

# Alcohol and Substance Misuse

EYFS: 3.1-3.8, 3.19

At **Canopy Nursery (Insert nursery name)** we are committed to taking all necessary steps to keep children safe and well. 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 them.

This policy is in line with the Health and Safety at Work Act 1974 and The Misuse of Drugs Act 1971. This should be read in conjunction with the Safeguarding and Child Protection Policy, Staff disciplinary Policy and Suitability of Staff Policy.

## 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, this must be recorded on the **Accident/Incident** form. 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 manager/Designated Safeguarding Lead will judge if the parent is suitable to care for the child. This may involve calling 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 **Child Protection Policy and Procedure**, including recording this on the '**Logging a Concern about Child's Safety and Welfare**' form and the **DSL must** complete their part of this form, along with if necessary, the '**Correspondence Log**'. 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 on to 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 **Accident/Incident** form must be completed, 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 manager/Designated Safeguarding Lead will judge if the parent is suitable to care for the child. This may involve calling 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 **Child Protection Policy and Procedures**, including recording this using the '**Logging a Concern about a Child's Safety and Welfare**' form, the **DSL must complete** their part of this form and if appropriate complete the '**Correspondence Log**'.

The nursery manager 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 medication that may affect their ability to care for children, they must seek medical advice and inform the nursery manager as soon as possible to arrange for a risk assessment to take place. This will ensure that staff members only work directly with children if medical advice confirms that the medication is unlikely to impair that staff member's ability to look after the children properly.

Any medication on the premises is stored in the office in a locked cabinet, and out of reach of children, at all times.

**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 (either from observations, including poor performance, changes in behaviour and/or sickness; and/or staff feedback but there is no evidence that it is happening during working hours or that they are arriving at work under the influence of drugs or alcohol a meeting will be held with the member of staff and manager to investigate the health concerns, which will all be recorded using the investigation paperwork from Bright HR.

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

Confidentiality will be maintained at all times.

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

### 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 Child Protection Procedures, contact the local authority children's social care team and the police. A record of this will be placed onto the child's file using the '**Logging a Concern about a Child's Safety and Welfare**' the **DSL must** complete their part of this form and if appropriate complete the '**Correspondence Log**'.

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.

This policy was adopted on	Signed on behalf of the nursery	Date for review
29/09/2021	L C Walker	29/09/2022  updated 14/07/2022 changed, if anyone arrives at the nursery in <b>control of</b> a car changed: <b>must not</b> bring alcohol onto the nursery premises