

# Policy - Alcohol and substance misuse v3.0





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## Policy Statement

Denbighshire County Council (DCC) is committed to providing a safe, healthy and productive working environment for all employees, contractors, customers and visitors involved in its operation. This policy sets out the council's aims in reducing and managing alcohol and drug problems in the workplace. Denbighshire County Council endeavours to ensure that employee's use of either alcohol or illegal or other substances does not impair the safe and efficient running of the council or the health of its employees.

Employees (including volunteers and contractors) must not consume or be under the influence of alcohol, illegal drugs / substances or legal highs during working hours. (*Including breaks, when on-call or stand by*)

As it is difficult to predict the time it takes for an individual to eliminate alcohol and or illegal substances/legal highs from the body, the effects may still be apparent some time afterwards and impair the person's ability to carry out their work safely or effectively.

It is not acceptable for individuals to report for work suffering from the after effects of consuming alcohol or illegal substances/legal highs.

Employees must be made aware that to use, possess, consume, store or sell alcohol or drugs on any DCC premises, will be considered as gross misconduct. The organisations Disciplinary Policy will be invoked leading to disciplinary action being taken, which may include dismissal.

## Roles and Responsibilities

Employees have a responsibility:

- to not drink alcohol or use drugs (including legal highs) during contracted working hours;
- to not drink alcohol or use drugs (including legal highs) during breaks or immediately before work;
- to not drink immediately prior to, or when “on call”;
- to not operate machinery or drive a vehicle (whether council owned or private when on council business) whilst under the influence of alcohol or drugs (including legal highs)
- to consider the adverse impression caused by the smell of alcohol on their breath;
- to be familiar with the policy;
- to be more aware of alcohol and drugs issues and act accordingly;
- to seek help if worried about their own drinking/drug habits;
- to avoid covering up or colluding with colleagues;
- to encourage colleagues to seek help if they have any worries about substance usage.

Managers have a specific responsibility:

- to set a good example and be familiar with the policy;
- to ensure that employees are familiar with the policy and understand their role within it;
- to be aware of the effects/signs of alcohol and drug misuse and to monitor changes in performance, attendance etc.;
- to intervene early when there are signs of problems and agree a support programme for the employee;
- to develop sensitive interviewing skills and be able to adopt a non-judgmental approach;
- to accept that employees with a problem will not always be ready, or willing to disclose the problem;
- to set a good example through responsible use of alcohol;
- to ensure employees are aware of the adverse impression caused by the smell of alcohol on the breath of an employee on colleagues and particularly where their job involves direct dealings with the public
- to refer employees for assistance as appropriate;
- to be aware of aspects of the work situation which may contribute to future problems e.g. stressful shift patterns.

The Occupational Health Advisor has a responsibility:

- to provide information about alcohol and drugs;
- to respond to referrals and provide an assessment service;
- to provide an impartial, confidential counselling service for employees (which may involve referral to another agency).

HR has a responsibility:

- to refer employees for further help or assistance as necessary.
- to provide relevant training for the implementation of the policy;
- to advise and work with managers in implementing the policy and/or other policies , if appropriate;

The Trade Unions have a responsibility:

- to help and advise employees at work.
- to assist with dissemination of the policy;
- to advise members of their rights and responsibilities under the policy;

## Introduction

Employees taking illegal or other substances and/or drinking alcohol to excess or at inappropriate times in relation to their employment become a liability to the council when:

- it interferes with an employee's attendance or performance at work.
- it affects the safety of themselves or other people
- its symptoms offend other people

Therefore employees should not drink alcohol or use illegal or misuse other substances (including legal highs) during contractual hours, immediately before work, during breaks, or whilst undertaking paid home working or “on call”.

Denbighshire County Council recognises that employees dealing with a dependency will need support and assistance. This policy aims to ensure that those who are dependent on alcohol or illegal or other substances and those with alcohol and substance misuse related problems, will be treated sympathetically, fairly and consistently and they will be encouraged to seek help and assistance. However if the employee is unwilling to seek medical assistance or there is no improvement in their attendance, performance or conduct once any support is underway, disciplinary action may follow.

All opportunities for increasing an understanding of alcohol and drug related problems and informing employees of the existence of the policy and its procedures will be used. Managers will be offered training to assist them in implementing this policy effectively, enabling them to offer support to employees where appropriate.

Incidents resulting in irresponsible behavior or conduct will be treated as Gross Misconduct under the Disciplinary Policy. This includes the use of council owned vehicles or operating other machinery whilst under the influence of alcohol or illegal or other substances, or driving privately owned vehicles whilst on council business.

The possession, use and/or supply of illegal substances/ legal highs is strictly forbidden. Illegal activities will not be tolerated by the council and will be reported to the Police and a full investigation will be conducted and dealt with under the Disciplinary Policy. Such offences will be regarded as Gross Misconduct which could lead to dismissal.

No job applicant or employee will experience discrimination, harassment or bullying, or receive less favourable treatment because of their age, disability, gender reassignment, marital or civil partnership status, race, pregnancy or maternity, religion or belief, sex, sexual orientation or caring responsibilities.

For the purpose of this policy, the word “drugs” is hereafter used to refer to illegal substances or the misuse of other substances (including legal highs). It does not refer to drugs which are prescribed or taken for medicinal purposes.

## **Aims**

- To ensure the council complies with appropriate legislation
- Reassure employees that matters relating to alcohol and substance abuse will, as far as possible, be dealt with sympathetically and in confidence.
- To minimise the risks associated with alcohol and drugs in the workplace
- To have clear rules regarding alcohol and drugs in the workplace
- To promote the health and wellbeing of employees by raising the awareness of the hazardous effects of alcohol and drug abuse
- To encourage the early identification of employees who may be experiencing alcohol or drug problems.
- To encourage and assist employees who suspect or know they have a problem with alcohol or drugs to seek help, in confidence, at an early stage
- To provide training and support to line managers to ensure they are equipped to support employees experiencing problems.

## **Application/Scope of Process**

The policy applies to all council employees with the exception of:-

- Employees appointed by a School Governing Body

The policy and procedures will apply to full-time, part-time, fixed term and temporary employees who have an employment contract with the council, regardless of the hours worked.



## **Engagement /Participation/Consultation**

This policy has been drafted taking account issues raised by employees attending Staff Road shows & Breakfast meetings. It has also been consulted and negotiated with the Senior Leadership Team, managers and Trade Unions.

## **Legal & Other References**

Under Section 2 of The Health & Safety at Work Act 1974 the council has a duty to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all employees. Under Section 7 of the Act, employees are also required to take reasonable care of themselves and others who could be affected by what they do. Consequently, an employee may be subject to criminal prosecution if their drug or alcohol abuse results in an increased risk.

The Transport & Works Act 1992 makes it a criminal offence for certain workers to be unfit through drink or drugs while working on railways, tramways and other guided systems.

The Misuse of Drugs Act 1971 makes it an offence for a person knowingly to allow drugs to be used, kept or supplied on his/her premises. It is also illegal to ignore such occurrences.

Some secondary illnesses arising from the misuse of alcohol or drugs may fall within the definition of 'disability' in accordance with the Equality Act 2010, and such cases will be treated in accordance with the Act.

The Management of Health and Safety at Work Regulations 1999 requires employers to carry out a risk assessment to identify hazards in the workplace and put measures in place to minimise these risks.

## Policy Details

### Social Events/Office Parties

The consumption of alcohol when entertaining customers or clients during normal working hours (including lunch times) is forbidden.

Where social events are attended at lunchtimes, employees must not consume alcohol or take drugs if they are planning to return to work, in accordance with the rules of this Policy. It is assumed that employees attending social events where alcohol will be consumed will not be returning to work that day. The flexible working policy may be utilised for this purpose.

### Prescribed Medication

It is acknowledged that some prescription medications may impair a person's ability to perform certain tasks / work duties safely. Individuals should seek advice from their GP or the Occupational Health Department when starting this type of medication.

### Legal Highs (Psychoactive Substances)

New psychoactive substances – often and misleadingly called legal highs – contain one or more chemical which produces similar effects to illegal drugs such as cocaine, cannabis and ecstasy.

None of these drugs since the introduction of the Psychoactive Substances Act 2016 are legal to produce, supply or import (even for personal use) for human consumption. This includes selling them or giving them away for free (even to friends) when they are going to be taken to get high.

Not enough is known about these drugs to know their potency, the effects on people, or what happens when they are used with other substances or alcohol.

The main effects of almost all psychoactive drugs can be described using four main categories:

- Stimulants
- Downers or sedatives
- Psychedelics or hallucinogens
- Synthetic cannabinoids

They come as powders, pills, capsules or lollypops, you really can't be sure of what is in a legal high or what effect it is likely to have.

# Capability and Conduct

## Capability

The council recognises that there are two types of misuse, those associated with dependent alcohol or substance misuse and those with non-dependent alcohol or substance misuse.

Every effort will be made to deal with the situation sympathetically and in confidence. If substance or alcohol misuse is suspected, or if the employee has confided that they have an alcohol or drug addiction, then the employee should be advised to seek immediate advice and guidance from the councils Occupational Health department.

If a manager identifies capability related issues concerning absenteeism, accident levels, work performance or behaviour, or any other observations, and alcohol or substance misuse is suspected, then they will meet with the employee to discuss the reasons for their concerns. Please refer to the Manager Flowchart for Dealing with Suspected Problems and advise Occupational health.

It is in the employee's best interests to be honest about the reasons at an early stage so that support can be offered at the earliest opportunity.

Employees whose over indulgence in alcohol or other illegal substances (including legal highs) results in an isolated incident of rowdy, reckless, dangerous or inappropriate behavior in the workplace may be regarded as non-dependent users and their behaviour will be dealt with as misconduct through the Disciplinary Policy.

Dependent alcohol or substance users are normally regarded as having an ill-health problem and should be dealt with like any other illness affecting their work, performance or attendance, normally dealt with under the Attendance at Work Procedure or Capability Policies. However in certain circumstances, it may be appropriate to invoke the disciplinary procedure.

Following referral to Occupational Health a programme of support will be agreed with the employee, which will include recommendations from the Occupational Health Adviser, where appropriate. A three way contract may be agreed to include a programme of support which may include the following:

- A period of sickness absence in order to initiate treatment / counselling;

- Arranging either in house counselling through the Occupational Health department or an appropriate specialist organisation.
- Arranging assessment and/or counselling through CAIS Ltd or any of the other specialist organisations.
- Reallocating certain aspects of work, either for a specified period or permanently – this will be done in accordance with the Attendance at Work procedure which states that there is no pay protection for such adjustments;
- Additional training or retraining;
- Review of workload;
- Risk assessment of post to ensure all Health and Safety Implications have been addressed.
- Agreement to review progress on a regular basis.

*(this list is not exhaustive)*

The council will grant time off for professional counselling sessions; however, this is expected to be in an employee's own time with the use of flexible working. Employees are entitled to receive the normal benefits under the council's sick pay provisions. Employees may be asked to provide evidence of attendance.

The employee will be expected to actively participate in any support programme discussed. If they fail to do so, or the advice and/or support programme are rejected or ignored, the matter will be pursued through either Capability procedure or the Disciplinary policy.

If medical grounds for incapability are established, there may be a case for termination of employment on grounds of ill-health. In which case reference should be made to the Attendance at Work procedure and advice on the procedure is available from HR.

### Conduct

Attendance at work where the rules of this policy are breached, such as someone reporting for work clearly under the influence of alcohol or drugs or suffering from the effects of alcohol or drugs will be classed as a conduct issue and will be dealt with under the normal disciplinary procedures.

As the council does not test for drugs or alcohol, a manager may draw the conclusion that someone is under the influence of alcohol or drugs, merely based on the fact that they can smell alcohol on an employee's breath, affecting work, health and safety issues or because of erratic or irrational behaviour. (Please refer to Appendix 1. a note of caution).

If an employee arrives for work and they are suspected of being under the influence of alcohol or drugs, then they will be advised

that there is reason to believe this and that they are therefore not permitted to remain in work due to Health and Safety risks. Arrangements should be made for them to go home (they should not be allowed to drive their car if they have one). They should be asked to come in to work the next day to discuss their conduct. Upon arrival at work the next day, the employee will be interviewed to find out why they came to work in the condition they did. The employee should be given the opportunity to have a Trade Union representative or a work colleague at this meeting if they wish. Lack of availability of representation should not be a reason to delay this meeting, and an alternative person may be sought if appropriate. The manager will then decide on the appropriate action. HR advice should be sought prior to this meeting.

The council may be held vicariously liable where an employee drives a council vehicle and is found to be under the influence of alcohol (or drugs) in the event of an accident. Therefore it is the responsibility of the supervisor or manager to ensure that they are satisfied that all employees required to drive council vehicles (or their own vehicles whilst on council business) within their department are not suspected of being under the influence of alcohol or drugs. To knowingly do so will be regarded as a failure to perform their duty to an acceptable standard and/or negligence.

#### Alcohol or drug misuse outside work

- In circumstances where an individual is not suspected of being under the influence of alcohol or drugs at work, but where it is suspected that their performance/conduct at work has deteriorated as a result of alcohol or drug misuse outside work, their manager will investigate the circumstances at the earliest opportunity. This may require the employee to be suspended on full pay during this investigation. If the allegations are substantiated then the manager will decide whether the conduct or capability route will be pursued.
- Employees who are “on call” outside normal working hours will be expected to refrain from the consumption of alcohol and/or drugs prior to the period during which they are “on call” and during the “on call” period. Where an employee is found to be under the influence of alcohol or drugs, or gives the reason not to go on duty as being under the influence of alcohol or drugs, this will be treated as a conduct issue in accordance with this policy and may result in disciplinary action.
- Employees who are asked to respond to unplanned emergency call-outs will be expected to declare to the caller, if they are not capable of carrying out their duties due to their recent consumption of alcohol or drugs, that they are unable to respond for this reason.

## When is it an Issue of Gross Misconduct?

### Under the influence

Being in the possession of, or under the influence of, non-prescribed illegal drugs or legal highs during working hours, and being under the influence of alcohol during working hours are both regarded as Gross Misconduct under the council's Disciplinary Policy. If it is suspected that an employee is under the influence of alcohol or drugs whilst on duty the individual may be suspended, on full pay, pending an investigation. If the allegations are substantiated through a disciplinary hearing and regarded as gross misconduct, which could result in dismissal.

### Possessing/Supplying/Offering to Supply Controlled Drugs

If an employee is suspected of possessing or supplying or offering to supply controlled drugs/legal highs they will be suspended, on full pay, pending an investigation. If the allegations are substantiated through a disciplinary hearing and regarded as gross misconduct, this will warrant summary dismissal.

The council is under a legal obligation to inform the Police, who may wish to pursue criminal proceedings. Managers and/or employees should seek the advice of HR in this matter.

This approach may be taken if an individual is suspected of possessing or supplying controlled drugs or legal highs either inside or outside work.

### Failure to Improve Performance/Conduct/Attendance

Where alcohol or drug abuse affects an employee's performance, conduct or attendance record and they refuse the opportunity to seek help, or having accepted help and support, the employee reverts back to the problems regarding performance, conduct or attendance, this may result in disciplinary action on the grounds of either conduct or capability, which could also result in dismissal.

### Conduct or Actions Outside the workplace Bringing Disrepute or a Breach in Trust and Confidence

- Conduct outside the workplace would not normally be a matter for the council. However, there may be justification in taking action where the use of alcohol or drugs outside work either brings the council into disrepute or it undermines the council's trust and confidence in the employee. Grounds for gross misconduct may apply if:

- Conduct or actions outside the work place make the employee unsuitable for the job they do
- Where conduct causes (potential) damage to the council's reputation;
- Where the conduct is unacceptable (for good reason) to the council that they continue to be employed

#### Examples:

- A security officer assaulting a police officer
- A manager assaults a subordinate at a private function
- A Social Worker for young people caught for substance abuse, causing concern for the adverse impression this would have on those for whom the Social Worker provided a service in work time

#### Employee Support

- Any individual seeking support regarding their alcohol or drug problem will be guaranteed strict confidentiality from Occupational Health and HR Department.
- Occupational Health and Counselling Support is available to employees;
- Employees will be granted time off if necessary, to attend for medical appointments, receive treatment and participate in a programme designed to help recovery;

#### Monitoring and Review

- This policy will be reviewed within twelve months in the first instance to allow changes that result as part of the first year implementation of a new policy.
- The responsibility for reviewing this policy lies with the Health Safety and Welfare Committee.
- Monitoring of the use and compliance of this policy lies with HR and Occupational Health who will feed back information to inform the review in 12 months.
- If employees have concerns about this policy they can be raised with their manager

# Supporting Documents

Possible indicators of alcohol and drug misuse.

## Attendance/Absenteeism

- Frequent unexplained absences
- Increased sickness absence
- Excessive absence with similar reasons e.g. stomach upsets, diarrhoea, 'flu.
- Frequent Friday or Monday absence
- Unexplained absences or disappearance from the workplace
- Poor timekeeping
- Late returning from breaks or leaving work early

## Work Performance

- Lack of concentration and impaired memory
- Mistakes and errors of judgement
- Unreliability and unpredictability
- Reluctance to accept responsibility
- Improbable excuses for poor work

## Changes in Personality and Behaviour

- Altered relationships with colleagues, changes of attitude, avoidance of company etc.
- Irritability or aggression
- Moodiness, depression, apathy
- Oversensitivity
- Changes in attitude to council
- Lethargy

## Accidents

- Frequent accidents in or outside of work
- Careless handling of equipment
- Nature, frequency and timing of accidents e.g. in the mornings or immediately after lunch.

## Physical Signs

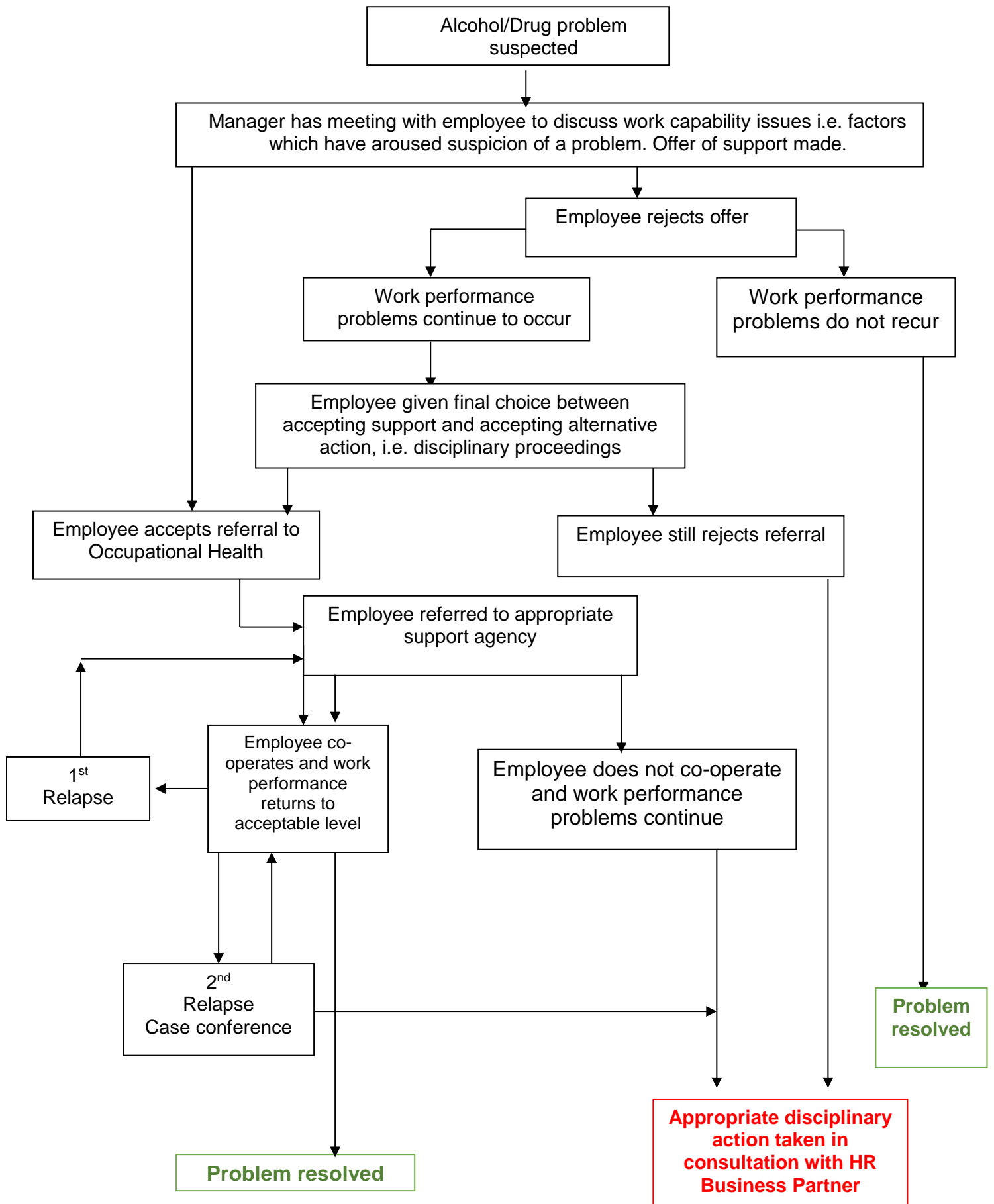
- Smelling of alcohol
- Under the influence of alcohol at work
- Facial flushing
- Puffy or bloodshot eyes
- Hand tremor
- Slurred speech
- Poor personal hygiene

*A note of caution.....*

Sometimes a person may appear drunk or under the influence of drugs. Be aware that this person may be diabetic and suffering from the effects of low blood sugar. If a diabetic develops symptoms of Hypoglycaemia (sudden loss of energy, hunger, sweating, dizziness, weakness, unsteadiness, headache, irritability, slurred speech, pins and needles), and they might lose consciousness in this event dial 999. They may be going into a hypoglycaemic coma.



# Manager Flowchart for Dealing with Suspected Problems



## General Guidance on Alcohol Consumption

It is important for employees to be aware that the effects of drinking alcohol may continue for a considerable period of time after drinking has finished. Alcohol depresses brain function and may affect judgement, self-control, skills and performance. The potential influence of alcohol in an operational employee constitutes an avoidable risk to health and safety.

There have been a number of genuine reports of individuals failing the breathalyser test the morning after the night before. If you enjoy drinking it would be foolish to ignore the warning that these cases provide by assuming it only happens to very heavy drinkers. People's perception of heavy drinking varies considerably, and consumption which some people regard as normal drinking can lead to problems of this type.

It is possible that employees could unknowingly jeopardise their own safety and the safety of others by failing to appreciate how long it can take for the body to get rid of alcohol. The following information is provided so that you can make certain you will not be affected by alcohol whenever you are on duty and to ensure that unnecessary risk to yourself, your colleagues and the public is avoided.

## Measurement of Alcohol Consumption

The conventional way of measuring alcohol consumption is based on the standard unit of alcohol. Obviously there are large differences in the alcohol concentration of different beverages, such as spirits, wine, beer, etc. There is also a great deal of variation in the alcohol content or strength within a particular class of drink; beers can range in their alcohol content from 2 units per pint to several units per pint. The table on the next page is a guide to the strength in units of alcohol for many familiar drinks.

How Many 'Units' In Your Drink (all figures are approximate)					
BEERS AND LAGERS			SPIRITS		
THE UNIT CONTENT OF ALCOHOLIC DRINKS CAN BE WORKED OUT BY MULTIPLYING THE VOLUME OF THE DRINK IN ML BY THE ALCOHOL BY VOLUME (ABV) AND DIVIDING THE RESULT BY 1000.					
Ordinary strength beer or lager	½ pint 1 pint 1 can	1 2 1½	1 standard single measure in most of England & Wales (1/6 gill)		1
Export beer	1 pint 1 can	2½ 2	1 standard single measure in Northern Ireland (¼ gill)		1 ½
Strong ale or beer	½ pint 1 pint 1 can	2 4 3	1/5 gill measure		1 ¼
Extra strength beer or lager	½ pint 1 pint 1 can	2½ 5 4	¼ gill measure served in some parts of Scotland		1 ½
CIDERS			TABLE WINE		
Average cider	½ pint 1 pint 1 can	1½ 3 6	(including cider wine and barley wine)	1 standard glass 1 bottle 1 litre bottle	1 7 10
Strong cider	½ pint 1 pint quart bottle	1½ 3 6	SHERRY AND FORTIFIED WINE		
			1 standard small measure 1 bottle		1 1 2

## Estimating the Duration of Alcohol Breakdown

Alcohol is broken down by the body in the liver at a fairly constant rate. None of the popular 'sobering up' remedies such as drinking coffee or taking exercise make the liver work faster. On average it takes 1 hour for the body of a healthy 70kg male\* to get rid of 1 unit of alcohol. If during an evening an individual consumes 10 units of alcohol between 8 and 11pm, at a fairly constant rate, it is unlikely that they will be free from alcohol before 6am the following morning. If an individual consumes 24 units during an evening, at a fairly constant rate, it would be unlikely that he/she would be free from alcohol before 8pm the following evening.

You may estimate your total consumption on any one occasion by referring to the above table. The figure obtained by totalling up the number of units consumed will give the number of hours required to become alcohol free. If drinking takes place at a fairly constant rate, the number of hours may be added onto the time at which drinking began to estimate the time that you are likely to become alcohol free. Below are some typical examples:

\*In general the blood concentration in females reaches a higher concentration than in males for the same quantity consumed: female are therefore advised not to apply these estimates as it will take longer than these estimates to clear.

Begin drinking at 8pm – finish at 12 midnight		
Drinks consumed	3 pints strong ale or lager	12 units
	1 double whisky	2 units
		Total 14 units
Average male not free from alcohol before (8pm + 14 hours) = 10am next day.		

Begin drinking at 7pm – finish at 10pm		
Drinks consumed	1 bottle of red wine	7 units
	1 double brandy	2 units
		Total 9 units
Average male not free from alcohol before (7pm + 9 hours) = 4am next day.		

Begin drinking at 8pm – finish at 11pm		
Drinks consumed	8 pints of ordinary strength lager	16 units
Average male not free from alcohol before (8pm + 16 hours) = 12 midday next day.		

Begin drinking at 1pm – finish at 2.30pm		
Drinks consumed	3 pints of ordinary strength lager	6 units
Average male not free from alcohol before (1pm + 6 hours) = 7pm the same day.		

However, if the rate of alcohol consumption is heavier towards the end of the evening or period, then the calculation should take place from the time drinking finished. For example:

Begin drinking at 8pm – finish at 11pm		
Drinks consumed between 9-10pm	2 pints ordinary strength beer	4 units
Drinks consumed between 10-11pm	3 double whiskies	6 units
		Total 10 units
Average male not free from alcohol before (11pm + 10 hours) = 9am next day.		

It is essential to appreciate that these are estimates based on the average male. Some individuals may get rid of alcohol a bit faster, but more importantly others may take longer than suggested by the above examples. Since it is not possible to say which individuals will take longer than average, Service members should allow for this aim to be free from the influence of alcohol well before the commencement of duties.

Furthermore, because of individual variation, under no circumstances whatsoever should you adopt a less cautious approach to your drinking habits because of this information – it is intended solely as a guide to avoid drinking habits that could lead to problems.

Finally, for your general health and wellbeing it is important to maintain sensible drinking habits. If you would like further confidential advice you may contact any of the numbers on the Source of Help information sheet

### The Main Drug Laws

The laws controlling drug use are very complicated. The Misuse of Drugs Act (1971) regulates what are termed controlled drugs. It divides drugs into three classes as follows:		
CLASS A:	These include cocaine and crack (a form of cocaine), ecstasy, heroin, LSD, methadone, processed magic mushrooms and any Class B drug which is injected. These are treated by law as the most dangerous.	
CLASS B:	These include amphetamine, barbiturates and codeine and cannabis, Legal Highs (Psychoactive Substances).	
CLASS C:	Amphetamines, tranquilizers and anabolic steroids	
Offences under the Misuse of Drugs Act include:		
<ul style="list-style-type: none"> <li>• Possession of a controlled drug.</li> <li>• Possession with intent to supply another person.</li> <li>• Production, cultivation or manufacture of controlled drugs.</li> <li>• Supplying another person with a controlled drug.</li> <li>• Import or export of controlled drugs.</li> <li>• Allowing premises you occupy or manage to be used for the consumption of certain controlled drugs or supply or production of any controlled drug.</li> </ul>		
N.B.	Certain controlled drugs such as amphetamines, barbiturates, heroin and methadone, can sometimes be obtained on prescription. In such cases their possession is not illegal.	
Maximum penalties under the Misuse of Drugs Act are as follows:		
	<u>Possession</u>	<u>Supply</u>
Class A drug	7 years imprisonment + fine	Life imprisonment + fine
Class B drug	5 years imprisonment + fine	14 years imprisonment + fine
Class C drug	2 years imprisonment + fine	14 years imprisonment + fine
The law is even more complicated by the fact that some drugs are covered by other laws, are not covered at all or treated in an exceptional way under the Misuse of Drugs Act.		
<p>Alcohol</p> <p>It is an offence for a vendor to knowingly sell alcohol to an under 18 year old. A 14 year old can go into a pub alone but not consume alcohol. A 16 year old can buy and consume beer or port cider (but not spirits) in a pub if having a meal in an area set aside for this purpose. In some cities there are by-laws restricting drinking alcohol on the streets at any age.</p>		

Magic Mushrooms are not illegal to possess or eat in their raw state. It can be an offence to process them by drying and storing them, making them into a tea or infusion or cooking with them.

Poppers (liquid gold, amyl or butyl nitrite) are not currently illegal to possess, buy or sell. They are often sold in joke and sex shops but also in some pubs, clubs and tobacconists. However, recent legal cases under the Medicines Act may change this situation making it illegal to supply certain forms of poppers.

Solvents (aerosols, gases, glues) are not illegal to possess, use or buy at any age. In England and Wales it is an offence for a shopkeeper to sell them to any under 18 year old if they know they are to be used for intoxicating purposes.

Steroids are not illegal to possess or use without a prescription. It is an offence, under the Medicines Act, to sell or supply them to another person.

Tobacco - it is not an offence for people of any age to use cigarettes or other tobacco products. It is an offence for a vendor to sell tobacco products to someone they know is under 16 years old.

Most Tranquilizers (Librium, Valium.) are not illegal to possess or use without a prescription. It is an offence to sell or supply them to another person. It is illegal to be in possession of Temazepam (a tranquilliser that is sometimes prepared for injection) without a doctor's prescription.

## Sources of Help

<p>ADFAM National Offers support to families facing problems with drugs or alcohol with access to a range of specialised services.</p>	<p>Tel: 020 3817 9410 <a href="https://www.adfam.org.uk/">https://www.adfam.org.uk/</a> email: <a href="mailto:admin@adfam.org.uk">admin@adfam.org.uk</a> On twitter, Facebook, LinkedIn and Instagram</p>
<p>Alcohol Concern Cymru Alcohol Concern works to reduce the incidence and costs of alcohol-related harm and offer a range of services to people with alcohol-related problems.</p>	<p><a href="https://www.alcoholconcern.org.uk/Pages/Category/alcohol-concern-cymru">https://www.alcoholconcern.org.uk/Pages/Category/alcohol-concern-cymru</a> email; <a href="mailto:contact@alcoholconcern.org.uk">contact@alcoholconcern.org.uk</a></p>
<p>Alcohol Anonymous (24 hour info line)</p>	<p>Tel: 0800 9177 650 <a href="https://www.alcoholics-anonymous.org.uk/contact">https://www.alcoholics-anonymous.org.uk/contact</a> email: <a href="mailto:help@aamail.org">help@aamail.org</a></p>
<p>Child Protection Helpline - NSPCC</p>	<p>Tel: 0800 800 500 Email: <a href="mailto:help@nspcc.org.uk">help@nspcc.org.uk</a></p>
<p>Citizens Advice Bureau  The Citizens Advice service helps people resolve their legal, money and other problems by providing free information and advice.</p>	<p>Tel: 03444 77 20 20 - Advice line <a href="https://www.citizensadvice.org.uk/wales/">https://www.citizensadvice.org.uk/wales/</a></p>
<p>CAIS Head Office: 12 Trinity Square, Llandudno, LL302R  DAWN Centre, 35-37 Princes Drive, Colwyn Bay, LL29 8PD  CAIS offer Alcohol and Drug Counselling for people concerned about their own drinking or drug taking, or about the habits of others close to them. CAIS offer a range of services including self-help manuals, home and inpatient detoxification services, group work and residential facilities.</p>	<p>Tel: 01492 872014  Tel: 01492 523692  <a href="http://www.cais.co.uk/">http://www.cais.co.uk/</a></p>
<p>Denbighshire County Council Confidential Counselling Offered through the Occupational Health Department</p>	<p>Occupational Health: Tel: 01824 712522 or 01824 712532</p>
<p>Community Drug and Alcohol Service Community Nurses, Counsellors and Social Workers providing support, counselling, advice, detox, and other help and information on needle and syringe exchange.</p>	<p>Tel: Rhyl: 01745 338868 Bangor: 01248 351829 Wrexham: 01978 261125 Deeside: 01244 831798</p>
<p>North Denbighshire Domestic Abuse Service Ltd</p>	<p>Tel: 01745 337104</p>
<p>Drugs Helpline</p>	<p>Tel: 0800 776600</p>

<p>Drinkline</p> <p>Offers help to problem drinkers, or those concerned about a problem drinker by means of a telephone network.</p>	<p>Tel: 0300 123 1110</p>
<p>G M B Union</p>	<p>Tel: 01492 535313</p>
<p>MIND</p> <p>Offers support to people with experience of mental distress.</p>	<p>Tel: 01745 812461</p>
<p>National HIV / AIDS Helpline</p>	<p>Tel: 0800 567123 Tel: 0800 3711311</p>
<p>National Public Health Service for Wales</p> <p>This body brings together the public health resources of the five former health authorities in Wales and offers: Employees Training and Development, Advice and Consultancy, Help with Policy Formulation, Information, etc.</p>	<p>Tel: 01443 824160</p>
<p>Needle Syringe Exchange</p> <p>Gwynedd Rhyl Chester Wrexham</p>	<p>Tel: 01248 351829 Tel: 01745 338868 Tel: 01244 344999 Tel: 01978 313904</p>
<p>NHS Direct</p>	<p>Tel: 0845 46 47 or 111</p>
<p>North Wales Police</p>	<p>Tel: 0300 330 0101 or 101</p>
<p>Rape/Abuse Line (Men and Women)</p>	<p>Tel: 0808 800 0123</p>
<p>Relate</p>	<p>Tel: 01492 533920</p>
<p>Resolve</p> <p>Advice on Solvent Abuse</p>	<p>Tel: 0808 800 2345</p>
<p>Samaritans</p> <p>The Samaritans offer confidential and emotional support to all</p>	<p>Tel: 116 123 Email: <a href="mailto:jo@samaritans.org">jo@samaritans.org</a> <a href="https://www.samaritans.org/how-we-can-help-you/contact-us?gclid=EAIaIQobChMI2c-z3czz3AIVjrvtCh1KHQ11EAAYASABEgLi9PD_BwE">https://www.samaritans.org/how-we-can-help-you/contact-us?gclid=EAIaIQobChMI2c-z3czz3AIVjrvtCh1KHQ11EAAYASABEgLi9PD_BwE</a></p>
<p><i>Shelter</i></p> <p>For advice on housing</p>	<p>Tel: 0345 075 5005 <a href="https://sheltercymru.org.uk/contact-us/">https://sheltercymru.org.uk/contact-us/</a></p>
<p>Unite the Union</p>	<p>Tel: 01352 733611</p>
<p>Unison</p>	<p>Tel: 01492 543682</p>
<p>Women's Aid</p>	<p>Tel: 0845 702 3468</p>

## Frequently Asked Questions

A member of staff has come into work and is suffering from the effects of drinking the night before, does this fall under this policy?

It is not acceptable for employees to report for work suffering from the after effects of consuming alcohol or illegal substances. In the first instances you should speak to the member of staff, and inform them that this is unacceptable and should not happen again. Should this persistently occur then the manager should refer to the Alcohol and Substance Misuse Policy.

How do I check whether an employee has regular Friday and Monday absence?

You can run a report off the iTrent system to establish whether an employee has frequent Monday/Friday absence. For guidance as to how to run this report, please see guidance available on the Denbighshire website under the employee tab, iTrent guidance.

Am I allowed to have an alcoholic drink at lunchtime?

No. Denbighshire employees are not permitted to consume alcohol during any breaks unless they have agreed with their line manager that they will not be returning to work.

Is it permitted to consume alcohol when on a business lunch?

No. It is not permitted for employees to consume alcohol when entertaining consumers or clients during normal working hours (including lunch times).

Does this policy cover drugs which are prescribed by a doctor or taken for medical reasons?

No, it is understood that some medication may hinder a person's ability to perform certain tasks / work duties safely. Individuals should seek medical advice from their GP or Occupational Health when starting this type of medication.

What should I do if a member of my staff turns up drunk to work?

You should send the person home, ensuring that they do not use their own vehicle and ask them to return the following day.

The following day, you should speak to the employee and if necessary instigate disciplinary proceedings.