

HETTY Drug, Alcohol and Substance Misuse Policy

Purpose

To protect the health, welfare and safety of children, staff, volunteers, students, visitors and families by ensuring that everyone working with children is fit to carry out their role safely and responsibly.

Statement of intent

HETTY recognises that alcohol may form part of an adult's lifestyle and that prescribed or over-the-counter medication may be necessary. However, anyone working with or around children must not consume, possess or be under the influence of alcohol, illegal drugs or any other substance that may affect their judgement, conduct or ability to care for children safely.

HETTY will respond promptly to concerns while treating staff fairly, maintaining confidentiality and offering appropriate support when a person discloses a drug or alcohol-related health problem.

Scope

This policy applies to:

- all employees;
- governors and trustees;
- agency staff;
- apprentices, students and volunteers;
- contractors and visitors; and
- anyone working on behalf of HETTY.

It applies during working hours, training, meetings, outings, work-related travel and events where a person is representing HETTY.

Legal and statutory framework

This policy has regard to:

- the Early Years Foundation Stage statutory framework for group and school-based providers;
- the Childcare Register requirements;
- the Health and Safety at Work etc. Act 1974;
- the Management of Health and Safety at Work Regulations 1999;
- the Misuse of Drugs Act 1971;
- the Road Traffic Act 1988;

- the Equality Act 2010;
- the Employment Rights Act 1996; and
- current Health and Safety Executive and ACAS guidance.

Expectations of staff

All staff and other adults covered by this policy must:

- arrive at work fit and able to carry out their duties safely;
- not consume alcohol or illegal drugs during working hours, including breaks;
- not attend work while affected by alcohol, illegal drugs, misused medication or another intoxicating substance;
- not possess, supply, distribute or sell illegal drugs on HETTY premises or during a work-related activity;
- not misuse prescription or over-the-counter medication;
- seek advice from a doctor or pharmacist about whether medication may affect their alertness, judgement, coordination or ability to care for children;
- inform the Manager promptly if medication, treatment or a medical condition may affect their ability to work safely;
- not drive a vehicle, transport children or operate equipment when affected by alcohol, drugs or medication;
- report concerns about another person's fitness for work immediately; and
- cooperate with any reasonable risk assessment or temporary adjustment to duties.

Staff must disclose information when medication or its side effects could affect their ability to work safely. Medical information will be handled confidentially and shared only where necessary.

Medication

Taking prescribed or over-the-counter medication does not automatically prevent a person from working.

Where medication may cause drowsiness, dizziness, reduced concentration, changes in behaviour or another relevant side effect, the Manager will complete an individual risk assessment. This may result in:

- temporary adjustments to duties;
- additional supervision;
- the person not driving or accompanying an outing;
- advice being sought from occupational health or a medical professional; or
- the person remaining away from work until they are fit to return.

Staff medication must be stored securely and out of the sight and reach of children, in accordance with HETTY's medication procedures.

Alcohol and substances on HETTY premises

Staff, students, volunteers, parents, carers, visitors and contractors must not bring alcohol or illegal drugs onto HETTY premises or consume them during a HETTY activity.

Anyone who arrives at HETTY under the influence of alcohol, illegal drugs, misused medication or another intoxicating substance will not be permitted to remain around children. Appropriate safeguarding, employment or visitor procedures will be followed.

Responding to a concern about a member of staff

Signs such as changes in behaviour, speech, coordination, alertness, attendance or performance may have many possible causes. Staff must not diagnose or make accusations. Concerns must be based on factual observations and reported immediately to the Manager or the most senior person on duty.

The following procedure will apply:

1. The person will be removed immediately from direct contact with children and from any safety-critical duties.
2. The Manager will speak with them privately. Where possible, another senior person will be present.
3. The Manager will record factual observations, the person's explanation and the action taken.
4. Ratios and children's safety will be maintained at all times.
5. If the person appears unfit to work, they will be instructed to leave the workplace. Safe arrangements will be made for them to travel home or obtain medical assistance. They must not drive.
6. Emergency medical assistance will be requested if the person is unconscious, seriously unwell or at immediate risk.
7. The person may be asked to remain away from work or be suspended on full pay while the matter is investigated. Suspension is a neutral safeguarding measure and is not, by itself, disciplinary action.
8. The concern will be investigated fairly under HETTY's disciplinary, safeguarding or staff-suitability procedures, as appropriate.
9. The Manager and Designated Safeguarding Lead will consider whether the matter must be reported to Ofsted, the Local Authority Designated Officer (LADO), the police or another relevant agency.

10. Information will be kept confidential and shared only with those who need it to protect children, manage the concern or meet a legal duty.

If the concern relates to the Manager, it must be reported to the Chair of Governors or Trustees.

Parents or carers under the influence

If a parent or carer arrives to collect a child and staff reasonably believe that they are under the influence of alcohol, drugs or another substance, the Manager or Designated Safeguarding Lead will assess whether the child can be released safely.

Staff will:

- speak with the adult calmly and away from children where possible;
- request that another authorised adult collects the child;
- make every reasonable effort to prevent the child travelling in a vehicle driven by an adult who appears impaired;
- contact the police if the adult intends to drive and there is an immediate danger;
- follow HETTY's Safeguarding and Child Protection Policy where the child may be at risk;
- seek advice from children's social care where appropriate; and
- record the concern, observations, decisions and actions taken.

Staff must not place themselves or others at physical risk. If the adult becomes aggressive or attempts to remove the child when staff believe there is an immediate danger, the police will be contacted.

Illegal drugs and criminal activity

Possessing, supplying or producing controlled drugs may be a criminal offence. HETTY will contact the police where required or where there is an immediate risk to children or others.

Any suspected substance will not be handled unnecessarily. It will be secured safely, away from children, while advice is obtained from the police.

Suspected drugs, needles or drug-related items

If a suspected illegal substance, needle or drug-related item is found on HETTY premises or grounds:

- children will be moved away and the area made inaccessible;
- staff must not touch, smell, taste or unnecessarily move the item;

- the Manager or Designated Safeguarding Lead will be informed immediately;
- the police or an appropriate specialist service will be contacted for advice and safe removal;
- the incident and actions taken will be recorded; and
- safeguarding procedures will be followed where the item may be connected to a child or family.

Support for staff

HETTY recognises that drug or alcohol dependence may be a health concern. A member of staff who seeks help will be treated sensitively and encouraged to obtain support through:

- their GP;
- occupational health, where available;
- counselling or an employee assistance service;
- NHS alcohol support services;
- FRANK; or
- an appropriate specialist treatment service.

Subject to children's safety and operational requirements, HETTY may consider reasonable time away from work for assessment or treatment and a supported return-to-work plan.

Seeking help will not automatically result in disciplinary action. However, support does not prevent action where there has been serious misconduct, a safeguarding breach, illegal activity, refusal to cooperate or an unacceptable risk to children or others.

Safeguarding and professional conduct

Being under the influence while responsible for children is a serious safeguarding and staff-suitability concern, is a breach of the EYFS requirements and may constitute gross misconduct.

A staff member must not ignore a concern because they are uncertain about its cause. The immediate priority is to safeguard children and ensure that the person concerned is not undertaking duties when they may be unfit.

Staff raising a genuine concern in good faith will be supported under HETTY's Whistleblowing Policy.

Responsibilities

The Manager will:

- implement this policy consistently and fairly;
- take immediate action to safeguard children;
- maintain appropriate staffing ratios;
- arrange risk assessments and reasonable adjustments;
- keep accurate and confidential records;
- offer appropriate support;
- follow disciplinary and safeguarding procedures; and
- make any required external notifications.

All staff will:

- ensure they are fit for work;
- follow this policy and associated procedures;
- disclose relevant effects of medication;
- report concerns immediately; and
- cooperate with reasonable safeguarding and health-and-safety measures.

Governors and Trustees will:

- oversee the implementation and review of this policy;
- ensure leaders act appropriately when concerns arise; and
- manage any concern involving the Manager.

Confidentiality and data protection

Information concerning health, medication, treatment or substance misuse is sensitive personal information. It will be recorded, stored and shared in accordance with the UK GDPR, Data Protection Act 2018 and HETTY's Data Protection Policy.

Confidentiality cannot be guaranteed where information must be shared to protect a child, prevent serious harm, investigate criminal conduct or comply with a legal or regulatory duty.

Related HETTY policies

This policy should be read alongside HETTY's:

- Safeguarding and Child Protection Policy;
- Behaviour Management Policy;
- Safer Recruitment Policy;
- Whistleblowing Policy;
- Health and Safety Policy; and
- Data Protection Policy.

Monitoring and review

The Manager and Governing Body or Trustees will monitor the implementation of this policy. It will be reviewed annually and sooner if legislation, statutory guidance or the needs of the setting change.

This policy was adopted on	Signed on behalf of the nursery	Date reviewed
<i>17.10.2022</i>	Denise Bowes	<i>12/05/2025</i> <i>24/08/2026</i>