

## **Alcohol, Drugs and Solvent Use Policy**

### **1. Introduction**

The welfare, safety and health of employees is an important concern for Luton Borough Council. The use of drugs or alcohol by employees can disrupt individual performance and service delivery. It can also endanger employee and service users health and safety, and may also be illegal.

Managers have a responsibility to respond reasonably and sensitively to employees with drug and alcohol related problems whilst ensuring the effective delivery of the service.

### **2. Purpose of the policy**

The purpose of this policy is to ensure:

- that employees are aware that the use of alcohol, drugs and solvents is not permitted on Council premises.
- the fair and reasonable treatment of employees who have drug and alcohol related problems

### **3. Scope of the policy**

This policy applies to all employees, except those in schools with delegated budgets, for whom there is an alternative procedure. Elected members are expected to comply with the policy.

Action under this policy normally relates to situations where employees have declared a problem or are believed by management, colleagues, HR, OH or any combination of these, to have a problem with alcohol, drugs or solvents.

Breaches of conduct, performance management and attendance matters are already covered by existing policies and procedures. This policy should, therefore, be read in conjunction with the Employee Code of Conduct, Local Disciplinary Policy and Procedure, Sickness Absence and Monitoring Procedure, Corporate Health and Safety Policy, Capability Policy and Procedures, Disability Policy etc.

#### **4. Policy aims and objectives**

The overall aim of this policy is to prevent alcohol and drug problems in the workplace and ensure that employees with drug and alcohol problems are treated reasonably. This will be achieved by:-

- a) Defining what a drug is for the purpose of this policy.
- b) Setting out the Council's expectations and employees responsibilities
- c) Raising awareness of the consequences of alcohol and drug use
- d) Promoting sensible drinking
- e) Recording incidents of drug use in or on Council premises
- f) Providing managers with guidance for managing drug and alcohol related situations.
- g) Enabling the Council to comply with relevant legislation covering possession, cultivation, manufacture and supply of alcohol, drugs and solvents.
- h) Providing information about where support and advice can be obtained for alcohol and drug related problems.

#### **4.1 Definition**

A drug for the purposes of this policy is any substance, which affects the way in which the body functions physically emotionally or mentally and includes:

- alcohol
- over-the-counter medicines
- prescribed medicines
- drugs listed under the Misuse of Medicines Act 1968 e.g. Ritalin and Dexamphetamine
- drugs listed under the Misuse of Drugs Act 1971 e.g. Heroin, Ecstasy, Psilocybin, steroids (unless prescribed), Cocaine, Crack and Amphetamine
- Solvents.

#### **4.2 Alcohol, Drugs and the Workplace – rules and responsibilities**

The possession and consumption of alcohol on Council premises is strongly discouraged either before or during the working day.

The possession, consumption, cultivation, manufacture and supply of drugs, and other substances on Council premises is prohibited.

With the exception of employees possessing or consuming over the counter/prescribed medications for their own personal use, such as Paracetamol, cold remedies, medications prescribed by GP or other Doctor.

Employees should be aware and responsible. Many medicines (prescribed and non-prescribed) and alcohol can adversely affect performance at work. Make sure that when using medication of any sort that you check with your doctor or chemist that it will not adversely affect your job performance.

Employees are expected to behave responsibly at all times and to safeguard their own health and safety and that of those around them. It is the responsibility of employees to ensure that their performance at work is not affected by alcohol consumption or drug use.

Employees who consider that they may have a problem with alcohol or drugs are encouraged to seek help and treatment voluntarily.

Employees are strongly discouraged from drinking alcohol or being under the influence of alcohol /drugs or any other substance during working hours. This means that employees are expected not to drink alcohol during lunch breaks or, for example, before evening committee meetings, retirement presentations etc. where their performance, conduct and welfare could be impaired.

### **4.3 Disciplinary Procedures**

This policy is based upon the employee regarding their alcohol and or drug uses as a problem. Luton Borough Council considers that any employee who drinks alcohol in excess of the legal limit and drives or who uses drugs or solvents either during working hours or immediately prior to commencing work, is unfit for work. Any employee considered unfit for work for these reasons will not be permitted to remain at work and will be subject to the Council's Disciplinary Procedure.

Employees with an alcohol or drug related problem will be given the opportunity to seek counselling, diagnosis and treatment. Employees who refuse to accept their problem or refuse advice and treatment will cease to have the protection of this policy and will be subject to the normal procedures for dealing with poor performance, sickness absence, or breaches of the Health & Safety at Work Act 1974.

### **4.4 The consequences of problematic alcohol, drug and solvent use**

#### **Health implications**

Alcohol is responsible for around 33,000 deaths in the UK each year. Less than 20% of these are due to long-term heavy drinking; the majority are the result of incidents and accidents in which people were intoxicated.

Alcohol affects the brain within 2 to 7 minutes of being swallowed, but it takes an hour for the liver to remove one unit of alcohol from a healthy body.

Alcohol dehydrates the skin causing it to age prematurely; it is also high in calories and can contribute to weight gain.

Prolonged, heavy drinking can cause liver disease and be a major contributory factor in other medical conditions including, high blood pressure, strokes, heart disease and oral cancer.

#### **4.5 Employment implications**

Employees who repeatedly report for work under the influence of drugs or alcohol will be subject to disciplinary action, which could result in dismissal

#### **4.6 Legal implications**

The legal limit of alcohol for driving is 80mgs of alcohol in 100 mls of blood.

Employees who breach the law at work, for example, by driving over the legal limit of alcohol or by possessing unlawful drugs may be reported to the Police and face criminal proceedings.

#### **4.7 Sensible drinking**

The following information is intended as a guide. It is important to remember that every person is different and weight, age, sex, the strength and type of alcohol consumed are all factors that will vary the effect of alcohol on someone.

- Men are advised to drink no more than 3 or 4 units of alcohol a day. At least 2 days per week should be alcohol free.
  - Women are advised to drink no more than 2 or 3 units of alcohol a day. At least 2 days per week should be alcohol free.
  - 5 or more units in one go is considered binge drinking.
  - One unit of alcohol is the equivalent of:-
    - ½ pint of ordinary strength beer or lager (3.5% ABV\*)
    - 25ml pub measure of spirits (40% ABV)
    - a small 125ml glass of wine (9% ABV)
    - a 50ml pub measure of sherry or fortified wine (20% ABV)
- (\*Alcohol by Volume)

#### **4.8 Confidentiality and Recording Alcohol Related Incidents**

Employees are assured that their personal details will be respected in accordance with the Data Protection Act 1998.

Any action taken in accordance with this Policy Statement or any of the associated Council Policies will be conducted with confidentiality and sensitivity.

The National Drugs Strategy requires organisations to record drug related incidents. Luton Borough Council defines a drug related incident as one, which results in a disciplinary investigation.

The Council already records and reports on the number of disciplinary investigations broken down by nature of allegation. Employees are assured that this data is reported in a statistical format and is, therefore, anonymous.

#### **4.9 Management Guidelines**

Managers are advised to follow the guidelines below in situations where an employee is identified as possibly experiencing alcohol/drug related problems.

- Discuss the issues with the employee in private.
- Direct the employee to the Alcohol, Drugs and Solvent Use Policy and highlight the various sources of support listed.
- Advise the employee that time off to attend appointments or compliance with a rehabilitation programme will be considered sickness absence and managed in accordance with the Sickness Absence and Management Procedure.
- Clarify standards of conduct and performance and advise the employee that further incidents of misconduct will result in action being taken under the Local Disciplinary Procedure. Performance issues will be addressed in accordance with the Capability Procedure.
- Follow up meeting in writing and place a copy on the employee's personal file.

Further advice and guidance is available from Departmental Human Resources.

## Appendix 1

### Legislation

- **Misuse of Drugs Act 1971**

It is an offence to possess and supply a controlled substance. It is an offence for the Council to allow drug taking in premises it manages or occupies.

- **Medicines Act 1968**

Employees are advised that possession of 'prescription only' medicines without a prescription is a serious offence.

- **Health and Safety at Work Act 1974**

The Council has a duty under this piece of legislation to ensure, as far as reasonably practicable, the health, safety and welfare of its employees.

- **The Management of Health and Safety at Work Regulations 1992**

The Council is obliged under this piece of legislation to assess the risk to the health and safety of its employees.

- **Road Traffic Act 1988 and Transport and Works Act 1992**

Employees who are drivers of road vehicles must not be under the influence of alcohol or drugs while driving, attempting to drive or when they are in charge of a vehicle.

- **Disability Discrimination Act 1995**

Managers should be aware that some absences could be disability related where a disability has been acquired as a result of alcohol, drug or substance use. The Council will consider reasonable adjustments in these situations to assist employees.

## Appendix 2

### **Internal Sources of Support & Advice.**

#### **Departmental Human Resources**

Children & Learning – Fiona Hutton, ext. 8051

Corporate & Customer Services/Chief Executives – Claire Richardson, ext 6682

Environment and Regeneration – Grace Morgan, ext. 6566

Housing and Community Living – Theresa Brown, ext. 7757

#### **Support Workers**

The Support Workers are employee volunteers who are trained to provide informal support and guidance to colleagues. Support Workers will listen to employees in confidence and are able to accompany employees to meetings to provide support.

- A list of current support workers is available from departmental HR.

#### **Occupational Health Advisers**

Lilian Adams, ext. 7202

Suzanne Ebdon, ext 6374

Margaret Hawkes, 6373

Kate Saunders, ext 6374

### External Sources of Support, Advice and Treatment

#### **Alcohol Services for the Community**

##### **for information advice, support and treatment about alcohol**

20-24 John Street, Luton, Bedfordshire, LU1 2JE.

01582 723434 [www.alcohol-services.co.uk](http://www.alcohol-services.co.uk)

#### **Alcoholics Anonymous.**

(Amphill Dunstable, Leighton Buzzard and Luton).

01582 484948

#### **PUKE (Prevention, Understanding Knowledge and Education**

**Young Peoples Alcohol Service including support, counselling, fun activities and time for young people caring for adults using alcohol**

#### **Addiction for information, advice and support about drugs**

34 Clarendon Road, Luton.

01582 483117

#### **Talk to Frank National Drugs Helpline.**

0800 776600

Luton Alcohol and Drug Help line available 24 hours a day seven days a week

0800 0198021

Guide to Drug and Alcohol Services in Luton available as pdf  
[www.luton.gov.uk](http://www.luton.gov.uk) search for drugs and alcohol support services  
Guide to Services March 06

Young Peoples Drug Service  
Britannic House  
18-20 Dunstable Road Luton  
01582 657558

Support and advice to assist young people keep safe, take fewer risks and sort things out.  
GP care available for substitution medication