

<b>REPORT TO:</b>	Management Review Committee	
<b>DATE:</b>	02 August 2018	
<b>PORTFOLIO:</b>	Cllr Joyce Plummer - Resources	
<b>REPORT AUTHOR:</b>	Kirsten Burnett, Head of HR	
<b>TITLE OF REPORT:</b>	Draft Drugs and Alcohol Policy	
<b>EXEMPT REPORT (Local Government Act 1972, Schedule 12A)</b>	<b>Options</b>	Not applicable
<b>KEY DECISION:</b>	<b>No</b>	If yes, date of publication:

**1. Purpose of Report**

1.1 To present a draft Drugs and Alcohol Policy (Appendix 1).

**2. Recommendations**

2.1 That Management Review Committee considers and agrees the proposed draft Policy.

**3. Reasons for Recommendations and Background**

3.1 The Committee received a report and draft policy on 20 March 2018: [link here](#).

3.2 At that time, there was no agreement with Unison on this policy and discussion took place at the meeting over the reasons for the differences in opinion. The other Trade Unions had no comments.

3.3 The Head of HR was asked to do some further work, including looking at other local public sector organisations. The outcome of this was mixed. For instance, the Police undertake random testing but the Fire Service does not. There has been further discussion with Unison during this time, as we wanted to properly understand the nature of their objections, particularly from the regional level, before bringing the matter back to this committee. The outcome of these discussions is a revised draft, which both sides are now able to agree on.

3.4 The main change to this is the inclusion of a “last chance” for anyone who is caught attending work with drugs or alcohol in their system above the workplace cut off level, if the person admits to having a problem and can show that they are seeking appropriate support. The conditions for this are detailed in the revised draft at sections 9.6-9.7.

3.5 It is hoped that Unison will attend the meeting, but the Branch Secretary has commented as follows:

Unison are willing to agree the implementation of the proposed drugs and alcohol policy if it can be reviewed after a period of 6 months and then possibly at 12 months.

We have concerns about supportive measures being in place for people who ask for help pre/post a positive result. Our concerns are around what, if any, disciplinary action is taken against people who have had a positive test and accepted help. We believe the reviews will enable us to discuss this further if necessary.

We understand the need to be confident staff are working safely.

- 3.6 The draft has been amended to include a review after 6 (rather than the previous 12) months. The link to job evaluation has also been removed.
- 3.7 The Council would much prefer to proceed with Trade Union agreement. This means that the policy can apply as a contractual change through collective agreement, rather than individual agreement or imposition.
- 3.8 Implementation of the revised Policy would follow a programme of staff briefings to ensure that they understand the changes and are given every opportunity to access support if applicable. No implementation date has yet been set but this is likely to be in October or November, if committee approval is given.

#### **4. Alternative Options considered and Reasons for Rejection**

- 4.1 We could retain the existing arrangements but we believe changes are required as detailed within this report, the report from 20 March 2018 and the Privacy Impact Assessment.

#### **5. Consultations**

- 5.1 Consultation has taken place with the Trade Unions.

#### **6. Implications**

<b>Financial implications (including any future financial commitments for the Council)</b>	There is a cost to the testing equipment and lab urine analysis. In 2017/18, we spent £8722 in total.
<b>Legal and human rights implications</b>	Detailed in the Privacy Impact Assessment presented on 20 March 2018 – <a href="#">link here</a> .
<b>Assessment of risk</b>	N/a
<b>Equality and diversity implications</b> A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.	A CFA was attached with the previous report.