

KOOWEERUP REGIONAL HEALTH SERVICE POLICY AND PROCEDURE MANUAL

SUBJECT:	Smoking and Illicit Drug Use
REVIEWED:	
IMPLEMENTED:	July, 2016 L. & M.
REPOSNSIBLE OFFICER:	C.E.O., D.O.N.; Board

PURPOSE

To outline the Kooweerup Regional Health Service (KRHS) policy on the use of drugs and alcohol by employees and others in the workplace, whilst on duty.

Drugs and alcohol can alter the behaviour and decision making ability of the user and can thereby impair judgement and impair thinking.

KRHS has a commitment to providing a safe workplace for staff and patients and takes its responsibilities seriously with regards to acts or omissions that may occur as a result of drug affected behaviour.

The policy applies to all staff, independent contractors, temporary employees, volunteers and others while they are on hospital premises or undertaking prescribed activities away from the organisation.

POLICY

KRHS prohibits the:

- Unlawful possession or distribution of illegal drugs.
- Unlawful possession or distribution of alcohol.
- Attendance at the workplace or attendance to prescribed activities while under the influence of alcohol or drugs.

OBLIGATIONS

The Occupational Health and Safety Act 2004 states the responsibilities of employers and employees in a workplace.

Section 8 refers to the duties of employers and states:

- An employer must ensure the health, safety and welfare at work of all the employees of the employer.

The duty extends (without limitation) to the following:

- a. Ensuring that any premises controlled by the employer where the employees work (and the means of access to or exit from the premises) are safe and without risks to health.
- b. Ensuring that any plant or substance provided for use by the employees and work is safe and without risks to health when properly used.
- c. Ensuring that systems of work and the working environment of the employees are safe and without risks to health.
- d. Providing such information, instruction, training and supervision as may be necessary to ensure the employees' health and safety at work.
- e. Providing adequate facilities for the welfare of the employees at work.

Section 20 refers to the duties of employees and states:

- An employee must, while at work, take reasonable care for the health and safety of people who are at the employee's place of work and who may be affected by the employee's acts or omissions at work.
- An employee must, while at work, co-operate with his or her employer or other person so far as is necessary to enable compliance with any requirement under this Act or the regulations that is imposed in the interests of health, safety and welfare on the employer or any other person.

SMOKING

KRHS is a smoke free workplace. No smoking is allowed in any buildings or internal areas within the grounds. Exceptions for residents within the Residential Aged Care Units – please refer to Smoke Free Environment Policy for further details.

KRHS is committed to providing a safe and healthy workplace for staff. Consistent with this objective is providing a work environment that reduces staff exposure to cigarette smokers. As a health care provider it is important that KRHS demonstrates to the community responsible practices and policies promoting health.

A range of support programs are available to assist staff who wish to give up smoking. They are made available through the KRHS Management.

All buildings, facilities and vehicles owned by KRHS are Smoke Free.

ILLICIT DRUGS AND ALCOHOL

KRHS is committed to providing safe working environment and safe deliveries of care, therefore it prohibits:

- a. The consumption of alcohol and/or illegal drugs by staff on KRHS premises or whilst on duty.
- b. Unlawful possession, use, production, distribution or sale of alcohol or drugs by an employee.
- c. Driving with any detectable level of alcohol in the course of work related activity. This includes workers and volunteers who may be either driving KRHS fleet vehicles or using their own private vehicles for KRHS purposes (e.g. Home Care Workers travelling to client's homes and volunteers undertaking community transport assistance).

Employees found to have illegal drugs in their possession on KRHS premises will be subject to disciplinary procedures and/or criminal investigation.

KRHS staff employed to drive any vehicles shall have a zero blood alcohol content at all times whilst driving such a vehicle.

Management will encourage employees to attend counselling to address drug or alcohol problems.

Breach of this policy may result in disciplinary action as outlined in KRHS Staff Disciplinary Procedures.

EXEMPTIONS TO POLICY

Alcohol may be consumed at 'special' functions with the express consent of the Chief Executive Officer. For KRHS wide functions, the express permission of the Chief Executive is required.

Staff members who wish to hold a special function at which alcohol will be provided and consumed within working hours must obtain consent from the Chief Executive Officer.

If an exemption is granted, it does not override the principles in this policy and KRHS staff and guests must show a level of discretion and temperance.

KRHS staff may take medication or drugs prescribed by a Medical Practitioner. (If their Medical Practitioner advises a staff member that the medication or drug may impair their disability to perform their usual tasks, they should inform their Manager/Supervisor so alternative arrangements can be made).

LIABILITY

WORKCOVER

KRHS staff need to be aware that if they are injured whilst under the influence of alcohol and/or drugs (as defined within the meaning of the Road Safety Act 2004 or any subsequent Act) they will not be entitled to Workcover or payments in respect of that injury.

INSURANCE

In the event that a staff member has an accident in an KRHS vehicle and is found to have exceeded the legal blood alcohol limit or to be under the influence of illegal drugs and is subject to legal charges, the following will apply:

- a. Neither KRHS's insurer nor KRHS itself will meet the legal costs of the staff member.
- b. KRHS's insurers may take action against the staff member to recover the costs associated with the accident.

Subsequent loss of driver's license as a result of legal charges, could lead to termination of employment if the driver's license is an employment condition.

PROCEDURE

SUSPECTED INFLUENCE

Where a staff member is suspected of being under the influence of alcohol and/or drugs the Manager/Supervisor shall interview the staff member in the presence of another person (as witness).

If after observational assessment (behavioural and signs and symptoms: e.g. slurred speech, smell of alcohol on breath, incoherent conversation, unsteady gait, blood-shot eyes, violent behaviour towards others), it is deemed that the staff member is under the influence of alcohol and/or drugs, the Manager/Supervisor shall stand-down the member of staff for the remainder of the shift, on full pay.

Due to the geography of the region Managers/Supervisor should ensure the staff member has access to safe transport options and where required the option to wait for an appropriate time on the premises.

A Staff Incident Report must be completed immediately, documenting relevant circumstances, results of objective assessment, conversations and those present.

The incident should be discussed immediately with the Chief Executive Officer. If, however, the incident occurred over a weekend, out of hours or public holidays, the Chief Executive Officer must be notified.

Consideration for assistance and counselling for the staff member must begin. Refer to Social Worker or General Practitioner, with a contract of compliance and indicators of achievement.

PATIENTS/VISITORS

Should a patient or visitor possess illegal substance whilst on KRHS premises, this is considered an illegal act, Victoria Police should be notified and Incident Report written.

DISCIPLINARY ACTION:

Employees found to have illegal drugs in their possession on hospital premises will be subject to disciplinary procedures and police notification.

TARGET AUDIENCE

All Staff

KEY ALIGNED DOCUMENTS

KRHS Incident Reporting Policy.
KRHS Smoke Free Environment Policy.

KEY LEGISLATION, ACTS AND STANDARDS

- Accident Compensation Act 1985.
- Occupational Health and Safety Act 2004.
- Road Safety Act 1986.

REFERENCES

- Appropriate Industrial Instrument

RELEVANT STANDARDS

- National Safety and Quality Health Service Standards: 1, 2.1.1, 3.1.3, 4.1.1, 5.2.1, 6.1.1, 9.1.1, 10.2.3, 11.1, 12.8, 13.1, 13.2, 13.4, 13.5, 13.9, 14.9, 15.1, 15.3, 15.4, 15.5, 15.6, 15.7, 15.12, 15.13.
- Aged Care Standards – 1.1, 1.2, 2.1, 2.2, 3.1, 3.2, 4.1, 4.2, 4.5.
- Home Care Standards: 1.1, 1.2, 1.3, 1.6, 3.3

AUTHORISED BY:

C.E.O./D.O.N.