



# Alcohol and Substance Abuse Procedure



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## 1. Introduction

Havant Borough Council and East Hampshire District Council are committed to providing a safe working environment ensuring the health, safety and welfare of all employees. This includes as far as reasonably practicable promoting good health and well being for all our employees.

The Councils' will take all reasonable steps to reduce, if not eliminate, the risk of injuries or incidents occurring due to employees suffering from the effects of alcohol or substance abuse.

This procedure sets out how Havant Borough Council and East Hampshire District Council will manage incidents of alcohol and/or substance abuse in the workplace. It also details the type of support available to staff who are [or are suspected of] suffering from an alcohol or substance abuse issue.

This procedure applies to all employees and all persons coming onto the Councils' premises to carry out work on behalf of either Council.

## 2. Principles

Employees must not report to work whilst impaired through alcohol, drugs or other substances (whether illegal or not).

Employees must not be in possession of alcohol or illegal drugs on the Councils' premises.

Employees must not consume alcohol, illegal drugs or take or use any substances in an unsanctioned way whilst at work or whilst representing the Councils'.

Employees must not attempt to sell, distribute or supply alcohol whilst on Council premises or whilst representing the Councils [this excludes licensed areas within buildings and personal gifts between staff].

Employees must not attempt to sell, distribute or supply drugs which contravene the Misuse of Drugs Act 1971 and the Medicines Act 1968 whilst on Council premises or whilst representing the Council. Without exception, any contravention of this will be reported to the Police.

Any breaches of the above will be viewed by the Councils' as gross misconduct and may lead to suspension and disciplinary action, which could result in dismissal.

In addition:

All employees must be made aware of their responsibilities regarding alcohol and substance misuse in the workplace.

Employees who have an alcohol and/or substance related problem will be encouraged to seek help, in confidence at an early stage.

Employees who volunteer an alcohol and/or substance related problem will be dealt with sympathetically, fairly and consistently.

The Councils' will raise awareness through this procedure and other health and wellbeing campaigns of the effects of alcohol and other substances.

The Councils' will where possible assist an employee with a drug and/or substance related problem back to the workplace, if appropriate.

### 3. Substance and Alcohol Abuse

The misuse of alcohol, drugs or substances by employees might become apparent in a variety of ways. The following could be an indication of a problem:

- Absenteeism/poor time keeping
- Change in appearance (unkempt)
- High accident levels
- Decline in work performance
- Mood swings
- Misconduct
- Hand tremor
- Weight loss

If a manager or employee has reasonable grounds to suspect that an individual has reported for work in an unfit state through the use of alcohol\*, drugs or other substances and/or could cause harm to themselves and/or others in the course of their duties, they must notify their Service Manager immediately. Action may then be taken under the relevant Councils' Disciplinary Policy against the impaired individual. [\*For alcohol, an unfit state will normally be defined as someone who is over the legal limit stipulated for driving i.e. 35mcg/100ml of breath alcohol concentration or in the opinion of management, the individual's performance is impaired or their behaviour may cause embarrassment, distress or offence to others. This may be at less than the legal limit stipulated for driving].

Employees who behave in a manner contrary to normal standards of conduct due to occasional excessive use of alcohol, drugs or other substances will be dealt with under the relevant Councils' Disciplinary Policy.

Employees must inform their line manager if they are taking prescribed medication which may have an effect on their ability to carry out their work safely and must follow any instructions subsequently given. In these circumstances, advice can be sought from the Occupational Health Adviser or through the HR team.

The Councils' reserve the right to search an employee's possessions and work area if it is suspected that there may be alcohol, drugs or substances on the Councils' premises.

If a manager suspects an employee of having a long term substance misuse problem they must discuss this with a member of HR before taking any action. HR will advise on the appropriate course of action.

The Councils' prohibit the drinking of alcohol or use of substances in an unsanctioned way by employees and contractors other than reasonable drinking of alcohol in connection with approved social functions.

Health and Safety risk assessments will be regularly reviewed to identify and assess the risks associated with alcohol and substance abuse.

## 4. Drug and/or Alcohol Dependency

An employee suffering from drug and/or alcohol dependency should declare this to their line manager or to HR.

If a manager knows or suspects that an employee has problems which are related to alcohol/drug dependency then the manager must discuss their concerns with the employee. HR will be present at this meeting. Trade Union representation or a colleague may also be present at this meeting.

Referral to the Occupational Health Adviser may be deemed necessary and an employee must comply with this request by management.

The Councils' will usually assist employees in providing reasonable assistance if the employee acknowledges that they have a drug and/or alcohol dependency problem.

Absences for treatment and/or rehabilitation will be treated in the same way as any other sickness absence. The provision of counselling and support from Occupational Health can be accessed by HR.

Failure to accept help or continue with treatment may render an employee liable to action under the relevant Councils' Disciplinary Policy.

An employee who is not diagnosed with a drug and/or alcohol dependency problem or does not acknowledge that there is a problem may be dealt with under the Councils' relevant Disciplinary Policy for any issues of performance or conduct.

## 6. Alcohol and Drug Testing Procedures

To ensure that the Councils are able to operate an alcohol and drug free environment, employees will be required to undergo testing for alcohol, drugs and/or substance misuse in the following circumstances:

- Post accident testing where the manager has reasonable grounds to believe that the accident might wholly or in part have been caused by an employee who is in an unfit state for work due to alcohol, drugs and/or other substances. Testing will take place as soon as practicable after the accident.
- With cause testing where a manager may have reason to suspect an employee is unfit for work due to alcohol, drugs and/or substances.

If there is the requirement for an employee to undergo an alcohol or drugs test, the manager must contact HR who will arrange for the employee to undergo testing. This will be conducted by an independent company who will provide a confidential service to the Councils.

Testing will involve a sample of breath (for the measurement of alcohol) and/or a sample of urine (for the detection of drugs).

The employee will be notified of the full testing process by the testing company at the time the sample is taken.

An employee who refuses to undergo testing may be subject to the Councils' relevant Disciplinary Policy.

A positive result may lead to suspension, disciplinary action and could result in dismissal.

## **7. Related Policies and Procedures**

Disciplinary Policy & Procedures  
Sickness Absence Policy & Procedures

## **8. Review of Procedure**

This procedure will be reviewed every two years or earlier at the request of either UNISON or EHDC/HBC.