

Drug and Alcohol Policy

1.0 Purpose

The purpose of this policy is to ensure that all personnel understand that the use, possession, or influence of drugs and alcohol in the workplace is strictly prohibited. This policy aims to safeguard the health, safety, and wellbeing of everyone at SilaCa Tasmania Pty Ltd, ensuring that services are provided to participants in a safe, ethical, and professional manner.

SilaCa Tasmania Pty Ltd recognizes its duty of care to maintain a safe environment for participants, staff, contractors, and visitors. Staff are also responsible for their own wellbeing and must remain fit for duty at all times. The misuse of alcohol, illicit drugs, prescription medication, or over-the-counter substances can impair physical and mental functioning, creating unacceptable risks in disability support work, where participant safeguarding is always the top priority.

2.0 Scope

The policy applies to all staff, participant, and visitors at SilaCa Tasmania Pty Ltd. It prohibits the use, possession, or influence of drugs and alcohol in the workplace, ensuring a safe and professional environment for both staff and participants.

3.0 Policy

SilaCa Tasmania Pty Ltd is committed to maintaining a safe and healthy workplace and ensuring all staff are fit for duty when providing supports to participants. This policy aligns with the NDIS Practice Standards, NDIS Code of Conduct, and Work Health and Safety principles.

Any staff member or contractor who attends work while under the influence of alcohol, illicit drugs, or any substance that impairs their ability to perform safely and effectively may pose a serious risk to participants and colleagues and will be subject to disciplinary action, which may include termination of employment.

All personnel must:

- Refrain from consuming alcohol or using drugs that impair their capacity to work safely while on duty or on organisational premises
- Never attend work or perform duties under the influence of alcohol, illicit substances, or misused medication
- Inform their manager if they are taking prescribed medication that may impair performance or safety
- Be taken home or removed from duties if found to be impaired or intoxicated—SilaCa Tasmania Pty Ltd will arrange safe transport in such cases

- Moderate alcohol intake when representing the organisation at work-related functions or events, and cease consumption if directed by a supervisor
- Cooperate with any drug and alcohol-related investigations, including assessments, referrals, or reporting requirements

Prescription or over-the-counter medication that affects alertness or performance must be disclosed to the manager or delegated officer where there is a potential risk. Workers will not be discriminated against for taking necessary medication but may be temporarily reassigned to duties that reduce risks.

Support will be offered to any staff member experiencing substance-related issues through referral to counselling services or employee assistance programs (EAP), where available. Participation in such support programs does not exempt staff from their responsibility to remain fit for duty.

Breaches of this policy will be addressed in accordance with the organisation's Disciplinary Procedure. Repeated or serious breaches may result in termination of employment or engagement.

3.1 Possession and sale of alcohol

- Possession or distribution/sale of alcohol or illegal drugs during work hours or being under the influence of alcohol or drugs whilst working on behalf of SilaCa Tasmania Pty Ltd will result in disciplinary action up to and including termination, depending on the severity of the incident
- Provision of alcohol at SilaCa Tasmania Pty Ltd events will be at the management's discretion, considering the event's nature, time and the likely number of attendees
- The sale of alcohol is prohibited
- A staff member or sub-contractor on the job for SilaCa Tasmania Pty Ltd is involved in unauthorised possession or use of alcohol or under the influence of alcohol and will be subject to investigation. If the initial finding is substantiated, disciplinary action up to and including termination will apply

3.2 Controlled substances and alcohol

A staff member on the job involved in manufacturing, distributing, dispensing, possessing or using a controlled substance, or is under such influence, will be suspended immediately, pending further investigation.

3.3 Employee Responsibility

As employers, we are responsible for providing a safe workplace; staff work safely and within certain safety guidelines set out by our organisation and work health and safety legislative requirements.

Staff must maintain a current NDIS Worker Screening clearance and meet all fitness-for-duty requirements to provide services under the NDIS. Staff must ensure they do not jeopardise their safety, colleagues' or visitors' safety.

Staff use of drugs and alcohol impacts their ability to fulfil their work health and safety obligations. Staff under the influence will jeopardise their safety and the safety of all others in the workplace.

Failure to encompass the duty of responsibility by staff can impact their worker's compensation entitlements, state fines linked to Safe Work, or internal disciplinary procedures.

Staff who report concerns about drugs or alcohol affecting workplace or participant safety are protected under our Whistleblower and Safeguarding Policy. No staff member will be penalised for reporting concerns in good faith.

Staff members' responsibilities include:

1. Immediately and honestly reporting any accident and/or injury on the prescribed forms;
2. Visiting a medical practitioner if required to have accident symptoms recorded and treated;
3. Continuing to visit medical practitioner when and as required until a full or partial clearance has been given to return to work;

Compensation will not be paid if the employee:

- was under the influence of alcohol and drug addiction
- was not using protective clothing or equipment as required by the employer
- committed an act of serious or wilful misconduct
- false claims will be refused, and the employee may be liable for prosecution for fraud

3.4 Employee Assistance Program

Our organisation will endeavour to assist any employee experiencing performance-related problems at work. Where appropriate, the Manager will be available to discuss any difficulties a staff member is experiencing, directly impacting their ability to work efficiently and safely.

The Manager may refer staff to the appropriate medical or counselling services. In particular, performance issues related to drug and alcohol use will be referred to a medical centre for professional assistance.

In addressing drug and alcohol issues, cultural safety principles will be applied, including culturally appropriate referrals to counselling or support services for Aboriginal and Torres Strait Islander staff and other diverse backgrounds.

3.5 Confidentiality

All information relating to drug and alcohol issues will be handled in accordance with the Privacy Act 1988 (Commonwealth), NDIS Code of Conduct, and our Information Management Policy and

Version: 1 Date approved: 31/07/2025

Approved by: J Croft - Director Next review date: 31/07/2026

Procedure. Confidentiality will be maintained, except where disclosure is required to ensure the safety of participants, staff, or the public, or where disclosure is required under mandatory reporting obligations to the NDIS Commission or other legal frameworks (e.g., police, child protection). All procedures regarding drug and or alcohol counselling shall remain confidential between the staff and the management of SilaCa Tasmania Pty Ltd unless the information is needed for workers' compensation purposes. Should the evidence of drug use by an employee be brought to the attention of SilaCa Tasmania Pty Ltd by another employee, the evidence will be investigated further.

The accusation may require further staff questioning; however, no personal information shall be revealed to co-workers unnecessarily.

3.6 Safeguards for Medications

When a staff member's ability to work safely may be affected due to medication, the staff member should inform the Manager or relevant managerial staff member of the effects of the medication. The staff member doesn't need to disclose the illness for which they are taking medication.

It may also be appropriate for the staff member to provide some means of verification as to the side effects of the medication, such as a medical certificate if medication is to be taken over an extended period.

If an employee can perform their usual work duties safely, an appropriate person should monitor their safety performance.

If staff cannot perform their usual work tasks safely, they should not be assigned those usual tasks. Where practicable, an employee should be given reasonable alternative work until consumption of the medication ceases.

When a staff member is:

- (a) unable to complete usual work duties safely for an extended time, and
- (b) there is no alternative work available for the staff member, and
- (c) consultation between the staff member concerned and the Manager will discuss steps that can be taken until the staff member can resume duties. The consultation process also needs to address transport issues away from the workplace, and staff should only recommence normal duties when they can work safely

If a participant's safety is compromised, this will be managed under incident management processes, and the NDIS Commission will be notified if required under the NDIS (Incident Management and Reportable Incidents) Rules 2018.

3.7 Third Persons at the workplace

Responding to a hazard presented by alcohol and other drugs may also include a situation where a third person enters the workplace affected by alcohol and other drugs. When this situation occurs, the employer and staff members must respond by minimising the risk of an impaired third person presenting a hazard at the workplace.

4.0 Procedures

4.1 Dealing with an impaired third person

The procedures outlined below should be followed if a third person at the workplace appears impaired by alcohol and other drugs.

- Manager should approach the impaired person (where applicable)
- if any other person identified the impaired person, they must immediately report the intoxication to the Manager
- if the person is aggressive or appears unpredictable, the Manager may request the assistance of more than one person for the initial approach. The initial approach should be quietly assertive, not aggressive, argumentative or threatening

4.1.1 Dealing with substance-impaired persons in the workplace

1. avoid using terms such as You're drunk
2. be brief, firm and calm
3. advise the Manager
4. Use the affected person's name, speak slowly and clearly and repeat your message if necessary (I am instructing you to leave our premises. If you do not leave, I will contact the police)
5. do not argue or debate; repeat your message;
6. try to persuade them not to drive their o vehicle

4.1.2 Impaired Person Refuses to Cooperate

1. Ensure that the Director has been contacted;
2. Assess dangers;
3. Evacuate all surrounding people at risk from the location of the impaired person or isolate the impaired person;
4. Contact the police and advise them of your circumstances. If necessary, request police assistance to escort the person off the premises

4.2 Disciplinary Procedures

4.2.1 Policy infringement

Any drug or alcohol policy infringement that places a participant at risk of harm, abuse, neglect, or exploitation will be managed as a reportable incident under NDIS Rules, and reported to the NDIS Quality and Safeguards Commission. SilaCa Tasmania Pty Ltd has a no-tolerance approach to using drugs and alcohol in the workplace. Our organisation will not tolerate the possession of or intoxication by drugs or alcohol at the workplace. Should an employee test positive for any illicit or contraband drugs or show a positive blood alcohol test, they will be seen by SilaCa Tasmania Pty Ltd to be under the influence of intoxication.

Should an employee be shown to be under the influence, it will be viewed by SilaCa Tasmania Pty Ltd as a direct infringement of this policy. Any infringement of this policy will result in disciplinary procedures against the staff member.

Disciplinary procedures may result in the termination of an employee from their position

Any incident involving staff impairment due to drugs or alcohol that affects participants will be treated as a reportable incident under NDIS (Incident Management and Reportable Incidents) Rules 2018 and reported accordingly.

4.2.2 Positive results

Positive drug or alcohol test results that affect service delivery to participants will trigger mandatory safeguarding and incident reporting processes. All steps taken to address staff impairment will prioritise participant safety and wellbeing in line with NDIS Practice Standards.

Staff will be counselled about drug or alcohol abuse and whether they are prepared to undergo counselling. Warn the dangers of being under the influence in the workplace and warn the staff member that further violation of our policy will result in dismissal.

All incidents and breaches of this policy will be reviewed as part of our continuous improvement and risk management processes to identify trends, address systemic risks, and improve organisational practices in line with NDIS Practice Standards and participant safeguarding obligations

5.0 Related Documents

- Code of Conduct Agreement
- Participant Safeguarding Policy
- Reportable Incident, Accident and Emergency Policy and Procedure
- Human Resource Policy and Procedure
- Information Management Policy and Procedure
- Privacy and Confidentiality Agreement

6.0 References

- Work Health and Safety Act 2011
- Safe Work Australian Act 2008
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- NDIS (Code of Conduct) Rules 2018
- NDIS (Worker Screening) Rules 2018
- NDIS Practice Standards and Quality Indicators (2021)
- Privacy Act 1988 (Commonwealth)