

**Policy Title: Alcohol and other Drugs Management**

**Policy Owner: Director, Human Resources Service Centre**

**Keywords: 1) alcohol 2) liquor 3) function 4) duty of care 5) drugs**

**Policy Code: PL110 [hr184]**

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**1. INTENT**

**1.1** Outline the principles guiding the University’s management of alcohol and other drugs by workers, students, visitors and unpaid appointees.

**2. ORGANISATIONAL SCOPE**

The Policy applies to all staff, students, visitors and unpaid appointees and activities on ECU premises or while representing ECU, within Australia and overseas, during and outside business hours, including but not limited to campuses, off-campus locations, and on and off campus residential facilities.

**3. DEFINITIONS**

TERM	DEFINITION
<b>Activity or event or function</b>	Any activity that occurs on or off Campus outside the academic program.
<b>Attendee (at a function)</b>	An attendee does not include a person who is: <ul style="list-style-type: none"> <li>• Managing or supervising the function;</li> <li>• Providing services at the function (e.g. serving or security);</li> <li>• Providing entertainment at the function, or assisting a person who is providing such entertainment</li> </ul>
<b>Contractor(s)</b>	As defined in the <i>Contractor’s Policy</i>
<b>Duty of Care</b>	A moral or legal obligation to ensure the safety or well-being of others
<b>Impaired</b>	Adversely affected by alcohol or other drugs. As a general guide: <ul style="list-style-type: none"> <li>• an observation of a deterioration of the person’s judgement and/or their physical behavioural symptoms being impaired by the effects of alcohol or drugs, and/or unusual and/or inexplicable actions by the person;</li> </ul>

	<ul style="list-style-type: none"> <li>a person is impaired by alcohol or other drugs when their level of consumption is likely to be at or over the legal limit for driving</li> </ul>
<b>Intoxicated</b>	A person's speech, balance, co-ordination and/or behaviour appears to be noticeably impaired and it is reasonable in the circumstances to believe that that impairment results from the consumption of alcohol and/or other drugs.
<b>Liquor Control Act 1988 ("the Act")</b>	Government of Western Australia, Department Racing, Gaming Liquor (RGL) legislation governing the sale and supply of liquor.
<b>Other drugs</b>	Includes: <ul style="list-style-type: none"> <li>Substances which are illicit in Western Australia and off-campus locations. Where there is a difference, the higher standard applies</li> <li>Prescription or over-the-counter substances which adversely affect, or may adversely affect, a person's behaviour and/or work/study performance</li> </ul>
<b>Visitor</b>	Any person on ECU property not defined elsewhere in this policy
<b>Worker(s)</b>	<p>A person is a worker if the person carries out work in any capacity for ECU, including work as:</p> <ol style="list-style-type: none"> <li>an employee;</li> <li>a contractor or sub-contractor;</li> <li>an employee of a contractor or sub-contractor;</li> <li>an employee of a labour hire company who has been assigned to work in the person's business or undertaking; an apprentice or trainee;</li> <li>a student gaining work experience; or</li> <li>a volunteer</li> <li>an unpaid appointee.</li> </ol> <p>This also includes students engaged on a course of study at ECU.</p>

#### 4. POLICY CONTENT

**4.1** ECU is committed to providing a safe, healthy and inclusive environment. The following principles apply in relation to the use and consumption of alcohol and/or other drugs in circumstances that may adversely affect this.

- 4.1.1** Intoxication or impairment whilst on ECU premises or representing the University is prohibited.
- 4.1.2** Possession of illicit drugs on ECU premises is prohibited.
- 4.1.3** Encouraging or coercing another person to drink alcohol on ECU premises is prohibited.
- 4.1.4** Persons intoxicated or impaired by alcohol or other drugs are not to engage in any work or work anywhere where they may come to harm themselves or affect the safety of others. This includes driving or operating University vehicles, boats, plant or equipment.
- 4.1.5** Managers and supervisors are responsible for addressing risks to the wellbeing or welfare of any member of the University community or damage to university

property including when there are concerns regarding the suspected use of alcohol or other drugs.

- 4.1.6** Incidents involving the use of alcohol or other drugs that breach this policy will be reported in accordance with the University's incident reporting guidelines.
- 4.1.7** Inappropriate behaviour and/or sub-standard performance will be subject to university policies and procedures.
- 4.1.8** Use of alcohol or other drugs by students, staff, or unpaid appointees which results in anti-social behaviour, potential or actual harm to themselves, placing others at risk or damage to University property may be subject to disciplinary action under:
  - *University Statute 22 – Student Conduct*
  - *University's Code of Conduct Policy.*
- 4.1.9** Use of alcohol or other drugs by contractors or visitors which results in anti-social behaviour, potential or actual harm to themselves and/or others, or damage to University reputation and/or property may result in them not being permitted to remain on campus.
- 4.1.10** Due to the nature of work, a zero tolerance to alcohol and other drugs applies to contractors involved in activities such as building works. Contractors who do not comply are not permitted to remain on campus.
- 4.1.11** Treatment, support and referral services will be provided, as far as reasonably practicable, to staff and students where there are concerns relating to alcohol or other drug use.
- 4.1.12** The University will support appropriate prevention, education and harm minimisation strategies in relation to the use of alcohol and other drugs.
- 4.1.13** All activities involving the sale and consumption of alcohol will comply with relevant legislation.
- 4.1.14** Functions and events involving alcohol must be conducted in accordance with the *Liquor Control Act* and the University's *Functions on Campus Policy*;
- 4.1.15** Licensed and commercial premises on university grounds must be operated in accordance with the *Liquor Control Act* and the University's *Functions on Campus Policy*.
- 4.1.16** Non-compliance with this policy may be subject to prosecution and/or disciplinary action in accordance with the *Liquor Control Act*, *Misuse of Drugs Act*, *University By-Laws*, *University Code of Conduct* or the *Occupational Safety and Health Act* and may result in claims for damages.

## **5. ACCOUNTABILITIES AND RESPONSIBILITIES**

- 5.1** The Policy Owner, the Director Human Resources Services has overall responsibility for the content of this policy and its operation in ECU.
- 5.2** Managers and Supervisors are responsible for identifying and addressing risks to the wellbeing or welfare of any member of the university community or damage to university property, including due to alcohol or other drug use.

- 5.3** Staff and students shall adhere to this Policy. Should they become aware that an individual at an ECU premise or function is potentially intoxicated or impaired by alcohol or other drugs, they shall minimise the risk of harm by informing Security and thereafter, reporting the incident through the University's incident reporting mechanisms
- 5.4** Event Managers and Function Organisers are responsible for planning and managing events in accordance with *the Liquor Control Act*, this policy and associated guidelines and procedures and the University's *Functions on Campus Policy* to minimise the risks to attendees, university property and the university's reputation.
- 5.5** All members of the University community are expected to comply with University Policy.

## 6. RELATED DOCUMENTS:

The policy is supported by the following documents which are relevant to the operation of this policy:

- [Australian Guidelines to Reduce Health Risks from Drinking Alcohol](#)
- [Code of Conduct](#)
- [Contractor's Policy](#)
- [Entertainment and Catering Expenditure Policy](#)
- [Facilities Hire Policy](#)
- [Functions on Campus Policy](#)
- [Liquor Control Act 1988](#)
- [Liquor Control Regulations 1989](#)
- [Misuse of Drugs Act 1981](#)
- [Road Traffic Act 1974](#)
- [Smoke-Free University Policy](#)
- [University By-Laws](#)
- [Work Health and Safety Policy](#)

## 7. CONTACT INFORMATION

For queries relating to this document please contact:

Policy Owner	Director Human Resources Service Centre
All Enquiries for staff-related issues Contact:	Director Human Resources Service Centre
Telephone:	08 6304 2302
Email address:	<a href="mailto:osh@ecu.edu.au">osh@ecu.edu.au</a>
All Enquiries for student-related issues Contact:	Director Student Life
Telephone:	08 6304 3888
Email address:	<a href="mailto:p.corbett@ecu.edu.au">p.corbett@ecu.edu.au</a>

All Enquiries for issues related to Contractors, Visitors, Facilities and Functions on ECU premises contact:	Manager Quality and Service Delivery, Facilities and Services
Telephone:	08 6304 5586
Email address:	<a href="mailto:k.gilmore@ecu.edu.au">k.gilmore@ecu.edu.au</a>

## 8. APPROVAL HISTORY

Policy Approved by:	Vice-Chancellor
Date Policy First Approved:	May 2003
Date last modified:	31 May 2019 <ul style="list-style-type: none"> <li>• Change of policy owner from Facilities and Services to HR</li> <li>• Change of title and focus from Alcohol on Campus Policy</li> <li>• Change of alphanumeric code from fs020 to hr184</li> </ul>
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