



Smoking, Alcohol and Substance Abuse

Introduction Smoking

Childhood First recognises that the health, safety and welfare of employees, sub-contractors and anyone else directly affected by the Charity's operations are of prime importance. The Charity has therefore developed and enforces a dedicated smoking policy, conforming to the requirements of the smoke-free legislation.

Application

This policy is applicable to all employees at whatever level of the Charity's hierarchy, as well as sub-contractors who undertake activities on behalf of the Charity and any visitors on the Charity's premises. This policy and its mandatory application will be communicated to all employees, sub-contractors and interested parties.

As part of the Charity's induction process, new starters should be told about this policy and shown where it is located on Tri-ex. Employees are responsible for informing their visitors to the premises of this policy.

Prohibition on smoking

Smoking is strictly prohibited on all parts of the organisation's premises, including at entrances or anywhere on its grounds. This includes areas that are outside but that form part of the organisation's premises.

Employees who smoke must go outside the Charity's premises to smoke.

Homeworkers

Homeworkers are not required to refrain from smoking during the course of work that is carried out for the organisation in their home, unless they invite others into an area of their home for work purposes.

Electronic cigarettes

Childhood First acknowledges that some employees may wish to make use of electronic cigarettes ("e-cigarettes") in the workplace, particularly as an aid to giving up smoking. E-cigarettes are battery-powered products that release a visible vapour that contains liquid nicotine that is inhaled by the user.

Although they fall outside the scope of smoke-free legislation, the organisation prohibits the use of e-cigarettes in the workplace. The organisation's rationale for a ban on e-cigarettes is that:

- although they do not produce smoke, e-cigarettes produce a vapour that could provide an annoyance or health risk to other employees;
- some e-cigarette models can, particularly from a distance, look like real cigarettes, making a smoking ban difficult to police, and creating an impression for visitors, children/young people and other employees that it is acceptable to smoke.

Non-compliance

Any infringement of these rules by an employee may result in appropriate disciplinary action, which will be dealt with in accordance with the Charity's disciplinary procedure. Employees are also reminded that it is a criminal offence for employees to smoke in smoke-free areas, with a fixed penalty of £50 or prosecution and a fine of up to £200.

Introduction Alcohol and substance abuse

Childhood First prohibits the drinking of alcohol by employees and contractors in the workplace or on company business other than reasonable drinking of alcohol in connection with approved social functions. The organisation regards drinking to an "unreasonable level" as any of the following situations:

- The individual is over the legal limit stipulated for driving (ie 35mcg/100ml of breath alcohol concentration).
- In the opinion of management, the individual's performance is impaired. This may be at less than the legal limit stipulated for driving.
- In the opinion of management, the individual's behaviour may cause embarrassment, distress or offence to others.
- The individual continues to drink when instructed to stop by a manager.

Childhood First will take all reasonable steps to prevent employees and contractors carrying out work-related activities if they are considered to be unfit/unsafe to undertake the work as a result of alcohol consumption or substance abuse.

The Charity expressly prohibits the use of any illegal drugs (including psychoactive substances, including those formerly known as "legal highs") or any prescription drugs that have not been prescribed for the user. It is a criminal offence to be in possession of, use or distribute an illicit substance and to produce, supply or possess with intent to supply psychoactive substances. If any such incidents take place on organisation premises, in organisation vehicles or at a company function, they will be regarded as serious, will be investigated by the organisation, and may lead to disciplinary action and possible reporting to the police.

No employee or other person under the Charity's control shall, in connection with any work-related activity:

- report, or endeavour to report, for duty having consumed drugs or alcohol likely to render them unfit and/or unsafe for work;
- consume or be under the influence of drugs or alcohol while on duty [unless, in the case of alcohol, with the agreement of line management for the purposes of official company entertaining];
- store drugs or alcohol in personal areas such as lockers and desk drawers; or
- attempt to sell or give drugs or alcohol to any other employee or other person on the company premises.

Any employee suffering from drug or alcohol dependency should declare such dependency, and the organisation will subsequently provide reasonable assistance, treating absences for treatment and/or rehabilitation as any other sickness absence. (Failure to accept help

or continue with treatment will render the employee liable to normal disciplinary procedures.)

Maintaining Policy

Childhood First will monitor the effectiveness of this policy and its general compliance within the organisation.

This policy will be kept up to date and amended accordingly to reflect any changes in response to revised legislation and applicable standards and guidelines.

This policy is fully supported by the top management of the Charity. In support of this intent, the policy will be reviewed at least annually.

Key Legislation

- Health Act 2006
- Smoke-free (Premises and Enforcement) Regulations 2006 (SI 2006/3368)
- Smoke-free (Penalties and Discounted Amounts) Regulations 2007 (SI 2007/764)
- Smoke-free (Signs) Regulations 2012 (SI 2012/1536)
- British Medical Association (BMA) updated briefing on e-cigarettes
- Health and Safety at Work etc Act 1974
- Management of Health and Safety at Work Regulations 1999 (SI 1999/3242)

Amended February 2021