



# **DEVON COUNTY COUNCIL**

## **DRUGS AND ALCOHOL MISUSE POLICY**

Policy Date:	February 2006
Policy:	Drug and Alcohol Misuse Policy
Reviewed:	September 2015
Next Review Date:	September 2017

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## DRUGS AND ALCOHOL MISUSE POLICY

<b>Date:</b>	September 2015
<b>Replacing previous Policy dated:</b>	February 2006
<b>Review Date:</b>	August 2017
<b>Policy Type:</b>	County Health Safety and Wellbeing Policy
<b>Approval:</b>	Devon Health, Safety and Wellbeing Board
<b>Author:</b>	Greer Bailey
<b>Reviewing Author: Email:</b>	Margaret Bullock, County Health & Safety Manager <a href="mailto:Margaret.bullock@devon.gov.uk">Margaret.bullock@devon.gov.uk</a>
<b>Health &amp; Safety Contacts</b>	Devon Health & Safety Service <a href="mailto:Healthandsafety@devon.gov.uk">Healthandsafety@devon.gov.uk</a> Helpline: 01392 382027
<b>Sponsors:</b>	Dr Phil Norrey, Chief Executive John Smith, Head of Services to Communities
<b>Associated policies and guidance:</b>	<ul style="list-style-type: none"><li>• Devon County Council's Health, Safety and Wellbeing Policy</li><li>• DCC HS0014 Drug and Alcohol Guidance Note</li><li>• All work and operational related activities policies</li></ul>

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## DRUGS AND ALCOHOL MISUSE POLICY

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## 1. INTRODUCTION

- 1.1 The aim of this policy is to promote a healthy and safe working environment by eliminating the risks of injury and ill-health to staff from the consequences of drug or alcohol abuse. This will help to achieve the DCC goal of a healthy and productive workforce. This policy should be read in conjunction with **HS0014 Drug and Alcohol Guidance Note** which details the arrangements to be followed.
- 1.2 Devon County Council acknowledges the individual's privacy and the personal choices they make as part of their lifestyle. However, where the effects of drug or alcohol abuse may impact upon the individual's performance, or the health and safety of themselves or others, this policy serves to provide guidance and support.
- 1.3 In order to achieve this aim, the purpose of this policy is to:
- Emphasis the support available to staff affected by drug or alcohol misuse
  - Provide guidance to managers on how to respond to staff who have developed a drug or alcohol problem
  - Provide guidance to staff who develop a drug or alcohol problem
  - Define responsibilities under this policy
  - Introduce available information and resources
- 1.4 Everyone undertaking duties on behalf of DCC, including staff, contractors, volunteers, etc, must present themselves for work fit to undertake the tasks for which they are engaged. They must not be impaired by drugs or alcohol. The effect of such impairment within the working environment could have profound and serious consequences.
- 1.5 The intention of this policy is to assist those with a drug or alcohol problem where there is dependency or repeated abuse. This is not applicable to dealing with 'one-off' events which are subject to the disciplinary procedure.

## 2. POLICY

- 2.1 Devon County Council's aims as an organisation are to act as a good employer. It will conduct its business activities in a way which will achieve the highest possible standard of health and safety for its employees, visitors and members of the public.
- 2.2 The purpose of this policy is:

- To prevent drug and alcohol problems by raising awareness and providing guidance on the symptoms, their effects on work and health consequences of both drugs and alcohol
- To seek to identify a problem at an early stage and thus minimise risks to the health and safety of the employee and potentially safeguard the health and safety of fellow employees and others
- To recognise drugs and alcohol problems as medical conditions which are potentially treatable and to provide the means where those who have a problem can seek and be offered confidential help
- To provide competent assistance and support to employees with problems with the aim of reintegration back into work

This will be achieved by having:

- A clear understanding within the workplace of the rules relating to drugs and alcohol
- A greater awareness in the workplace on the effects of drugs and alcohol
- Early recognition of effects of drugs and alcohol
- The necessary structures and procedures in place should a problem arise
- Key staff trained to understand the issues involved and have the skills to deal with problems when they arise
- A willingness amongst workers to acknowledge that they or a fellow colleague have a problem
- An environment in which staff are confident to disclose a problem

### **3. BACKGROUND**

3.1 There are sound moral, economic and legal reasons for having a policy on drugs and alcohol in the workplace. Given the current pattern of excessive drinking and the use of illicit drugs by some people, problems relating to their use are likely to arise in workplaces. Employers who have implemented a policy will be well placed to deal with such problems. The overall aim is to have safe and healthy working communities which protect and enhance productivity, strengthening business performance.

3.2 This can be achieved by:

- A greater awareness in workplaces of the effects of drugs and alcohol
- Identifying problems at the earliest stage
- Protecting the health, safety and welfare of employees by offering support to those who have a problem
- Drugs and alcohol affects all sections of the community. Devon County Council is statistically likely to employ people who have a substance misuse problem and therefore a supportive environment is necessary

3.3 The use of drugs and the excessive use of alcohol can lead to:

- A decline in productivity
- Slower reactions
- Inaccuracy
- Unpunctuality and absence
- Decreased standard of work
- Mood changes
- Depression and the decay of relationships with colleagues

3.4 DCC acknowledges that drug and alcohol misuse can result from physical and mental health issues, employment, housing, social isolation, boredom, lack of family and community connectedness and relationship difficulties. These wider issues need to be explored with vulnerable staff to minimise the extent of drug and alcohol misuse and dependence. It is also acknowledged that some underlying health conditions manifested in drug or alcohol abuse may be significant enough to afford the sufferer protection from discrimination under the Disability Discrimination Act.

## 4. SCOPE

4.1 This policy applies to everyone employed by DCC. This policy also applies to those who are on DCC property or undertaking duties on behalf of DCC. Such as:

- Contractors
- Members of the public
- Visitors
- Employees of partnership relationships
- Service clients

## 5. RESPONSIBILITIES

5.1 Managers should:

- Create a working environment that encourages staff to admit to a problem
- When a member of staff has admitted to a problem, use a risk assessment approach to determine their suitability to perform their duties and the possible effects upon others
- Identify employees with possible problems relating to drug or alcohol abuse and offer guidance and support and actively encourage the employee to seek appropriate help such as their GP and the DCC EAP scheme or other agencies.

- Enlist the support of Trade Unions and staff associations
- Promote safe and sensible drinking habits
- Maintain the confidentiality of disclosure in accordance with the Data Protection Act
- Utilise available resources to provide appropriate advice and support
- Monitor and review the workplace implications through rehabilitation and recovery

## 5.2 Employees should:

- Not report for work under the influence of drugs or alcohol
- Seek advice from their GP
- Disclose a drug or alcohol problem, where they feel able to do so, to their manager
- Seek advice and support from their trade union or staff association
- Offer appropriate support to colleagues and encourage them to seek appropriate advice and support

## 5.3 Trade Unions and staff associations are encouraged to:

- Support the implementation of this policy
- Provide appropriate representation
- Where able, offer support and advice
- Advise members to disclose a problem. This could be to their manager
- Maintain confidentiality in accordance with the Data Protection Act

## 5.4 The Occupational Health Service and HR Direct will:

- Provide advice and support to line managers and staff
- Maintain confidentiality in accordance with the Data Protection Act and professional codes of practice

## 6. AUDIT, MONITOR AND REVIEW

6.1 The effectiveness of this policy and associated guidance are difficult to assess. No comprehensive baseline data exists as to the extent of this problem within DCC. Drug or alcohol abuse can be a cause of accidents but this is rarely identified and so reviewing accident data is not appropriate.

6.2 All services within Devon County Council must be able to demonstrate compliance with this policy in accordance with DCC health and safety auditing procedures.

## **7. EQUALITY STATEMENT**

- 7.1 The Council will only commit to policies and practices which will eradicate discrimination and promote equality for all, regardless of age, gender, disability, religion and belief, race and ethnicity and sexual orientation.
- 7.2 This policy and related guidance has been subject of an Equality Impact and Needs Assessment. This assessment will be integral to all future policy and guidance reviews.

## **8. POLICY REVIEW**

- 8.1 The Devon Health, Safety and Well-being Board will review this Policy every two years or sooner if changes are made to current legislation.

## POLICY HISTORY

Policy Date	Summary of change	Contact	Implementation Date	Review Date
25/09/2008	Re-formatted	Devon H&S Service 01392 382027	October 2008	25/09/2008
15/07/2009	Reviewed – guidance element moved to HS0014 Guidance Note	Devon H&S Service 01392 382027	July 2009	July 2011
September 2011	Reviewed and minor textual changes to reflect DCC structural change	Devon H&S Service 01392 382027	September 2011	September 2013
September 2015	Reviewed and minor textual changes to reflect DCC structural change; wording amendment to bring in line with DCC policy	Devon H&S Service 01392 382027	September 2015	September 2017
April 2016	References to the Wellbeing@Work Service removed	Devon H&S Service 01392 382027	September 2015	September 2017