



# ALCOHOL AND SUBSTANCE MISUSE POLICY

This document should be used in conjunction with the  
[Corporate Health and Safety Policy](#)

Managers have a responsibility to ensure that **ALL** employees have access to  
this document.

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# Alcohol and Substance Misuse Policy

## Definitions

Substance misuse is defined as the habitual or intermittent use of alcohol or any drug or other substance which causes detriment to an individual's health, social functioning or work performance. It can often impair safety of themselves or others and affect attendance, time keeping, efficiency or conduct. Misuse also includes the possession, use or supply of illegal drugs (controlled by the Misuses of Drugs Act, 1971).

**Carmarthenshire County Council enforces a zero tolerance to alcohol consumption and substance misuse within the Authority.**

Carmarthenshire County Council has a Duty of Care to its employees and will:

- Prohibit the consumption of alcohol by our employees, agency workers, contractors and volunteers during working hours including lunch times.
- Raise awareness amongst our employees of the dangers of alcohol and substance misuse and the potential adverse impact upon themselves, their relationships and the workplace when used inappropriately.
- Ensure all employees and managers are aware of the rules regarding the use of alcohol and substances at work, or working whilst adversely affected by alcohol or substances. This would include prescription medication and over the counter medication where effects of the medication can have an impact on driving and using machinery. Employees should inform their managers of any adverse effects of this type of medication as adjustments may need to be accommodated.
- Promote the early identification and treatment of alcohol and substance related problems and encourage employees adversely affected to seek advice, support and treatment for themselves, or if concerned for a family member or friend to seek advice and support for others.
- Monitor employees where the use of alcohol and substances contribute to poor attendance and work performance, in accordance with the appropriate HR Performance Management Policies.
- Provide adequate training, information and guidance to anyone implementing this policy, in particular line managers and supervisors, so that they may effectively identify employees with potential problems associated with alcohol and substances, and effectively deal with alcohol and substance misuse in the workplace.
- Establish clear guidelines for dealing with misconduct associated with the use and misuse of alcohol and substances, using our disciplinary procedures where appropriate, and reporting illegal activities to the police.
- Monitor employees where the use of alcohol and substances contribute to poor attendance and work performance, in accordance with the appropriate HR Performance Management Policies.
- Ensure all employees seeking help for alcohol or substance related problems are provided with confidential and sympathetic support, treatment and rehabilitation. Confidentiality will be maintained by all parties concerned.

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- Discourage the unsafe use of substances and the unhealthy use of alcohol by employees, by promoting awareness of a healthy lifestyle.
- Provide guidance and information on sensible drinking in the form of leaflets, health promotion and campaigns on a regular basis.

## Exemptions:

1. Alcohol consumption will be permitted for residents in adult residential care and respite homes.
2. Alcohol consumption will be permitted for residents within flats and domiciliary areas of Sheltered Housing and Council Housing Premises and service users in social care establishments providing day care services to the elderly or vulnerable.

There should be suitable and sufficient risk assessments (including the effect of alcohol use with medication) in place for any residents/service users who consume alcohol.

## Scope of the Policy

This policy will apply to employees of Carmarthenshire County Council, volunteers acting on our behalf, contractors, visitors, agency workers and members of public who are accessing or using premises owned or occupied by Carmarthenshire County Council.

## Arrangements at Schools

Governing Bodies of all schools are encouraged to adopt this policy to include school social events, with a recommendation that schools may wish to develop appropriate wording to include pupils or signpost to the appropriate policy or guidelines for pupils. School management teams must ensure that a suitable agreement is adopted outside normal school hours when the facilities may be hired to third parties.

## Supporting Documentation

Supporting information, guidance and documentation will be available to assist with the management and implementation of this policy.

## Ensuring Equality of Treatment

This policy must be applied consistently to all employees irrespective of race, colour, ethnic or national origins (including citizenship), language, disability, religion, belief or non-belief, age, sex, gender reassignment, sexual orientation, parental or marital status, pregnancy or maternity.

If you have any equality and diversity concerns in relation to the application of this policy and procedure, please contact a member of the HR Team who will, if necessary, ensure the policy/procedure is reviewed accordingly.

If you require this information in an alternative format please contact People Management & Performance on (01267) 246184 or Ext. 6184.

## Councillors

Councillors have a personal responsibility to all staff and members of the public to uphold the values set out in this policy, promote good relations and challenge inappropriate behaviour where required. Councillors are responsible for ensuring that they support positively, the principle of equality and diversity,

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in undertaking their public duties and follow the Code of Conduct for Councillors and associated policies and procedures.

## Guidance Note 1

### Procedure - Employee presents at work under the influence of Alcohol or Substance Misuse

1. Take employee to a private and confidential area to discuss concerns and to provide the employee with an opportunity to explain the background to the situation.
2. Inform employee that they cannot continue with their substantive duties on that day and that they will be suspended from duty, pending medical assessment and consultation with Human Resources.
3. Log relevant details of incident in employee's personnel file i.e. date, time, signs, symptoms, behaviour, outcome and action taken.
4. Ensure that the employee has access to an appropriate form of transport in order to travel home safely, and that arrangements will be made to ensure their own mode of transport will be transported home safely for them.
5. If the employee refuses to accept an alternative mode of transport and enters their vehicle, call the Police on 999 immediately.
6. Follow up in writing regarding the suspension and explain a formal meeting must be carried out in relation to the incident.
7. This meeting should help to identify whether the employee may have a dependency issue and requires further support via referral to the Occupational Health Centre or through external support agencies or whether disciplinary action should be taken.
8. Relevant actions are implemented following a medical assessment and the outcome of the investigation.
9. Monitor and review at regular intervals.

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## Guidance Note 2

### Supporting employees who are experiencing Alcohol or Substance Misuse problems

1. Take employee to a private and confidential area to discuss concerns and to provide the employee with an opportunity to explain the background to the situation.
2. Establish whether the employee will need time away from the workplace or is able to continue with their duties on that day.
3. Offer support where relevant via external support services (e.g. Dyfed Drug and Alcohol Service, DAN 24/7 - [Guidance Note 4](#)) and advise employee to seek advice from their GP. A referral to Occupational Health must be made with regards fitness to work and if there are any work performance issues. Confidentiality will be maintained by all parties concerned.
4. Log relevant details of incident in employee's personnel file i.e. date, time, signs, symptoms, behaviour, outcome and action taken.
5. Where treatment is accepted, time off for external treatment is to be arranged as per the requirements of the [Time off Policy](#).
6. If there are any further concerns contact Occupational Health and HR for further advice.

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## Guidance Note 3

### Guidance for Managers – Disciplinary Action in relation to Alcohol and Substance Misuse

- Employees should be made aware of the likely consequences if they do not accept the offer of support under the policy.
- Encourage employees to seek assistance and support if experiencing problems from alcohol and substance misuse.
- Immediate disciplinary action for misuse or abuse would not normally be taken against employees who accept help from their employer, unless other matters of discipline are involved.
- Where the use or misuse of alcohol and substances by an employee contributes to poor work performance or attendance, despite any support provided by the Occupational Health Centre or external agencies, the employee will be dealt with in accordance with our appropriate [HR Performance Management Policies/Procedures](#) with advice from HR Officers (e.g. sickness absence, capability procedures etc.).
- Provided work performance is not affected or improves to a satisfactory level employees will not be subject to disciplinary action.
- Employment may be terminated in cases of alcohol and substance misuse where the subsequent action taken leads to loss of qualification required to carry out the job e.g. professional registration, driving licence.
- The HR Performance Management Policies should be referred to in conjunction with this Policy. In all cases where the Authority's disciplinary/sickness or capability procedure is used in relation with alcohol/substance misuse, the person concerned will be offered appropriate help at each stage.

#### **Example where Disciplinary Action applies**

Disciplinary action may arise as a direct or indirect consequence of alcohol or substance use for employees who:

- Report for work under the influence of alcohol and substances, which impairs their ability to safely perform normal work duties.
- Possess, use and sell substances at work.
- Misuse prescribed medicines at work.

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- Have consumed alcohol whilst in a safety critical role (e.g. being in charge of a vehicle, operating hazardous machinery or mobile plant, handling or using, including disposal, of any substance hazardous to health, working in, on or near water, supervising children and vulnerable adults).
- Have been abusive to members of the public/service users as a consequence of alcohol use.
- Have deliberately flouted legitimate instructions not to consume alcohol or substances at work.
- Have issues of conduct arising from isolated incidences of alcoholic indulgence or substance use.

The above are some examples but this is not intended as an exhaustive list.

If an employee is believed to be buying and selling substances, or in possession of unlawful substances during working time, the police will be notified by the Head of Service or delegated Officer.

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# Guidance Note 4

## Further Support

### OCCUPATIONAL HEALTH

The importance of employee confidentiality throughout the process of managing this policy cannot be over emphasized. Employees with a misuse or abuse problem should have no fears about seeking advice and help to affect a recovery. The manager should give them assistance willingly and in complete confidence. Both Occupational Health and managers can signpost an employee to the substance misuse services below for advice and guidance.

The confidential nature of any records or correspondence is subject to the statutory protection of the Data Protection Act 1998, the Access to Medical Reports Act 1988, the Access to Medical Records Act 1990 and the Access to Health Records Act 1990.

*Click here to access the [Occupational Health e-referral](#)*

### EQUALITY ACT 2010

Addiction to, or dependency on, alcohol or any other substance is specifically excluded from the scope of the Act unless the addiction was originally the result of the administration of medically prescribed substances or other medical treatment. Nevertheless, employees with impairments that are the result of an addiction, for example, liver damage caused by alcohol, will still be covered by the Act.

Therefore, employees who have a recognised alcohol or other related disease may be considered to be disabled under the Act. If that is the case the Council's policy on disability will apply and managers should seek advice from their equal opportunities or Human Resources officer before proceeding with any reasonable adjustments.

### OTHER SOURCES OF HELP:

#### Catalyst – Turning Point Cymru

##### **Over 18's:**

Call the Substance Misuse Team on: **01554 744377**

##### **Under 18's:**

Please call Choices on: **01554 755779** or text: **07896 248911**

They will be able to offer you confidential advice on the telephone and an appointment with a worker if you wish to discuss your problems and get you the help you need.

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There are lots of online resources which give advice and information about alcohol, including some self-help resources. Here are some useful places to look:

- [NHS Direct Alcohol Information](#)
- [Alcohol Concern Information](#)
- [Dan 247](#)

### **Advice for parents**

Please call Choices on: **01554 755779** or text: **07896 248911**.

They will be able to offer you confidential advice on the telephone and an appointment with a worker if you wish to discuss your problems and get you the help you need. Or refer to online help links above.

### **OUT OF HOURS**

#### **DAN 24/7 – Wales Drug and Alcohol Helpline**

The Wales Substance & Alcohol Helpline, also known as DAN 24/7 is available to people who live in **Wales**. Our helpline is open 24 hours a day, 365 days of the year.

Outside of office hours call the all Wales Drug & Alcohol Helpline free on: **0808 808 2234**

#### **Dyfed Drug and Alcohol Service (DDAS)**

Dyfed Drug and Alcohol Service provides a substance and alcohol advisory service across mid and west Wales, covering Carmarthenshire, Ceredigion and Pembrokeshire.

Contact Number: **03303 639997**

#### **Alcoholics Anonymous**

AA is concerned solely with the personal recovery and continued sobriety of individual alcoholics who turn to the Fellowship for help.

National Helpline no: **0845 769 7555**

#### **Employees who do not reside in Carmarthenshire**

Contact the Substance Misuse Team on **01554 744377** and you will be pointed in the right direction for support services in your area.

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