred to Occupational Health. An assessment will be made regarding any degree of dependency and, if necessary, a programme of appropriate support will be outlined which may include counselling. A formal report will be provided by Occupational Health to the Town Clerk and employee will have sight of such reports. Employees will be expected to attend appointment and comply with any programme of support or counselling. Failure to do so may result in the individual being subject to the Disciplinary Procedure.
- 6.6 At the end of a programme of support an employee will be subject to a follow up screening. A positive result at this stage may also lead to action under the Disciplinary Procedure which may result in dismissal.

7. Levels

- 7.1 The blood-alcohol level at which staff may be disciplined when being tested for alcohol is in line with the Government's Legal Drink/ Drive limit, as amended from time to time.
- 7.2 In the case of drugs, the threshold levels are determined in accordance with established legal and medical practice.

Statement prepared for adoption by Polegate Town Council at its meeting on 11.05.26

Signed by

Mayor of Polegate

Town Clerk/ Proper Officer/ RFO