



# Alcohol & Other Drugs Policy & Procedure

## 1. Purpose

This policy will ensure a consistent approach within the Brush Farm Corrective Services Academy (BFCSA) and the CSNSW Academy Hunter Region (hereinafter collectively referred to as the Academy) regarding the use of alcohol and other drugs by staff, course participants and visitors while on the site.

## 2. Scope

The policy restricts the use of alcohol and tobacco and prohibits the use of illegal drugs on the Academy site. It relates to use of these substances by staff working at Academy, course participants and other people visiting BFCSA. This policy must be read in conjunction with the Corrective Services' Employee Alcohol & Other Drugs Policy 2011 (Revised May 2012) and amendments as outlined in the Commissioner's Instructions, CI: 17/2006 and CI: 18/2006.

## 3. Definitions

**Authorised/designated person** - a person authorised by the Director, CSNSW Academy and Operational Training to make a decision, give a direction or carry out any task relating to this policy.

**Alcohol & Other Drugs** - that are prohibited and has the same meaning as it has in the definition of prohibited drug in section 3 of the Drug Misuse and Trafficking Act 1985, namely "...any substance, other than a prohibited plant, specified in Schedule 1". (CSNSW Employee Alcohol & Other Drugs Policy 2011)

**Employee** - a person working at the Academy employed by CSNSW or the Department of Justice or seconded to work at the Academy, including a member of correctional staff as defined in S 236E of the Crimes (Administration of Sentences) Act 1999.

**Note:** Where a person is contracted to provide a service at the workplace, the terms of the contract shall specify that the person may be subject to testing under the provisions of this policy.

**Workplace** - any place or vehicle where an employee carries out any work on behalf of CSNSW, and includes off-site areas.

## 4. Policy Statement

The possession or consumption of alcohol or prohibited drugs is not permitted in any part of the Academy building or grounds without approval of the Director, CSNSW Academy and Operational Training. Additionally, in accordance with Corrective Services NSW Smoke-Free Work Environment policy, smoking is only permitted in designated areas at designated times.

The Director, CSNSW Academy and Operational Training may authorise consumption of alcohol on specific occasions but any remaining alcohol must be removed from the property by the event organiser immediately following the event. A designated person must also ensure the responsible service of alcohol at any event where an exemption has been given.

Unauthorised use of alcohol or prohibited drugs and smoking outside of designated areas by Academy staff are to be reported to the relevant Unit Manager or the Director, Academy & Operational Training. Where breaches are substantiated, disciplinary action may be taken in accordance with the provisions of the Government Sector Employment Act 2013.

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## 5. Responsibility

It is the responsibility of the Director, Academy & Operational Training to ensure the policy is implemented and reviewed and that the most current approved version is available on EDRMS and on the Corrective Service NSW Intranet.

## 6. Legislative Context

The main legislation that applies to NSW state employees is the Government Sector Employment Act 2013. A number of provisions of the Crimes (Administration of Sentences) Act 1999 and Crimes (Administration of Sentence) Regulation 2014 apply to all employees of the Department. Some of the principal Acts and Regulations relevant to employees of the Department are listed below. It should be noted this list is not exhaustive, may change from time to time and all amendments will appear on the Department's Intranet.

See Associated Documents list below for associated documents that also list relevant legislation.

*NSW Anti-Discrimination Act 1977*

*Corrective Services Guide to Conduct and Ethics 2010 Edition*

*Crimes (Administration of Sentences) Act 1999 - (Part 11 Administration; Division 5 "Testing of correctional staff for alcohol and prohibited drugs", Sections 236E – 236I)*

*Crimes (Administration of Sentences) Regulation 2014 – Part 17 "Conduct of members of correctional staff regarding alcohol and prohibited drugs", Division 1 to 6.*

*Drug Misuse and Trafficking Act 1985*

*Freedom of Information Act 1989*

*Work Health and Safety Act 2011*

*Work Health and Safety Regulation 2011*

*Poisons and Therapeutic Goods Act 1966*

*Privacy and Personal Information Protection Act 1998*

*Government Sector Employment Act 2013*

## 7. Changes and Updates

All policies and procedures are subject to ongoing revisions to reflect systems improvements. All online documentation is considered the current version.

It is the responsibility of the user of the document to ensure that the most current version is being applied.

This policy will be reviewed three years from the date of implementation or earlier if warranted.

## 8. Monitoring

The Security Officer or delegate, monitors fridges /common areas in the accommodation blocks for alcohol or prohibited drugs. All accommodation areas are monitored with targeted and random searches conducted by the Security Officer, Trainers or administration staff as required. Any alcohol, prohibited drugs or unidentified substances found in residences by the Director or their delegate will be confiscated, destroyed or sent for scientific analysis if required. It is the responsibility of all staff employed or working at the Academy to report immediately any prohibited use of these substances by course participants.

## 9. Associated Documents

Corrective Services NSW, Employee Alcohol & Other Drugs Policy (2011) – Document Ref: D12/212574 & D12/212581 and amendments as outlined in the Commissioner's Instructions/ Memoranda, CI: 18/2006, CI: 17/2006, 2012/19 and 2012/23- Document Ref: D13/715298, D13/715287, D14/087394 & D14/087405)

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Authority to Test for Alcohol and/or Prohibited Drugs Form
Random AOD Testing Procedures
Corrective Services NSW Guide to Conduct and Ethics 2010
The Management of Professional Conduct in the Department of Corrective Services (2002)
Staff Administration – Grievance Resolution Policy and Guidelines 2012
BFCSA Complaints & Appeals Policy & Procedure (Document Ref:D09/073982)
BFCSA Recognition Policy & Procedure (Document Ref: D09/073985)
BFCSA Participants' Rights and Responsibilities (Document Ref:D09/074000)
BFCSA Customer Feedback Policy & Procedure (Document Ref: D09/310893)
BFCSA Code of Conduct and Ethics (Document Ref: D11/533771)

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