Drugs, Alcohol & Illegal Substances Abuse Policy

1. Policy Statement

UWSELL aims to provide a safe work place environment where staff are not under the influence of any drugs, alcohol or illegal substances.

2. Legislative Requirements

Children (Education and Care Services National Law Application) Act 2010
Education and Care Services National Regulations 2011:

83 Staff members and family day care educators not to be affected by alcohol or drugs

(1) The approved provider of an education and care service must ensure that the nominated supervisor or a staff member of, or volunteer at, the service is not affected by alcohol or drugs (including prescription medication) so as to impair his or her capacity to supervise or provide education and care to children being educated and cared for by the service.

(2) The nominated supervisor of an education and care service must not, while educating and caring for children for the service:
   a) consume alcohol; or
   b) be affected by alcohol or drugs (including prescription medication) so as to impair his or her capacity to supervise or provide education and care to the children.

3. Who is affected by this policy?

a) Child
b) Staff
c) Families
d) Management

4. Implementation

The Approved Provider/Nominated Supervisor will:

A. If any staff are on prescribed medication, UWSELL/ Nominated Supervisor should be advised of any side affects it may cause that could affect their ability to perform their duties e.g. drowsiness.

B. UWSELL/Nominated Supervisor will then assess any possible risks, if there are increased risks to the staff member, other staff members or children, the staff member will need to leave the centre and it will be recorded as sick leave. The staff member will be asked to get a letter from their medical practitioner regarding any side affects that may affect their ability to perform their duties at the centre.

C. If any staff member is suspected of being under the influence of alcohol or any illegal substances, they will be taken aside by UWSELL/Nominated Supervisor and asked if they are on any substances that could affect their ability to carry out their responsibilities effectively.

D. If the UWSELL/Nominated Supervisor are happy that they are not, then the staff member may return to work. If the UWSELL/ Nominated Supervisor are not satisfied with the answer, then the staff member will be asked to go to a medical practitioner for a clearance straight away.

E. If the staff member refuses they will be sent home without pay.

F. An interview with UWSELL/Nominated Supervisor will be organised for the next day.

G. At the interview, the situation will be discussed, if the matter is seen as misconduct the staff member will be dismissed instantly.

H. Information on counseling services will be made available to the staff member.

I. If the situation at any time becomes violent, the police will be called on 000.

The UWSELL/Nominated Supervisor will ensure that this policy is maintained and implemented at all times.

5. Sources

• Children (Education and Care Services National Law Application) Act 2010
• Education and Care Services National Regulations 2011:
• WorkCover NSW www.workcover.nsw.gov.au 3.10.11
• Department of Health and Ageing www.health.gov.au 3.10.11

6. Review

The policy will be reviewed annually. Review will be conducted by management, employees, parents and any interested parties.

Reviewed: 05.08.12
Date for next review: 04.08.13
Approved by UWSELL Board
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