

Report of the Chief Executive

ALCOHOL AND SUBSTANCE MISUSE POLICY

1. Purpose of report

To consider amendments to the Alcohol and Substance Misuse policy.

2. Recommendation

The Local Joint Consultative Committee is asked to RECOMMEND to Cabinet the revisions to the Alcohol and Substance Misuse Policy.

3. Detail

The proposed amendments are intended to introduce a more robust policy to ensure the Health and Safety of its employees and those affected by its activities. In addition, guidance for managers has been produced in order to provide further support and appropriate guidance when dealing with alcohol and substance misuse issues.

The proposed framework clearly outlines a robust procedure, reasons for testing and potential implications and will enable the Council to protect its employees, residents and reputation.

The amendments to the policy indicates a pro-active approach to alcohol and drug misuse demonstrating reasonable measures put in place by the Council to avoid incidents such as the bin lorry tragedy in Glasgow in 2014.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no additional financial implications with costs being contained within existing budgets. Any significant budget implications, over and above virement limits, would require approval by Cabinet.

5. Legal implications

The comments from the Head of legal Services were as follows:

The policy provides guidance and a procedure for the Council, as the Employer and Employees to follow in cases of substance/alcohol misuse. A failure to follow a fair process can potentially result in the Employee being able to claim unfair dismissal or discrimination in the workplace. The Policy at Paragraph 4.0 has taken in to account relevant legislation including, Health and Safety at Work Act 1974, Management of Health and Safety at Work Regulations 1999, Human

Rights Act 1998, Road Traffic Act 1988, Corporate Manslaughter and Corporate Homicide Act 2007 and the Data Protection Act 2018.

6. Background Papers

Nil.

REFERENCE