



Policy Reference No: PM14

Drugs and Alcohol Policy

St Helens Borough Council

Effective from: 1 September 2026



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Policy Information

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01/09/2026	Phil Ingham	1	Update and introduce 'for cause' testing

Our Vision and Values

The Council has co-designed a clear vision for workplace culture and worked together with employees to identify values and behaviours for everyone. These will be at the core of how we work together to deliver our services. Employees will be empowered to deliver new ways of thinking and new ways of working, encouraging innovation and creativity in a learning environment.

Our vision, values and behaviours are underpinned by our Bonds for Working Together at St Helens which outline what employees can expect from working at the Council and what is expected of them.

Our Culture, vision, values, behaviours and Bonds for Working Together at St Helens



Introduction and Purpose

The purpose of this policy is to ensure a safe, healthy, and productive work environment for all employees.

Alcohol and drug use can affect work performance and behaviour in a negative way and can pose a risk to employees and service users.

St Helens Council is committed to supporting employees who seek help for substance abuse issues while maintaining a zero-tolerance approach to attending work while impaired by the use of drugs or alcohol.

Policy Statement

The Drugs and Alcohol Policy provides the Council's stance on the approach that will be taken in terms of drug and alcohol issues within the workforce and provides a framework for managing situations where employees are experiencing issues with drug or alcohol misuse.

The following principles are core to this policy:

1. **Support for Employees:** The Council encourages employees who are struggling with substance abuse to seek help and wishes to create an environment where employees feel safe to discuss issues around substance misuse. Employees can confidentially approach their manager or a member of the People Management team to seek support, including counselling and rehabilitation services.
2. **Zero Tolerance:** The Council strictly prohibits the use, possession, distribution or sale of drugs and alcohol on work premises or while performing work-related duties. Employees found to be impaired by drugs or alcohol during work hours will be subject to disciplinary action, up to and including summary dismissal.
3. **Drug and Alcohol Testing:** The Council will have the ability to conduct drug and alcohol testing in certain circumstances, as defined in the policy.

Scope of the Policy

This policy applies to all employees of St Helens Borough Council except for staff employed by schools.

Definitions and Abbreviations

In the Policy, the following words and phrases mean:

Council - St Helens Borough Council

Employee - Those employed by St Helens Borough Council including agency/consultancy staff, secondees to the organisation and those employed under partnership arrangements.

Drugs - For the purposes of this policy, the term 'drugs' includes, but is not limited to:

- **Illegal substances** as classified under the Misuse of Drugs Act 1971 (e.g. cannabis, cocaine, heroin, MDMA).
- **Controlled substances** obtained unlawfully or used without a prescription (e.g. prescription opioids, benzodiazepines).
- **Over-the-counter (OTC) medications** used in a manner inconsistent with the instructions or for non-medical purposes.
- **Novel Psychoactive Substances (NPS)** – often referred to as ‘legal highs’ – even if not yet formally controlled under drug legislation.
- **Solvents and other volatile substances** (e.g. glue, gases, aerosols) when used to produce a psychoactive effect.
- **Any other substances**, whether legal or illegal, used to produce a change in mental state or impair normal bodily function in a way that may affect work performance or safety.

Impairment – ‘Impaired’ refers to a condition where an individual’s ability to carry out their duties safely, effectively, or professionally is reduced due to the influence of alcohol, drugs or other substances. This may include diminished coordination, concentration, decision-making, or awareness. Impairment may pose a risk to the individual, colleagues, service users or the public.

Equality, Diversity and Inclusion

The Public Sector Equality Duty of the Equality Act 2010 applies to both employment at the Council and in the delivery of Council Services. The Council’s Comprehensive Equality Policy sets out the duties and requirements of the Equality Act 2010, and other relevant legislation.

The Equality Act 2010 protects all people from discrimination, harassment and victimisation. The Council is committed to promoting equal opportunities in employment and all employees will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, religion or belief, sex or sexual orientation or caring responsibility.

The Council has a zero tolerance towards discrimination, harassment and victimisation. All employees must show due regard to acknowledge and value people’s differences, and, as far as possible, where permissible in Council policy and practice, meet an individual’s needs in accordance with their choices and preferences.

The minimum standard of behaviour and attitude expected of council staff is to ensure all people who employees come into contact with are given equal opportunities and treated fairly and respectfully.

Procedure

Employees are expected to begin work in a fit state, free from impairment by alcohol or drugs, and to remain so during working hours. This also applies to periods when they have to be available to attend work i.e. undertaking on-call / standby duties.

Consuming alcohol or drugs in work time, and/or on work premises (including vehicles) is not permitted and will be considered a disciplinary issue.

The use, possession, buying or selling of illegal drugs on Council premises, in Council vehicles or during working hours is strictly prohibited, will constitute gross misconduct and will be reported to the police for investigation.

Prescribed drugs

Employees taking prescribed or over-the-counter medication that could impact their ability to perform their duties safely or effectively, or pose a risk to their own or others' health and safety, must inform their line manager as soon as possible.

Managers should assess any potential impact on their ability to undertake their role, and can take advice from People Management and/or Occupational Health.

Where an employee believes they may have a problem with drink or drugs

The Council wishes to take a supportive approach with employees who are having problems with drugs or alcohol. Alcohol and drug dependency are primarily health problems, and the Council will seek to support employees to deal with their problem as far as is reasonably possible.

Where an employee believes that they are experiencing a problem with drink or drugs, they are encouraged to approach their manager or a member of the People Management team in confidence. Where the initial contact is made with a member of People Management, employees should understand that the information will subsequently need to be shared with their manager to enable appropriate support to take place on a day-to-day basis.

Employees who seek support in this way will be assisted by the Council to access appropriate support to help them overcome their issues.

This may include signposting to the support available via the Employee Assistance Programme, referral to a local drug / alcohol support service and/or seeking advice from the Occupational Health Unit.

To ensure that the plan of support is clear and understood, the manager should meet with the employee to produce a written support plan. A suggested template for recording the support plan can be found here ([link to document](#)).

The support plan should contain clarity regarding the responsibility of the employee and their manager, realistic targets and timescales, clear expectations of the employee and any other agreed methods of support.

The plan should contain a review period and provide clarity of any potential action which may be taken regarding the employee's employment with the Council if treatment / support is not successful, or if the employee doesn't comply with the support plan.

Where an employee is receiving appropriate support, and this requires attendance at appointments / treatment sessions during work time, consideration should be given as to the

most appropriate way of facilitating this. This might include a flexible approach to working hours, leave or lieu time. There should be regular contact between the employee and their manager to make sure they are making progress and are well enough to be in work.

Advice for managers throughout this process is available from their People Management Business Partner.

In some cases, an employee recognises that they have a problem and they may be able to manage it entirely themselves, or they may get support to do so. They can access support via the Council's Employee Assistance Programme and there are lots of external agencies that can help – ([link to document](#)).

Employees managing a drug or alcohol problem must take all reasonable steps to avoid putting themselves, colleagues, or the public at risk. If they are unfit for work due to substance use, they are required to inform their manager or another appropriate person. Attending work while unfit due to drugs and/or alcohol, and thereby posing a risk to safety or the Council's reputation, will be addressed under the disciplinary procedure even if a support programme is in place.

If an employee with a drink or drug problem does not cooperate with attempts to address the problem, support may be withdrawn and continued issues with substance misuse may be addressed via other appropriate Council procedures.

Fitness to Undertake Duties

Whilst every effort will be made to keep the employee in their existing job while being supported, if at any point during the process, there is doubt about whether they are fit and safe to undertake their duties, the manager should undertake a risk assessment.

This is essential as the Council has a duty of care for all concerned. They should then decide on the best course of action, which could include the following options:

- Work from more appropriate site.
- Re-allocate duties.
- Temporarily redeploy them.

This is particularly important in roles where health and safety are critical, or there is a particular risk to service users or the public.

Whilst an employee is receiving treatment they may be on medication that can affect their ability to do their job or some aspects of it. All options should be looked at to keep them in work wherever possible including those already mentioned. In these circumstances, if the manager is in any doubt they should contact their People Management Business Partner for advice.

Where being impaired by drink or drugs is suspected in the workplace

Employees who suspect a colleague is impaired by drink or drugs should report their concerns to a manager immediately.

Managers may also develop concerns over an employee being impaired by drink or drugs because of a variety of factors.

These can include:

- Accident / incident at work e.g. a road traffic accident.
- Physical signs i.e bloodshot eyes, dilated pupils, slurred speech, unsteady gait, odour.
- Behavioural signs i.e increased aggression, mood swings, confusion, excessive drowsiness, sleeping at work.
- Performance issues i.e. reduced productivity, decline in work quality, frequent unrelated absences.
- The discovery of drugs, paraphernalia or alcohol containers.

This list is not exhaustive.

Where the manager has reasonable cause to suspect an employee to be impaired by drink or drugs, they should arrange for drug / alcohol testing to take place. Guidance to support managers in dealing with an employee suspected of being impaired by use of a substance is ([link to document](#)).

Managers must think about the best way to supervise employees who work from home, or who undertake other types of remote work. Managers should also be aware of the possibility that these types of agile working options could be used to hide issues, i.e. an employee with alcohol or drug problems might try to avoid being seen or heard by colleagues if they impaired due to use of a substance.

Testing

The Council will engage the services of an external provider that is fully trained and accredited to undertake drug and alcohol testing.

When a manager requires an employee to be tested, based on reasonable suspicion of being impaired by drink or drugs, they should contact their People Management Business Partner to discuss the issue.

Where this occurs out of normal working hours, relevant sites will have an authorising manager who can make the arrangements for testing directly with the company.

The testing company will attend the relevant site within two hours to undertake the appropriate testing.

For suspected drug misuse, the test will involve collecting oral fluid (saliva).

For suspected alcohol misuse, the test will be a handheld Home Office-type breathalyzer test.

Employees must comply with the requirements of the testing process to ensure that accurate results are obtained.

Failure to comply with the process will be considered as if a failed result has occurred and the appropriate action will follow in accordance with the Council's Disciplinary Rules and Procedure.

Test Results

In terms of a test for drug use, the onsite test will produce either a negative or non-negative result. Where the result is negative, the manager can be assured that the employee is not impaired by drugs.

Where a non-negative result is produced, the employee will be suspended from work on full pay until further analysis has taken place by the testing company. The time period for a full laboratory confirmation analysis is approximately three to five working days.

Where the laboratory analysis confirms the presence of drugs, the matter will be considered in accordance with the disciplinary procedure.

Where there is a negative result, there may still be a need to address the underlying reasons (eg conduct, performance etc) that prompted the testing. This should be discussed with the People Management Business Partner who can advise on the appropriate procedure to use.

For alcohol testing, where a test result indicates a result above the England, Wales and NI legal limit, this will be considered a failed test and the matter will be considered in accordance with the disciplinary procedure.

Where a test result indicates the presence of alcohol, but the reading is below the England, Wales and NI legal limit, no formal action will be taken but the employee will be advised that they may be subject to further random testing over the following six months.

Periodic Monitoring

'Assurance' testing can also be arranged where an employee has been identified as having a drug or alcohol problem and is receiving support from the Council, or where this is stipulated as part of a disciplinary sanction or alcohol test result which is positive but below the England, Wales and NI legal limit.

This should be arranged using the same process identified above, and the employee should not have prior notice that testing will be taking place on a particular day.

Appealing a Positive Result Outcome

An employee may appeal a confirmed positive drug or alcohol test result within 10 working days of being notified of the result.

Appeals must be submitted in writing to the employee's manager, setting out the grounds for appeal, any information the employee believes may have affected the test result, and any supporting evidence. Appeals submitted outside this timeframe will not normally be considered.

An appeal may only be made on the following grounds:

- **Alcohol testing:** the employee believes the alcohol test result is inaccurate
- **Drug testing:** the employee believes the laboratory drug test result is inaccurate

Appeals cannot be made on any other grounds.

Where an appeal is lodged, the employee will be responsible for the costs associated with the appeal process (calibration check for alcohol tests and B Sample processing for drugs tests), unless the appeal is upheld.

Alcohol Test Appeals

At the employee's expense, a written request will be made to the manufacturer of the calibrated digital alcoholmeter used to conduct the test, requesting a calibration check to confirm the accuracy and validity of the instrument at the time of testing.

A copy of the calibration report will be provided to the employee and to the Council.

Drug Test Appeals

At the employee's expense, the retained sample from the original test (the *B sample*) will be sent directly by the original testing laboratory to an alternative accredited laboratory for independent analysis.

This process forms part of the standard B-sample challenge procedure. The secondary laboratory will issue a report which will either confirm or refute the original test result. A copy of the report will be provided to the employee and to the Council.

Appeal Outcome

Where an appeal is successfully upheld, the employee will be reimbursed for the reasonable costs incurred in pursuing the appeal.

The outcome of the appeal will be confirmed in writing and is final in respect of the test result.

Official Functions

It's recognised that alcohol may be served at official functions, such as receptions, conferences, or celebrations, whether on or off Council premises. The following principles apply:

- **Permission** – where alcohol is available, the permission to partake in consuming alcohol will be explicit, from a senior officer / Member. If explicit permission is not given, alcohol must be avoided.
- **Professional Conduct** – employees are expected to uphold the Council's values and maintain professional standards of behaviour at all times. Alcohol consumption, where permitted, should be moderate and responsible and it is the employee's responsibility

to ensure it does not impair their judgement, behaviour, or ability to represent the Council positively.

- **Drug Use** – the use of illegal drugs or misuse of prescription drugs at any Council function is strictly prohibited and will be treated as a disciplinary matter, potentially constituting gross misconduct.
- **Attendance at Work** – employees attending Council functions during or outside of working hours must ensure they are fit for work the following day.
- **Driving and Travel** – employees must not drive Council or personal vehicles after consuming alcohol or drugs at official events. Alternative travel arrangements should be made where necessary to ensure safety and legal compliance.
- **Manager Responsibilities** – managers are responsible for setting clear expectations and challenging inappropriate behaviour at events. They must also ensure employees are aware of these standards in advance of functions where alcohol is available.