

Human Resources  
White Cliffs Business Park  
Dover  
Kent CT16 3PJ

Telephone: (01304) 821199  
Fax: (01304) 872031  
DX: 6312  
Minicom: (01304) 820115  
Website: [www.dover.gov.uk](http://www.dover.gov.uk)

Contact: Amanda Nicholls  
Direct Dial: 01304 872023  
e-mail: [amandanicholls@dover.gov.uk](mailto:amandanicholls@dover.gov.uk)  
Our Ref: AB/perfile  
Your Ref:  
Date: 05 September 2012

Private and Confidential

Carole Brown  
Unison Branch Secretary  
UNISON

Dear Carole

### **Formal Consultation – Drug & Alcohol Policy**

Thank you for responding to the formal consultation on the Drug and Alcohol Policy. I have discussed your comments with Corporate Management Team and please find below our formal response. For ease I will address each of your points separately.

#### **Drug & Alcohol Policy**

*What prompted the introduction of this proposal? This appears to be very wordy and over zealous. Policies, procedures, health and safety regulations already in place would appear to cover incidents of misconduct/misuse of alcohol/drugs*

Employers are legally responsible for preventing illegal substance-related activity on its premises, and in addition to this, relevant Health and Safety legislation places a duty on employers to ensure the health, safety and welfare of their employees. Organisations such as ACAS and the CIPD recommend that employees have clear policies detailing their rules and procedures for dealing with alcohol or drug related problems.

Our current policies are not specific enough. The point of this policy is to provide specific advice to managers and employees not only on the management of misconduct but also, and often more importantly, the management of drug / alcohol abuse problems that don't involve misconduct where an employee needs help and support to overcome a problem. This is where current policies and procedures are not sufficient.

*The policy precludes employees who are required to drive from consuming alcohol before or during working hours. Would this apply over a lunch period, for example, leaving events, Christmas lunches, corporate events? –*

The policy has been altered to state that a member of staff who is required to drive is responsible for ensuring they remain under the legal driving limit. Exceptions will not be made.

*Home working staff must adhere to this policy (although it would be difficult if not impossible to monitor home workers), but not the smoking policy.*

We believe that this is justifiable based on the effect alcohol can have on the ability to carry the role.

*The policy may restrict staff leisure time and could impact on emergency call outs, for example building control, homelessness. The officers are called out on an ad hoc basis as and when an emergency arises. Would they face disciplinary action if, due to intake of alcohol/drugs (however small), they had to refuse to attend an emergency.*

If there is a rota, employees who are rotered to be 'on call' should ensure that they are fit to attend a call out if necessary, or disciplinary action could be taken. Where there is no rota in place and employees are called to an unforeseen emergency no disciplinary action can be taken if they are unable to attend because they are over the drink drive limit.

*On the question of prescribed medication, if such medication affects the ability to perform duties, then presumably their GP would sign the officer off sick. If the Drug & Alcohol Policy is to be adopted, can we suggest this paragraph is removed.*

The point of the paragraph is about making adjustments. A GP would only sign an officer off sick if they are unable to attend and perform their role, it may be that medication only affects one area (for example, the ability to drive) in which case we should be seeking advice as to whether reasonable adjustments could be made to allow the officer to remain at work whilst under the prescribed medication. The paragraph has been reworded to clarify this.

I do hope that this letter helps to address the issues you have raised, and I intend to put the policies forward for adoption to the General Purposes Committee on 28<sup>th</sup> June 2007.

Yours sincerely

Amanda Nicholls  
**Human Resources Manager**