

SUBSTANCE MISUSE POLICY

Scope of the Policy

This policy is provided for Fenton Traffic Management Ltd (Fenton TM) employees and customers, including learners and staff members who are using or delivering the courses and qualifications that Fenton TM offer.

For the purpose of this Policy, substance misuse refers to use and misuse of intoxicating substances which include alcohol, drugs; prescription and over-the-counter medicines, novel psychoactive substances, solvents and other substances, either intermittently or continuously which interferes with an individual's health, work capabilities or conduct, or which affects work performance and / or safety of themselves and others.

The Misuse of Drugs Act (1971) specifies the different categories of drugs according to their relative harmfulness when abused. Under this policy, Fenton TM is clearly stating that the possession, use or supply of illegal drugs is strictly forbidden whilst on duty.

Fenton TM also prohibits the use, possession or supply whilst on duty of Novel Psychoactive substances, the term given to substances that are used recreationally but are not controlled under the Misuse of Drugs Act (1971), not licenced for legal use, and not regulated as a medicine Medicines Act (1968). These are powerful drugs with long lasting effects often over 12 hours in some cases.

Location of the policy

This policy is available for all staff members, third parties and learners to access.

Communication of the policy

It is important that staff involved in the management, assessment and quality assurance of our qualifications and learners undertaking qualification with us are fully aware of the contents of the policy.

Review of the policy

Fenton TM will review the policy annually and revise it as and when required in response to customer and stakeholder feedback, changes in practices, actions required by LANTRA or changes in legislation. Our review will ensure that our procedures continue to be consistent with the regulatory criteria and are applied properly and fairly in arriving at judgements.

Aims and Objectives

This policy should be seen in the context of a desire to promote the general wellbeing of all employees and safety for colleagues and learners by preventing accidents and impaired performance at work which may be alcohol or drug related, safeguarding the safety and welfare of all.

It is Fenton TM's intention to ensure that all staff and visitors are aware of this policy in order to prevent any such situations occurring, which could render them liable to disciplinary action.

Statement of Principles

This Policy will explain the responsibilities and principle behind Fenton TM's approach to managing the misuse of illegal drugs, alcohol and other substances by employees and visitors on their premises. Fenton TM aims to ensure that it provides a safe and productive work environment that promotes health, safety and wellbeing.

Fenton TM has a responsibility to provide its clients and customers with the best possible service and ensure that all services are delivered effectively and without compromise, at the same time maintaining and promoting our reputation and integrity.

Employers have a duty under the Health & Safety at Work Act 1974 to ensure, as far as is reasonably practicable, the health, safety and welfare of its staff and others. This includes taking all reasonable steps to resolve drug (illegal, prescription or recreational), alcohol and other substance misuse related problems known within the workplace.

Staff and visitors also have a duty of care to others and are therefore expected to co-operate with and implement the Fenton TM Policies in this respect. Fenton TM's position is one of not allowing the use, possession or supply of drugs, alcohol or substances by employees whilst on duty or visitors on their premises or allowing employees/visitors to continue working if they are found or if there is reason to suspect that they are under the influence of any substance or if they smell of alcohol.

Roles and Responsibilities are defined as follows

Employees and Learners have the following responsibilities:

- To ensure they report for work/training and remain in a condition to perform their duties free from the effects of drugs, alcohol or any other substances, whether on Fenton TM premises or at external locations.
- Alcohol remains in the body long after an alcoholic drink is consumed and this must be remembered when drinking outside of working hours, including the previous evening.
- Employees taking medication should seek advice on any adverse impact on work performance or behaviour, particularly with regard to safety. They should also notify their manager of this.
- If a problem or suspected problem relating to drugs, alcohol or substance misuse has been identified the employee has a responsibility to seek help, by attending for an Occupational Health appointment or a relevant external agency.
- Employees should inform their manager if they know or suspect that an employee is under the influence of drugs, alcohol or other substance whilst engaged in an activity for Fenton TM.
- All employees must advise their line manager if they are charged with and/or convicted of a drugs / drink driving offence in order to be able to consider the impact upon their role and appropriate action. If the line manager is not informed further action may be taken under the relevant Fenton TM policy.
- Not to bring illegal substances onto Fenton TM's premises

Managers have the following responsibilities:

- Publicise the policy and support available to employees, ensuring policy compliance through induction and afterwards, by reinforcing its requirements to employees
- Have systems in place for third parties to notify the manager of concerns regarding individuals who they suspect may be intoxicated whilst at work.
- Discuss suspected alcohol or substance misuse problems with the employee
- If an employee divulges to their manager a drug/ alcohol /substance misuse problem, the manager should also refer to Occupational Health and offer support to facilitate recovery.
- All managers should be aware of the changes in work performance; attendance and behaviour which may be associated with alcohol, drug or substance misuse related problems.
- Investigate any circumstances that they may become aware of or that are brought to their attention.
- If further deterioration occurs, or previous patterns of behaviour return, the Manager is responsible for bringing this to the employee's attention. If there is no improvement then Fenton TM's Disciplinary procedure should be followed.
- In the case of individuals not directly employed by Fenton TM (e.g. students) the examiner/assessor will be the responsible person in determining the appropriate action.
- Any incident at the Training/Assessment centre will be notified to LANTRA
- The manager is responsible for ensuring the privacy and confidentiality of employee records associated with drug, alcohol and substance misuse.

Drug Use in the workplace

Drug use refers to the use of illegal drugs, Novel Psychoactive substances and the deliberate misuse of prescribed drugs, non-prescribed drugs and substances such as solvents.

Drugs can alter the way a person thinks, perceives, feels and this can lead to impaired judgement or concentration. Drug use can also bring about the neglect of general health and well-being. This may adversely influence the employee's performance

It is recognised that the use of novel psychoactive substances and the misuse of legally prescribed and non-prescribed drugs or substances may also impair performance. The effects of which can be long lasting.

It is not permitted for employees to be in possession, under the influence, deal in or take drugs within classes A, B or C in the workplace.

Convictions of staff for drug offences can damage public confidence in Fenton TM's services, irrespective of the role performed by that employee and whether the offence was committed at work or socially. Consequently the continued employment of any employee is at risk if they are convicted of a drugs offence.

Drug Testing in the workplace

It is not Fenton TM's policy to undertake drug or alcohol testing on employees but random drug testing may be carried out by principal contractors. If selected employees are required to co-operate with the testing authority who must confirm their procedures prior to a test. Failure to comply if selected will be treated as a non negative result for the employee.

Alcohol Consumption in the workplace

It is not permitted for employees to drink, smell of alcohol, or be under the influence of alcohol, whilst on duty or on Fenton TM's premises.

It is not permitted for employees off duty to drink alcohol in a public place whilst wearing a Fenton TM uniform and / or identification badge.

Individuals, who are required to drive as part of their duties must not consume alcohol before coming on duty or while on duty. Alcohol remains in the body long after an alcoholic drink is consumed and this must be remembered when drinking outside of working hours, including the previous evening.



Signed
Tony Bayford
Managing Director

Date: 18th April 2023