

# COGNITA



COLCHESTER  
PREP AND HIGH SCHOOL

## **Drug, Alcohol and Smoking Policy**

September 2024

**KEY FACTS:**

- ❖ Use of or being under the influence of illicit drugs is strictly prohibited and may result disciplinary action, up to and including dismissal.
- ❖ Use of prescribed or over the counter medications where side effects may affect your work should be reported to your Head/Line Manager.
- ❖ Being under the influence of alcohol is strictly prohibited except at authorised workplace events.
- ❖ Smoking or Vaping is only permitted in authorised & designated areas.
- ❖ A dependency to alcohol and/or drugs / medication should be made known to the Head / Line Manager.

<b>Ownership and consultation</b>	
Document sponsor/approver	HR Director, Europe
Document author	Employee Relations Manager
Consultation with	Head of HR
<b>Audience</b>	
Audience	All Employees
<b>Document application</b>	
The policy is related to this jurisdiction	England
	Wales
<b>Version control</b>	
Review cycle	Annual
Effective from	September 2024
Next review date	September 2025
Version	Anti-Drug, Alcohol and Smoking Policy-2023-09-01 V2

## 1. Introduction

- 1.1 This policy aims to set the standard of how Cognita will manage incidences relating to drugs, alcohol and/or smoking either in or outside of the workplace. The consumption of illicit drugs and/or inappropriate consumption of alcohol and/or prescription medication has implications for safety and productivity in the workplace and can affect a person's ability to work safely and creates an unacceptable risk to health and safety.

## 2. Scope

- 2.1 This policy applies to all UK employees.
- 2.2 This policy does not form part of any employee's contract of employment and therefore can be amended / modified or removed without the requirement of forewarning or consultation.

## 3. Definitions / Terms

- 3.1 Controlled drugs – A drug that is considered controlled is defined under the Misuse of Drugs Act 1971 and the Misuse of Drugs Regulations 2001 and are categorised into three classes (A, B or C) and assigned a schedule. It is unlawful to be in possession or under the influence of any of these drugs without a valid prescription.
- 3.2 Prescription medication – A medication (drug) issued by a UK regulated medical practitioner.
- 3.3 Over the counter medicine – These are medications that can be purchased without the need for a prescription, these medications are considered safe as long as administration is managed in line with the directions on the label.
- 3.4 Substances – Refers to alcohol and/or drugs

## 4. Key Roles & Responsibilities

### 4.1 Head / Line Manager

- 4.1.1 Head / Line Managers should ensure that their teams are fully aware of the standards and expectations set out in this policy and manage any suspected or confirmed non-compliance robustly and without unnecessary delay.

### 4.2 Employee

- 4.2.1 All employees should take personal responsibility for ensuring they adhere to this policy, specifically relating to appropriately managing and using sound judgement if they believe they are impaired by over the counter / prescription medication. All employees are responsible for reporting any dependency issues to their Head / Line Manager.

### 4.3 Human Resources

- 4.3.1 The Human Resources team are available to provide guidance and support in the application of this policy as and when required.

## 5. Prescription / Over the Counter Medication

- 5.1 The consumption of prescription medication or those purchased over the counter are the only medication allowed to be used and stored securely on the work premises, this includes being always out of the reach of pupils. As such, medication must not be stored where a pupil can reasonably gain access (e.g., in an employee's personal belongings where they are stored within reach of pupils). It is an employee's responsibility to ensure the storage of medication is secure and an employee should speak to their Head / Line Manager if they require any guidance given their personal circumstances.
- 5.2 If an employee is prescribed medication or are taking over the counter medication and the side effects from these medications could reasonably impact on their behaviour, performance, or cause safety concerns (e.g., the medication carries a warning label), an employee must report this to their Head / Line Manager immediately where a discussion can take place which assesses risk(s) and determines their ability to perform their duties.
- 5.3 If an employee believes that their consumption of prescribed or over the counter medication is causing side effects which would adversely affect their ability to carry out their role safely, they should report this as sickness absence in line with the absence reporting procedure.

## 6. Psychoactive Substances & Illicit Drugs

- 6.1 A psychoactive substance (often and misleadingly called a 'legal high') contains chemicals which produce similar effects to illegal drugs. The Psychoactive Substances Act 2016 has made the production, supply, possession or import into the UK as unlawful.
- 6.2 An illicit drug is one which has been classified as illegal to produce, supply, possess or import into or outside of the UK as unlawful. Examples of illicit drugs include cannabis, cocaine, heroin and ecstasy.
- 6.3 All employees must not possess, consume and/or be under the influence of psychoactive substances and/or illicit drugs whilst at work.

## 7. Alcohol

- 7.1 All employees must not consume alcohol whilst at work (unless this as a work-related event and it is permitted for employees to consume alcohol).
- 7.2 All employees must not possess alcohol on the work premises unless the possession relates to a work-related event, or the Head / Line Manager approves its possession. Any possession of alcohol must be stored responsibly and out of reach of children or young people.
- 7.3 All employees must not be under the influence or for it to be perceived as if you are under the influence of alcohol whilst at work, this includes any consumption of alcohol the night before work. The perception of being under the influence of alcohol can include (but is not limited to) smelling of alcohol, visibly abnormal eyes (e.g., pupils blood shot), imbalance or irregular movements, drowsiness / falling asleep and out of character behaviour.

- 7.4 In the event of a work event / function, where alcohol is provided by Cognita, or is able to be purchased by the employee, the following applies:
- 7.4.1 **Be responsible** – A work event / function (regardless of the location it is held) should be treated as an extension of the workplace. As a result, employees should ensure their treatment of one another mirrors how they would treat each other at work. As a guide, where alcohol is being consumed, it is helpful to always steer away from debating or discussing issues which can become potentially contentious, e.g., political views or beliefs. As a reminder, workplace policies still apply.
  - 7.4.2 **Confidentiality** – All employees should be mindful that whilst a workplace event is an opportunity for colleagues to meet and get together, all employees are bound by confidentiality and should refrain from openly discussing (in the ear shot of other) any work activity which is confidential and/or sensitive.
  - 7.4.3 **Know your limits** – Regardless of whether alcohol is provided or is available for employees to purchase, each employee is responsible for their personal intake of alcohol. Employees should listen to their bodies or words of advice from a colleague if being directed to drink water or switch an alcoholic beverage to a soft drink.
  - 7.4.4 **Driving** – Employees should ensure they have a way of leaving a work event safely and should ensure they do not drive if they have been drinking alcohol and this includes the day after. Whilst this is a requirement for all alcohol consumers who drive, for those whose role requires them to drive for work purposes, any decision to drive after drinking alcohol can also affect your employment.

## 8. Smoking at Work

- 8.1 All employees are prohibited from smoking and/or vaping (irrelevant of nicotine content) on all work premises and schools, regardless of whether within contractual hours, except in designated or pre-authorised areas. For the avoidance of doubt, this includes the immediate surrounding areas of any schools, at any time.
- 8.2 All employees who use designated smoking areas are responsible for ensuring that these areas remain clean and tidy, ensuring all litter and associated waste from smoking is disposed of appropriately. Where these standards are not met, Cognita reserves the right to remove the designed area in its entirety.

## 9. Procedure

- 9.1 Where it is suspected that an employee is under the influence of a substance at work, an initial discussion with the employee will take place by the Head / Line Manager to discuss the concerns and provide the employee with an opportunity to explain or account for the suspicion. Following that discussion, the following actions may take place:
  - 9.1.1 There is evidence that the employee is taking prescription medication and/or the suspicions are reasonably attributed to a medical condition. A discussion with the employee to be held and an outcome is that the employee takes sickness absence. The employee should be supported with getting home or to a place of safety if it is felt they are unable to drive and/or be alone whilst travelling.

- 9.1.2 As a result of the initial discussion, it is felt that the suspicion the employee is under the influence of a substance remains and therefore the employee is suspended from their duties.
- 9.2 Where there is reasonable suspicion that an employee may be in possession of unauthorised alcohol and/or substances, the Head / Line Manager can have a discussion with the employee and following that discussion, if agreement is given by the employee, the Head / Line Manager and another appropriate employee can conduct a witnessed search of any personal items belonging to the employee that are stored on company premises. If the employee refuses to consent to a search of their belongings, which in the opinion of Cognita is unreasonable, the employee will be required to leave the school / workplace. The Head / Line Manager should seek any additional support from the HR Department, as required.
- 9.3 As a result of the search, or the discovery of unconcealed items (which are reasonably believed to be alcohol and/or substances), the Head / Line Manager may contact the Police and any other relevant external agencies.
- 9.4 Where it is believed that an employee has breached this policy, an investigation will be instigated in line with the **Disciplinary Policy**.

## 10. Testing

- 10.1 Cognita reserves the right, at its discretion, to ask employees to attend drug and/or alcohol testing where there is a concern relating to an employees conduct and/or capability. This testing will be conducted by a certified and accredited 3<sup>rd</sup> party at the cost of Cognita. If an employee refuses to be tested, or unreasonably delays a test taking place, Cognita will make decisions regarding the employee without this information.

## 11. Dependence

- 11.1 Where an employee notifies Cognita of their dependence to alcohol and/or a substance, as a result of the application of this policy (or a connected employment policy), Cognita will act reasonably in supporting the employee and balancing any risks that the dependence held in the concern raised and any future risks. This may include seeking medical advice from the employees GP and/or Occupational Health.

## 12. Independent & Confidential Support

- 12.1 Drinkline  
Helpline: 0800 917 8282 / [www.drinklink.org](http://www.drinklink.org)  
Drinkline runs a free and confidential helpline for people who are concerned about their own or someone else's drinking.
- 12.2 Withyou  
[www.wearewithyou.org.uk](http://www.wearewithyou.org.uk)  
A leading drug and alcohol charity.

## 13. References

- 13.1 Disciplinary Policy
- 13.2 Misuse of Drugs Act 1971

13.3 Misuse of Drugs Regulations 2001

13.4 Psychoactive Substances Act 2016