

July 2017

Alcohol, Smoking and Drug Use Policy

Live  Care

Date Written	13.07.2017
Author(s)	Registered manager
Version	2.0
Date Signed Off	19/07/2017
Reviewed by	

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Review Data

Initial Production

Name	Role/Department	RACI	Date
Registered manager	Registered Manager	RA	13.07.2017
Registered manager	Registered Manager	RA	04/12/2017

R = Responsible for document production; A = Accountable; C = Consulted; I = Informed

Change History

Version	Date	Details of Change	Author
2.0	13.07.2017	Re-write and re-structure of original policy in line with most recent legislative updates.	Registered manager

Emergency Contact Details

Name	Email	Mobile
Registered manager	fran@livein.care	

CQC Fundamental Standards

Regulation Number	Regulation Details
Regulation 17: Good governance	Providers must have systems and processes which enable the provider to identify where quality and/or safety are being compromised and to respond appropriately and without delay.
Regulation 19: Fit and proper persons employed	Persons employed must be fit and proper and where person employed no longer meets these criteria the registered person must take such action as is necessary and proportionate.

Key Lines of Enquiry

KLOE	How this applies to Alcohol, Smoking and Drug Use
Well-Led	Applying a fair approach ensures that the service is consistent, does not discriminate, operates in a professional manner and supports the directors to comply with relevant laws.

Related Documents

This policy should be read in conjunction with our:

- **Disciplinary and Grievance Procedures Policy**
- **Equality and Diversity Policy**
- **Supervision Policy**
- **Whistleblowing Policy**

Policy Aim

- All employees and workers will be treated consistently and fairly in line with this policy;
- The rules on alcohol and drugs will be strictly enforced;
- Those who admit to having a problem with alcohol or drugs shall be fully supported by their line manager;
- Employees with an illness related to alcohol or drugs are encouraged to disclose this at the earliest opportunity to ensure support and help with treatment;
- All matters concerning alcohol and drugs shall be treated as confidential;
- This policy is designed to comply with relevant legislation such as the Health and Safety at Work Act 1974 and the Misuse of Drugs Act 1971.

This policy sets out the principles for managing issues around the misuse **of drugs, alcohol, smoking and other substances** in order to ensure a **fair, reasonable and consistent approach**. Employees have a contractual obligation to report to work free of alcohol, drugs or other substances. Employee's behaviour which falls short of acceptable standards in this respect will be referred to the disciplinary process; or where mitigating circumstances apply a supportive environment will be provided in line with the procedure in this policy.

Our Responsibility

It is an offence under the Misuse of Drugs Act 1971 for an employer to allow its premises to be used for the production, supply or possession of controlled drugs and reasonable action to prevent this should be taken. The organisation also has a legal duty to ensure that its workplace is smoke free; therefore, smoking is banned anytime on the premises (Clients' homes or any Living Carers Ltd office).

Responsibilities

Employees

- report for work and remain in a condition to perform their duties free from the effects of alcohol, drugs or any other substance, whether on organisation premises or external locations;
- inform their line manager or another appropriate manager if they have an alcohol or substance misuse problem;
- co-operate with any support and assistance provided by Living Carers Ltd to address an alcohol or substance misuse problem;
- inform an appropriate manager if they know or strongly suspect that another employee is under the influence of alcohol or drugs at work;
- encourage colleagues to take personal responsibility should they have an alcohol, drug or substance misuse problem.

Line Managers

- Make sure employees understand the policy and are aware of the rules and consequences regarding the use of alcohol, drugs and other substances;
- Provide advice to employees in relation to their roles and responsibilities under this policy;
- Are alert to any changes in behaviour which may indicate alcohol, drug and/or substance misuse and to monitor performance, attendance and sickness absence.
- Promote an open and honest culture where employees feel able to take personal responsibility for their own health and safety in relation to alcohol, drug and/or substance misuse and support others to do so;
- Encourage employees to seek help voluntarily;
- Identify and refer disciplinary matters connected to the misuse of alcohol, drugs, substance misuse and smoking as appropriate.

Clients:

If a Client is abusing drugs or alcohol, a care worker must report this to their line manager- or the on-call manager- as soon as possible.

Should a care worker feel unsafe or threatened by a Client's use of alcohol or drugs, they should report this immediately to their line manager.

In all the above, a risk assessment should be done and the local authority should be notified.

A Client has a right to smoke in his/her own house although this is not encouraged. Even if the Client offers you the opportunity to join them at this point, Living Carers Ltd strictly prohibit this.

Guidelines and Consequences

It is prohibited for employees to report to work while unfit because of alcohol, drug and/or substance misuse. This includes heavy consumption the night before work, employees should be aware of the time it takes for alcohol to leave their system. If an employee finds they are unfit for duty due to unforeseen exceptional circumstances they should contact their line manager by phone to discuss the options.

Where an employee is under the influence of alcohol, drug and/or substance misuse, and, in the opinion of a manager, is not fit to be at work, the employee will be instructed not to attend work until fit to do so.

Employees will be considered unfit for work if they attend work smelling of alcohol.

Employees must not consume alcohol or substances at any time whilst at work regardless of location, including during breaks (i.e. lunch).

These instances will be investigated under the Disciplinary Policy and Procedure if they are not related to an underlying dependency problem.

The organisation prohibits the possession, transfer, sale or use of unauthorised drugs, or illegal substances on its premises. Any employee found to be in possession of an illegal substance will be suspended from duty and a full investigation will be carried out under the disciplinary procedure.

Under the Misuse of Drugs Act 1971, the organisation has a duty to deal with such issues and all drug related issues will be reported to the police and could lead to criminal proceedings.

Employees must not drive whilst under the influence of any intoxicating substance. This includes driving to/from work and during work time. It should be noted that some prescribed medication will also affect an individual's ability to drive safely, it is the employees' responsibility to seek advice from their GP if required.

If a colleague has reasonable grounds to suspect an employee has an alcohol, drug and/or substance misuse problem that affects the health and safety of any employee or the employee's performance, they should inform the employee's manager. There will be no repercussions on the individual raising concerns. Employees who attempt to cover up in a work situation for a colleague who puts themselves, others or the reputation of the organisation at significant risk will leave themselves open to disciplinary action.

Key Question: Is there a time at work when I can smoke?

Smoking is prohibited at work anytime on the organisations or Clients premises. This includes the use of electronic cigarettes. If employees are smoking on work premises action will be taken under the disciplinary policy and procedure. Care staff are allocated break times.

Employees who smoke are encouraged to seek support to quit.

Information on smoking – smokefree.nhs.uk or call 0800 848484 – 24-hour helpline.

www.canstopsmoking.com

Help and Support

Living Carers Ltd will endeavor to ensure that advice and help are made available to any employee who feels they have a problem with alcohol or drug misuse. In the first instance, individuals will be encouraged to seek help from their General Practitioner.

Under these circumstances and with the employee's consent, a referral will be made to the Occupational Health service. It may occasionally be necessary to request that the employee refrains from work temporarily, or undertakes restricted duties to ensure their own safety and that of others.

Any employee who seeks the assistance of Living Carers Ltd in finding treatment for a drugs or alcohol problem has the company's complete assurance of confidentiality.

HELPFUL CONTACTS

Alcoholics Anonymous

Tel 0845 769 7555

<http://www.alcoholics-anonymous.org.uk/>

FRANK

Friendly, confidential drugs advice.

Tel: 0300 123 6600

<http://www.talktofrank.com/get-help>

NHS

(Information and advice from the National Health Service)

www.nhs.uk/livewell

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Key Points to Take Away

- Employees have a contractual obligation to report to work free of alcohol, drugs or other substances
- Employee's behaviour which falls short of acceptable standards in this respect will be referred to the disciplinary process
- It is an offence under the Misuse of Drugs Act 1971 for an employer to allow its premises to be used for the production, supply or possession of controlled drugs and reasonable action to prevent this should be taken
- Smoking is prohibited at work anytime on the organisations premises. This includes the use of electronic cigarettes
- Living Carers Ltd will endeavor to ensure that advice and help are made available to any employee who feels they have a problem with alcohol or drug misuse. In the first instance, individuals will be encouraged to seek help from their General Practitioner.

Policy Review

This policy will be reviewed by the Registered Manager at least annually to make any updates and amendments necessary to ensure the policy conforms to current legislation, reflects current practice and expectations.

Authorisation and Signature

This Policy is the official and authorised version agreed by the Directors of Living Carers Ltd. All employees are expected to work in accordance with this policy and failure to comply with this policy could result in disciplinary action.

Registered Manager

04.12.2017