SA Health

Policy

Worker Use of Alcohol and Other Drugs

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Version 2.0
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Government of South Australia
SA Health

1. Name of Policy

Worker Use of Alcohol and Other Drugs

2. Policy statement

This Policy sets out the mandatory requirements and obligations concerning the use of alcohol and other drugs in the workplace by workers (employee and non-employee) to ensure SA Health provides a safe, healthy and productive workplace in alignment with the *Work Health and Safety Act 2012* (WHS Act).

The consumption of alcohol and other illicit drugs on SA Health premises is prohibited.

3. Applicability

This policy applies to all employees and contracted staff of SA Health; that is all employees and contracted staff of the Department for Health and Wellbeing (DHW), Local Health Networks (LHNs) including state-wide services aligned with those Networks and SA Ambulance Service (SAAS).

4. Policy principles

SA Health's approach to the use of alcohol and other drugs in the workplace is underpinned by the following principles:

- We will ensure a safe, healthy and productive workplace for all employees across SA Health.
- We will ensure patient safety is paramount across all hospitals and clinical sites.
- We will ensure any suspected misconduct is reported to the appropriate authorities.

5. Policy requirements

Fitness for duty

- SA Health employees and contracted staff must:
    - Not present for duty impaired by alcohol or other drugs.
    - Not consume or possess alcohol at their workplace and/or while on duty.
    - Not use or possess illicit drugs at their workplace and/ or while on duty.
    - Advise their line manager if they are taking prescribed medication which may adversely affect their ability to work / undertake tasks safely.
- DHW, LHNs and SAAS must ensure all non-employee workers, including temporary labour hire agency staff, volunteers, and students on clinical placement, are directed to comply with the requirements of this policy in their agreement of engagement.

Reasonable suspicion of intoxication by alcohol or other drugs

- Managers must, where a worker is reasonably suspected of being intoxicated by alcohol or other drugs:
    - Meet with the worker and discuss the concerns. This includes providing necessary support and assistance to the worker in the event it is determined the worker should cease their duties immediately and/or assist the worker to access appropriate medical intervention.

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- Not allow the worker to commence, continue or return to duty until they are deemed fit to perform their duties safely and without impairment
    - If the individual is a non-employee, seek advice from the labour hire/contractor agency, or student/volunteer co-ordinator, as relevant.
- If it is deemed an employee is unfit for duty and the employee has been requested to leave work for the remainder of the day or shift, the employee must access paid leave entitlements to receive remuneration. Where paid leave is exhausted, advice must be sought from the Human Resources/workforce team.
- Ensure the worker is given an opportunity to provide an explanation for their demeanour, at a later time, in the event the worker is unable to advise at the time.
- Meet with the worker (or if the individual is a non-employee, with their employer or education facility, as relevant) to outline the concerns and advise on the required documentation and actions to be taken before their return to tasks/work.
    - Workers must be allowed to be accompanied by a support person of their choice.

Reporting

> The use of alcohol and/or other drugs which impacts the workplace must be reported:

- Via the Safety Learning System (SLS), in accordance with the Work Health and Safety Reporting and Investigation Policy.
- If deemed unethical behaviour, reported and managed in accordance with the Code of Ethics for the South Australian Public Sector.
- Where duties include licensed high-risk work and the incident is deemed notifiable or dangerous – to SafeWork SA.
- If the employee is a registered health professional – to the Australian Health Practitioner Regulation Agency (Ahpra).
- If the worker is an unregistered health professional, and the conduct is notifiable under the Code of Conduct for Unregistered Health Practitioners, the matter must be reported to the Health and Community Services Complaints Commissioner (HCSCC) South Australia.
- The consumption of illegal or sometimes abuse of prescription drugs or alcohol during working hours may also be considered as misconduct, in accordance with the Code of Ethics. Workers must not possess, distribute, sell or consume illegal drugs in the workplace. The possession, distribution, selling or consumption of illegal drugs on the SA Health's premises may result in dismissal and referral to the South Australia Police
- If the individual is a non-employee – report the incident to the employer or education facility.

> Discipline of workers whose work performance may be affected due to drug or alcohol use must be appropriate and consistent with existing awards, agreements and other disciplinary measures, including adhering to policies and procedures.

> A public authority or public officer may report to the Ombudsman any matter that the authority or officer reasonably suspects involves misconduct or maladministration in public administration to Ombudsman SA in accordance with section 12D of the *Ombudsman Act 1972*.

Document observations of impairment at work and follow-up actions

> The meetings with the affected worker and their explanations for their observed impairment at the time and on their return to work must be documented and confidential records of the following documents (where relevant) must be kept:

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- Checklist(s) of observations regarding impairment or suspected intoxication (observed by the line manager, WHS consultant and/or other witnesses), including information such as the date, time and details of the witnesses of the occurrence.
- A record of meetings, actions taken by management (or the labour hire agency, the volunteer coordinator, or the clinical placement coordinator) and the worker's response to these actions.
- The WHS risk analysis and mitigating measures taken to ensure safe and effective work performance.

> Records of formal meetings with an employee relating to a decline in their work performance or disciplinary procedure must be provided to the employee.

Work related Social Functions

> The consumption of alcohol by employees within SA Health workplaces for work related social functions must only occur with the prior written approval of the Chief Executive (CE) or delegate.

> If alcohol is served at work-related functions, it must be done so responsibly and managers must ensure non-alcoholic drinks, including water, food or other refreshments are available.

> Employees must abide by the Code of Ethics for the South Australian Public Sector at all times when attending work-related social functions.

6. Mandatory related documents

The following documents must be complied with under this Policy, to the extent that they are relevant:

> Code of Ethics for the South Australian Public Sector

> *Health Practitioner Regulation National Law Act 2010*

> *Ombudsman Act 1972*

> Respectful Behaviour (including management of bullying and harassment) Policy

> *Return to Work Act (SA) 2014*

> *Return to Work Regulations 2015*

> *Work Health and Safety Act 2012* (SA)

> *Work, Health and Safety Regulations 2012*

> Work Health and Safety Reporting and Investigation Policy

7. Supporting information

> Employee Assistance Program Policy

> *State Records Act 1997*

> General Disposal Schedule

> Addressing Disrespectful Behaviour (including bullying and harassment) Guideline (including resources)

> Grievance Resolution Procedure

> Worker Use of Alcohol and Other Drugs Guideline

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8. Definitions

- **Alcohol**: means any substance or beverage that contains alcohol (including, but not limited to, beer, wine or spirits) and that impairs a person's physical or mental capacity.
- **Drugs:** means a chemical substance, whether it is legal or illegal, in which may have the ability to impair a person's physical or mental capacity. These can include prescription medication; non-prescription drugs (such as codeine cough syrups and similar); and illicit drugs (such as heroin, amphetamines, LSD, crack, cocaine, ecstasy or marijuana).
- **Employee:** means a person employed in, or for the purposes of, an administrative unit by the chief executive on behalf of the Crown.
- **State-wide services**: means State-wide Clinical Support Services, Prison Health, SA Dental Service, BreastScreen SA and any other state-wide services that fall under the governance of the Local Health Networks.
- **Workplace**: means the work environment where SA Health workers perform their duties – whether on SA health premises or elsewhere in the community.
- **Worker:** means all persons working under SA Health supervision, e.g., all employees and non-employee workers (such as volunteers, students including on clinical placements, and temporary labour hire).

9. Compliance

This policy is binding on those to whom it applies or relates. Implementation at a local level may be subject to audit/assessment. The Domain Custodian must work towards the establishment of systems which demonstrate compliance with this policy, in accordance with the requirements of the Risk Management, Integrated Compliance and Internal Audit Policy.

Any instance of non-compliance with this policy must be reported to the Domain Custodian for the Employment, Work Health and Safety Policy Domain and the Domain Custodian for the Risk, Compliance and Audit Policy Domain.

10. Document ownership

Policy owner: Domain Custodian for the Employment, Work Health and Safety Policy Domain

Title: Worker Use of alcohol and other drugs policy

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Contact for enquiries: Health:WorkforceServicesPolicy

11. Document history

Version	Date approved	Approved by	Amendment notes
2.0	29/07/2024	Deputy Chief Executive, Corporate & Infrastructure	Updated to new SA Health Policy framework requirements
1.0	16/05/2019	SA Health Policy Committee	

12. Appendices

Nil

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