

**STOCKTON-ON-TEES BOROUGH COUNCIL**

**CABINET RECOMMENDATIONS**

**PROFORMA**

Cabinet Meeting .....20th December 2010

1. Title of Item/Report

Review of the Substance Misuse Policy

2. Record of the Decision

Consideration was given to a report on the Review of Substance Misuse Policy.

Members were reminded that , on 5th March 2009, Cabinet considered a report on drug testing for taxi drivers. In approving the report, Cabinet resolved that "Officers investigate the introduction of random drugs testing for all who drive vehicles or operate heavy machinery on behalf of the Council".

On 5th November 2009 Cabinet gave approval to a new Substance Misuse Policy designed to offer guidance and support to employees in this sensitive area of work. Members agreed to defer a decision on one element of the policy relating to substance misuse testing of employees until the scheme being developed for taxi drivers could be assessed.

The report summarised the experience following the implementation of the random drug testing of taxi drivers and considered the advantages and disadvantages of introducing a similar policy in respect of employees.

There were 783 people who had a taxi driver licence who could be tested by the Council and to date, 86 tests had been carried out and 2 tested positive.

There were a number of positive arguments for testing. There were potential benefits to improving safety, efficiency, the Council's reputation and employee welfare. The arguments were strongest with respect to safety-critical occupations, where drug-induced intoxication could increase the risk of an accident. There were approximately 500 Council employees employed in roles with safety elements such as gardeners and refuse workers, but another 2000 who at some time may be required to undertake driving duties within their working week.

However the majority of testing for drug and alcohol misuse was carried out by safety-critical organisations. Drug testing employees was very limited in local government and the Council did not have evidence of significant problems caused by employees who drank or took drugs.

There were a number of legal implications to consider when introducing screening for employees and these were detailed within the report.

As well as the complex legal position, there were however a number of disadvantages to the introduction of drug testing. For instance, bearing in mind the low level of positive results from testing taxi drivers, testing employees may produce few positives and the financial cost and implications on employee morale in the current climate may outweigh any benefits.

There were differences in the relationship the Council had in terms of its role in granting taxi licenses and its role as an employer. Taxi drivers were self employed and consequently the Licensing Department did not have close contact with the drivers. It was therefore very difficult to monitor when drivers could be under the influence of drugs in the course of their work. This was not however the case for employees who have regular contact with managers. Consequently it would be easier to identify if people were under the influence of drugs whilst at work through changes in behaviour and work performance. Research indicated that good management was the most effective method for achieving higher productivity, enhanced safety, low absentee rates, low staff turnover and a reliable and responsible workforce. This had certainly been the approach in managing sickness absence with considerable success.

It was therefore recommended that drug and alcohol testing continued to be offered to employees where there was just cause, for instance where concerns had been raised by a manager or as part of ongoing health and welfare interventions. This proposal had been discussed with the Human Resources Strategic Management Group and with the Trade Unions and they were supportive of this approach.

RESOLVED that the Substance Misuse Policy be amended to incorporate a provision for the substance misuse testing of employees, with their consent, where it was felt that there is just cause for doing so.

### 3. Reasons for the Decision

On 5th March 2009, Cabinet considered a report on drug testing for taxi drivers. In approving the report, Cabinet resolved that "Officers investigate the introduction of random drugs testing for all who drive

vehicles or operate heavy machinery on behalf of the Council". Currently testing is not widespread in local government and evidence for its introduction is not therefore readily available. In addition at that time the development of testing protocols, training and discussions with the taxi drivers were incomplete and as the introduction of testing would need to be agreed with the Trade Unions and incorporated into a specific policy showing clearly the benefits to be gained and the financial implications associated with this approach it was agreed that a decision on this issue would be deferred until the operation of the scheme for taxi drivers had been in operation for 6 months. This would enable a clearer assessment of the benefits of the application of the scheme to employees to be fully understood.

Drugs detection testing of taxi drivers began in December 2009 and to date 86 drivers have been screened. This report considers the advantages and disadvantages of introducing a similar scheme to certain employees.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

Not applicable

7. Date and Time by which Call In must be executed

Midnight on 30th December 2010

Proper Officer  
22 December 2010