

How To – Deal with an Employee who shows signs of Alcohol and or Drugs use at Work.

Under the Perth and Kinross Council Alcohol and/or Drug use Arrangement employees are expected to be at work free from the effects of alcohol, drug or other substance (including New Psychoactive Substances (NPS) or solvents) in order that they may carry out their duties and responsibilities safely and competently.

If you suspect that an employee is at work under the effects of alcohol and/or drugs ([Checklist for Identifying Alcohol and Drug Use](#)) you must meet with them to discuss your concerns as soon as reasonably practicable and in most cases within the first hour of this coming to your attention. If necessary (for example where the employee's alcohol and/or drug use may have Health and Safety risks) instruct the employee to immediately stop working and you must undertake a Health and Safety Risk Assessment. You should consult with Human Resources (HR Operations Team) for support and advice at the earliest opportunity.

The meeting must be held in a confidential place. In most circumstances the employee should be in a position to be accompanied by a colleague or a trade union representative. The attendance of any such person should be expedited as quickly as reasonable but, in any event, within one hour of the member of staff being advised of a need to meet. However, where there is a clear risk to the health, safety or well-being of any person or persons, the manager may reserve the right to proceed with the meeting without any support.

The manager chairing the meeting is responsible for taking a sensitive and supportive role, without making any unsubstantiated assumptions. Consideration should be given to whether another member of the Service should also be present with the manager. A note of the discussion should be made.

The format of the meeting will be as follows:

- / Explain why you have asked to meet with the employee, i.e. you have reason to believe that the employee is showing signs of alcohol and/or drug use. It is perfectly acceptable to clearly state the basis of the concern, e.g. 'I can smell alcohol on your breath'.
- / If you have concerns about the immediate medical wellbeing of the employee and their continued safety, consider contacting a first aid advisor who will assess whether first aid or other medical help is required.
- / Establish whether the employee is able to comprehend what is being said (for example, ask them to repeat their understanding of what you have told them). If they cannot comprehend what has been said assess whether to terminate the meeting and move directly to informing the employee that they are unfit to continue in the working environment and that they must leave work, go to a safe environment and allow time for the effects of the alcohol and/or drugs to wear off (e.g. return home) – as below.

- / Ask direct questions to establish whether the employee has been using alcohol and/or drugs.
- / Encourage the employee to provide a reason or explanation and to discuss what may have contributed to the signs observed.
- / If you assess that the employee has been using alcohol and/or drugs, inform the employee that they are unfit to continue in the working environment and that they must leave work, go to a safe environment and allow time for the effects of the alcohol and/or drugs to wear off (e.g. return home). Establish the following:
 - o How did the employee travel to work (advise that they should not drive and if they insist on driving, you must report them to the Police)
 - o Establish whether you can assist them in travelling to a safe environment (e.g. home) by arranging a taxi, or contacting someone who can collect them?
- / Explain that you expect the employee to attend work on their next planned working day or later that day where appropriate, and a meeting will be arranged when they return to discuss the next steps.
- / In taking this action, you should consider how this absence will be recorded, i.e. suspension from work or sickness (for example if their behavior is linked to prescribed medication). In any case you should consult with Human Resources as soon as practicable.
- / Explain, where appropriate, that the Council takes a supportive approach to employees who have an alcohol and/or drug issue and provide the employee with information about the [Employee Counselling Service](#) and if appropriate, the [Alcohol and Drugs Sources of Support and Directory of Support Agencies](#).
- / You must keep a note of your discussion including any observations about the employee's behavior and appearance (e.g. smelling of alcohol, slurring words) and the responses/explanations given at the time. Include justification for all decisions and actions taken.
- / Following this discussion if you believe that service delivery or the health, safety or wellbeing of any other employee, client, contractor or pupil has been affected, you **must** take reasonable measures to protect the health, safety and wellbeing of those affected and provide support to them. This may involve updating or undertaking a Health and Safety Risk Assessment

Next Steps:

- Meet with the employee on their return to work and consider whether it is now safe to allow them to continue working in their role, or whether a further risk assessment is required (alternative duties may be allocated pending the outcome).

- Involve the employee in undertaking a risk assessment if required and ensure appropriate control measures are in place. Health and Safety Risk Assessment
- You may also refer to the [How To – Manage circumstances relating to an employee’s Alcohol and/or Drug use](#)
- If appropriate, make a referral to the Council’s Occupational Health Provider to provide advice relating to the alcohol and/or drug use (or if the symptoms identified relate to prescribed/advised medication) and how this may impact on the employee’s health and work environment. You can also seek recommended adjustments to maintain the employee’s fitness for work - [How To - Occupational Referral](#)
- Where an employee is identified as having a dependency on alcohol and/ or drug use, specific care should be taken to ensure that Perth & Kinross Council, as an employer, deals with cases confidentially, sympathetically and constructively with the aim being to encourage employees to seek an appropriate diagnosis, counselling and treatment.
- Appropriate use must be made of the sources of support and directory of support agencies - [Alcohol and Drugs Sources of Support and Directory of Support Agencies](#)
- In cases where you believe the employee may have breached the Council’s Alcohol and Drug Use Arrangement, and consider it a misconduct issue, this will be dealt with under the Council’s [Achieving and Maintaining Standards Procedure - Discipline](#) or, for teachers, [the Disciplinary Procedure for teachers](#)
- In this event, conduct an initial assessment - [How To - Conduct an Initial Assessment for Alleged Misconduct](#)

At any stage you may contact a member of the Human Resources Operations Team for advice.