



ADUR & WORTHING  
COUNCILS

Joint Staff Committee  
17 November 2020  
Agenda Item

Ward(s) Affected:N/A

**HR Policies - Alcohol & Drugs Policy**

**Report by the Director for Digital Sustainability & Resources**

**Executive Summary**

**1. Purpose**

- 1.1 The report seeks approval of the Adur & Worthing Councils Alcohol and Drug Policy.
- 1.2 This policy (if approved) will replace the current Alcohol & Drugs Policy and Guidance dated June 2014.
- 1.3 The aim of the policy is to protect the health, wellbeing and safety of our employees and the public and to help employees who may have problems with drug and alcohol abuse.

**2. Recommendations**

- 2.1 The Joint Staff Committee is recommended to approve the new Alcohol & Drug Policy with an implementation date of 1st December 2020.
- 2.2 The Joint Staff Committee is asked to delegate authority to the Head of Human Resources (in consultation with the Chief Financial Officer and the Head of Legal Services, where relevant) in order to make minor and non-consequential amendments to the Policy at any time.

**3. Context**

- 3.1 The main changes to the policy are that the consumption of alcohol during work hours, including lunch and break times and whilst on Council business is now prohibited (point 3.0 in the policy).

- 3.2 The new section on Drug and Alcohol screening (section 7.0) where employees may be tested for two reasons:
- (i) for the most safety critical roles - randomly or for cause testing where there is reasonable cause to suspect that the member of staff is attending work under the influence of drugs or alcohol and after an incident or accident where there is reasonable cause to suspect that the member of staff has been under the influence of drugs or alcohol
  - ii) for safety critical roles – for cause screening after an incident or accident, where there is reasonable cause to suspect that the member of staff has been under the influence of drugs or alcohol

#### **4. Issues for consideration**

- 4.1 The current level of risk due to the Councils not having an open and transparent policy and process for the testing of employees for drugs and/or alcohol and therefore not being able to conduct any tests.
- 4.2 The introduction of testing for alcohol and drugs and the types of drug and alcohol screening to be put in place for the safety of the staff themselves, their colleagues and the Adur & Worthing Councils Communities

#### **5. Engagement and Communication**

- 5.1 Unison have been consulted with and they consulted with their members providing them with two weeks to provide any feedback.
- 5.2 Following that period of consultation Unison agreed the policy at JONG on 4th November 2020.
- 5.3 The list of Most Safety Critical roles and Safety Critical roles has been collated from all Heads of Service.

#### **6. Financial Implications**

- 6.1 If the policy is approved, the associated testing will cost approximately £8,500 per year, and has been included as part of the development of the 2020/21 budget.

## **7. Legal Implications**

- 7.1 The Councils may impose policies that affect its staff. This policy introduces testing for alcohol and certain drugs for a specified group of staff. This is classed as 'special category data' under data protection legislation. The staff will need to consent to such testing for it to take place, however, not providing consent may lead to disciplinary action being taken. A data protection impact assessment will be undertaken prior to the implementation of this Policy.
- 7.2 This policy is not contractual and does not form part of the terms and conditions of employment.

### **Background Papers**

- Proposed new Adur & Worthing Councils Alcohol & Drug Policy dated available at Appendix 1
- Adur & Worthing Councils Alcohol and Drugs Policy and Guidance dated June 2014 as Appendix 2
- Alcohol & Drug Policy Equality Impact Assessment (EIA) available at Appendix 3

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## **Sustainability & Risk Assessment**

### **1. Economic**

2.1 Matter considered and no issues identified.

### **2. Social**

#### **2.1 Social Value**

2.1.1 Positive impact due to the open and transparent approach to protect the health, wellbeing and safety of the Councils' employees and the Adur and Worthing communities.

#### **2.2 Equality Issues**

2.2.1 The Equality Impact Assessment for this policy is attached as Appendix 3

#### **2.3 Community Safety Issues (Section 17)**

2.3.1 Positive impact due to the open and transparent approach to protect the health, wellbeing and safety of the Councils' employees and the Adur and Worthing communities.

#### **2.4 Human Rights Issues**

2.4.1 This was considered in relation to the drug and alcohol screening and agreement made to only randomly screen safety critical roles identified by the Councils.

### **3. Environmental**

3.1 Matter considered and no issues identified.

### **4. Governance**

2.4.1 Positive impact due to the open and transparent approach to protect the health, wellbeing and safety of the Councils' employees and the Adur and Worthing communities.