

# Smoking and Substance Misuse Policy

## 1. Who does this policy apply to?

- 1.1 This policy applies to all employees, officers, consultants, self-employed contractors, casual workers, agency workers, volunteers and interns.

## 2. What is the purpose of this policy?

- 2.1 LCC is committed to protecting the health, safety and welfare of all those who work with us by providing a safe place of work. This policy sets out LCC's approach to smoking and substance misuse. All our workplaces are smoke-free per the Health Act 2006. All staff and visitors therefore have the right to a smoke-free environment. This also includes ensuring that all staff are fit to conduct their jobs safely and effectively in an environment free from alcohol and drug misuse.

## 3. What roles do the employee, management, the Council and HR play in this policy?

### 3.1 Employee Responsibilities

- To only smoke outside in designated areas during authorised breaks, lunches, or using flexitime and to dispose of cigarette butts and other litter appropriately whenever working or representing the Council.
- All employees have a duty and a responsibility to co-operate with managers to ensure compliance and to actively promote a smoke-free workplace.
- All employees have a duty to maintain their own health and safety and that of any others who they might affect by smoking/consuming other substances.
- If you are concerned about second hand smoke due to your work location, to share this with your line manager to appropriately consider your health and safety.
- To notify your line manager if you are taking any prescription or over the counter medication which may have an adverse effect on your ability to conduct your role.
- If you notice a change in a colleague's pattern of behaviour you should encourage them to seek help through their line manager or HR.
- If you suspect that a colleague has a problem with substance misuse, you should encourage them to seek help and to raise their concerns with their manager.

### 3.2 Management Responsibilities

- All managers are responsible for promoting and monitoring a smoke-free working environment.
- In conjunction with HR, to make referrals to Occupational Health to support employees trying to overcome addiction.
- To encourage staff who have an alcohol or drug-related problem to seek help, in confidence.

### 3.3 Council Responsibilities

- ❑ To ensure that staff who have an alcohol or drug-related problem affecting their work are dealt with sympathetically, fairly and consistently.
- ❑ To ensure that any information staff provide about their health is processed per GDPR.

### 3.4 HR responsibilities

- ❑ To provide support and guidance to line managers on this policy.

## 4. Smoking

- 4.1 Smoking is not allowed anywhere in our workplaces or on any Council grounds. This includes areas that are outside but that from part of the Council's premises.
- 4.2 The ban on smoking applies to *everything* that can be smoked and includes, but is not limited to, cigarettes, e-cigarettes (vapes) pipes (including water pipes such as shisha and hookah pipes), cigars and herbal cigarettes.
- 4.3 Anyone using a Council vehicle, whether as a driver or as a passenger, must ensure that the vehicle remains smoke-free. To the extent that a colleague, during working hours, is being transported in another colleague's personal vehicle, it is also the expectation that the vehicle stays smoke-free.

## 5. Substance misuse

- 5.1 We recognise that some of our staff may become dependent on alcohol or drugs. We also recognise that such dependencies can be successfully treated. We wish to promote a culture which understands and is sympathetic to the problems associated with alcohol and drug misuse in which staff with dependency problems are encouraged to seek help and are supported. However, we cannot accept staff arriving at work under the influence of alcohol or drugs, or whose ability to work is impaired in any way by reason of the consumption of alcohol or drugs, or who consume alcohol or drugs (other than prescribed or over the counter medication) on our premises.
- 5.2 Staff are expected to arrive at work fit to conduct their job and to be able to perform their duties safely without any limitations due to the use or affect-effects of alcohol or drugs.
- 5.3 Employees are encouraged to bring any substance misuse problems to the attention of their manager and or HR so that proper support can be given in the workplace and an occupational health referral be organised. Employees are also encouraged to seek specialist help available from their GP and other local agencies (the details of some are included below).
- 5.3 Drink-driving laws and drug-driving laws should be followed at all times. Convictions for drink-driving or drug-driving offence may harm LCC's reputation and, if your job requires you to drive, you may be unable to continue to do your job. Committing a drink-driving or drug-driving offence while working for us or outside working hours (if driving is an essential requirement of your role) may lead to action under our Disciplinary Procedure.
- 5.4 Only in exceptional circumstances, with the prior approval of a Chief Officer will consumption of alcohol during work time or a work event be permissible. Otherwise, the strict expectation is that you should not drink alcohol during the workday, at lunch time or at work-based meetings or events.
- 5.5 We reserve the right to conduct searches for alcohol or drugs on our premises, including, but not limited to, searches of lockers, filing cabinets and desks, bags, clothing and packages. This would only be in circumstances where there was a strong suspicion (likely prompted by a report that a colleague has been seen with drugs or alcohol on work premises, and/or that alcohol or substance misuse is affecting the employee's ability to work or putting other colleagues or the public at risk of harm). Anything found

as a result of a search will be confiscated and action may be taken under the Disciplinary Policy, if you are an employee of LCC. Any refusal to comply with a search may also be considered under the Disciplinary Policy.

- 5.6 If an employee agrees to the search, they will always be informed of the reason for the search and LCC will ensure that the employee's privacy is prioritised i.e. this will take place in a private room, with a witness present. If a physical search is necessary, this will be performed by a member of the same biological sex. If it is considered that a physical search is necessary, a line manager will first consider if this is appropriate for LCC to handle, or if it is more appropriate to contact the police. It will always be necessary to contact the police if the search would require the removal of any clothing (other than a jacket). If the search involves the employee's personal property, the employee will be asked to remove/empty the contents to ensure that LCC has limited handling of any personal property. A log will be kept of the search, and the log itself will also be confidential. Employees are reminded that they are always free to refuse consent to a search, but in circumstances where there is a strong suspicion that an employee has drugs or alcohol in their possession, LCC may take this into account during any subsequent disciplinary procedure.
- 5.6 We aim to ensure that the confidentiality of any member of staff experiencing alcohol or drug-related problems is kept appropriately. However, it needs to be recognised that, in supporting staff, some degree of information sharing is likely to be necessary.

## 6. Breaches

- 6.1 Any breaches of this policy will be considered in line with the LCC Disciplinary Policy. Where breaches are minor and can be dealt with informally, this should always be the line manager's first consideration, however serious breaches could call for any of the sanctions set out in the Disciplinary Policy i.e. up to and including dismissal.

## 7. Support

- 7.1 The Council recognises that smoking and use of other substances can be an addiction and aims to provide a supportive environment for those wishing to overcome addiction.
- 7.2 Employees who wish to give up smoking or other substances can request a referral to Occupational Health who can provide information and further advice.
- 7.3 Upon being made aware, the Council will support employees who are misusing a substance or consider themselves at risk of misusing a substance by:
- ❑ Responding appropriately to any employee who discloses that they are misusing a substance or consider themselves at risk of abusing a substance.
  - ❑ Discussing with the employee how the Council can provide assistance, including access to existing provisions, such as Occupational Health and counselling.
  - ❑ Offering temporary or permanent changes to working times and patterns, if organisationally possible and if the change would help the employee.
  - ❑ Offering access to the full provision of leave types for appointments; including those with doctors or counsellors.

<b>Support Services Available:</b>
<p><b>The Well Community</b></p> <p><a href="https://www.thewellcommunities.co.uk/">https://www.thewellcommunities.co.uk/</a></p>
<p><b>Red Rose Recovery (Lancaster)</b></p> <p><a href="https://redroserecovery.org.uk/events/connect-lancaster/">https://redroserecovery.org.uk/events/connect-lancaster/</a></p>
<p><b>Alcoholics Anonymous (Great Britain)</b></p> <p>National helpline 0800 9177 650</p> <p>E-mail <a href="mailto:help@alcoholics-anonymous.org.uk">help@alcoholics-anonymous.org.uk</a></p> <p>Website <a href="http://www.alcoholics-anonymous.org.uk">www.alcoholics-anonymous.org.uk</a></p>
<p><b>Inspire/Change Grow Live</b></p> <p><a href="#">Find a service near you   Change Grow Live</a></p>
<p><b>Smokefree Lancashire</b></p> <p><a href="https://www.nhs.uk/services/service-directory/smokefree-lancashire/N11032105?gsdServiceId=1837">https://www.nhs.uk/services/service-directory/smokefree-lancashire/N11032105?gsdServiceId=1837</a></p>
<p><b>Drinkline</b></p> <p>Helpline 0800 9178282</p> <p>Website <a href="http://www.drinkaware.co.uk">www.drinkaware.co.uk</a></p>
<p><b>Talk To Frank</b></p> <p>Tel 0800 776600</p> <p>Website <a href="http://www.talktofrank.com">www.talktofrank.com</a></p>
<p><b>Narcotics Anonymous UK</b></p> <p>National Helpline 0300 9991212</p> <p>Website <a href="http://www.ukna.org">www.ukna.org</a></p>
<p><b>Cocaine Anonymous</b></p> <p>Helpline 0800 6120225</p> <p>Website <a href="http://www.cauk.org.uk">www.cauk.org.uk</a></p>

**Adfam National**

Helpline 020 75537640

Website [www.adfam.org.uk](http://www.adfam.org.uk)

## 8. When will this policy be reviewed?

8.1 This policy will be reviewed every two years or earlier in the event of changes in legislation.

**Document Control:**

Version no.	Effective Date	Reason	Review due
1.0	...	New Policy combining the Smoke Free and Substance Misuse Policies	Dec 2026