

DRUG AND ALCOHOL POLICY

POLICY ADMINISTRATION

Dates	Policy approved 16/11/2021 (Version 2) This policy is effective from 16/11/2021 Policy is due for review June 2024
Approved by	Executive on 16/11/2021 (Version 2)
Policy Type	<input checked="" type="checkbox"/> Executive Policy * <input type="checkbox"/> Council Policy *As resolved at the Council Meeting on 27/09/2021 (CCL061-21 / FIN043-21)
Exhibition Period	Public Exhibition – 4 April – 3 May 2017
Policy Owner	Manager People and Culture, Business and Corporate Services
Related Documents	Georges River Council Drug and Alcohol Procedures
References & Legislation	N/A
Document Identifier	Policy #: Pol-007.02 Doc #: D17/113591
Breaches of Policy	Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation.
Record Keeping	All documents and information obtained in relation to the implementation of this policy will be kept in accordance with the NSW State Records Act 1998, Georges River Council's Corporate Records Policy and adopted internal procedures.

PURPOSE

The purpose of this Policy is to ensure that a healthy and safe work environment for Council Officials is maintained by providing clear guidance on standards of behaviour in relation to drugs and alcohol in the workplace.

SCOPE

This Policy applies to all Georges River Council Officials as defined in full below. This includes Councillors, members of staff of Council, Administrators, Council committee members, contractors and delegates of Council.

This Policy must be adhered to at:

- All Council workplaces and other places where individuals covered by the Policy may be working or representing Council, for example when visiting a customer, client or supplier.
- All work-related functions, for example work lunches, conferences, Christmas parties and client functions.

DEFINITION OF TERMS

Term	Meaning
Alcohol	Liquor as defined in the Liquor Act 2007: <i>“(a) a beverage which, at 20° Celsius, contains more than 1.15% ethanol by volume, or (b) anything that is not a beverage referred to in paragraph (a) but, for the purposes of sale, is held out to be beer or spirits, or (c) any other substance prescribed by the regulations as liquor.”</i>
Council	Georges River Council
Council Official	Council staff members, elected Councillors, administrator(s), Council committee members, contractors, community members of wholly advisory committees, members of the Audit Risk and Improvement Committee (ARIC), members of reference panels and delegates of Council carrying out work for Council and/or in a Council workplace or other Council approved place of work.
Drugs	Any illegal drug, prescription, over the counter pharmacy medication or synthetic drugs, as defined below, that has the potential to adversely impact on safety at work.
Illegal Drugs	<ul style="list-style-type: none">• Any drug prohibited by Australian State, Territory or Federal law or any other laws (including foreign and international laws) to

	<p>which Council is subject or which apply to the work performed at or for Council.</p> <ul style="list-style-type: none"> • Prescription or pharmacy drugs (as defined below) which are used without the necessary prescription, or for non-medical purposes. • Any synthetic drug (whether prohibited by law or not), being a psychoactive herbal and/or chemical product which, when consumed, mimics the effects of a prohibited drug.
Prescription Drugs	Lawful drugs which are prescribed by a medical practitioner for a diagnosed medical purpose and issued by a pharmacist.
Pharmacy Drugs	Drugs which are lawfully available at Australian pharmacies (without a prescription) and are required for a legitimate medical purpose.
Random Testing	A structured program for randomly testing Council officials across the workforce in accordance with Australian Standards.
Reasonable Suspicion of being affected by Drugs or Alcohol	Where an authorised officer forms the belief that an employee shows signs of being affected by alcohol or drugs with consideration of the criteria at section 6(c).
Under the influence	A person's faculties are impaired by the use of drugs or alcohol to the extent that the person is unfit to be entrusted with a duty they perform or may be called on to perform in an efficient and safe manner.
Work hours	Core working hours, during call out activities, break times including lunch and attendance at Council functions or functions where the employee has been invited as a Council representative.
Workplace	Any place in which Council work is undertaken including administration buildings, depots, libraries, on-site works, all Council vehicles and any facility or space in which Council officials are undertaking work in their official capacity.

POLICY STATEMENT

Council has a duty of care and is committed to the health and safety of Council officials. Council does not permit Council officials to consume, distribute or be under the influence of alcohol or drugs during work hours or whilst in the workplace. In addition, the possession of illegal drugs in the workplace is not permitted.

1. Exceptions

1.1. In recognition that the availability of alcohol often occurs as a component of hospitality the following events have a general exemption from this policy:

1.1.1. Council events where members of the public are in attendance and have included the provision and consumption of alcohol as part of the approved event plan for all attendees. This includes events such as

balls and civic receptions.

1.1.2. Conference dinners, award functions and similar events that a Council Official has approval to attend.

2. Exceptions for the consumption of alcohol outside of the scope of section 1 above require written application to, and prior approval by, the General Manager, as outlined in the procedures to this Policy. Conditions of approval form part of this Policy.
3. Smoking is not permitted at any of Council's workplaces including vehicles, except in specifically designated areas.
4. Where a Council official is taking prescription or pharmacy drugs for medical purposes, the Council official will not breach this Policy by attending work, if the Council official:
 - a) Takes the prescription and pharmacy drugs in accordance with the instructions of their medical practitioner and normal directions applying to the use of those drugs
 - b) Ensures they are able to perform their work effectively, competently and safely
 - c) Informs themselves of the impact of consumption of alcohol with prescription and pharmacy drugs and they limit consumption accordingly
 - d) Checks with their medical practitioner about the effect of the drug on their ability to safely perform their normal work duties. If a Council official's ability to perform work competently, efficiently and safely may be affected, the Council official must obtain this advice in writing from the medical practitioner, or pharmacist, and provide it to their manager or supervisor before undertaking their work.
5. Council will not accept liability for any damage to a Council vehicle, an injury to another person, or damage to other property caused by a Council official while under the influence of alcohol and/or illegal drugs. The Council official will be personally liable in such circumstances. Where a Council official is taking prescription or pharmacy drugs that contain a warning that the person should not drive a vehicle or operate machinery, then that Council official must not drive a Council vehicle or any vehicle, and or operate machinery unless contrary specific medical advice is obtained and confirmed in writing by a medical practitioner.
6. Council will manage the risk of alcohol and drugs in the workplace through a structured program of testing that includes:
 - a) Implementing a program of compulsory random breath testing and random saliva testing.

- b) Undertaking compulsory breath and saliva testing where required for accidents and incidents in the workplace.
- c) Undertaking compulsory breath and saliva testing where there is suspicion or concern for a Council official being under the influence or impaired by alcohol. Reasonable grounds of suspicion may include where the Council official:
 - i. Is unable to coordinate their actions;
 - ii. Has red or bloodshot eyes, or dilated pupils;
 - iii. Smells of alcohol;
 - iv. Acts contrary to their normal behaviour;
 - v. Is not behaving in a professional and competent manner and in accordance with Council standards;
 - vi. Otherwise appears to be impaired or affected by drugs or alcohol.

- 7. Refusal to participate in compulsory testing programs will constitute a breach of this Policy.
- 8. Council will provide self-testing equipment to enable staff to voluntarily test themselves.
- 9. Council has a range of options available to remedy breaches of this Policy. The specific option will be chosen to ensure that the level of action is proportionate to the level of risk and seriousness of the breach. Where appropriate, these options may be used in an escalatory manner.
- 10. Procedures to be undertaken in different situations to determine whether a breach has occurred have been included within the Georges River Drug and Alcohol Procedures document.

RESPONSIBILITIES

Position	Responsibility
<i>Council Official</i>	<ul style="list-style-type: none"> • Complying and observing all directions from Council in regards to this Policy • Participating in Council’s compulsory alcohol and drug testing programs when required • Notifying the General Manager or manager/supervisor if they are taking any prescribed drug or medication, which may affect their fitness for duty or safety performance • Immediately notifying the General Manager if they are aware of any

	breach of this Policy by another Council official. Subject to any disclosures required by law, any notifications received by management will be treated confidentially. Failure to report any breach of this Policy by another Council official may itself constitute a breach of this Policy.
<i>Management</i>	<ul style="list-style-type: none"> • Implementing this Policy within their work area • Observing the behaviour of their members of staff to ensure adherence with this Policy • Addressing any concerns or issues about breaches of this Policy of which they become aware proactively and expediently to ensure the health and safety of all Council officials • Providing supporting to members of staff where appropriate
<i>Event / Function Coordinator</i>	<ul style="list-style-type: none"> • Carrying out a risk assessment and implement controls when alcohol will be supplied or consumed at an event • Carry out supervision of employees' behaviour to ensure adherence to this Policy
<i>General Manager</i>	<ul style="list-style-type: none"> • Ensuring all Council Officials are made aware of, and understand, this Policy • Oversee the implementation of the Policy • Respond to requests for permission to consume alcohol by a Council Official • Ensure risk assessments are undertaken prior to approving the supply or consumption of alcohol at a Council event, functions or meetings.

VERSION CONTROL AND CHANGE HISTORY

Version	Amendment Details	Policy Owner	Period Active
KCC	Former Kogarah Council Policy discontinued	Kogarah Governance	8/10/2014 – 12/05/2016
HCC	Former Hurstville Council Policy discontinued	Hurstville Governance	1/11/2012 – 12/05/2016
1.0	New Georges River Council Drug and Alcohol Policy Approved by Council Resolution CCL096-17	Executive Manager People and Culture	5/06/2017 – 16/11/2021
2.0	Policy reclassified as 'Executive Policy' as per Council Resolution 27/09/21 (CCL061-21 /	Manager People and Culture	16/11/2021 - ongoing

FIN043-21). Additional minor amendments to the policy as outlined in the report presented to the Executive 16/11/21.
