



North

Yorkshire County Council

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## Improving Health and Attendance

# Workplace drugs and Substance misuse Policy

- *To be used in conjunction with the Workplace Drugs and Substance misuse policy : [Manager's Guidance](#)*

**Access:** If you require this information in an alternative format, such as large type, audio cassette or Braille, please contact the Policy and Support Team, Human Resources on 01609 536028

## Background

Why does NYCC need a drugs and substance misuse policy?

This policy has been developed to help managers deal with drug related problems at work. There are a number of reasons for having a comprehensive policy. These include:

- The health and safety case
- Other legislative requirements
- The needs of the service
- Corporate image
- Wellbeing of employees

Failing to address factors that make a workplace unsafe can place an employer in a serious position so far as health and safety legislation is concerned. While risk assessments on machinery, production processes and manual handling and lifting are commonplace and relatively well understood, there is less awareness about the risks associated with the misuse use of drugs and other substances while at work and in the hours leading up to starting work. A major responsibility is placed on the employer to ensure that risks within the workplace are kept to an absolute minimum and failing to act would undoubtedly reflect badly, should an incident occur that was linked to the consumption of drugs.

## 1. Introduction

North Yorkshire County Council is committed to providing a safe, healthy and productive working environment for all employees, contractors, customers and visitors involved in providing its services. This policy sets out NYCC's aims to protect and maintain the health, safety and welfare of employees and others in the workplace by reducing the risk of drugs related harm in accordance with the Health & Safety at Work Act 1974. This policy makes clear NYCC's disciplinary rules on these matters. If an employee has a drugs or a substance problem, this policy also seeks to encourage them to seek help.

The misuse use of drugs and substance misuse can damage the health and wellbeing of employees and have a far reaching effect on their personal and working lives. NYCC wishes to promote a culture in which the problems associated with drugs misuse are understood.

Persistent misuse can lead to a range of social, psychological and physical problems, can result in reduced levels of attendance, mistakes, sub standard work performance, impaired judgement and decision making and increased health and safety risks, not only for the individual concerned but also for others. Furthermore, employees who commit offences related to the misuse of drugs and other substances may put NYCC's reputation and image at risk.

NYCC wants to encourage and support employees who may have a drug or substance misuse and/or a drugs dependency problem by assisting them in seeking help and supporting them in overcoming drug related problems.

## 2. Policy Aims and Objectives

### 2.1. Aims

NYCC's Drugs and Substance misuse Policy is intended to promote a greater awareness of the impact of misuse in the workplace and to ensure that NYCC continues to safeguard the health and safety of employees and all others on its premises.

Addressing problems relating to drugs and other substance misuse directly benefits the individual concerned, whose health and continued employment may both be at risk. In addition NYCC benefits from increased efficiency, productivity and the retention of valued experienced staff.

### 2.2. Objectives

- To ensure that NYCC complies with relevant legislation.
- To minimise the risks associated with drugs misuse in the workplace.
- Raise staff awareness of the risks and potential harm associated with drugs misuse.
- To set clear rules regarding drugs misuse in the workplace so that employees are aware of the likely consequences for their employment of drugs or substance misuse.
- To create a climate that encourages employees who face problems with misuse to come forward and seek help voluntarily at an early stage.
- To provide support, encouragement and assistance for employees experiencing drugs and substance misuse problems.
- To offer assistance to an employee with such a problem which comes to light through observation?
- To provide a framework to enable instances of drugs or substance misuse by employees to be handled in an appropriate, fair and consistent manner.
- To achieve a balance between supporting employees who come forward with a problem and the overriding need to preserve the health, safety and welfare of employees and others with whom they come into contact.
- NYCC's reputation and image
- The delivery of high quality and effective services

## 3. Definitions

For the purposes of this Policy, drugs and substance misuse is defined as any use of illegal drugs and /or misuse of prescribed drugs or the misuse of other chemicals such as solvents leading to effects that are detrimental to the individual's physical and mental health,. In the workplace it can manifest as use which

- interferes with the ability of staff to work; and/or
- puts the health, safety and welfare of the individual at risk; and/or
- impinges on the health, safety and welfare of colleagues and/or of the general public:

## 4. Scope

This policy applies to all employees of North Yorkshire County Council, including school based employees where the governing bodies of individual schools have adopted the policy

## **5. Statutory Obligations**

This policy recognises the requirements to comply with the following legislation where applicable.

- Disability Discrimination Act 1995
- Management of Health and Safety Regulations 1999
- RIDDOR – Reporting of Incidents, Diseases, Dangerous Occurrences Regulations 1995 (as revised 1999)
- Human Rights Act 1998
- Road traffic Act 1988
- Misuse Of Drugs Act 1971

In application of this policy it is expected that managers (including Headteachers and School Governors) will follow the principles of the above legislation regardless of the reason for absence.

## **6. Links with Other Policies**

The following policies must also be used to inform the Workplace Drugs and Substance Misuse Policy

- *Health and Safety Policy*
- *Equalities*
- *Resolving Issues at Work Policy*
- *Attendance Management Policy*
- *Stress Management Policy*
- *Driving policy*
- *Disciplinary Policy*
- *Developing Performance and Capability Policy*

## **7. Policy Implementation**

This policy and procedure will be implemented through approval and adoption by the Authority and individual school governing bodies.

## **8. Evaluation and Review**

This policy and procedure will be reviewed 12 months after implementation then every two years thereafter (or in line with changes in relevant legislation)

