

# Smoke Free and Substance Use Policy



WORKING TOGETHER

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## Policy Overview

This policy applies to all employees of Chorley and South Ribble Borough Councils and their wholly owned companies.

The councils are committed to promoting the health and wellbeing of our employees. This policy is designed to help and encourage employees to make healthy choices and support them if they cannot. This policy also provides practical advice to managers where there are concerns about an employee being under the influence of drugs or alcohol in the workplace.

This document is part of a family of policies which provide advice and information on the support available to support the health and wellbeing of Chorley and South Ribble employees, see the Improving Attendance and Emotional Wellbeing policies for more information. The Conduct policy will apply to situations where concerns about an employee's behaviour are raised which are attributable to substance misuse or where this policy is breached.

Useful contacts and information on the support available for employees can be found in the [Health and Wellbeing guide](#) and on the Learning Hub.

### The councils' responsibilities

- Promote awareness of the problems, dangers and risks of alcohol and substance misuse
- Ensure support is available to employees experiencing difficulties with substance misuse
- Signpost employees to support services where appropriate
- Treat employees fairly and constantly
- Take appropriate action where an employee's substance misuse compromises the health, safety, or wellbeing of other employees or the public.
- Apply the conduct policy to situations where an employee's behaviour does not meet the standard expected by the councils

### Manager's Responsibilities

- To deal with issues arising from substance misuse
- To encourage employees to engage with the support available to help them to make healthy lifestyle choices
- Must not condone smoking during working hours.
- Must ensure risk assessments are up to date for employees who undertake domiciliary visits to service users who smoke.
- To challenge employees reporting for duty who appear to be under the influence of alcohol or other substances.
- To ensure that all reports, including those made anonymously, of alcohol or drug use are reported to HR so they can be fully investigated.

### Employee responsibilities

- To be aware of the impact of alcohol and drugs and their effect on work, health and safety.
- Immediately report concerns about an employee being unfit for work due to alcohol or other substance to the appropriate line manager.
- To seek help with any drug or alcohol problem and cooperate with any support and assistance provided.
- Inform their line manager or supervisor if they are taking prescribed or over the counter medication which has an effect on their health and safety whilst at work.
- Follow all guidelines relating to the smoke free workplace

## Alcohol & Substance Misuse

The councils have a zero-tolerance policy towards the consumption of alcohol or illegal drugs during working hours or at a Council workplace.

All employees must ensure that any substance use does not impact on work and in particular when they report for work that they are not still under the influence of drugs or alcohol and are fit to carry out their duties.

Any employee who fails to comply with these rules will be subject to the Conduct policy, with the following likely to be considered gross misconduct:

- Possession or sale of illegal drugs in the workplace
- Use of illegal drugs or alcohol on Council premises or during working hours
- A conviction for a drug related crime outside of work
- Driving a Council vehicle under the influence of drugs or alcohol

### Immediate action to be taken

If an employee appears under the influence of any substance whilst at work or in the workplace the manager (or another appropriate senior member of the team) should immediately remove them to a private space and ask:

- Are you under the influence of drugs (illegal or prescribed) or alcohol?

If the person answers no, but their behavior appears erratic or concerning an ambulance should be called immediately as this can be an indication of a serious medical problem.

If the person answers no but you have a reasonable belief they are under the influence or if the person answers yes, they should go home for a “cooling off period” of 24 hours and HR should be informed. **They must not be allowed to drive home.** In some circumstances HR may advise that the police are contacted.

### Return to work

Upon the employee's return to work and before the resumption of their usual duties the manager should arrange a further discussion and ask and record the following information:

- Are you currently under the influence of drugs (illegal or prescribed) or alcohol?
- Do you think you have a problem with substance misuse?
- Are there any other health problems which we need to be aware of?

The employee should only be permitted to return to work if they are fit to do so. Support should be offered as appropriate and HR advice sought. HR may recommend:

- A referral to occupational health
- Signposting for third party support
- The conduct policy be followed, either under the formal or informal process.

### Support

If an employee discloses a problem with alcohol or substance a referral to Occupational health will be made. Where Occupational Health diagnose an alcohol or drug dependency related problem the following support will be made available:

- Support during any period of treatment. This may include a period of absence due to illness or approved other leave, continuation in post or transfer to other work, depending upon what is appropriate in terms of the employee's condition, risk to Health and Safety or the council's reputation and the needs of the service.
- The opportunity to remain or return to work following the completion of a course of treatment,

where this is safe and practical.

- Consideration of ill health retirement (where appropriate).

Should an employee fail to engage in the support or treatment identified the Improving Attendance or Conduct Policies will apply as appropriate.

## Smoking

The councils recognise that smoking and the effects of secondhand smoke are major causes of preventable ill health conditions. To ensure the health, safety and wellbeing of all employees and members, as well as those who visit the councils, smoking is prohibited on all Council premises including vehicles. This includes the use of cigarettes, cigars, pipes, and e-cigs.

Employees who breach this policy will be subject to the Conduct policy. Non-employees who breach the policy will be asked to leave the premises.

### Smoking breaks

Employees who smoke must do so in their own time and away from Council property. Those employees on the flexi system must clock out for smoking breaks. Fixed shift employees should only smoke during their authorised break times.

Unauthorised or unrecorded breaks may be considered as theft of council time and investigated under the Conduct policy.

### Employees undertaking domiciliary visits

Some employees visit members of the public/service users who smoke in their own home as part of their role. In these situations managers must undertake a risk assessment for this task and consider reducing employee exposure to second hand smoke by:

- If appropriate encourage the clients to smoke outside,
- Ask the client to refrain from smoking before the appointment, (e.g. 30 minutes before),
- Ask clients to ventilate rooms when smoking,
- Regular breaks should be taken if working in a smoky environments,
- Employees must inform their manager if pregnant,
- Employees must inform their manager if a medical condition may be affected by smoking i.e. asthma, bronchitis etc.

You should inform your manager if a resident consistently refuses to refrain from smoking during visits, and managers should consider an appropriate approach in each case.

### Support

The councils will encourage and signpost employees who wish to stop smoking to smoking cessation services. Occasional on-site visits will be arranged with third party providers who can support employees to quit smoking.