

Risk Management Guidelines

Driving - Drugs & Alcohol

The Problem

Drug Driving

Around 18% of people killed in road crashes have traces of illegal drugs in their blood, with cannabis being the most common.

Although the risks of drug driving aren't as well known as the risks of drink driving they are just as dangerous – drugs can affect people dramatically and therefore make them lethal when behind the wheel of a car.

In Britain the authorities do not routinely keep figures for the number of people who have died or been injured because of drug driving. However, partial figures from a number of police forces in England and Wales listed drug driving as a contributing factor in 56 fatal road accidents in 2008. The overall number will be significantly higher of course.

What Drugs Do

Different drugs affect people in many different ways and the effects can last for hours or even days. Someone who has taken drugs might not even realise they are still affected several days afterwards, so their driving could be impaired without them realising – and without their passengers realising.

Drinking/Taking Drugs and driving resulting in deaths on the road increases year on year. The problem is accentuated by the fact that drug abuse is also commonplace.

Drink-driving

Drink drivers on UK roads kill eleven people every week.

Alcohol is a depressant drug and even small amounts of alcohol (such as half a pint of lager) affect drivers' reaction times, judgment and co-ordination. Alcohol also

makes it impossible for drivers to assess their own impairment because it creates a false sense of confidence and means drivers are more inclined to take risks and believe they are in control when they are not. For these reasons, the only way for drivers to be safe is to not drink anything at all before driving.

It is also impossible to calculate how much alcohol you have in your blood (even if you know exactly how much you have consumed), or how long it will stay in your system. The speed at which alcohol is absorbed into your system (and how quickly your system gets rid of it) depends on a large number of factors, including your sex, weight, metabolism, health and when you last ate.

There's no way of knowing exactly how long it takes to sober up completely after drinking, but it's probably longer than you think. For example, if you finish your fourth pint of normal strength beer at 11pm, you probably won't be sober until 10am the next day – but it could take much longer.

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Drink-drive casualties (deaths, serious injuries and minor injuries) decreased significantly during the 1980s, but rose by nearly a third between 1993 and 2002 (from 14,980 to 20,140). Drink-drive deaths account for one in six road deaths.

These Government statistics only include casualties caused by drivers over the drink-drive limit, yet many more drink-drive crashes are caused by drivers who only have small amounts of alcohol in their blood. An estimated 80 road deaths per year are caused by drivers who are under the drink-drive limit, but who have a significant amount of alcohol in their blood.

A survey of 1,000 drivers conducted by Brake (the road safety charity) showed that:

Half of all drivers admit to drink driving (after drinking any amount of alcohol, at least once in the last twelve months), and one in four drivers admit to driving after drinking an amount of alcohol they know is affecting their driving.

More than one in four drivers (28%) also admit driving the morning after having a lot to drink, when they are likely to still be over the limit.

Alcohol use as a whole is estimated to cost UK companies approximately £700 million a year, with between eight and 14 million working days lost each year due to alcohol use.

The Legal Position

The legal drink drive limit is 80mg of alcohol per 100ml of blood. Drivers with a blood alcohol concentration between 50 and 80mg per 100ml of blood are 2 to 2½ times more likely to crash and 6 times more likely to be in a fatal crash. The risk increases massively when over the limit. A driver who is double the legal limit is 50 times more likely to be in a fatal crash.

Every year, about 90,000 people are convicted of drinking and driving, and face a driving ban of at least 12 months, a large fine and possible imprisonment.

Employers have a general duty under the Health and Safety at Work Act 1974 to ensure, as far as is reasonably practicable, the health, safety and welfare at work of employees. There is also a duty under the Management of Health and Safety at Work Regulations 1999 to assess the risks to the health and safety of your employees. Alcohol and drugs are foreseeable hazards and therefore must be included as part of your health and safety risk assessments. If you knowingly allow an employee under the influence of drink or drugs to continue working and his or her behaviour places the employee or others at risk, you could be prosecuted.

It is an offence under the Misuse of Drugs Act 1971 for any person knowingly to permit the production, supply or use of controlled substances on their premises except in specified circumstances (e.g. when they have been prescribed by a doctor).

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You should also be aware of duties under the Road Traffic Act 1988 and the Transport and Works Act 1992. Drivers of road vehicles must not be under the influence of alcohol or drugs while driving, attempting to drive or when they are in charge of a vehicle

It is also an offence to be unfit to drive through drink, even if below the legal limit, or drugs. The penalties are same as for the 'over the limit' drink offence.

Drug driving – Enforcement

UK law permits roadside screening but despite wide acceptance of a huge problem this has yet to be introduced.

Roadside "drugalysers" have been used for some time in a number of countries, and several UK-based companies produce testing devices. The main problem here is the fact that in the UK we currently look at how drugs (including alcohol) impair an individual where other countries have a zero tolerance approach, which is easier to screen and enforce. Organisations such as BRAKE want the law to be changed to remove the need to prove impairment.

Your drivers at risk

The minimum punishment for a drink/drug drive offence is a 12-month ban from driving all motor vehicles.

Many medicines that are readily available at your pharmacy, although not illegal to drive on, can also put your drivers at risk by causing drowsiness.

Your business at risk

Not only does the driver lose their licence; you lose a driver and potentially your Operators Licence as well. With the right information and the right policies in place you can protect your drivers and in doing so

ensure that your business remains compliant.

Introducing a drug and alcohol policy

A policy is a general statement or plan about how an organisation intends to address an issue. Common policies include health and safety, sickness absence management and discipline. A drug and alcohol policy is the same – it's about how the organisation aims to prevent such problems in the workplace and, if they occur, how it expects the organisation to treat an employee who may have an alcohol or drug problem.

The first step in implementing a drug and alcohol policy is assessing whether there is a problem. Records on sickness absence, productivity, accident records and disciplinary problems could all be looked at. Organisations, large and small, will benefit from having a formal drug and alcohol policy, even if there is no evidence of current misuse.

A policy, which is in place, will enable any future problems that may arise to be dealt with. The second stage is deciding what to do. Consultation with employees is vital here as any change in company rules is made easier if staff feel they have been consulted beforehand.

The next step is to take action. This requires the support of other managers and employees. A programme of awareness could be set up for staff and a programme of training for managers and supervisors.

Everyone needs to be clear about company rules and what to do if they suspect alcohol or drug misuse. A written policy has the advantage of leaving less room for misunderstanding.

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What should a drug and alcohol policy include?

Aims: Why does the policy exist and whom does it apply to?

Responsibility: Who is responsible for carrying out the policy?

Definition: A definition of alcohol/drug misuse

The rules: How your organisation expects employees to behave to ensure that alcohol/drug misuse does not have a detrimental effect on their work

Safeguards: Statements to clarify discrepancies

Confidentiality: Assurance to employees of confidentiality at all times

Help: A description of what help is available to employees

Information: A commitment to provide employees with information

Disciplinary action: List the circumstances in which disciplinary action will be taken.

Finally, check what has been done. This should be done regularly and changes made as and when necessary.

Screening

As part of your drug and alcohol policy, you may wish to introduce screening and testing. This can be used either as part of your recruitment selection process, to test all employees either routinely, occasionally or randomly, or in specific circumstances such as after an accident.

Screening involves testing samples of blood, urine or breath to detect alcohol or drug misuse by employees. It is a very sensitive issue because of the many employment implications, i.e. issues of industrial relations and civil liberties. Securing the agreement of the workforce to the principle of screening is essential, partly because of the practical and legal issues involved. Screening is only likely to be acceptable if it can be seen to be part of a company's occupational health policy and is clearly designed to prevent risks to others. Cost is another consideration because of the need to ensure the accuracy and validity of test results.

Screening by itself will never be the complete answer to problems caused by alcohol misuse and its results must always be supplemented by a professional assessment of the employee.



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Further information

Brake – the road safety charity

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Website: www.brake.org.uk

Freight Transport Association

Hermes House, St Johns Road,
Tunbridge Wells, Kent TN4 9UZ

Tel: 01892 526171

Fax: 01892 534989

Website: www.fta.co.uk

HSE Information Services

Caerphilly Business Park, Caerphilly CF83 3GG

Tel: 0845 345 0055

Website: www.hse.gov.uk

Alcohol Concern

Alcohol Concern, 64 Lemn Street, London
E1 8EU

Tel: 020 7264 0510

Fax: 020 7488 9213

E-mail: contact@alcoholconcern.org.uk

Website: www.alcoholconcern.org.uk

Drugscope

Tel: 0207 9407500

Website: www.drugscope.org.uk



Risk Management Guidelines

These and other Risk Management Guidelines addressing a wide variety of risk control issues are freely available from: www.rsabroker.com/risk-management

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