

ALCOHOL AND OTHER DRUGS POLICY

Section 1 - Purpose and Scope

Purpose

- (1) This Policy sets out the College's commitment to the health, safety and welfare of staff, students and visitors across its campus and in relation to ACPE-supported activities.

Scope

- (2) This Policy applies to all members of the ACPE community, including:
- (a) staff (full-time, permanent, part-time and casual);
 - (b) students;
 - (c) visitors, including contractors to the ACPE campus;
- in relation to conduct or activities occurring:
- (i) on an ACPE campus;
 - (ii) on a digital platform being used for College purposes;
 - (iii) while representing ACPE; or
 - (iv) in relation to a class, function, or event approved or organised by ACPE.

Section 2 – Definitions

- (3) In this Policy:
- (a) **Illegal Drugs** means
 - i. a plant, drug or substance the possession, use or distribution of which is unlawful or, if only available on prescription for which the relevant person does not have a prescription; and
 - ii. a substance the chemical structure of which is substantially similar to the chemical structure of an illegal drug as described above and has a substantially similar effect to an illegal drug.
 - (b) **Impaired** means altered normal physical or mental capacity resulting in a diminished ability to perform assigned tasks in a safe and productive manner.

Examples of signs that a person may be impaired include, but are not limited to: slurred speech; lack of coordination; stumbling and difficulty walking and/or standing; disorderly, offensive or rude behaviour; smell of intoxicating liquor or cannabis.

Section 3 – Policy Statement

ACPE'S Commitment

- (4) Members of the ACPE community are expected to comply with legislative requirements.

- (5) The College seeks to provide a work and study environment that is free from the risks associated with alcohol and other drugs, thereby supporting the health and wellbeing of all persons at ACPE.
 - (a) Staff members have a particular responsibility to carry out their employment-related duties unimpaired by alcohol or drugs. This includes driving an ACPE vehicle, or undertaking ACPE-related business in a ACPE or private vehicle.
- (6) The College considers it unacceptable conduct if a staff member or student attends to work duties or study-related activities (including travelling to and from the campus or to ACPE-approved events):
 - (a) when impaired by drugs or alcohol or reasonably likely to be impaired; and
 - (b) where this is done knowingly, recklessly or in circumstances where the person could reasonably have been expected to foresee or be aware of the risk of impairment.
- (7) The College:
 - (a) does not support nor condone binge drinking; and
 - (b) bans the possession, soliciting, distribution and consumption of illegal drugs on ACPE premises. This includes drug paraphernalia of any description.
- (8) Any person who, for medicinal/therapeutic reasons, is prescribed drugs or wishes to take an over-the-counter drug must actively consider and, where reasonably practicable, obtain professional advice about any potential risks or hazards associated with the use of the drug in connection with their work or study. Accordingly:
 - (a) Staff members must advise their manager before commencing work, if they are taking prescription or over-the-counter drugs that may affect:
 - (i) their ability to perform their duties;
 - (ii) their safety; or
 - (iii) the safety of others.
 - (b) Students should consider any side effects and any adverse impact they may have on undertaking a learning activity safely and must notify the Student Services team to discuss alternatives in such cases.
 - (c) When necessary, the College may request the person provide a medical certificate certifying that they are fit for their duties study-related activities when taking the drugs and/or, where applicable, outlining any potential risks or restrictions on their ability to perform these duties or activities.
- (9) Any member of the ACPE community working or studying alongside a colleague or fellow student whose wellbeing or job performance they perceive to be adversely affected by alcohol or drug use (whether legal or illegal) is required to raise concerns with the relevant immediate manager or the Student Services team.
- (10) Where the College has reason to suspect that any person is impaired by or otherwise under the influence of alcohol or drugs and/or in possible contravention of this Policy, the College may:

- (a) remove the person from ACPE premises or ACPE-approved event immediately; and/or
 - (b) refrain the person from conducting ACPE-approved activities while impaired (for example, teaching); and/or
 - (c) advise a student or staff member to seek medical or counselling support.
- (11) If the problem persists and the affected person's actions impact on the safety or enjoyment of other members of the ACPE community, the problem should be discussed with the relevant manager (for staff) or Director of Student Services and Campus Wellbeing (for students) to determine whether any further action, including disciplinary action, is required.

Business and Social Functions

- (12) Business and social functions hosted by the College are work-related functions for the purposes of this Policy.
- (a) This Policy applies regardless of whether the function is during or outside ordinary working hours, paid or unpaid and on the Company's premises or an offsite location.
- (13) In circumstances where the College authorises the consumption or supply of alcohol at social functions, staff and students should assume that the same standards of conduct and restrictions on impairment, including intoxication, that apply while the person is at work or engaged in study-related activities. A supply of non-alcoholic drinks will be available at all work functions (business and social).

Breach of this Policy

- (14) The College may take action against any person who breaches this Policy:
- (a) where the person is a student, this may include disciplinary action under the Student Misconduct (Non-academic) Policy;
 - (b) where the person is a staff member, this may include disciplinary action under the Staff Code of Conduct or the Performance Counselling and Discipline Policy (for eligible staff); and
 - (c) where the person is a visitor or contractor, this may include temporary or permanent removal from the ACPE campus or ACPE-sponsored activity.
- (15) The College may refer a person to the Police in relation to unlawful activities or conduct.

Section 4 - Procedures

Nil.

Related documents

This Policy should be read in conjunction with but is not limited to:

- Work Health and Safety Policy and Procedure
- Student Code of Conduct
- Staff Code of Conduct
- Critical Incident Policy and Procedure
- Performance Counselling and Discipline Policy

Legislation:

- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulations 2017 (NSW)
- Fair Work Australia
- Higher Education Standards Framework (Threshold Standards) 2021
- Education Services for Overseas Students Act 2000 (Cth)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018

Document Administration

Policy Name	Alcohol and Other Drugs Policy
Policy Owner	CEO
Approval Authority	Board of Directors
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Next Review #	Three years from the Approval Date
Amendment history	
Version 2:	<p>April 2020 - Document first developed and implemented. Subsequent minor amendments to reflect job titles.</p> <p>Version 2 April-May 2023: Updated to new template; expanded scope of policy to include students and removal of provisions relating to drug testing. Clause 13 slightly updated to reflect current practices.</p>

Unless otherwise indicated, this Policy will still apply beyond the Review date