

**ABC NURSERY POLICIES AND PROCEDURES****POLICY 34: Alcohol and Substances**

- 34.1 ABC Nursery is committed to keeping all children safe. The setting recognises that alcohol and drug abuse related problems are an area of health and social concern. It also recognises that a member of staff with such problems needs help and support from their employer. The consumption of even a small amount of alcohol or limited substance can pose a risk to the individual, to the children, work colleagues, parents, volunteers and visitors and is unacceptable in the context of consuming alcohol or misusing drugs either before or during work.
- 34.2 The Nursery also recognises that alcohol and drug abuse problems can have a detrimental effect on work performance and behaviour and has a responsibility to its children, parents, employees and volunteers to ensure that this risk is minimised.
- 34.3 It is also the responsibility of all employees to take reasonable care to ensure the health and safety of themselves and others who may be affected by their acts or omissions.
- 34.4 Accordingly this policy involves two approaches:
- Providing reasonable assistance to the member of staff with an alcohol or drug abuse problem who is willing to co-operate in treatment for that problem.
  - Disciplinary rules, enforced through disciplinary procedures, where use of alcohol or drugs (other than on prescription) affects performance or behaviour at work, and where either (1) an alcohol or drug abuse problem does not exist or (2) where treatment is not possible or has not succeeded.
- 34.5 Alcohol or drug abuse related problems can come to the notice of the Nursery Manager through failures in work performance or behaviour necessitating the use of the Disciplinary Procedure or other means whereby a member of staff seeks or agrees to accept assistance on a voluntary basis. If a member of staff is found to be under the influence of alcohol or drugs they will be removed from contact with and supervision of the children. This may involved allowing the member of staff to 'sober' up or 'come round' in the staff room and eventually arrange a taxi to allow the member of staff to be sent home. However, the nursery has a duty of care not to send that member of staff home alone if they are judged incapable of taking care of their own safety.
- 34.6 Strict confidentiality will be maintained throughout this process.
- 34.7 Members of staff with a drink or drugs problem are encouraged to seek help voluntarily before their job performance is adversely affected by contacting their doctor.
- 34.8 ASSISTANCE FOR AN EMPLOYEE**

When the Manager suspects that a member of staff has a drink or drugs problem they will discuss and recommend that the staff member seeks medical advice. Advice might be sought from the Care Commission as to whether the staff member can continue to care for children. The responsibility for accepting treatment remains with the member of staff.

### **34.9 DISCIPLINARY ACTION**

In line with the ethos and disciplinary rules of the Nursery, the following will be regarded as serious misconduct:

- Attending work and/or carrying out duties under the influence of alcohol or drugs.
- Consumption of drugs whilst on duty (other than where prescribed or approval given).

Breach of these rules will normally result in summary dismissal, and only in exceptional cases will either notice of termination or the reduced disciplinary action of a final written warning be applied.

34.10 Where a breach of these rules occurs, but it is established that an alcohol or drug abuse problem exists, and the member of staff is willing to co-operate in referral to their doctor or an appropriate service and subsequent treatment, the Nursery will consider delaying the application of the Disciplinary Procedure in order to provide assistance as described above.

34.11 The decision to put on hold disciplinary action will depend on the nature of the breach and/or whether any criminal act has been committed.

34.12 Staff who do not comply with the treatment suggested or continue to abuse alcohol or drugs will immediately become subject to the application of disciplinary action.

### **34.13 RECOGNITION OF POSSIBLE SUBSTANCE, DRUG OR ALCOHOL MISUSE**

Staff may recognise a problem by a changing attitude to work by an employee which may be evidenced in one or more of the following:-

- Unpunctuality, patterns of short term absence, slower work rate, deterioration in standard of dress, slower reactions, increasing inaccuracy/errors, memory loss, slurred speech, breath odour, mood changes, depression and/or poor cooperation with colleagues.

34.14 The misuse of substances, alcohol or drugs can have the following consequences in the work place:-

- An employee is committing serious misconduct by misusing substances, drugs or alcohol and/or
- An employee's standard of work performance and/or behaviour are deteriorating affecting team work and the service provision.

34.15 The Nursery Manager will be responsible for responding to such situations and will need to ensure a full investigation is undertaken. Any interviews will need to be very sensitively handled and should concentrate on aspects of work performance rather than an early judgment on the suspected problem. The employee will have the right to be accompanied by a work colleague or friend during this interview. In such

interviews the possible existence of an alcohol or drug abuse problem, should be explored.

34.16 The Nursery Manager is not required to diagnose the existence of an alcohol or drug abuse problem, merely to assess whether such abuse is a possible factor. The progress of the interview will determine the next stage. If the employee is able to satisfy their line manager (interviewer) on the work performance issues discussed, and does not admit or alternatively denies any alcohol or substance misuse problem, then little can be done other than to undertake continued monitoring of work performance and offer support if needed.

### 34.17 SUMMARY OF PROCEDURE

- A member of staff judged to be incapable of performing their duties at work will be suspended from duty. This does not make any judgment on whether or not an act of misconduct has taken place.
- An investigation will be undertaken as soon as practicable, after which the member of staff will be invited to a meeting to explain their conduct or behaviour.
- The outcome of the meeting, at which the member of staff will be entitled to be represented by a Professional Organisation representative, work colleague or friend not acting in a legal capacity, will be:-
  - a) No further action.
  - b) Referral to a third party (normally the Doctor's) which is acceptable to both the line manager and the member of staff for the purposes of confidential assessment and assistance, as appropriate.
  - c) A decision to invoke the Nursery's Disciplinary Policy.

34.18 The responsibility for diagnosing any substance, drug or alcohol problems lies with a Doctor or Specialist organisation.

34.19 If a positive diagnosis of a substance, alcohol or drug misuse problem is made, and the member of staff agrees to co-operate in treatment: treatment arrangements should commence.

34.20 The Nursery Manager will keep the situation under review and consult with the Care Commission as to whether the member of staff can continue to work with children.

34.21 It is recognised that, even where treatment has been successful, relapse may occur. In this event, the manager may decide to offer an opportunity for further treatment under the same conditions – providing there has been an improvement in work performance during the interim period and if there have been no incidents involving serious misconduct.

34.22 If alcohol or drug substances are found on a child at the nursery or a child is found to be under the influence of drugs than the Nursery Manager will telephone Social

Care to seek advice and make a referral. Once a referral has been made it is the responsibility of the Coventry Social Care Services to determine how they proceed.

34.23 If staff suspect that parents are under the influence of alcohol or drugs when they come to collect their children then staff reserve the right to refuse to let them go home with them. They will ask the parents to telephone someone for support and to help them in collecting their child. (Please refer to the nursery's Collection of Children policies and procedures.)

### **Helpful Organisations**

Alcoholics Anonymous

PO Box 1  
Stonebow House  
Stonebow  
York  
YO1 7NJ  
Tel: 01904 644 026

A1 – Anon (for families of problem drinkers)  
61 Great Dover Street  
London  
SE1 4 YF  
Tel: 0207 4030888 (confidential 24 hour helpline)

Alcohol Concern  
Waterbridge House  
32-36 Loman Street  
London  
SE1 0EE  
Tel: 020 79287377

National Association of Alcohol & Drug Abuse Counsellors  
1 Platow Place  
72-74 St Dionies Road  
London  
SW6 4TU  
Tel: 020 7382647