

# ACTIVE LANCASHIRE



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## Alcohol and Substance Misuse Policy

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HR & Remuneration Sub Committee

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## ALCOHOL AND SUBSTANCE MISUSE POLICY

### 1.1 Introduction

Active Lancashire is committed to ensuring the health, safety and welfare of its staff. It will take all reasonable steps to reduce, if not eliminate, the risk of injuries or incidents occurring due to individuals suffering from the effects of alcohol or substance abuse. This policy applies to all staff and all persons coming onto Active Lancashire's premises.

### 1.2 Responsibilities

Active Lancashire will undertake and regularly review risk assessments to identify and assess the risks associated with alcohol and substance abuse. The risk assessments will consider the scope of all work activities undertaken by Active Lancashire to determine the appropriate policies and arrangements for managing the risks associated with alcohol and substance abuse by staff and, where relevant, those visiting our offices. Active Lancashire prohibits the drinking of alcohol by employees at any time in the workplace. Active Lancashire will take all reasonable steps to prevent staff and those visiting its offices, carrying out work-related activities if they are considered to be unfit/unsafe to undertake the work as a result of alcohol consumption or substance abuse. Active Lancashire expressly prohibits the use of any illegal drugs or any prescription drugs that have not been prescribed for the user.

In relation to drugs, please note that these rules apply only to those that are unlawful under the criminal law and not to prescribed medication. For the purpose of this policy the definition of a drug includes illegal drugs (those categorised as Class A, B or C) and those substances which are misused to create a so-called 'legal high'. These include Nitrous Oxide, alkyl nitrates ('poppers'), ketamine, khat, volatile substances (those giving off a gas or vapour that can be inhaled), but this is not an exhaustive list. In addition, performance enhancing drugs, as defined by the World Anti-Doping Agency (WADA) Code, fall within the scope of this policy.

These rules also aim to promote a responsible attitude to drink and drugs and to offer assistance to employees who may need it. It is the policy of Active Lancashire to discourage the use of illegal drugs or 'legal highs'.

It is a criminal offence to be in possession of, use or distribute an illicit substance. If any such incidents take place on our premises or on company business (including company functions), they will be regarded as serious. Such incidents will be investigated by Active Lancashire, and may lead to disciplinary action and possible reporting to the police.

### 1.3 Employee Responsibilities

No staff or other person under Active Lancashire's control shall, in connection with any work-related activity:

- Report, or endeavour to report, for duty having consumed drugs or alcohol likely to render him/her unfit and/or unsafe for work;
- Consume or be under the influence of drugs or alcohol while on duty unless, in

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the case of alcohol, with the agreement of line management for the purposes of official company entertaining;

- Store drugs or alcohol in personal areas such as lockers and desk drawers; or
- Attempt to sell or give drugs or alcohol to any other employee or other person on the company premises.

Staff must inform their line manager regarding any prescribed medication that may have an effect on their ability to carry out their work safely, and must follow any instructions subsequently given. Drugs that cause drowsiness must not be used while at work.

Any member of staff suffering from drug or alcohol dependency should declare such dependency, and Active Lancashire will subsequently provide reasonable assistance, treating absences for treatment and/or rehabilitation as any other sickness absence. (Failure to accept help or continue with treatment which affects an employees conduct or performance at work will render the staff member liable to normal disciplinary procedures.)

Likewise, if after accepting counselling and assistance, and following review and evaluation, a staff members conduct or work performance reverts to the problem level, the matter may also be dealt with through normal disciplinary procedures.

#### 1.4 Alcohol and Drug Testing

On the grounds of protecting health and safety and only where necessary to achieve a legitimate business aim, Active Lancashire reserves the right to carry out random alcohol and drug screening tests on those employees in the workplace whose activities and job duties have a significant impact on the health and safety of others.

If any employee receives a positive test result, this will be viewed as a potential gross misconduct offence and renders the employee liable to summary dismissal in accordance with normal disciplinary procedures. Any unreasonable refusal to submit to an alcohol or drug-screening test will also be dealt with through the normal disciplinary procedure and could also result in dismissal.

#### 1.5 Alcohol and Drug Testing

All possible measures will be put in place to ensure confidentiality of test results, and checks will take place to avoid false results. Test results are processed in accordance with Active Lancashire's Data Protection Policy. Access to test results is strictly limited to the people for whom it is necessary, such as the employee's line manager and occupational health (if applicable). Unauthorised access to test results will be treated as a disciplinary matter and dealt with in accordance with Active Lancashire's disciplinary procedure.

Test results are retained in accordance with Active Lancashire's data protection policy on processing special categories of personal data. Positive alcohol and drug test results are retained only long enough for them to be investigated and dealt with under Active Lancashire's disciplinary procedure. Negative test results are normally destroyed after 1 month.

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