

KEY EMPLOYMENT POLICIES

EMPLOYEE INFORMATION BRIEFING

ISSUE 28: AUGUST 2019



NEW POLICY



POLICY REVIEW



REGULAR REMINDER

POLICY ON THE MISUSE OF ALCOHOL, DRUGS AND OTHER SUBSTANCES

POLICY OVERVIEW

A revised Policy on the Misuse of Alcohol, Drugs and Other Substances will become effective from 1 September 2019.

The policy promotes a 'zero tolerance' approach to the misuse of alcohol, drugs and other substances which means that where misuse adversely affects an employee's behaviour or performance at work, it will primarily be treated as misconduct and a potential disciplinary matter.

It is also recognised however, that alcohol and drug misuse can affect not only an employee's ability to work effectively, efficiently and safely but also create difficulties and distress in domestic and social life. The policy therefore also provides for appropriate support mechanisms and professional help to be made available to employees who disclose an alcohol/drug misuse issue.

The key change in the revised policy is the use of random and 'with cause' drug and alcohol testing.

Random Testing

Random testing applies to groups of staff whose posts are designated safety critical. Those posts include those which involve:

- use of heavy and/or dangerous machinery
- an occupational requirement to drive HGVs or PCVs
- transportation of council clients

You will be advised in writing if your post has been designated safety critical and what that means for you in relation to the council's alcohol and drug testing policy.

'With Cause' Testing

Any employee (including those in safety critical posts) may be asked to undertake an alcohol and drugs test at any time where a manager has reasonable cause to suspect that an employee is under the influence of alcohol or drugs while at work.

KEY INFORMATION FOR EMPLOYEES

- The possession, supply or production of illegal drugs is a criminal offence. Consequently, the possession of, or use of illegal drugs or other related drug

activities on council premises, in council vehicles or while on council business will be treated as gross misconduct and may result in dismissal.

- Other than at events formally approved by the council, the consumption of alcohol is expressly prohibited on council premises during working hours.
- Specifically, driving a council vehicle under the influence of alcohol, drugs or other substances and exceeding national drink and drug drive limits will automatically be treated as gross misconduct and may result in dismissal.
- Off duty incidents involving the possession, use or supply of drugs or exceeding the drink and drug drive limit may be considered by the council as a disciplinary offence if the criminal element related to the incident fundamentally affects your suitability for your post.
- You are expected to ensure that your personal consumption of alcohol or use of prescribed or over the counter drugs does not adversely impact your ability to report for work in a fit and safe condition and to perform your duties safely and competently throughout the working day.
- You must advise your line manager if you are prescribed medication which may make you drowsy, impair your judgement, or otherwise affect your performance.
- You should advise your line manager of any change in behaviour you observe in a colleague that may indicate alcohol or drug misuse.
- If you report for work under the influence of alcohol and/or other substances and your line manager or supervisor considers that you are unable to work safely or to required standards of conduct and performance, you will be asked to consent to an alcohol and drugs test. You may also be sent home and suspended on full pay pending an investigation and depending on the outcome, it could result in disciplinary action being taken against you.
- You must familiarise yourself with any specific requirements or controls regarding alcohol and drug use contained in workplace risk assessments. If in doubt you should ask your line manager or supervisor.
- If you think you have a substance misuse problem, you are encouraged to voluntarily seek assistance. The council will provide support at the earliest opportunity to employees who acknowledge they have developed a substance misuse problem.
- Employees can self-refer for confidential counselling by calling Help Employee Assistance Programme helpline confidentially on 0800 0285 148 free 24 hours a day. Information on Addiction Services available in West Lothian can be found at: <http://www.nhslothian.scot.nhs.uk/HealthInformation/RecoveryInLothian/Documents/WL-ServiceDirectory.pdf>
- In all situations where an employee has a potential or confirmed substance misuse problem, confidentiality will be strictly preserved and only necessary information shared with those who are managing the situation. However, the council is obliged under the Misuse of Drugs Act 1971 to inform the police where illegal drugs are found on council premises.

ROLL OUT ARRANGEMENTS

- Services should ensure that records are kept of the date that employee briefings were conducted and the employees who attended. Those records may be subject to internal audit at any given time to ensure that council employment policies are being properly disseminated throughout services.
- Employees should be encouraged to read the full Policy on the Misuse of Alcohol, Drugs and other Substances available on Mytoolkit and accessible from work and home at: <http://www.westlothian.gov.uk/article/2200/Policies-Procedures-and-Guidance>

HR Policy and Advice
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