



Drug and Alcohol Policy 2021

DOCUMENT HISTORY	
Name of Policy:	Drug and Alcohol/Substance Misuse - Policy and Arrangements
Purpose of Policy:	New Forest District Council is committed to providing a safe, healthy and productive working environment. This policy and subsequent arrangements set out the Council's aims in reducing and managing alcohol and drug problems in the workplace whilst complying with the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999, the Road Traffic Act 1988 and the Misuse of Drugs Act 1971.
Policy Applies to:	This Drug and Alcohol/Substance Misuse Policy applies to all directly and indirectly employed staff within New Forest District Council and, where appropriate, contractors and agency workers.
First Issued:	January 2001
Latest Update:	October 2021
Update Overview:	<p>2010 – Amendments made to include procedures for reactive alcohol and drug testing on site.</p> <p>2018 – Review following organisational restructure.</p> <p>2021 – Review following organisational restructure.</p>

SECTION 1: POLICY

1.1 INTRODUCTION

Under the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999, the Road Traffic Act 1988 and the Misuse of Drugs Act 1971 the Council has legal responsibilities as well as a duty of care to protect the health, safety and wellbeing of its employees and the public. This includes taking all reasonable steps to resolve drug (illegal, recreational or prescription), alcohol and other substance misuse related problems known within the workplace.

The Council is committed to promoting an understanding of the problems related to substance misuse. It will provide guidance on the identification of such problems and is fully committed to providing confidential support and specialist help, where necessary, to any employee making a disclosure regarding the misuse of substances.

1.2 SCOPE

This policy, and subsequent arrangements, applies to all employees working for or on behalf of New Forest District Council.

External contractors and self-employed personnel are responsible for making sure their own policies and arrangements provide an equivalent standard to that of the Council's. Service Managers are responsible for ensuring contractors comply with the requirements of the Council's policy whilst on Council premises.

1.3 DEFINITIONS

Employees are deemed to have a problem related to substance misuse if their alcohol intake, or use of drugs, interferes with their health and work performance, affects their safety or the safety of others, or reduces attendance at work.

For the purpose of this policy, substance misuse refers to the use and misuse of intoxicating substances which include alcohol, drugs (including heroin, cocaine, ecstasy, LSD, cannabis, barbiturates and amphetamines), legal highs, solvents (including lighter gas refills, aerosols and glues) and other substances such as tranquillisers and anabolic steroids.

Employees may be prescribed specific medications by their doctor, or may be self-prescribing by using over the counter remedies for pain relief or colds etc. These may contain performance inhibiting substances such as, but not limited to, codeine or anti histamines that may also affect employees who drive or carry out safety critical tasks.

SECTION 2: ROLES AND RESPONSIBILITIES

2.1 DUTIES AND RESPONSIBILITIES

2.1.1 Line Managers/Supervisors

Must:

- Make sure all employees are aware of this policy and the support available to them if necessary.

In establishing that a problem exists:

- Be aware of and monitor changes in work performance, attendance, sickness and accident patterns which may be associated with alcohol, drug or substance misuse.
- Investigate any circumstances that they become aware of or that are brought to their attention.
- Be prepared to make a dynamic decision regarding the suitability of an employee to continue with their work if they are suspected, with good cause, to be under the influence of alcohol or drugs and whether that employee should be taken away from their work environment in order to ensure their own and others safety.
- Record all incidents that suggest there is an alcohol or drug problem with dates and time and if necessary collect witness statements.
- Seek advice from Human Resources and the Service Manager if there is evidence to suggest that a problem of alcohol or drug abuse exists.

Investigating a potential problem:

- Ensure that the employee is given an opportunity, in interview, to respond to the record of incidents/poor work performance on which the belief there is an alcohol or substance misuse problem is based.
- Ensure that any interview is held in a private room and allow no interruptions.
- Give the employee reasonable notice of the interview and advise the employee of their right to have a colleague or union representative present.
- Ensure that all information needed is available prior to interview. This will include all records of incidents/poor performance that point to a problem and what sources of help and advice may be available to the employee if alcohol, drugs or other personal problems are admitted as the cause of the work-related concerns.
- Plan the structure of the interview, including the attendance of other persons, in advance. The purpose, structure and reasons for other peoples' attendance should be explained to the employee at the start of the interview.
- Do not accuse the employee of having an alcohol or drugs problem, the purpose of the interview is investigatory. It is the line manager/supervisor's opportunity to explore, with the employee, the reasons behind the incidents/poor performance that have caused concern.
- Ensure that the employee is aware that confidential professional help is available, internally or externally.
- Adopt a supportive approach where an employee has admitted alcohol or drug problems and ensure the privacy and confidentiality of the employee at all times.

- Where an employee has admitted alcohol or drug problems they may be accepted on to the support programme but they will not be able to avoid the possibility of disciplinary action.
- Set a date for a review of progress.
- Place a confidential record of the interview on the employee's personal file.

In managing and monitoring the problem:

- Ensure that employees that have been accepted on to the support programme understand the expected standard of performance/behaviour that must be achieved and confirm to the employee in writing.
- Continually monitor and review the employee's progress within the support programme and if it becomes clear that the supportive approach is not going to secure a satisfactory performance return make it clear to the employee that the matter will be dealt with under the Council's disciplinary procedure.
- At this point carry out any further interviews, warning and actions in accordance with the Council's disciplinary procedure seeking advice and support from Human Resources.

In testing for the use of alcohol or drugs:

- If a need for testing is identified in a safety critical job where there is the likelihood of a breach of safety and danger of harm from the employee's actions the manger/supervisor must seek the advice and agreement from a Service Manager before carrying out any alcohol or drugs testing.
- Ensure the employee's permission is sought before carrying out any alcohol or drugs testing.
- Follow the guidance and flowchart for testing procedures found in *Appendix C*.
- If initial testing proves positive for the presence of alcohol or drugs the employee must not be allowed to continue working that day.
- Contact a Service Manager to obtain the authorisation PIN required for a secondary confirmation test to be carried out by the specialist laboratory.
- The specialist company will arrange for a secondary sample to be collected within 2 hours. Where possible prevent the employee from excessive consumption of water and urinating as this may affect any secondary sample.
- Ensure the employee is aware that refusal to take any of the tests may result in them being subject to disciplinary procedures.

2.1.2 All Service Managers

Must be available to:

- Provide initial advice and, if necessary, make a final decision regarding the testing of an employee to detect the presence of alcohol and/or drugs.
- Provide this authorisation by phone if necessary (for example very early in the morning).
- Sign and date the authorisation form for on-site testing as soon as possible on the same day as the request is made *See Appendix C*.

2.1.3 Authorised Service Managers (HR, Waste & Transport, Environmental & Regulation, Housing Maintenance) or Executive Head of Operations

Must be available to:

- Provide the requesting officer with the confirmatory testing authorisation PIN, following an initial positive test result.

This PIN number (issued separately to all authorised Service Managers and the Executive Head of Operations) is required by the specialist laboratory to authorise a secondary confirmation test. This must be done as soon as the initial test proves positive (via 24-hour number highlighted in document) as the confirmation test must be carried out within 2 hours.

2.1.4 Employees

Must:

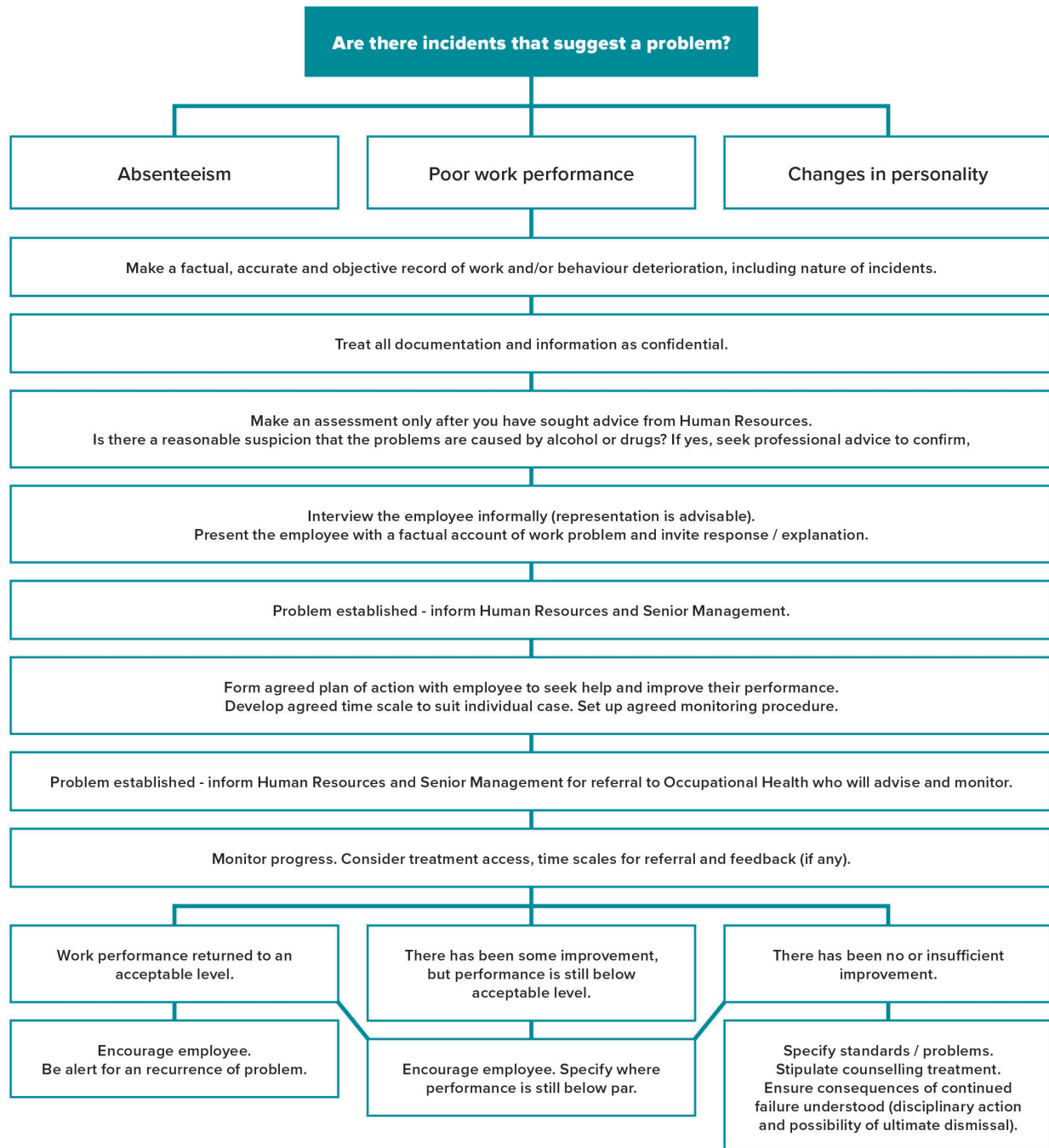
- Understand and accept their responsibilities not to render themselves unfit through alcohol or drugs for the safe, effective and proper conduct of the duties they might reasonably be required to perform.
- Be familiar with all aspects of this policy and the disciplinary implications resulting from any breach of the policy.
- Not bring alcohol or drugs (other than drugs prescribed by their medical doctor) on to Council premises.
- Not accept alcohol or drugs from another person on Council premises.
- Actively seek help if they believe they have an alcohol, drug or substance misuse problem.
- Inform their line manager/supervisor if taking any over the counter or prescription medication that is likely to affect their working performance.
- Inform their line manager/supervisor if they know or suspect that another employee is under the influence of alcohol or drugs.

2.1.5 Human Resources

Will:

- Provide advice and support to line managers/supervisors in relation to this policy and its applications
- Provide advice and support where necessary to employees regarding the operation of this policy and signpost avenues of support available to employees such as Occupational Health and alcohol and substance misuse support services.
- Advise and support line managers/supervisors when an employee is suspected of being under the influence of drugs, alcohol or other substances, although the responsibility for action rests with the line manager/supervisor.
- Support line managers/supervisors at meetings/interviews arising from this policy.

A typical process for dealing with alcohol and drug related problems



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SECTION 3: ARRANGEMENTS

3.1 SUPPORT FOR EMPLOYEES

The Council recognises that alcohol and drug abuse or dependency can be a treatable condition and where employees have such a problem it is the intent of the Council to secure their rehabilitation. Employees who suspect they have a problem are encouraged to discuss the matter with their line manager/supervisor, Human Resources or the Corporate Health and Safety Team.

Employees who volunteer to talk about the issue in this way are likely to be required to undergo a formal assessment to establish the extent of the problem. The employee may then be expected to follow an approved course of rehabilitation. Those employees who follow the approved treatment will be eligible for sickness benefit if they are unable to attend work, subject to the existing Council procedures for manager approval and valid certification.

Failure to participate in an assessment, rehabilitation or aftercare programme when offered, or to respond to treatment in the programme may, according to the circumstances, result in disciplinary action up to and including dismissal.

Employees who do not declare they have a dependency or abuse problem and who then break Council rules will not be able to avoid disciplinary action by then declaring the problem. In such cases disciplinary action may include dismissal, but in cases where it does not, the employee will be required to participate in a programme of rehabilitation as outlined above.

A list of internal and external support services available for employees can be found in *Appendix A*.

3.2 WARNING INDICATORS

No single characteristic exists to identify people who have alcohol or drugs problems, but certain incidents taken together over a period of time could indicate that there is a problem.

3.2.1 Absenteeism

- Frequent and unexplained absences
- Excessive, uncertified sick leave
- Frequent lateness

3.2.2 Poor Work Performance

- Fluctuation and unreliability in performance
- Mistakes and errors of judgement
- Telling lies or disguising mistakes
- Reluctance to accept responsibility

3.2.3 Changes in Personality

- Tendency towards secrecy
- Irritability or mood swings
- Tendency to blame others
- Changes in attitude to authority

3.3 CHAIN OF CUSTODY CONFIRMATION TESTING

If initial testing (*after following the testing procedures found in Appendix C*) proves positive for the presence of alcohol or drugs, an authorised Service Manager must be contacted to obtain the authorisation PIN required for a secondary confirmation test to be carried out by the specialist laboratory (SynLab).

The specialist laboratory will arrange for a secondary (chain of custody) sample to be collected within 2 hours. This sample is returned to the laboratory where adulteration checks are performed and GC-MS (Gas Chromatography – Mass Spectrometry) testing is carried out, which is recognised as the gold standard method of confirmation testing.

The results of the chain of custody confirmation testing will be sent via encrypted email to the Executive Head of Operations, the Service Manager for Human Resources and the Service Manager for Waste and Transport within 7 days (5 days at the laboratory).

There is a 'fast track' option available which will return results within 3-4 days (2 days at the laboratory) but this will incur additional cost.

The results of the chain of custody confirmation test along with the initial drug/alcohol testing result will determine the next course of action.

3.4 CALIBRATION OF ALCOHOL TESTING EQUIPMENT

Calibration of the Alcometers is required every 6 months to comply with the manufacturers recommendations and to fulfil UK workplace legally defensible guidelines.

Calibration of the testing equipment is coordinated by the Corporate Health and Safety Team and carried out by DTec International.

Drug testing kits hold an expiry date which is logged and monitored by the Corporate Health and Safety Team and are replaced before expiry or if used.

3.5 TRAINING

Only authorised, competent and fully trained supervisors will be allowed to carry out alcohol and drug testing within the Council.

Authorised testers will be located at the three main Depots at Marsh Lane, Clay Meadow and Ringwood, and they will be available to assist any supervisor or manager at all sites within the Council should the need arise.

All testers will receive comprehensive alcohol and drug awareness training and specific training in the use of the testing equipment.

Refresher training will be given as appropriate.

In addition to this, all supervisors and line managers must be given alcohol and drugs awareness training to enable them to recognise any relevant signs, as detailed in section 3.2 of this policy, in their employees.

All employees must be given awareness training on this Drug and Alcohol Policy, either at induction or as part of other essential safety awareness training.

SECTION 4: LEGISLATION AND SOURCES OF INFORMATION

4.1 RELEVANT LEGISLATION

- Health and Safety at Work Etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- Misuse of Drugs Act 1971
- Road Traffic Act 1988

4.2 INTERNAL SOURCES OF INFORMATION

- Human Resources
- Corporate Health and Safety Team

4.3 EXTERNAL SOURCES OF INFORMATION

- Referral/Support Agencies (*see Appendix A*)

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REFERRAL AGENCIES

EXTERNAL

Options Alcohol and Drugs Counselling	Freephone
Information Services	(0800) 0184309
OPTIONS	(023) 8063 0219
147 Shirley Road SOUTHAMPTON	
INCLUSION Recovery – New Forest Hub	(0300) 124 0103
Hampshire 24/7 Substance Misuse Support	(0800) 599 9591
FRANK (Friendly, confidential Drugs Advice)	(0300) 123 6600
Alcohol Anonymous National Helpline	(0800) 9177 650
General Service Office PO Box 1 10 Toft Green York YO1 7NJ	
Alcoholics Anonymous	(023) 8022 3198
SOUTHAMPTON	
Alcoholics Anonymous	(01722) 323355
SALISBURY	
Alcoholics Anonymous	(01202) 296000
P O Box 570 BOURNEMOUTH	
Narcotics Anonymous (Helpline)	(0300) 999 1212
Health Promotion Service (Information Only)	(023) 80630219
Oatlands House Winchester Road SOUTHAMPTON	
National Drugs Helpline	0800 776600

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**Southampton Drug and Alcohol
Recovery Service (DARS)**

(023) 80 717171

2 The Coronades
New Road
Southampton SO14 0AA

Salisbury Alcohol & Drug Advisory Service

(01722) 820390

Foxley Green
Fountain Way
SALISBURY

Dorset Healthcare Trust – Bournemouth Community Addiction Team

Park Lodge
Gloucester Road
Boscombe
Bournemouth

(01202) 397003

INTERNAL

Corporate Health & Safety Unit
Health Liaison & Policy Development Manager

NFDC
NFDC

APPENDIX B

COMMONLY MISUSED SUBSTANCES IN THE UK

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(Taken from the Health and Safety Executive - Drugs Misuse at Work: a guide for employers)

The **MISUSE OF DRUGS ACT 1971** makes the production, supply and possession of controlled drugs unlawful except in certain specified circumstances (for example when they have been prescribed by a doctor).

If you knowingly permit the production or supply of any controlled drugs, the smoking of cannabis or certain other activities to take place on Council premises you could be committing an offence.

The Act lists the drugs that are subject to control and classifies them in three categories according to their relative harmfulness when misused. The penalties for misuse of Class A drugs are more severe than those for Class B drugs which in turn are more severe than the penalties for Class C drugs. The act also distinguishes, in terms of the penalties that may be imposed, between the offences of possession and drug trafficking or supplying, with the latter attracting higher penalties.

It is possible that in certain circumstances charges may be brought against an employer or an employee under either this Act or the Health and Safety at Work etc. Act or both. It would be up to the courts to decide on the circumstances of each case.

Name (including street/trade names)	How usually taken	Effects sought	Harmful effects include	Legal status (defined by the Misuse of Drugs Act 1971)
HEROIN (Smack, horse, gear, H, junk, brown, stag, scag, jack)	Injected snorted or smoked.	Drowsiness sense of warmth and well-being	Physical dependence, tolerance, overdose can lead to coma and even death. Sharing injecting equipment brings risk of HIV or hepatitis infection	Class A
COCAINE (Coke, Charlie, snow, C)	Snorted in powder form, injected.	Sense of well-being, alertness and confidence.	Dependence, restlessness, paranoia, damage to nasal membranes.	Class A

Name (including street/trade names)	How usually taken	Effects sought	Harmful effects include	Legal status (defined by the Misuse of Drugs Act 1971)
CRACK (Freebase, rock, wash stone)	Smokable form of cocaine	Similar to those of snorted cocaine but initial feelings are more intense.	As for cocaine but, because of the intensity of its effects, crack use can be extremely hard to control. Damage to lungs.	Class A
ECSTASY (E, XTC, doves, disco biscuits, echoes, scooby doos) Chemical name: MDMA	Swallowed usually in tablet form.	Alert and energetic but with a calmness and sense of well-being towards others. Heightened sense of sound and colour.	Possible nausea and panic, overheating and dehydration if dancing, which can be fatal. Use has been linked to liver and kidney problems. Long term effects not clear but may include mental illness and depression.	Class A
LSD (Acid, trips, tabs, dots, blotters, microdots)	Swallowed on tiny squares of paper.	Hallucinations, including distorted or mixed-up sense of vision, hearing and time. An LSD trip can last as long as 8-12 hours.	There is no way of stopping a bad trip which may be a very frightening experience. Increased risk of accidents can trigger off long-term mental problems.	Class A
MAGIC MUSHROOMS (Shrooms, mushies)	Eaten raw or dried, cooked in food or brewed in tea.	Similar effects to those of LSD but the trip is often milder and shorter.	As for LSD, with the additional risk of sickness and poisoning.	Not illegal in raw state but Class A once dried or processed in any way.

Name (including street/trade names)	How usually taken	Effects sought	Harmful effects include	Legal status (defined by the Misuse of Drugs Act 1971)
CANNABIS (Hash, dope, grass, blow, ganja, weed, shit, puff, marijuana)	Rolled with tobacco a spliff, joint or reefer and smoked, smoked in a pipe or eaten.	Relaxed, talkative state, heightened sense of sound and colour.	Impaired co-ordination and increased risk of accidents, poor concentration, anxiety, depression, increased risk of respiratory diseases including lung cancer.	Class B
BARBITURATES (Barbs, downers)	Swallowed as tablets or capsules, injected, ampules.	Calm and relaxed state, larger doses produce a drunken effect.	Dependency and tolerance, overdose can lead to coma or even death. Severe withdrawal symptoms.	Class B
AMPHETAMINES (Speed, whizz, uppers, Billy, sulph, amp)	In powder form, dissolved in drinks, injected, sniffed/snorted.	Stimulates the nervous system, wakefulness, feeling of energy and confidence.	Insomnia, mood swings, irritability, panic. The comedown (hangover) can be severe and last for several days.	Class B
TRANQUILLIZERS (Brand names include Valium, Altivan, Mogadon - (moggies) Temazepam (Wobblies, maxxies, jellies)	Swallowed as tablets or capsules, injected.	Prescribed for the relief of anxiety and to treat insomnia, high doses cause drowsiness.	Dependency and tolerance, increased risk of accidents, overdose can be fatal, severe withdrawal symptoms.	Class C Available only on prescription (Medicines Act). Supply is illegal but, apart from Temazepam, not illegal to possess without a prescription.

Name (including street/trade names)	How usually taken	Effects sought	Harmful effects include	Legal status (defined by the Misuse of Drugs Act 1971)
ANABOLIC STEROIDS (Many trade names)	Injected or swallowed as tablets.	With exercise can help to build up muscle. However, there is some debate about whether drug improves muscle power or athletic performance.	For men: erection problems, risk of heart attack or liver problems. For women: development of male characteristics. Injecting equipment brings risk of HIV or hepatitis infection.	Class C
POPPERS (Alkyl nitrates, including amyl nitrate with trade names such as Ram, TNT, Thrust)	Vapours from small bottle are breathed in through mouth or nose.	Brief and intense head-rush caused by sudden surge of blood through the brain.	Nausea and headaches, fainting, loss of balance, skin problems around the mouth and nose, particularly dangerous for those with glaucoma, anemia, breathing or heart problems.	Not illegal to possess but supply without prescription is illegal and can be an offence.
SOLVENTS (Including lighter gas refills, aerosols, glues). Some paint thinners and correcting fluids.	Sniffed or breathed into the lungs.	Short-lived effects similar to being drunk, thick-headed, dizziness, possible hallucinations.	Nausea, blackouts, increased risk of accidents. Fatal heart problems can cause instant death.	Not illegal to possess but it is illegal for a shopkeeper to sell solvents to anyone under 18, if they suspect they are intended for misuse.

GUIDANCE FOR CARRYING OUT ALCOHOL AND DRUG TESTING

1. Why test for alcohol and drugs?

There is a legal duty to ensure the safety of employees, visitors and members of the public while carrying out Council undertakings. This is required by Section 2 and 3 of the Health and Safety at Work Act 1974.

Section 8 of the Misuse of Drugs Act 1971 makes it an offence for an employer to knowingly permit the use of drugs (if the employer knows of a problem but fails to act it is likely to be seen as permitting the use of drugs).

The Transport and Works Act 1992 requires an employer to demonstrate due diligence in ensuring an offence is not committed.

It should be noted that any argument based on Human Rights legislation as it relates to testing is highly unlikely to hold ground due to the employer's statutory duty under the Health and Safety at Work Act.

The Council's policy on alcohol and drugs misuse makes it clear that testing will be carried out only in certain special and extreme circumstances. These circumstances, usually within individual Service safety critical areas, will be determined by the risk assessment process. Ignoring a known problem may result in the council and/or individual open for prosecution should an accident or incident occur. Application of this policy, in a reasoned manner, could also serve as a deterrent to any employee who may otherwise have taken a chance with the excessive or inappropriate use of alcohol or drugs.

2. How tests are carried out

2.1 Alcohol

The testing equipment that will be used will be built to the same specification as roadside test equipment use by the police. The meter is very easy to use and so requires minimal training in its operation.

There are three stages to the test as follows:

- | | |
|----------------------|---|
| 1 st Test | Meter is held directly in front of the mouth while the person speaks. This will give an initial BAC indication reading. If this test proves negative, there may be no need to continue the process. |
| 2 nd Test | The employee will be asked to blow into the tube for a prescribed time, and a reading will be logged. |

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3rd Test The employee will be asked to carry out a repeat of the 2nd test. This will be carried out 20 minutes after the 2nd test.

In the above tests, the lowest reading will always be used.

The Council's policy for deciding an employee's fitness for work will be set at the current legal limit of Blood Alcohol Content (BAC).

Proof of impairment from a positive alcohol test is not required for drivers as this is set in law.

2.2 Drug testing

The drug wipe system is used by the police when arresting for a crime likely to be linked to substance abuse (burglary etc) to see if drugs were a factor in the crime.

The drug wipe will be administered by wiping on the skin at various trigger points to obtain a sample of skin deposit, or by simple saliva wipe test.

The device will test for 5 drugs as indicated below, and could take up to 5 mins to give a result:

- Cannabis
- Amphetamines
- Methamphetamines (XTC)
- Cocaine
- Opiates (heroin etc)

The drug wipe will detect the presence of drugs from the previous 2-4 hours in most cases, and 2-4 days for cannabis. The test will quickly show if the drug is present in the body but cannot tell how much is present. The test is extremely sensitive and can detect drugs in the nanograms per millilitre range.

(It should be noted that after cannabis has been used there is a high risk of behavioural issues three days later due to how the body metabolises the drug. This is commonly known as 'Suicide Tuesday')

If the test shows as positive, then further samples will be required. This will typically be a urine sample in the first case and possibly a blood sample. These tests will be carried out by a specialist, within a 2-hour response time. In this time the person must be isolated and prevented (where possible) from excessive consumption of water and urinating as this may affect the sample. However, the person taking the sample and the laboratory processing the sample will detect if it has been compromised. Failure to comply with the procedure, compromising the sample or failing to give a sample may result in disciplinary proceedings.

There are forms for consent and details of testing at page 7 of this Appendix, which must be used at all times and completed accurately and at the time of testing by the authorised testing officer. This form will be retained by Human Resources for a period of up to six years.

3. Procedures for carrying out tests

If, following a series of incidents, or as a result of an individual's particular behaviour at a single moment in time, a supervisor or manager considers there is due cause to suspect that an employee is under the influence of alcohol or drugs and that there is a real chance it may affect their work in a way that could compromise the competency, judgement and efficiency of the individual or the safety of the employee or others, he/she will take the following actions:

3.1 Proactive measures:

This will normally apply to employees who show some or all the signs detailed in section 3.2 of the Drugs and Alcohol Policy over a period and the manager, in their opinion, believes that a problem exists having followed the guidance given in section 2.1 of the Drugs and Alcohol Policy.

The supervisor or manager will seek the advice of his/her line manager to decide what action may need to be taken. Normally this will result in an appointment being agreed with the employee to discuss the issues at interview. The employee will be asked if they wish another colleague or a Union representative to be present at this interview.

It may be decided, after risk assessing the safety aspects associated with the employee's job, and whether safety of the employee or others will be compromised, that a one-off test at the time, or a series of programmed tests, is appropriate. In this case the employee will be told of this decision at the interview and asked if he/she is willing to take the tests and cooperate with a support programme. If this is agreed a management and monitoring plan will be agreed in line with section 2.1 of the Drugs and Alcohol Policy.

The testing must only be carried out by an officially authorised trained and competent person. The tests will follow a formal procedure as detailed in 2 above. The documentation will be completed and signed off at each stage by the tester and employee. There must be another supervisor or manager in attendance at all times. The employee can request another colleague or a Union representative to be present if one is available at the time.

If the initial test or any future test carried out as part of the plan proves positive for alcohol then consideration must be given as to whether the employee should be removed from work and sent home for rest of the day, as he/she will be deemed to have rendered themselves unfit for work.

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If the initial test or any future test carried out as part of the plan proves positive for drugs, then the employee must be referred to the Council's specialist testing laboratory for further tests to establish the extent of the problem. This must be done as soon as the initial test for drugs proves positive, as the further tests must be carried out within 2 hours.

Consideration must then be given as to whether the employee should be removed from work and sent home for rest of the day, as he/she will be deemed to have rendered themselves unfit for work.

If the employee has driven to work, then arrangements must be made to leave their car at work and to take them home by other means.

The employee must be made aware that refusal to take any of the tests may result in them being subject to disciplinary procedures.

3.2 Reactive measures:

This will normally apply to employees who exhibit extreme behaviour that gives rise to suspicion with cause at a given moment in time. This could typically be first thing in the morning when they arrive at work or after lunch, although this is not necessarily the case, if there is an opportunity for the employee to take drugs or alcohol at other times during the day.

If the supervisor or manager has suspicion, with cause, they must initially make sure that the employee is taken away from the workplace into a separate area. The employee should be prevented where possible from excessive consumption of water and urinating as this may affect any sample that may need to be taken.

The supervisor or manager must then contact their, or another, Service Manager as quickly as possible to discuss their suspicions and decide on a course of action. The Service Manager will take the final decision as to whether alcohol and drug testing is appropriate based on all the facts, the risk assessment of any safety critical tasks that may be involved and whether the imminent safety of the employee or others could be endangered. In certain circumstances, e.g. very early morning, this authorisation will have to be obtained verbally by phone. In these cases, the relevant Service Manager will need to sign and date the authorisation form as soon as possible on the same day.

If testing is felt to be appropriate, the employee must be told of this and the reasons for coming to the decision. The employee must be asked to agree to the tests, and this must be recorded and signed off by both the supervisor or manager and the employee. If the employee refuses to agree to the test it must be deemed that he/she has rendered themselves unfit for work. The employee will be sent home for the rest of the day, normally without pay, and will be subject to disciplinary proceedings.

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The testing must only be carried out by an officially authorised trained and competent person. The tests will follow a formal procedure as detailed in 2 above. The documentation will be completed and signed off at each stage by the tester and employee. There must be another supervisor or manager in attendance at all times. The employee can request a colleague or a union representative to be present if one is available at the time.

If the initial test proves positive for alcohol, then consideration the employee should be removed from work and sent home for rest of the day, as he/she will be deemed to have rendered themselves unfit for work.

If the initial test or any future test carried out as part of the plan proves positive for drugs, then the employee must be referred to the Council's specialist testing laboratory for further tests to establish the extent of the problem. This must be done as soon as the initial test for drugs proves positive, as the further tests must be carried out within 2 hours.

Contact must be made with an authorised Service Manager (HR, Waste, Environmental Health, Street Scene or Open Spaces) or the Executive Director for Operations to obtain the PIN number required by the specialist laboratory to authorise the confirmation testing.

The employee should again be prevented where possible from excessive consumption of water and urinating as this may affect any sample.

In almost all cases the employee will be removed from work and sent home for rest of the day, as he/she will be deemed to have rendered themselves unfit for work.

If the employee has driven to work, then arrangements must be made to leave their car at work and to take them home by other means.

The employee must be made aware that refusal to take any of the tests may result in them being subject to disciplinary procedures.

4. Authorised Managers and training requirements

Only authorised, competent and fully trained supervisors will be allowed to carry out alcohol and drug testing within the Council.

Authorised testers will be located at the three main Depots at Marsh Lane, Clay Meadow and Ringwood, and they will be available to assist any supervisor or manager at all sites within the Council should the need arise.

All testers will receive comprehensive alcohol and drug awareness training and specific training in the use of the testing equipment.

Refresher training will be given as appropriate.

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In addition to this, all supervisors and line managers must be given alcohol and drugs awareness training to enable them to recognise any relevant signs, as detailed in section 3.2 of the Drugs and Alcohol Policy, in their employees.

All employees must be given awareness instruction on this Drug and Alcohol Policy, either at induction or as part of essential safety awareness training.

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PROCESS FORM FOR ON SITE TESTING FOR ALCOHOL OR DRUGS

1. Record of the assessment of a situation where an employee is suspected of being under the influence of alcohol or drugs at work.

Full name of employee: _____

If engaged via an Agency state name of Agency: _____

Job title: _____ Service: _____

Reason for the report (what has happened? What has been observed?)

Name of person reporting incident (if applicable): _____

Line Managers assessment

I have reason to suspect that the above person may be under the influence of alcohol or drugs for the following reasons:

The employee:

- | | | |
|----|---|--------|
| 1. | Is smelling of alcohol/ slurring speech | Yes/No |
| 2. | Has change in normal behaviour (brief detail)
(Other observations) _____

_____ | Yes/No |
| 3. | Has difficulty with concentration/coordination | Yes/No |
| 4. | Eyes appear large/staring/unfocused | Yes/No |
| 5. | Appears to be euphoric/drowsy/depressed | Yes/No |
| 6. | Has been involved in an accident/incident (brief detail)

_____ | Yes/No |

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7. Other evidence of alcohol or drug use (e.g. empty bottles or drug paraphernalia found at workplace) Yes/No

8. Were there any concerns of a medical nature: (If yes, what action was taken) Yes/No

Line Manager: _____ Signature: _____

Date and time of assessment: _____

Employee declaration

I confirm that I have read and understood the above.

Employee Signature: _____ Date and time: _____

Service Manager Authorisation for on-site testing for the presence of alcohol or drugs. (Delete the section that is not appropriate, as necessary.)

I confirm that I have consulted with a designated Service Manager by telephone and fully explained the circumstances and content of this report. I confirm that the Service Manager has verbally authorised the relevant tests to be carried out as soon as possible by one of the Council's authorised and trained employees.

Line Manager: _____ Signature: _____

Date and time: _____

I have read the above report and agree that there is good reason to suspect that the above person may be under the influence of alcohol or drugs. I authorise the relevant tests to be carried out as soon as possible by one of the Council's authorised and trained employees.

Service Manager: _____ Signature: _____

Date and time: _____

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2. Record of the testing where an employee is suspected of being under the influence of alcohol or drugs at work.

ALCOHOL:

Employee Declaration: (Delete 1 or 2 as appropriate)

1. I understand that I have been asked to undergo a formal breath testing procedure to establish whether there is alcohol in my blood.

The procedure has been fully explained to me, and I agree to the tests being carried out. I understand that two tests will be carried out, 20 minutes apart, by a trained, competent and authorised member of staff, and I can request that a colleague or union representative be present throughout the process.

I understand that should the tests prove positive, I will be asked to undertake further tests within two hours of the first tests, carried out by the Councils specialist laboratory.

2. I understand that I have been asked to undergo a formal breath testing procedure to establish whether there is alcohol in my blood. The procedure has been fully explained to me. I do not agree to the tests being carried out.

Employee Signature: _____ Date and time: _____

First breath test carried out (time) _____ Result (reading) _____

Second breath test carried out (time) _____ Result (reading) _____

Full Name of Authorised member of staff: _____

Signature: _____ Date and time: _____

Full name of witness: _____ Job Title: _____

Signature: _____ Date and Time: _____

Employee signature: _____ Date and Time: _____

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DRUGS:

Employee Declaration: (Delete 1 or 2 as appropriate)

1. I understand that I have been asked to undergo a formal skin wipe test or a simple saliva wipe test to identify the presence of drugs in my blood.

The procedure has been fully explained to me, and I agree to the test being carried out. I understand the test will be carried out by a trained, competent and authorised member of staff, and I can request that a colleague or union representative be present throughout the process.

I understand that should the test prove positive; I will be asked to undertake further tests carried out by the Council's specialist laboratory.

2. I understand that I have been asked to undergo a formal skin wipe or a simple saliva wipe testing procedure to establish whether there is alcohol in my blood. The procedure has been fully explained to me.

I do not agree to the tests being carried out.

Employee Signature: _____ Date and time: _____

Skin wipe test(s) carried out (time): _____

Part(s) of body tested _____

Result(s) (readings) _____

Full Name of Authorised member of staff: _____

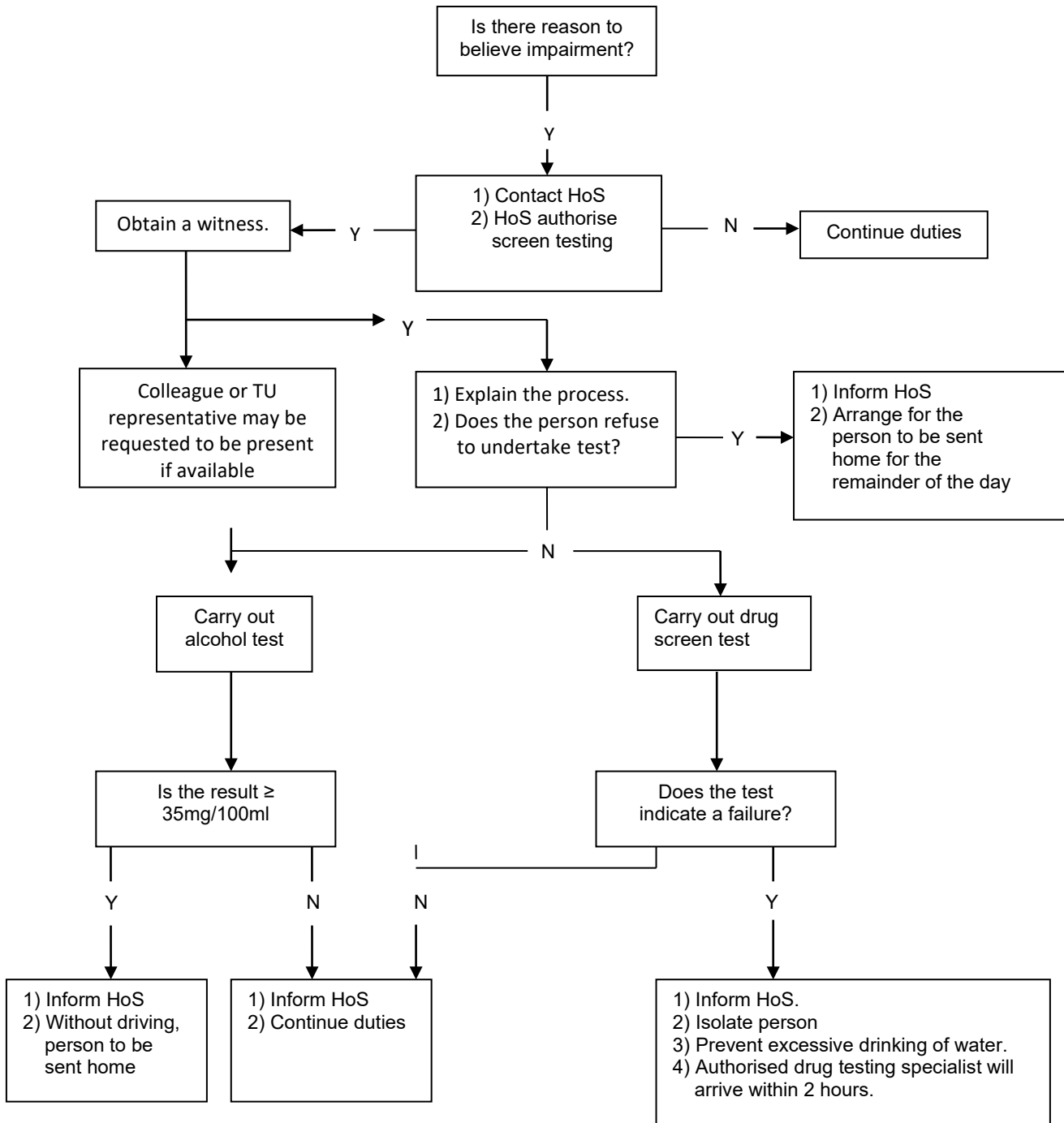
Signature: _____ Date and time: _____

Full name of witness: _____ Job Title: _____

Signature: _____ Date and Time: _____

Employee signature: _____ Date and Time: _____

DRUG AND ALCOHOL TESTING FLOWCHART



New Street Scene Supervisor CMD	Street Scene
Tony Wade (New)	Street Scene
Dave Wheeler-Osman (New)	Waste
????	Engineering Works
Byron McGrail	Open Spaces
Kevin Frenchum (New)	Open Spaces
Mike Bridges (New)	Waste
Luke Cutler	Waste
Kevin Gould	Housing
Scott Bailey (New)	Housing
Michael Roath (New)	Housing
David Hurd	Car Parks and Enforcement
Derek Darling	Car Parks and Enforcement
Karen Standen	Car Parks and Enforcement
Train the Trainer	
Antony Whittle	Health & Safety
James Loring (New)	Health & Safety
Stewart Phillips	Street Scene
Colin Mee (New)	Waste
Wayne Dawkins	Open Spaces
Russell Palmer (New)	Housing
Simon Cooper	Transport
Leigh Nash (New)	Engineering Works