



DEFINITION

The Company: Refers to Nurture Fostering

The Company will endeavour to ensure that an employee's use of alcohol or drugs does not impair the safe and efficient running of the organisation or the health and safety of its employees.

Substance misuse at the workplace is covered by The Health & Safety at Work Act 1974 and the Company, as a responsible employer, takes its duties under the Act seriously. Knowingly allowing an employee under the influence of alcohol and/or drugs to continue working, if that employee's behaviour or negligence puts the employee or other employees at risk, could amount to a criminal offence.

It is intended that this policy also forms part of the Company's Health & Safety policy. This policy aims to promote greater awareness of how alcohol and drugs dependency might be prevented, and to encourage and support self-referral by the employee. The policy is designed to meet the Company's legal obligation to discharge a duty of care to its employees and to others on the Company's premises.

This policy applies to all employees working on the Company premises and associated Foster Parents, and any independent, sessional and temporary workers.

2. POLICY

Introduction

Managers should be aware that the inappropriate consumption of drugs or alcohol by employees may come to light in various ways. The following characteristics, especially when arising in combination, may indicate the presence of an alcohol or drug related problem.

Absenteeism

- Instances of unauthorised leave;
- Frequent Friday and/or Monday absences;
- Leaving work early;
- Lateness (especially on returning from lunch);
- Excessive sickness absence;
- Strange and increasingly suspicious reasons for absence;
- Unusually high level of sickness absence for colds, flu, stomach upsets;
- Unscheduled short term absences with or without explanation;

High accident level

- At work;
- Elsewhere e.g. driving;
- At home.

Work Performance

- Difficulty in concentration;
- Work requires increased effort;
- Individual tasks take more time;
- Problems with remembering instructions or increased mistakes;

Mood Swings

- Irritability;
- Depression;
- General confusion



Unacceptable conduct not dependency related

Unacceptable behaviour that is linked to inappropriate drug or alcohol use, but not dependency related, will usually trigger the use of the Disciplinary Procedure. The Disciplinary Procedure shall be followed as normal and, should the offence be deemed to be gross misconduct, this may result in termination of employment.

Where the employee is perceived as not being capable of performing his/her normal duties due to the influence of alcohol or drugs, then suspension in accordance with the Company Disciplinary Procedure may be invoked. In accordance with the Disciplinary Policy, suspension under these circumstances may be without pay.

Suspicion of possession, using, selling or supplying drugs by an employee whilst on the Company premises should be reported immediately by the person to their immediate Manager or the HR function. The report can be dealt with internally, or may be passed to the police.

Responsibility of Individuals

Alcohol must not be consumed by employees on the Company premises, without the authorisation of the respective Manager, and should not exceed the legal limit for driving as determined by current UK law.

It is the responsibility of each employee to ensure that if they are responsible for driving a vehicle that they do not exceed the legal alcohol limit and, as there is no failsafe guide as to how to stay under this, the Company strongly endorses that the only safe option, is not to drink and drive or operate machinery or equipment.

Staff with drug or alcohol problems, are encouraged to discuss this with their Manager or the HR function. Contacts at outside agencies where help can be obtained can be made available to all staff, requests should be made to the HR function. Admission by the individual of an alcohol or drugs problem may be difficult to discuss, any disclosure must be treated as strictly confidential. If the Manager believes that the law has been broken at work, or that serious harm may result to the individual or other employee, then advice on appropriate action should be sought from the HR function.

Where the problem affects the individual's work performance or conduct, the Company's Disciplinary Procedure may be invoked.

Responsibility of Managers

It is the responsibility of the Manager to discourage drink-related, unacceptable conduct by ensuring that excessive consumption of alcohol does not occur at Company organised informal or formal events, on or off the Company premises.

Managers must monitor absence and accident rates and, as such, they should be aware that increases in such rates must be investigated at the earliest opportunity.

If an employee's conduct, performance, or appearance deteriorates without any obvious reason, the Manager must discuss the issues with the individual. The meeting should be conducted on an informal basis to begin with. If it is believed that the misconduct is related to alcohol or drug abuse, the Manager (or the individual concerned) should contact the HR function. Any further action can be considered in accordance with the Company disciplinary procedure.

The Company is responsible for offering reasonable support; this will include treating the absence, for treatment and rehabilitation, as normal sickness and recognising that relapses may occur.



It should be made clear to the individual that where support or treatment is refused, and misconduct or under-performance continues, there is a possibility that the appropriate disciplinary procedure may be invoked.

Responsibility of Colleagues

Any employee who is aware of a colleague, whose performance or conduct is affected by drugs or alcohol, has a duty to inform their Manager. Concealment may not be in the best interests of the individual or the Company.

Where a person is aware that they are working alongside a colleague with an alcohol or drugs related problem, it may be helpful to seek advice from the HR function.

Responsibility of HR

The HR function is available to provide support to Managers and staff, and it is recommended that advice be sought at an early stage. Any information discussed will be treated as confidential, unless there has been a serious breach of Health & Safety regulations, a criminal offence committed or where there has been, or is likely to be a serious risk to the individual or other employees.

Alcohol or Drug dependency

When employees acknowledge that they have a problem and are given help, this will be on the understanding that:-

- Whilst they are undergoing medical treatment they may be on sick leave and will be entitled to the usual Company sick pay benefits;
- Every effort should be made to ensure that on completion of the recovery program employees are able to return to the same or equivalent work;
- Where such a return would jeopardise either a satisfactory level of job performance or the employee's recovery the Director or HR function will review the full circumstances surrounding the case and agree the course of action to be taken. This may include the offer of a suitable alternative position, or the consideration of retirement on the grounds of ill-health, or dismissal on the grounds of capability.

Before a decision on dismissal is made, the Manager should consult the HR function.

Where an employee, having received treatment, suffers a relapse, the Company will consider the case on its individual merits. Medical advice will be sought in an attempt to ascertain requirements for further treatment/rehabilitation. Having exhausted all treatment opportunities, where no clear indication of recovery is identified, the Company may at its discretion take the decision to terminate the employee on grounds of capability.

Before a decision on dismissal is made, the Manager should consult the HR function.

If, after an employee has received treatment, recovery seems unlikely, the Company may be unable to wait for the employee any longer. In such cases, dismissal may result, but in most cases a clear warning will be given to the employee beforehand and a full medical investigation will have been undertaken.

Use of illegal drugs or alcohol

Employees who, whilst at work, take or are under the influence of drugs which have not been prescribed for them on medical grounds, or who consume excessive amounts of alcohol will, in the absence of mitigating circumstances, be deemed to have committed an act of gross misconduct and render themselves liable to summary dismissal, as will any employee believed to be possessing, buying or dealing in controlled drugs which have not been prescribed for medical purposes.



Due to risks under the Health & Safety at Work Act 1974, the use of non-prescribed drugs or an excessive amount of alcohol is not allowed. The prohibition extends to all activities that are connected with staff activities whilst "at work". These include, but are not confined to:

- Driving whilst on Company business: This applies to drivers of their own vehicles as well as Company vehicles and includes journeys made to and from clients and suppliers;
- On-call/standby duties: This applies to all staff irrespective of whether they have been called into the premises or out to see clients. For safety reasons, it also includes those whose on-call responsibilities are limited to giving technical advice over the telephone;
- Overnight conferences/training courses and parties: As an employee of the Company you are still deemed to be "at work" and therefore the terms of this policy will still apply.

The following information and guidance has been taken from "**The Think! Road Safety Website**" - UK Department for Transport which the Company fully endorses (<http://www.thinkroadsafety.gov.uk/>)

ALCOHOL/DRUGS AWARENESS

ALCOHOL

THINK! – You can't calculate your alcohol limit, so don't try

There is no failsafe guide as to how to stay under the legal alcohol limit or how much you can drink and still drive safely.

It depends on:

- Your weight, sex, age, metabolism, stress levels
- An empty stomach
- The amount and type of alcohol.

Any amount of alcohol affects your ability to drive safely as reaction times are impaired and you're unable to judge speed and distances.

The only safe option is not to drink if you plan to drive.

Drinking and driving don't mix

Consequences of drink driving

The police can ask you to take a breath test if they suspect you have been drinking, or if you commit a traffic offence. If you're convicted of drink driving:

- You'll have a criminal record
- You won't be allowed to drive for at least a year
- You could lose your job
- Your lifestyle could change dramatically
- Your insurance costs will rocket
- You'll have difficulty hiring a car for the next ten years.

The morning after

If you've been out drinking you may still be affected by alcohol the next day. Even though you may feel OK when you get up, you may still be unfit to drive or over the legal alcohol limit.



You could still lose your licence if you drive the next day when you're still over the legal alcohol limit. It's impossible to get rid of alcohol any faster. A shower, cup of coffee, or other ways of 'sobering up' will not help. It just takes time.

There are no excuses

'I'm only going down the road'

A large proportion of all drink drive crashes occur within 3 miles of the start of the journey.

'I'm driving slowly and carefully'

Alcohol actually makes you less alert.

DRUGS

Driving under the influence of Drugs

The use of any non-prescribed drug is illegal; the results of taking such drugs whilst driving can make a person (and their driving) more erratic and affect their judgement. Taking any kind of drug impairs driving ability:

- Stimulant-based drugs are likely to cause an individual to drive recklessly and dangerously
- Depressant-based drugs have a calming effect and could slow down the driver's reactions.

The Police Authorities have the same powers to test for drug-driving as they do for drink-driving: the penalties for drug-driving are the same as for drink-driving.

Driving whilst using prescribed Medicines

Many prescribed medicines can affect the way you drive; everyday medicines such as cold remedies, hay fever and allergy tablets can make a person drowsy, causing delayed reactions to road conditions and other vehicles.

Check with your doctor or pharmacist if you're not sure whether you should drive after taking any prescribed medication. Always read the warning label and be aware of the possible side effects of any medicines you use.

Failure to adhere to this policy may result in disciplinary action being taken, in accordance with the Company disciplinary procedure. Any action may lead to termination of employment.

Summary

No employee or other person under the Company's control shall, in connection with any work related activity:

- Report or endeavour to report for duty having consumed drugs or alcohol likely to render him or her unfit and/or unsafe for work;
- Consume or be under the influence of drugs or alcohol whilst on duty (unless in the case of alcohol with the agreement of line management for the purposes of official Company entertaining);
- Store drugs or alcohol in personal areas such as lockers and desk drawers;
- Attempt to sell or give drugs or alcohol to any other employee or other person on Company premises