

ALCOHOL AND DRUGS

VERSION No	3	
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1. Policy Statement

- a) All employers have a general duty to ensure the health, safety and welfare of their employees. If an employer knowingly allowed an employee under the influence of alcohol or drugs to continue working and this placed the employee or others at risk, the employer could be liable to charges.
- b) Employees are also required to take reasonable care of themselves and others who could be affected by what they do. They could be liable to charge if their alcohol consumption or drug taking put safety at risk.
- c) The laws on alcohol and drugs at work: **Health and Safety at Work Act 1974** and **Misuse of Drugs Act 1971** makes it an offence to possess, supply or offer to supply or produce controlled drugs without authorisation. It is also an offence for the occupier of premises to permit knowingly the production or supply of any controlled drugs or allow the smoking of cannabis or opium on those premises.
- d) Under common law it is an offence to “aid and abet” the commission of an offence under the *Misuse of Drugs Act*.
- e) This organisation enforces a strict no alcohol or drugs on duty regime. Both alcohol consumption and illegal drug taking impair judgement, reaction time and the employee’s ability to carry out their duties, thereby placing themselves and the resident at considerable risk.

2. The Policy

If an employee is accused of illegal drug taking or alcohol consumption whilst on duty they will face an immediate suspension from their duties whilst an investigation is conducted. A full disciplinary investigation will be undertaken. If the accusation is proven to be true then the employee concerned could be dismissed.

a) Residents

If employees are ever asked to purchase alcohol by a resident they can only do so where it is recorded as part of the care plan. Illegal drugs can never be purchased for a resident, and a disciplinary investigation will be undertaken in such circumstances.

b) Staff

The effect on staff of alcohol or drugs is detrimental not only to their health and well-being but represents a risk both to themselves and residents. The potential effects of alcohol or drugs are numerous, including:

-  Absenteeism, unauthorised absence, lateness, etc.
-  Higher accident levels, including at work, whilst driving, and whilst performing tasks.
-  Impaired work performance, difficulty in concentrating, tasks taking more time, increased mistakes, heightened distraction.

If the performance or attendance of an employee at work is affected by alcohol or drug misuse outside of working hours, they may be subject to disciplinary action and, dependent on circumstances, this could result in their dismissal. These circumstances will be dealt with via the disciplinary procedures. Wherever possible this organisation will signpost employees with an identified alcohol or drug problem towards the appropriate help and support so that they

recognise the dangers of alcohol, drug and other substance misuse, whilst encouraging them to seek help for themselves. Where any misuse of alcohol or drugs is reported via the whistle blowing procedures then the whistle blowing policy must be followed.

c) Drug Screening in the workplace

We are legally required to gain consent from the employee to carry out drug screening. This consent is gained by a specific consent which part of the staff handbook

⚠ we limit testing to employees that need to be tested

⚠ we ensure tests are random

Our employees understand that they cannot be made to take a drug test but if they refuse when there are good grounds for testing, they may face disciplinary action. Data Protection law covers any monitoring including drug testing and all records are confidential

Signs of drug misuse which you might look for include:

- 👉 sudden mood changes;
- 👉 unusual irritability or aggression;
- 👉 a tendency to become confused;
- 👉 abnormal fluctuations in concentration and energy;
- 👉 impaired job performance;
- 👉 poor time-keeping;
- 👉 increased short-term sickness absence;
- 👉 a deterioration in relationships with colleagues, customers or management;
- 👉 dishonesty and theft (arising from the need to maintain an expensive habit).

Remember: all the signs shown above may be caused by other factors, such as stress, and should be regarded only as indications that an employee may be misusing drugs.

Guidance

Drug Misuse at Work <http://www.hse.gov.uk/pubns/indg91.pdf>

ACAS Alcohol and Drug Policies <http://www.acas.org.uk/index.aspx?articleid=1986>

EWDTs Guidelines <http://www.ewdts.org/ewdts-guidelines.html>

3. Training Statement

This home enforces a strict no alcohol or drugs on duty regime.

Manager and deputy manager will be educated to recognise the signs of alcohol or drug consumption in staff and supported to act quickly in a situation of drug or alcohol abuse so as to protect and safeguard the resident and others.

Related Policies

*Code of Conduct for Workers
Monitoring and Accountability
Supervision*