

Alcohol and Substance Misuse

Legislation

- Health and Safety at Work Act 1974
- The Misuse of Drugs Act 1971

Related policies

- Disciplinary
- Staff Code of Conduct
- Staff Behaviour
- Child Protection and Safeguarding Policy
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Guidance taken from EYFS: Setting the standards for learning, development and care for children from birth to five. For groups and school based provision (Published 8 December 2023/ Effective 4 January 2024).

At Bright Sparks & Early Years we are committed to providing a safe environment that helps to ensure the welfare of the children in our care. This includes making sure that children are not exposed to adults who may be under the influence of alcohol or other substances that may affect their ability to care for children.

Alcohol

Under the Health and Safety at Work Act 1974, companies have a legal requirement to provide a safe working environment for all of their employees.

Anyone who arrives at the nursery clearly under the influence of alcohol will be asked to leave. If they are a member of staff, the nursery will investigate the matter and will initiate the disciplinary process as a result of which action may be taken, including dismissal. Staff can still be under the influence of alcohol the day after the night before and staff should be aware of this, ensuring this is not the case when starting work.

If they are a parent the nursery will judge if the parent is suitable to care for the child. The nursery may call the second contact on the child's registration form to collect them. If a child is thought to be at risk the nursery will follow the safeguarding children/child protection procedure and the police/children's social services may be called. If anyone arrives at the nursery in control of a car under the influence of alcohol the police will be contacted.

Staff, students, parents, carers, visitors, contractors etc. must not bring alcohol onto the nursery premises.

Substance misuse

Anyone who arrives at the nursery under the influence of illegal drugs, or any other substance including medication, that affects their ability to care for children, will be asked to leave the premises immediately.

If they are a member of staff, an investigation will follow which may lead to consideration of disciplinary action, as a result of which dismissal could follow. If they are a parent the nursery will judge if the parent is suitable to care for the child. The nursery may call the second contact on the child's registration form to collect them. If a child is thought to be at risk the nursery will follow the safeguarding children/child protection procedure and the police may be called.

The nursery will contact the police if anyone (including staff, students, volunteers, contractors and visitors) is suspected of being in possession of illegal drugs or if they are driving or may drive when under the influence of illegal drugs. If they are a member of staff serious disciplinary procedures will be followed.

If a member of staff is taking prescriptive medication that may affect their ability to work, they must inform the Head of Early Years as soon as possible to arrange for a risk assessment to take place. If the medication is going to be taken on a long term basis it must be disclosed during the member of staff's supervision.

If there are concerns around a member of staff who may have a drug or alcohol problem, but there is no evidence

If the nursery suspects there may be an issue with drugs or alcohol, including poor performance, changes in behaviour and/or sickness; but there is no evidence that it is happening during working hours or arriving at work under the influence of drugs or alcohol.

A meeting will be held with the member of staff to investigate the health concerns.

Support and referral to appropriate services may be offered to the staff member, if this is considered appropriate.

Confidentiality will be maintained.

The staff member will be reminded of the disciplinary procedures that will apply if they attend work under the influence of drugs or alcohol.

Safeguarding/child protection

If a parent or carer is clearly over the alcohol limit, or under the influence of illegal drugs and it is believed the child is at risk, we will follow our safeguarding/child protection procedures, contact the local authority children's social care team and the police.

Staff will do their utmost to prevent a child from travelling in a vehicle driven by them and if necessary the police will be called.

Where an illegal act is suspected to have taken place, the police will be called.

Date of Policy – October 2016

WLLP Review – 17.07.2018

AH Review – 27.09.2019

AH Review – 10.03.2021

AH Review- 31.10.2022

AH Review- 01.09.2023

AH Review- 04.01.2024