

Alcohol and Drugs Policy, Rules and Procedures

Approved by Town Council XXXXXXX

Policy Statement

At all times whilst on Town Council premises, or whilst on Town Council business employees, volunteers, contractors and councillors must be free from the influence of alcohol or drugs (other than those prescribed by their doctor or “over the counter” medication for short term use e.g. headache pain relief).

Background Information

Introduction

This policy covers all employees, councillors, volunteers and contractors and sets out the Town Council’s approach to the management of situations involving the inappropriate or excessive use and addiction to alcohol or drugs that may put employees, councillors, volunteers or others at risk. It includes the use of prescription and over the counter medication that may have an impact on an employee’s ability to carry out their work.

The aim of this policy is to ensure the safety of all employees, volunteers, contractors and visitors by having clear rules in place regarding the use and possession of alcohol and drugs, and to support those employees who have reported a problem with alcohol or drug dependence.

This Policy is complementary to the Town Council’s Health and Safety Policy.

The Legal Framework

- **Health and Safety at Work Act 1974 - section 2** - places a duty on an employer to ensure, as far as is reasonably practicable, the health, safety and welfare at work of their employees. Employees also have a personal responsibility to take reasonable care of themselves and others.
- **Management of Health and Safety at Work Regulations 1999** places a duty on an employer to assess the risks to the health and safety of employees. This means an employer can be prosecuted if they knowingly allow an employee to continue working while under the influence of alcohol or drugs and their behaviour places the employee themselves or others at risk.
- **Misuse of Drugs Act 1971** - makes it an offence for someone to knowingly permit the production, supply or use of controlled drugs on their premises except in specified circumstances (for example drugs prescribed by a doctor)
- **Road Traffic Act 1988** - states that any person who, when driving or attempting to drive a motor vehicle on a road or other public place, is unfit to drive through drink or drugs shall be guilty of an offence.

Policy Principles

- Everyone covered by this Policy and its rules will be treated consistently and fairly
- The rules on alcohol and drugs will be strictly enforced
- Employees who admit to having a problem with alcohol or drugs shall be fully supported by their line manager
- Employees with an illness related to alcohol or drugs are encouraged to disclose this at the earliest opportunity to ensure support
- All matters concerning alcohol and drugs shall be treated as confidential
- The rules laid out in this policy apply to all employees, volunteers, councillors and contractors
- Employee misconduct in relation to alcohol and drugs (including being under the influence of alcohol or drugs whilst at work) will be dealt with in accordance with the Town Council's Disciplinary Policy
- An employee's poor performance (including attendance or a long-term alcohol / drugs related illness) as a result of alcohol or drug use will be dealt with in accordance with the Town Council's Capability procedure

Rules and Procedures

1. An employee, volunteer, contractor or Councillor, who, when reporting for duty is or appears to be under the influence of alcohol or illegal drugs or medication which impairs their ability to undertake their role, will be asked to go home and will be escorted from the premises immediately.

The decision of the Town Clerk or Deputy Clerk or Senior Open Spaces Warden regarding the fitness for work of employees, volunteers or contractors is final.

In the case of Councillors it will be the Town Clerk (or in their absence the Deputy Clerk) in consultation with the Mayor or Deputy Mayor or if it is at a Committee meeting the Committee Chair or Vice-Chair.

2. Employees, volunteers, contractors and Councillors are not permitted to be in possession of alcohol or illegal drugs on Town Council premises or whilst on Town Council business
3. Intoxication at work either as a result of alcohol or illegal drugs will normally be treated as gross misconduct and result in disciplinary action.
4. Whilst on Town Council premises or whilst on Town Council business employees, volunteers, contractors and Councillors shall not supply others with illegal drugs or alcohol (with the exception of Civic functions where alcohol may be provided).
5. Whilst on Town Council premises or whilst on Town Council business employees, volunteers, contractors and Councillors shall not consume alcohol (with the exception of Civic functions where alcohol may be provided) illegal drugs or abuse any substance.

In addition, employees, volunteers, contractors and Councillors must

- Ensure they are aware of the side effects of any prescription or over the counter medication they are taking, and
- Inform their line manager or, in the case of a Councillor The Mayor or the Town Clerk, of any side effects which may affect work performance or the health and safety of themselves or others e.g. drowsiness.

Contravention of any of the above rules by an employee will be treated as gross misconduct and disciplinary action will be taken; in the case of volunteers or contractors their services will be terminated immediately.

Possession of or dealing in illegal drugs on Town Council premises will, without exception, be reported to the Police and, if children or vulnerable adults may be impacted social services will also be informed.

Employees, Volunteers and Councillor Responsibilities

- Everyone is responsible for ensuring their own fitness to carry out their duties when they start work and throughout the working period.
- Anyone taking prescribed medication or over the counter medication that could impact upon their ability to undertake their role should inform their line manager or, in the case of a Councillor The Mayor or the Town Clerk,
- Anyone who has a drug or alcohol problem should discuss the matter with their line manager or the Town Clerk or, in the case of a Councillor, The Mayor
- No one should “cover-up” for a colleague. Anyone believing a colleague may have an alcohol or drug misuse problem or is affected by other medication must tell their own line manager.

Management Responsibilities

- Line managers are responsible for monitoring the performance, health and well-being and conduct of their teams whilst they are at work. Changes in an employee’s behaviour or performance that may be as a result of substance abuse must be monitored and managed in accordance with this policy.

Help and Support

Any employee who seeks the assistance of the Town Council in finding treatment for a drugs or alcohol problem has the Town Council’s assurance that information will only be shared as agreed by the employee, their manager and the Town Clerk. All information will be handled sensitively and only used for its proper purpose and in line with the Data Protection Act 1998

The Town Council will endeavour to ensure that help and advice are made available to any employee, volunteer or Councillor who feels that they have a problem with alcohol or drug misuse. In the first instance, individuals will be encouraged to seek help from their General Practitioner.

It may be necessary for an employee to be absent from work or undertake restricted duties to ensure their own safety and that of others. Such absences will be treated in accordance with the Town Council’s usual rules for sickness absence.

The Town Council will allow time off (normally unpaid) for employees to obtain treatment or attend support groups.

Policy Review

This policy will be reviewed every 3 years unless legislation necessitates an earlier review.

Useful contacts / sources of Information:

Alcoholics Anonymous

<https://www.alcoholics-anonymous.org.uk/>

Advice and Counselling On Alcohol And Drugs

<http://www.acad.org.uk/>

FRANK

Friendly, confidential drugs advice

<http://www.talktofrank.com/>

Background Documents: ACAS Advisory Booklet "Health, work and well-being"