

TRAFFORD COUNCIL

Report to: Employment Committee
Date: 5 March 2018
Report for: Information
Report of: Debbie Quinn, HR Business Partner

Report Title

Revised Alcohol and Drugs policy.

Recommendation(s)

It is recommended that Employment Committee notes the content of this report and approves the revised Alcohol and Drugs policy so it can be implemented.

Contact person for access to background papers and further information:

Name: Debbie Quinn
Extension: x4146

Relationship to Policy Framework/Corporate Priorities	This proposal aligns with the council's Corporate Priority 'Reshaping Trafford Council'.
Financial	None.
Legal Implications:	The policy has been drafted in accordance with ACAS guidelines and with relevant case law in mind. The implementation plan will ensure that employees are managed under the relevant version of the policy, whilst the new ones is transitioned in, reducing any risk of a procedural claim at employment tribunal.
Equality/Diversity Implications	An EIAs will be undertaken for the policy to ensure there is no adverse effect on any group.
Sustainability Implications	None.
Staffing/E-Government/Asset Management Implications	The revised policy has a more flexible and simplified process and so it should be easier for staff to understand. If staff are managed using one of the policies their experience should be improved.
Risk Management Implications	None.
Health & Wellbeing Implications	None.
Health and Safety Implications	None.

1.0 BACKGROUND

1.1 The current version of the Council's Alcohol and Drugs policy has been in place for a long time and so was due for a full review.

2.0 REVIEW PROCESS

2.1 Research and benchmarking with other local authorities has been undertaken to identify different approaches and best practice and the ACAS guidelines have been reviewed. The policy has been revised on this basis and we have also simplified some of the language to make it more accessible to all.

2.2 The first draft of the policy was reviewed internally by the HR management team. It was then considered by the new policy review group which comprises representation from our Unions, Unison and GMB and also a manager from each Directorate (2 within CFW so adults and children's services are covered). The group was sent the revised policy and information highlighting the key changes in advance of meeting so they could absorb the information. Then the group met to go through the key changes and had a discussion and agreed any changes as appropriate. The Acting Director of HR then undertook a final review.

3.0 KEY CHANGES TO THE POLICY

3.1 The policy has been streamlined and simplified with more use of plain English and with reduced usage of HR terminology, wherever possible, to make it easier to understand and follow.

3.2 The policy has been created in the new generic template which all revised HR policies will use. It has a contents table so that staff and managers can find the section that they want easily. It also has a version control table so that there is a clear audit trail of different changes and versions of the policy.

3.3 The key changes to the policy are:

Previous policy	Proposed policy
Introduction has reference to government documents on how they are tackling alcohol and drugs.	This has been taken out as it isn't relevant to leave a more focused introduction.
Most references to dealing with issues when an employee isn't admitting a problem or not trying to overcome the issues is use of the disciplinary policy.	If the employee fails to admit there is a problem, or discontinues treatment and their behaviour is a risk or their performance is affected then they will be managed using the most appropriate policy, i.e. disciplinary, capability or attendance management depending on the issues arising.
Short aims section, not comprehensive.	Expanded the purpose section to include ensuring health and safety of staff and service users and also to set clear rules about drugs and alcohol in relation to the workplace.

Principles section.	Moved information from the principles to other sections.
Doesn't detail types of drugs or detail information on recognising signs of abuse.	Details types of drugs for example awareness of the effects of NPS or prescription drugs used inappropriately. Has more information on possible signs of abuse/misuse to help identify problems.
Doesn't clearly state what isn't acceptable in relation to drugs and alcohol at work.	Clear guidance on what isn't acceptable in relation to alcohol and drugs under the section: 'Alcohol and Drugs in Relation to the Workplace' so staff are clear.
States that staff should not be under the influence of alcohol or drugs when undertaking paid work, and also that given the possible effect of even small amounts of alcohol, consumption either before starting work or during the working day is strongly discouraged.	More clarification regarding having a drink during the working day.
No references to agile working.	Mentions the issue of agile working and how it might be used to conceal a problem – to raise awareness.
Has a designated officer (in HR) for each service who can be contacted if employee has an issue and doesn't want to raise it with their manager.	Employee would contact HR rather than a designated person as this wasn't use in practice.
Little information about the effects of drugs and alcohol.	More information about how long alcohol and drugs can affect individuals so they are aware and aren't under the influence at work.
Procedure is quite formal and prescriptive with a formal meeting with right to representation if the manager thinks there might be a problem.	The procedure is now slightly less prescriptive, a bit more flexible and less formal. If a manager suspects a drugs or alcohol issue they have a meeting (previously referred to as an interview) and union representation wouldn't be necessary as it is at an informal stage, i.e. just the manager talking to the employee to explore the issue. Consistent with the change in the disciplinary policy.
The procedure has inflexible stages.	The policy is now broken down into sections including where an employee is found to have a problem and is co-operative and where an employee denies a problem/is un-cooperative. This is to highlight the difference in approach where someone is trying to seek help and improve.
Once an Occupational Health report is obtained it goes to the Head of Service.	The Occupational Health report goes to the line manager dealing with the issue.
Of an employee goes on a treatment programme they get paid leave.	If an employee goes on a treatment programme the time will be reported as sickness leave as they aren't fit to attend work for a medical reason because they are receiving treatment which makes it consistent with other issues.

Details options such as ill health retirement if an employee won't be fit to continue working.	Now no reference to ill health retirement as reference is already made to using appropriate policies such as Attendance Management which would consider Ill Health Retirement as appropriate.
Formal language.	More plain English language used where possible.
Reference to the Trafford Drug and Alcohol Team (DAAT).	Reference to the current support available from Achieve Trafford, which is different for under 21s and over 21s.

4.0 IMPLEMENTATION PLAN

- 4.1 We plan to implement the new policy on 1st April 2018 with a new web page on the HR intranet. The web page will have information to make it clear that the new policy has been launched.
- 4.2 On the 1st April communications will go out that will make it clear that from this date the new version of the policy must be used for any new issues that arise. Any cases that are currently being progressed at that time will continue to be managed using the old version of the policy. The Business Partnering Team will link in with managers on the cases they are aware of to ensure this happens. The revised policy will be on the intranet and the previous version will only be accessible via HR where they are needed. There will be direct communications to managers to ensure that they remove old versions of the policies that they might have saved on local drives.

5.0 RECOMMENDATIONS

- 5.1 Employment Committee are recommended to note support the implementation of the new Alcohol and Drugs policy. They are asked to give support for the implementation plan.

Appendix 1

Alcohol and Drugs policy