

Alcohol, Drugs and Other Substances Policy

Section 1 - Preamble

(1) Charles Darwin University (the University) has a duty of care under the [Work Health and Safety Act 2011](#) (WHS Act) to protect the health and safety of staff, students, contractors, and authorised visitors to the University. All University staff also have a duty to not recklessly endanger others in the workplace under the [WHS Act](#).

(2) Further, the University and all University staff, students, contractors, volunteers, and authorised visitors are required to comply with the [Liquor Act 2019 \(NT\)](#), [Misuse of Drugs Act 1990 \(NT\)](#) and the [Criminal Code Act 1983 \(NT\)](#), which set out processes and offences related to the supply and use of alcohol and other drugs respectively.

(3) Alcohol and other drugs, including prescription or over-the-counter medicines, can affect employee health and a person's ability to work safely. The University is committed to providing a healthy, safe, and productive work and study environment that discourages illegal and inappropriate use of alcohol and other drugs.

Section 2 - Purpose

(4) This policy outlines obligations of the University, and staff, students, contractors, volunteers, and authorised visitors to ensure that the University is a safe and healthy environment in the context of alcohol and drugs use. It outlines legal obligations related to the service and use of alcohol in the Northern Territory and the University's expectations in creating and maintaining an inclusive and welcoming University environment for University staff, students, contractors, volunteers, and authorised visitors.

Section 3 - Scope

(5) This policy applies to all University staff, students, contractors, volunteers, and authorised visitors and all activities that take place on University property, that officially represent, or could be perceived as representing, the University.

Section 4 - Policy

University Responsibilities

(6) Under the [WHS Act](#), the University is responsible for:

- a. providing a safe and healthy workplace for University staff whilst on the University premises or when engaged in University business;
- b. eliminating potential alcohol and other drugs-related harm to University staff, students, contractors, and authorised visitors;
- c. preventing damage to University property or the University's reputation caused by alcohol or other drugs use;
- d. meeting legal responsibilities related to the Responsible Service of Alcohol across all University related activities; and
- e. providing an inclusive environment for staff and students who choose not to consume alcohol or other drugs,

including tobacco.

(7) If a situation arises where the use of alcohol and other drugs negatively impacts University staff, students, contractors or visitors the University will provide relevant information to the relevant Police Force and act to protect the safety of University staff, students, contractors or visitors.

(8) The University aims to reduce the potential of personal and professional harm associated with the use of alcohol and other drugs by members of its community by:

- a. raising awareness in the University community about the risks of accidents, injuries, and damage that the use of alcohol and other drugs can cause;
- b. minimising or eliminating potential hazards associated with alcohol and other drugs use in the workplace and study environment;
- c. fostering a work and study culture that discourages the use of alcohol and other drugs at University events on University property;
- d. supporting a culture that makes clear that being under the influence of alcohol and other drugs while working for the University, in University residences, studying or using University facilities, at a University business, or using University vehicles, is not acceptable;
- e. providing students and staff who develop alcohol and/or drug use problems with access to counseling and support and referral to health services and support as necessary; and
- f. providing staff members with access to counseling and support through the Office of People and Culture that include prevention, education, counseling and rehabilitation for alcohol and other drug use.

(9) If an Authorised officer of the University, such as a member of the Health, Safety and Environment (HSE) Team is concerned that a staff member or student is impaired by alcohol and/or other drugs, they will direct that staff member or student to cease work or study/training activity immediately.

(10) The University will not accept alcohol and/or drug use as an excuse for inappropriate behaviour or sub-standard performance.

Staff Members - Responsibilities

(11) All staff members are required to act in an ethical and lawful manner as consistent with the University's [Code of Conduct - Staff](#), the [Liquor Act](#), [Misuse of Drugs Act](#), the [WHS Act](#), the [Criminal Code Act](#), and this policy.

(12) Staff members who are taking prescription or non-prescription drugs that may impact on their performance or behaviour in the workplace must bring the matter to the attention of their supervisor prior to commencing work. This information is considered private and will be protected in line with the University's [Privacy and Confidentiality Policy](#).

(13) Staff members may not consume alcohol and other drugs before reporting for duty when consumption could affect work performance or impact their own or others' safety when on duty.

(14) Staff members who believe or suspect that a colleague or student is under the influence of alcohol and/or other drugs, and thus could present a safety risk to themselves or others, have a duty to bring this to the attention of an Authorised officer (for example, a member of the HSE team). It is important that this information is kept confidential and shared only with the authorised officer, in line with the Privacy and Confidentiality Policy, as there are many cases in which someone may appear to be under the influence of alcohol and/or drugs but be suffering from another health condition.

(15) When representing the University in any capacity whether on or off University premises, and whether inside or outside of normal business hours, staff members are expected to demonstrate professional and responsible behaviour and comply with University policies, rules, and legislation where the use/service of alcohol or/and other drugs is

concerned.

(16) Staff members must not operate machinery or equipment or drive a University vehicle whilst under the influence of any alcohol or/and other drugs. Staff members engaged in activities where impairment from alcohol and/or other drugs may impact safety or the health of staff, students, contractors, or authorised visitors may be subject to drug tests.

(17) Staff members have a duty of care to ensure that any student under their care does not operate machinery or equipment or drive a University vehicle whilst under the influence of any alcohol and other drugs. To exercise this duty of care staff members may need to organise drug tests for students engaged in activities where impairment from alcohol or other drugs may create a risk to the student, or other students and staff.

(18) When organising a University function where alcohol is available, staff members must comply with the Liquor Act as outlined below. Events should encourage responsible and safe consumption of alcohol and be inclusive events.

(19) A staff member exhibiting behaviour that impacts on the safety or performance of staff, students, visitors or contractors may be subject to disciplinary action in accordance with the University laws and governing instruments.

(20) University staff must not attend work under the influence of alcohol and other drugs. Alcohol may be consumed socially in work settings, as long as the alcohol consumed does not impact the safety and health of staff, students, contractors or authorised visitors or impact staff performance.

(21) All University staff are obliged to take reasonable care and maintain standards of acceptable behaviour whilst on University property and when representing the University. This includes being unimpaired by alcohol and other drugs when attending or representing the University.

(22) All staff members are responsible for conducting themselves in an appropriate manner and encouraging standards of acceptable behaviour in others. In accordance with their designated level of responsibility, all staff members are responsible for addressing inappropriate behaviour in students/staff under their care.

Student Responsibilities

(23) All students are required to act in an ethical and lawful manner as consistent with the University's Student Code of Conduct, the Liquor Act, Misuse of Drugs Act, the WHS Act, the Criminal Code Act, and this policy.

(24) All students are expected to recognise that alcohol and other drugs can negatively impact their health and safety and academic performance.

(25) Students who are adversely affected by alcohol and other drugs should not attend an academic activity, for example, lectures, tutorials, laboratories, workshops on University premises, facilities or University approved external excursions.

(26) If an authorised officer determines that a student may be impaired by alcohol and other drugs, the authorised officer may direct that student to cease academic activity immediately and remove themselves from the facilities.

(27) Students engaged in activities where impairment from alcohol or other drugs may create a risk to the student or other students may be subject to drug testing in line with industry standards and the WHS Act.

(28) Students are obliged to take reasonable care and maintain standards of acceptable behaviour whilst on University property and when representing the University, including but not limited to functions; off-campus learning activities; international in-country study programs; exchange programs; and sporting events. This includes being unimpaired by alcohol and other drugs when attending or representing the University.

(29) A student exhibiting behaviour that impacts on the safety or performance of other members of the University

community may be subject to disciplinary action being taken in accordance with the [Charles Darwin University \(Student Conduct\) By-laws](#), [Charles Darwin University \(Student Residences\) By-laws](#), [Charles Darwin University \(Site and Traffic\) By-laws](#) and/or any other Governance documents.

(30) No University funds provided to student groups are to be used for the purchase of alcohol and other drugs.

Authorised visitors, volunteers, and contractors to the University

(31) All authorised visitors, volunteers and contractors to the University are required to act in an ethical and lawful manner as consistent with the University's Staff Code of Conduct and this policy. Visitors, volunteers, and contractors must not attend University functions or work on University premises whilst under the influence of alcohol and other drugs. Any breach of this policy by visitors, volunteers and contractors may be referred to the relevant Police Force.

Alcohol Protected Areas

(32) In line with the [Liquor Act](#), University staff and students must not consume, possess, or transport alcohol into alcohol protected areas when representing the University or otherwise engaged in University business. This includes transportation in any University or personal vehicle whilst on duty.

University Events Involving Alcohol

(33) All staff members responsible for organising University events, whether they are informal or formal events or functions must seek permission from the Director Property and Facilities 14 days before the event and provide evidence that they have assessed and mitigated any risks associated with the event and comply with the Responsible Service of Alcohol.

(34) The University does not hold a liquor licence. At any formal University event where alcohol is sold, supplied or served event organisers must use a caterer who holds a liquor licence. Event organisers must ensure there are appropriate event risk mitigation procedures in place, including considering whether onsite security is required for the event.

(35) At all University events or functions, the following Responsible Service of Alcohol rules must be followed:

- a. Alcohol will not be served to persons under eighteen (18) years of age;
- b. Alcohol will not be served to intoxicated persons;
- c. Only licensed venues may sell alcohol on campus;
- d. Alcohol may only be consumed in the area designated for the event; and
- e. University staff/students responsible for formal functions must take appropriate action to ensure the safety and wellbeing of people and property.

(36) At University events and functions where alcohol is served, in line with the Staff and Student Codes of Conduct, staff members and students are expected to:

- a. respect individual differences in attitudes towards the consumption of alcohol;
- b. ensure that all events are inclusive and welcoming of all invitees including those who are not of legal drinking age and those who choose not to drink alcohol. This excludes licensed venues where people under eighteen (18) years of age are not permitted in some areas; and
- c. ensure that non-alcoholic drinks and food are available.

Section 5 - NON-COMPLIANCE

(37) Non-compliance with Governance Documents is considered a breach of the [Code of Conduct – Staff](#) or the [Code of Conduct – Students](#) as applicable and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures.

(38) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the [Fraud and Corruption Control Policy](#) and [Whistleblower reporting \(Improper Conduct\) Procedure](#).

(39) Any behaviour that contravenes the Liquor Act and the Misuse of Drugs Act will be reported to the relevant authorities.

(40) Failure to abide by the terms outlined in this policy may lead to disciplinary action and, if severe enough, may be referred to the relevant law enforcement authorities.

(41) Any disciplinary action will be determined after due consideration of the facts and may include, but is not limited to, the following:

- a. Direction from an authorised officer to cease duties or academic activity immediately, for example, lectures, tutorials, laboratory work, workshops, training, or excursions, pending an investigation;
- b. Imposing a monetary penalty under the terms of the [Charles Darwin University \(Site and Traffic\) By-laws](#) 2005 (as amended in 2015),_clauses 8 (1) (c) (i); (h); (k) (ii) and 9 (1) (g));
- c. Referral to the appropriate disciplinary procedures for misconduct in accordance with the [Charles Darwin University \(Student Conduct\) By-laws](#) 2006 or the current [Charles Darwin University and Union Enterprise Agreement](#); and/or
- d. Referral to relevant law enforcement authorities, where the misconduct potentially constitutes a legal offence.

Status and Details

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Effective Date	1st March 2022
Review Date	1st March 2025
Approval Authority	Vice-Chancellor
Approval Date	16th February 2022
Expiry Date	21st August 2023
Responsible Executive	Fiona Coulson Vice-Chancellor
Implementation Officer	Peta Preo Director People and Culture
Enquiries Contact	Peta Preo Director People and Culture

Glossary Terms and Definitions

"Authorised officer" - A staff member of the University (or member of a law enforcement agency) who has responsibility for the safety and wellbeing of others in their care for example, lecturers, supervisors, managers, executives, security personnel, campus administrators, residences managers, coordinators of fieldwork or off-campus learning activities or staff responsible for a relevant area.