



TEIGNMOUTH TOWN COUNCIL

STAFF ALCOHOL AND DRUGS POLICY

ADOPTED : 4th November 2021

REVIEW DATE : November 2022

DOCUMENT OWNER : H R Committee

STAFF ALCOHOL & DRUGS POLICY

Introduction

The Council is concerned for the health and wellbeing of its employees and seeks to protect their health and safety by creating a safe working environment. In return, the Council expects all employees to take reasonable care of their own health, seek medical help whenever appropriate, and to attend work when fit to do so. The Council treats drug and alcohol dependency as a health problem that requires special treatment and help, rather than as a disciplinary matter. It also recognises that early identification is more likely to lead to successful treatment. The Council promises to maintain the strictest confidentiality when dealing with individuals, within the limits of what is practicable and within the law.

1. You must not drink alcohol on the Council's premises or the premises of its customers or clients other than when authorised by your line manager.
2. Any employee who is found consuming alcohol on the Council's premises or the premises of its customers and clients, without permission, or is found to be intoxicated at work will normally face disciplinary action on the grounds of gross misconduct under the Council's disciplinary procedure.
3. You must not drink alcohol during working hours including during lunch breaks except when authorised by your line manager.
4. Reporting for work when unfit due to the influence of alcohol, drugs (whether illegal or not) or substance abuse is also forbidden and may be regarded as a gross misconduct offence. Whether you are unfit for work is a decision to be made by management. If requested the Council will work with employees to ensure that they have any necessary medical assistance to alleviate drugs or alcohol abuse.
5. The possession, use or distribution of drugs for non-medical purposes on the Council's premises is strictly forbidden and a gross misconduct offence.

6. If you are prescribed drugs by your doctor which may affect your ability to perform your work you should discuss the problem with the Town Clerk.
7. If the Council suspects there has been a breach of this policy or your work performance or conduct has been impaired through substance abuse, the Council reserves the right to require you to undergo a medical examination to determine the cause of the problem.
8. If you refuse to undergo a medical examination in such circumstances your refusal may raise inferences and/or amount to a failure to follow a reasonable management request which could result in disciplinary action and/or your dismissal.
9. If, having undergone a medical examination, it is confirmed that you have tested positive for an illegal drug or have a problem with alcohol or drugs, or you admit there is a problem, the Council reserves the right to suspend you from your employment to allow the Council to decide whether to deal with the matter under the terms of the Council's disciplinary procedure and/or to require you to undergo treatment and rehabilitation.
10. If you do not follow any agreed/recommended course of treatment or if it is ineffective, lapses in your performance, conduct or attendance will be dealt with in accordance with our normal procedures, as appropriate.
11. The Council reserves the right to request to screen you for alcohol using a standard breathalyser if a manager believes that you are under the influence of alcohol.
12. The Council reserves the right to inform the police of any suspicions it may have with regard to the misuse of controlled drugs by its employees on the Council's premises.

This Policy has regard to the following acts:-

- a) **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.
- b) **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.

- c) **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).