DERBYSHIRE County Council

H: Staff taking medication and other substances – Group and school-based providers

What do I need to know?

- Legal Framework
  - Equality Act 2010
  - Health and Safety at Work etc. Act 1974
  - The Management of Health and Safety at Work Regulations 1999

EYFS statutory framework for group and school-based providers page 29, paragraph 3.28.

Staff taking medication and other substances (page 23 of audit)	Things to consider and discuss:
Do you **ensure** that staff members are not to be under the influence of alcohol or any other substance which may affect their ability to care for children?	• How do you ensure that your staff are fit to care for children? • If driving is a requirement of staff roles, how do you consider home to work journeys or pick-ups for out of school provision? • How do you know that staff members are not under the influence of alcohol or any other substance? • What are the signs and symptoms of a person being under the influence of alcohol or any other substance? • Do you have a staff behaviour and, or code of conduct policy and procedure which is shared with staff during the recruitment process? How often do you review this in the light of incidents and, or changes? Is this frequent enough? • If a member of staff arrives at the provision under the influence of alcohol or any other substances, how would you manage this situation? Does your code of conduct policy and disciplinary procedures support you to manage these circumstances? Would other members of staff be confident to report this?

DERBYSHIRE County Council

Staff taking medication and other substances (page 21 of audit)	Things to consider and discuss:
	• What procedures do you have in place for staff to disclose any if they are under the influence or alcohol or any other substance? Are these procedures part of the induction process? • How would you support staff or signpost staff for further help or information? • How would you ensure the safety of the staff and children and maintain ratios?
Do you make sure staff members seek medical advice if they are taking medication which may affect their ability to care for children?	• What procedures do you have in place for staff to disclose if they are taking any medication which may affect their ability to care for children? Are these procedures part of the induction process?
Do you **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 children properly?	• How would you record any information about staff's notification of medication and suitability to work with children from a medical practitioner? Does this meet data protection legislation? • Do you have conversations with any staff members who take medication to ascertain their needs and any reasonable adjustments that they may require? How often do you do this? Is this frequent enough to ensure the safety of the children and the member of staff concerned? • Do you risk assess how such a staff member may fulfil their role? • How would you make reasonable adjustments in order to fulfil the requirements of the Equality Act 2010?
Do you **ensure** all medication on the premises is securely stored, and out of reach of children, at all times?	• What are the procedures for storing staff medication? *(It must be secure and out of the reach of children at all times)* • What procedures do you have in place to share polices regarding safe storage of medicines with staff?

Useful links and further help:

Childcare and children's social care health declaration form
NHS choices - alcohol misuse
Drug addiction: getting help
Talk to Frank
Alcohol and drug misuse prevention and treatment guidance
Managing drug and alcohol misuse at work - HSE
Managing drug and alcohol misuse at work - Overview - HSE
ACAS - impartial advice on workplace rights, rules and best practice

Derbyshire SchoolsNet - Early Years
Derbyshire Early Years Service - Eventbrite
Email: CS.EYS@derbyshire.gov.uk