



## Cylch Meithrin Meini Bach

Polisi Camddefnydd Alcohol a Chyffuriau  
Drug and Alcohol Misuse Policy



**A Welsh language version of this policy is available. If there is any ambivalence about the wording of the policy, the Welsh language version is always the correct copy.**

**Cylch Meithrin Meini Bach** follows this policy and guideline pack, reviews it annually and updates it as required.

The **leader of Cylch Meithrin Meini Bach** will ensure that every member of staff understands this policy.

**Cylch Meithrin Meini Bach** will ensure that parents and carers and the local authority are aware of this policy by taking the following steps:

1. Policy will be placed on the **Cylch Meithrin** website.
2. Place policy in the entrance or where people are able to view it.

### REVIEWED BY

### DATE

(Name)

(Signature)

(Date)

Mari Hannah Lanchbury

M.LANCHBURY

15/6/22

*(It is suggested that you review your policy annually and notify CIW of any changes you make.)*



# Cylch Meithrin Meini Bach

## Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

The **Health and Safety at Work Act 1974**, places a legal requirement on companies to provide a safe working environment for their employees. The Cylch Meithrin is committed to maintaining the highest standards of health, safety and welfare for the benefit of all staff, volunteers, students and visitors to the setting, in addition to the children under its care.

The aim of this policy is to increase awareness of the effects of alcohol and drug<sup>1</sup> misuse and the most likely symptoms, and to ensure that:

- all members of staff are aware of their responsibilities with regard to the misuse of alcohol and drugs and their associated problems.
- staff who have issues which are related to drugs or alcohol are encouraged to seek help promptly.
- staff who have issues with alcohol or drugs which affects their work are treated fairly and with compassion.

### Aim

The Cylch Meithrin operates, within reasonable and practical limits, to ensure the health, safety and welfare of its staff, the children in its care, students on work experience, volunteers and visitors to the setting. This includes ensuring that all members of staff are able to fulfil their roles safely and effectively in an environment which is free from alcohol and the misuse of drugs, and ensuring that children are not left in the care of adults who may be under the influence of alcohol or other substances that may affect their ability to care for them.

See the **Health, Safety and Welfare Policy** for further information.

### Principles

The Cylch Meithrin is committed to providing a safe environment that ensures the welfare of the children in our care. This includes making sure that children are not left in the care of adults who may be under the influence of alcohol or other substances that may affect their ability to care for them.

The Cylch Meithrin will not allow staff who are clearly under the influence of alcohol or drugs, and/or whose ability to work has been impaired in any way as a result of alcohol or drug use, to work at the setting.

The Cylch Meithrin will not allow staff, volunteers, and students on work experience to work if they are known to be in possession of, or if they are supplying alcohol or

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<sup>1</sup> The term 'drug' is used to refer to all drugs and substances, legal or illegal, which could adversely affect behaviour or performance and/or which can lead to an increased risk of accidents and/or injuries.



## Cylch Meithrin Meini Bach

Polisi Camddefnydd Alcohol a Chyffuriau

Drug and Alcohol Misuse Policy

illegal substances at the workplace. Any individual found to be in possession of, or supplying illegal substances will be reported to the relevant authorities.

The Cylch Meithrin recognises that some members of staff may become dependent on alcohol or drugs. We acknowledge that dependency is different from drinking or occasional use of alcohol or drugs. The Cylch Meithrin also recognises that such addiction can be successfully treated. We aim to promote a sympathetic and understanding culture towards staff who have an addiction to alcohol or drugs and to encourage them to seek help and support.

### The Rights of the Child

This policy is part of ensuring that the Cylch Meithrin respects the rights of the child, as noted in the United Nations Convention on the Rights of the Child, specifically:

Article 6: All children have the right of life. Governments should ensure that children survive and develop healthily.

Article 27: Children have a right to a standard of living that is good enough to meet their physical and mental needs.

### Code of Practice

#### Alcohol and Drugs in the Workplace

The misuse of alcohol and drugs can lead to lower levels of attendance, efficiency and general performance in the workplace. Where the member of staff is responsible for making decisions and caring for children, misuse of alcohol and drugs can affect their judgement and increase health and safety risks.

Misuse of alcohol or drugs can lead to irresponsible behaviour which could damage the good name of, and consequently the sustainability of the Cylch Meithrin.

The Cylch Meithrin will ask anyone who is clearly under the influence of alcohol or drugs when they arrive at the setting, or whom they suspect of to be under the influence of alcohol or drugs to leave the premises immediately. **See APPENDIX 1: Possible signs of alcohol and / or drug misuse** for more information.

The Cylch Meithrin will ensure that the employee is not permitted to drive, and will, if necessary, call a taxi to take the employee home.

Where this is a member of staff, the Cylch Meithrin will:

- hold an inquiry, and this could lead to disciplinary procedures as laid out in the **Staffing Policy** which could lead to dismissal.
- contact **CIW** to inform them of the situation, as required by the notification of change form in Regulation 9.



## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

- suspend the individual pending the outcome of the investigation. Alternative arrangements will need to be made to ensure the setting maintains the required staffing ratios during this period.
- ensure that the individual receives full pay for the shortest possible period. A dated record of the incident will be kept with the individual's staff file.
- make a referral to the Disclosure and Barring Service. See Attachments 2 and 3 for more information.

The Cylch Meithrin will:

- expect staff, volunteers, and students on work experience to arrive at work able to fulfil their professional duties safely and without limitations arising from the use or after-effects of alcohol or drugs<sup>2</sup>. Individuals should not present themselves for work while under the influence of alcohol or drugs, where their performance or their ability to fulfil their duties safely and competently are affected in any way.

refuse to accept staff, volunteers, and students on work experience in the workplace who are clearly under the influence of alcohol or drugs, and / or whose ability to work has been impaired in any way as a result of alcohol or drug use.

- expect staff, volunteers, and students on work experience to not consume alcohol or keep / take illegal drugs during contractual working hours, including during lunch and other break times. Any incident of alcohol consumption or taking illegal drugs during contractual working hours could lead to disciplinary procedures as noted in the **Staffing Policy** which could lead to dismissal.
- refuse to accept staff, volunteers, and students on work experience in the workplace who are suffering from the after-effects of alcohol or drugs on their person. It is important to remember that alcohol and drugs remain in the body for a period of time after they have been consumed, and this could affect the individual's ability to carry out their duties safely.
- expect staff, volunteers, and students on work experience to behave responsibly in the workplace and at work-related social events.

If an individual is representing the setting at an external event where alcohol is served, this should be considered as 'at work' despite the fact that this is outside normal working hours. Consequently, staff are expected to behave in a professional and appropriate manner at all times.

The Cylch Meithrin will take all reasonable steps to prevent consumption or over consumption of alcohol by any member of staff, volunteers, and students on work experience and will take steps to deal with any unacceptable behaviour which arises.

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<sup>2</sup> The use of drugs also includes the use of legal substances or medications which have the same effect as illegal drugs.



# Cylch Meithrin Meini Bach

## Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

The Cylch Meithrin regards drinking to an "unreasonable level" as any of the following situations:

- In the opinion of management, the individual's performance is impaired. This may be at less than the legal limit stipulated for driving.
- In the opinion of management, the individual's behaviour may cause embarrassment, distress or offence to others.
- The individual continues to drink when instructed to stop by a manager.

Any such behaviour could lead to disciplinary procedures as laid out in the **Staffing Policy**.

The Cylch Meithrin expects staff, volunteers, and students on work experience placements to comply with current drink-driving and drug-driving legislation at all times.

A conviction for a drink-driving offence or for a driving whilst under the influence of drugs offence can harm the good name of the setting, and if driving is part of your job, you may be unable to continue in your role. If you commit a drink-driving or drug-driving offence during or outside of your contracted work hours, this could lead to disciplinary procedures as laid out in the **Staffing Policy** which could lead to dismissal.

The Cylch Meithrin will:

- contact the **Police** if anyone who is under the influence of alcohol or drugs arrives at the setting by car.
- contact the **Police** if they suspect that anyone, including staff, volunteers, students on work experience, visitors or contactors of being in possession of illegal drugs.
- contact the **Police** if they suspect that an illegal activity (e.g. supplying illegal drugs) has taken place, as required by the **Misuse of Drugs Act 1971**.

If they are a member of staff, this will lead to disciplinary procedures as noted in the **Staffing Policy** which could lead to dismissal.

### Medication

The Cylch Meithrin acknowledges that not all drugs used are illegal, or obtained illegally. We acknowledge that some drugs which are legally obtained can affect the work and performance of an individual, and that misuse of the drug is not the cause.



## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

The Cylch Meithrin expects staff, volunteers, and students on work experience placements who take such medication to seek advice from their GP or Pharmacist on its possible effect on their ability to fulfil their role.

The Cylch expects any individual who takes medication that might affect their ability to fulfil their role to share relevant information with the **Leader / Manager / Chairperson / Registered Person/ Responsible Individual** in a timely manner so that an appropriate risk assessment can be carried out. Any instructions subsequently given must be followed. Drugs that cause drowsiness must not be used while at work.

#### Identifying issues

No member of staff, volunteer or student on work experience should present themselves for work while under the influence of alcohol or drugs, where their performance or their ability to fulfil their duties safely and competently are affected in any way.

No member of staff, volunteer or student on work experience should bring or use any alcohol or illegal substances on Cylch premises under any circumstances. Strict control/safety measures should be followed in relation to any prescribed or over the counter medication on Cylch premises.

If a member of staff, volunteer or student on work experience believe that they are experiencing alcohol or drug related issues, they are expected to seek expert advice and support as soon as is possible.

Colleagues should not try to conceal their work or their behaviour if they are suffering from alcohol or drug related conditions. Staff are encouraged to seek support through the **Leader / Manager / Chairperson / Registered Person/ Responsible Individual**.

If a member of staff, volunteer or student on work experience notices a difference in a colleague's behaviour, they should bring the matter to the attention of the **Leader / Manager / Chairperson / Registered Person / Responsible Individual**, or to follow the procedure laid out in the **Whistleblowing Policy**.

#### **Leader / Manager / Chairperson / Registered Person/ Responsible Individual** Responsibilities

If the **Leader / Manager / Chairperson / Registered Person/ Responsible Individual** considers that there is a decline in work performance and/or a change in the behaviour of a member of staff, volunteer or student on work experience as a result of the misuse of alcohol or drugs, they will invite them to a meeting to discuss the situation. The aim of this meeting is to:



## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

- discuss the reason for the investigation, and to seek the staff member's opinion on the reason for, for example, the decline in their performance and/or behaviour;
- where appropriate, encourage the member of staff to seek help from an occupational health professional to receive appropriate medical advice.
- where appropriate, to offer to refer the member of staff to an occupational health professional to receive appropriate medical advice.

#### Providing support

Issues associated with drugs and alcohol can develop for a variety of reasons, and over a substantial period of time. The Cylch Meithrin is committed to treating these issues in a similar fashion to other health issues. Where possible, the Cylch will provide support, with the aim of enabling staff to return to their full responsibilities.

This could include:

- signposting to appropriate treatment providers, where appropriate, in partnership with the GP.
- allowing time to attend appointments.
- adapting responsibilities or providing alternative support during treatment and for an agreed period of time following treatment, dependent on the operational requirements and practicalities of doing so within the job requirements.

If a member of staff, volunteer or student on work experience does not complete a treatment programme and returns to work before they are ready to do so, the **Leader / Manager / Chairperson / Registered Person/ Responsible Individual** will meet with the individual to decide what, if any, further steps should be taken.

Failure to accept help or continue with treatment will render the employee liable to normal disciplinary procedures.

#### Confidentiality

The aim of the Cylch Meithrin is to ensure that the confidentiality of any member of staff experiencing alcohol or drug related issues is maintained.

However, it must be acknowledge that in supporting staff, volunteer or student on work experience, sharing some information is likely to be essential. As a rule, the Cylch Meithrin will seek an individual's permission before disclosing any confidential information. The Cylch Meithrin will follow the guidelines of the **Confidentiality and Data Protection Policy** on such occasions.

If a member of staff, volunteer or student on work experience seeks support for alcohol or drug related issues directly from you **Line Manager / Cylch Committee** and wishes to keep this secret from their colleagues, we will respect their wishes unless there is reason to believe that this would put them, their colleagues, anyone else, or the business in danger. In these circumstances, the **Line Manager / Cylch**



## Cylch Meithrin Meini Bach

Polisi Camddefnydd Alcohol a Chyffuriau  
Drug and Alcohol Misuse Policy

**Committee** will encourage them to inform their colleagues and will give you sufficient time to do so before discussing the matter with them.

### Safeguarding Children

The Cylch Meithrin has a responsibility for the children in our care. To this end, the Cylch Meithrin will ask individuals who arrive at the setting clearly under the influence of alcohol or drugs to leave the setting.

Where the Cylch Meithrin deems that a parent/carer/guardian is unable to care for a child because they are under the influence of alcohol or drugs, the Cylch Meithrin will contact one of the emergency contacts provided on the **P1** form.

To the best of the ability, the Cylch Meithrin **Staff / Leader** will try to ensure that a child does not travel in a vehicle driven by an individual they suspect of being under the influence of alcohol or drugs.

If this is not possible, remember that there is no legal right to withhold a child from their parent/carer/guardian. Where the Cylch Meithrin deems that the child is at risk or has concerns for the child's welfare, the Cylch Meithrin will follow the guidelines set out in its **Safeguarding Policy**.

The Cylch Meithrin will:

- manage the incident sensitively to ensure that positive family relationships are maintained.
- ensure that two members of staff are present when speaking to the parent / carer / guardian.
- keep a written record of the incident in the **Incident Book**.
- contact the **Police** if anyone who is under the influence of alcohol or drugs arrives at the setting by car.
- contact the **Police** if they suspect that anyone, including staff, volunteers, students on work experience, visitors or contactors of being in possession of illegal drugs.
- contact the **Police** if they suspect that an illegal activity (e.g. supplying illegal drugs) has taken place, as required by the **Misuse of Drugs Act 1971**.
- contact **Social Services** to note a concern about the safety of the child.



## Cylch Meithrin Meini Bach

Polisi Camddefnydd Alcohol a Chyffuriau  
Drug and Alcohol Misuse Policy

### **GUIDELINES FOR UNEXPECTED INCIDENTS**

Unexpected incidents can relate to parents, carers, guardians, staff, volunteers, students on work experience, visitors or any other individual who comes into contact with the setting.

- Unexpected incidents could include:
- Discovering drugs or drug-related equipment at the setting.
- Suspicions, rumours or allegations about an individual's activities.
- Disclosure by an individual about substance misuse on the Cylch Meithrin premises or whilst on a trip/visit.
- Misuse of or symptoms of the misuse of substances.
- Selling substances.
- Possession of substances.

All cases of alcohol or drug misuse should be treated seriously and reported to the **Leader or the Registered Person/ Responsible Individual**. A written record of the incident should be kept in the **Incident Book**, including the date and time of the incident.

The safety and wellbeing of the children is paramount at all times.

**First Aid** procedures / guidelines must be followed if you suspect that an individual is ill or unsafe as a result of the misuse of drugs or alcohol.

Where the Cylch Meithrin deems that the child is at risk or has concerns for the child's welfare, the Cylch Meithrin will follow the guidelines set out in its **Safeguarding Policy**.

Where an illegal activity is suspected of taking place (e.g. supplying illegal substances), the Cylch Meithrin will contact the **Police** as required by the **Misuse of Drugs Act 1971**.

Where this refers to a member of staff disciplinary procedures as noted in the **Staffing Policy** will be followed, referring also to the **Misuse of Alcohol and Drugs Policy** (above) and the **Smoke-Free Policy**.

#### Discovery of drugs or drug-related equipment at the setting

If drugs or drug-related paraphernalia are discovered at the Cylch Meithrin premises (inside or outside), the following steps must be followed:

- Report the discovery to the leader at once.
- Call **999** if someone is in danger or if you suspect an individual is at risk of harm.
- Keep a record of each incident in the **Incident Book**, including the date and time.



## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

- Contact the **Police / Local Authority** as appropriate to organise the safe disposal of the items as soon as is possible.
- Not allow any children to access the area until the items have been removed.

#### Associated Policies

Staffing Policy

Safeguarding Policy

Confidentiality and Data Protection Policy

Health, Safety and Welfare Policy

Leaving and Collecting Children Policy

Whistleblowing Policy

Smoke-Free Policy

#### Useful Contacts and Information

The following websites and publications provide useful further information:

ACAS 'Dealing with someone who has a drug or alcohol problem'

<http://www.acas.org.uk/index.aspx?articleid=4387>

BMA 'Alcohol, drugs and the workplace – The role of medical professionals' July

2016 <https://www.bma.org.uk/advice/employment/occupational-health/alcohol-drugs-and-the-workplace>

HSE 'Drug Misuse at Work: A Guide for Employers'

<http://www.hse.gov.uk/pubns/indg91.pdf>

HSE 'Don't mix it: A guide for employers on alcohol at work'

<http://www.hse.gov.uk/pubns/indg240.pdf>

HSE 'Drug Misuse at work: a guide for employers'

<http://www.hse.gov.uk/pubns/indg91.pdf>

TUC 'Drugs and Alcohol in the Workplace: Guidance for Workplace Representatives'

<https://www.tuc.org.uk/workplace-issues/health-and-safety/drugs-and-alcohol/guides-and-reports-reps/drugs-and-alcohol>

Misuse Of Drugs Act 1971 <http://www.legislation.gov.uk/ukpga/1971/38>

DrugWise 'What are the UK Drug Laws?' <http://www.drugwise.org.uk/what-are-the-uk-drug-laws/>

Wales Drug and Alcohol Helpline <http://dan247.org.uk/Default.asp>



Cylch Meithrin Meini Bach  
Polisi Camddefnydd Alcohol a Chyffuriau  
Drug and Alcohol Misuse Policy





## Cylch Meithrin Meini Bach

Polisi Camddefnydd Alcohol a Chyffuriau  
Drug and Alcohol Misuse Policy

**Mae fersiwn Saesneg o'r ddogfen hon ar gael. Os oes unrhyw amwysedd am eiriad y polisi, y fersiwn Gymraeg sy'n gywir bob tro.**

Bydd **Cylch Meithrin Meini Bach** yn dilyn y pecyn polisïau a chanllawiau hwn a'i addasu yn ôl yr angen a'i adolygu yn flynyddol.

Bydd **arweinydd Cylch Meithrin Meini Bach** yn sicrhau fod pob aelod o staff yn deall y pecyn polisïau a chanllawiau hwn.

Bydd **Cylch Meithrin Meini Bach** yn sicrhau bod rhieni a gofalwyr yn gwybod am y pecyn polisïau a chanllawiau hwn trwy gymryd y camau canlynol:

1. Rhoi copi o'r polisi mewn cyntedd neu fan ble gall pobl ei weld
2. Rhoi'r polisi ar wefan y cylch

### ADOLYGWYD GAN

(Enw)

Mari Hannah Lanchbury

(Llofnod)

M.LANCHBURY

### DYDDIAD

(Pryd)

15/6/22

*(Awgrymir eich bod yn adolygu eich polisi yn flynyddol a hysbysu AGC, lle bo hynny'n, berthnasol os ydych wedi gwneud newidiadau iddo)*

Mae'r **Ddeddf Iechyd a Diogelwch yn y Gwaith 1974** yn gosod dyletswydd gyfreithiol ar gyflogwyr i sicrhau amgylchedd gwaith diogel i'w gweithwyr. Mae'r Cylch Meithrin yn ymrwmo i gynnal safonau iechyd, diogelwch a lles er budd holl weithwyr, gwirfoddolwyr, myfyrwyr ac ymwelwyr i'r lleoliad, yn ogystal â'r plant sydd o dan ei ofal.

Diben y polisi hwn yw cynyddu ymwybyddiaeth o effeithiau alcohol a chamddefnyddio cyffuriau a'r symptomau tebygol, ac i sicrhau bod:

- pob aelod o staff yn ymwybodol o'u cyfrifoldebau o ran camddefnydd alcohol a chyffuriau<sup>3</sup> a phroblemau cysylltiedig.
- staff sydd â phroblem sy'n gysylltiedig â chyffuriau neu alcohol yn cael eu hannog i geisio cymorth yn brydlon.
- staff, sydd â phroblem alcohol neu gyffuriau sy'n effeithio ar eu gwaith yn cael eu trin â chydymdeimlad ac yn deg.

Mae'r polisi yn berthnasol i holl staff, gwirfoddolwyr, myfyrwyr ar brofiad gwaith, ymwelwyr a hefyd i rieni, gofalwyr a gwarchodwyr y Cylch Meithrin.

## **Nod**

Mae'r Cylch Meithrin yn gweithredu, o fewn terfynau rhesymol ac ymarferol, i sicrhau iechyd, diogelwch a lles y staff, y plant o dan ei ofal, myfyrwyr ar brofiad gwaith, gwirfoddolwyr ac ymwelwyr i'r lleoliad. Mae hyn yn cynnwys sicrhau bod pob aelod o staff yn medru cyflawni ei swydd yn ddiogel ac yn effeithiol mewn amgylchedd sydd yn rhydd o alcohol ac o gamddefnydd o gyffuriau, a sicrhau nad ydy'r plant yng ngofal oedolion sydd o dan ddylanwad alcohol neu sylweddau eraill gall effeithio ar eu gallu i ofalu am y plant.

Gweler y **Polisi Iechyd, Diogelwch a Lles** am fwy o fanylion.

## **Egwyddorion**

Mae'r Cylch Meithrin yn ymrwmo i ddarparu awyrgylch diogel i sicrhau diogelwch a lles y plant sydd yn ein gofal. Mae hyn yn cynnwys sicrhau nad ydy'r plant yng ngofal oedolion sydd o dan ddylanwad alcohol neu sylweddau eraill gall effeithio ar eu gallu i ofalu am y plant.

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<sup>3</sup> Defnyddir y term 'cyffur' i gyfeirio at bob math o gyffur a sylwedd, cyfreithlon neu anghyfreithlon, gall effeithio er gwaetha ar ymddygiad neu berfformiad ac / neu gall arwain at cynnydd yn y risg o ddamweiniau ac / neu anafiadau.



## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

Ni fydd y Cylch Meithrin yn caniatáu staff i weithio yn y lleoliad os ydy'n amlwg eu bod nhw o dan ddylanwad alcohol neu gyffuriau, a / neu fod eu gallu i weithio wedi'i amharu mewn unrhyw ffordd fel canlyniad i'r defnydd o alcohol neu gyffuriau. Rhestrir arwyddion posib y gellid eu harsylwi arnynt yn Atodiad 1.

Ni fydd y Cylch Meithrin yn caniatáu i staff, gwirfoddolwyr a myfyrwyr ar brofiad gwaith weithio os ydynt yn ymwybodol eu bod yn meddu ar, neu yn cyflenwi alcohol neu gyffuriau anghyfreithlon yn y lleoliad gwaith. Fydd manylion unigolion sydd yn meddu ar neu yn cyflenwi sylweddau anghyfreithlon yn cael eu riportio i'r awdurdodau priodol.

Mae'r Cylch Meithrin yn cydnabod y gall rhai o'n staff ddod yn ddibynnol ar alcohol neu gyffuriau. Rydym yn cydnabod bod dibyniaeth yn wahanol i yfed neu ddefnydd achlysurol alcohol neu gyffuriau. Mae'r Cylch Meithrin hefyd yn cydnabod y gellir trin dibyniaeth o'r fath yn llwyddiannus. Rydym am hyrwyddo diwylliant sy'n deall ac yn cydymdeimlo â staff sydd â dibyniaeth ar alcohol a chyffuriau ac a'u hannog i ofyn am help a chefnogaeth.

### Hawliau Plant

Mae'r polisi hwn yn rhan o sicrhau fod y Cylch Meithrin yn parchu hawliau plant sydd yng Nghonfensiwn y Cenhedloedd Unedig ar Hawliau Plant, yn benodol:

- Erthygl 6: Mae gan bob plentyn hawl i fyw. Dylai llywodraethau ofalu fod plant yn goroesi ac yn datblygu'n iach.
- Erthygl 27: Mae gan blant yr hawl i safon bywyd sy'n ddigon da i ymateb i'w hanghenion corfforol a meddyliol. Dylai'r Llywodraeth helpu rhieni na allant fforddio i ddarparu hyn.



# Cylch Meithrin Meini Bach

## Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

### Cod Ymarfer

#### Alcohol a Chyffuriau yn y Gwaith

Mae camddefnydd alcohol a chyffuriau yn gallu arwain at lefelau is o bresenoldeb, effeithlonrwydd a pherfformiad yn gyffredinol. Lle bo'r aelod staff yn gyfrifol am wneud penderfyniadau a gofalu am blant, gall camddefnydd alcohol a chyffuriau gael effaith ar farn a chynnyddu risgiau iechyd a diogelwch.

Gall camddefnydd alcohol neu gyffuriau arwain at ymddygiad anghyfrifol gall niweidio enw da ac, o ganlyniad, cynaladwyedd busnes y Cylch Meithrin.

Fe fydd y Cylch Meithrin yn gofyn i unigolion sydd yn cyrraedd y lleoliad o dan ddylanwad amlwg o alcohol neu gyffuriau, neu y tybir ei bod o dan ddylanwad alcohol neu gyffuriau, i adael y lleoliad ar unwaith. **Gweler ATODIAD 1: Arwyddion posib o gamddefnydd alcohol a / neu gyffuriau** am fwy o fanylion.

Fe fydd y Cylch Meithrin yn sicrhau y ni chaniateir y cyflogai i yrru, a bydd yn defnyddio gwasanaeth tacsï i gludo'r cyflogai adref os oes angen.

Yn achos aelodau o staff, fe fydd y Cylch Meithrin yn:

- cynnal ymchwiliad, a gall hyn arwain at gamau disgyblu fel y nodir yn y **Polisi Staffio** a allai arwain at ddiswyddo.
- cysylltu gydag **AGC** i roi gwybod iddynt ynglŷn â'r sefyllfa, fel y disgwylir o dan ffurflen hysbysiad o newidiadau Rheoliad 9.
- diarddel yr unigolyn o'r gwaith tra ddisgwylir canlyniad yr ymchwiliad. Fe fydd rhaid gwneud trefniadau amgen i sicrhau cadw at y lefelau staffio gofynnol yn ystod y cyfnod hwn.
- Rhaid sicrhau bod yr unigolyn yn derbyn tal llawn am gyfnod mor fyr a phosib. Fe fydd cofnod o'r digwyddiad, wedi ei ddyddio, yn cael ei gadw gyda ffeil staff yr aelod o staff.
- gwneud cyfeiriad i'r Gwasanaeth Gwahardd a Datgelu (*DBS*). Gweler Atodiadau 2 a 3 am fwy o fanylion.

Bydd y Cylch Meithrin yn:

- disgwyl i staff, gwirfoddolwyr, a myfyrwyr ar brofiad gwaith gyrraedd y gwaith yn abl i gyflawni eu swydd a'u dyletswyddau yn ddiogel heb unrhyw

## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

gyfyngiadau o achos defnydd neu ôl-ffeithiau alcohol neu gyffuriau<sup>4</sup>. Ni ddylai gweithwyr gyflwyno eu hunain ar gyfer eu gwaith o dan ddylanwad alcohol na chyffuriau, lle mae eu perfformiad neu eu gallu i gyflawni eu dyletswyddau yn ddiogel ac yn gymwys wedi eu heffeithio mewn unrhyw ffordd.

- gwrthod derbyn staff, gwirfoddolwyr, a myfyrwyr ar brofiad gwaith i'r gwaith sydd yn amlwg o dan ddylanwad alcohol neu gyffuriau, a / neu fod eu gallu i weithio wedi'i amharu mewn unrhyw ffordd oherwydd defnydd o alcohol neu gyffuriau.
- disgwyl i staff, gwirfoddolwyr, a myfyrwyr ar brofiad gwaith beidio ag yfed alcohol neu gadw / cymryd cyffuriau anghyfreithlon yn ystod oriau gwaith cytundebol, gan gynnwys yn ystod egwyl cinio ac unrhyw egwyl arall. Gall unrhyw achos o yfed alcohol neu gymryd cyffuriau anghyfreithlon yn ystod oriau gwaith cytundebol arwain at gamau disgyblu fel y nodir yn y **Polisi Staffio** a allai arwain at ddiswyddo.
- gwrthod derbyn staff, gwirfoddolwyr a myfyrwyr ar brofiad gwaith i'r gwaith sydd ag ôl-ffeithiau alcohol neu gyffuriau ar eu corff. Rhaid cofio bod alcohol a chyffuriau yn aros yn y corff am gyfnod wedi eu cymryd, a gall hyn amharu ar allu'r unigolion i gyflawni ei ddyletswyddau'n ddiogel.
- disgwyl i staff, gwirfoddolwyr, a myfyrwyr ar brofiad gwaith ddangos ymddygiad cyfrifol yn y gwaith a digwyddiadau cymdeithasol sy'n gysylltiedig â gwaith.

Os ydych yn cynrychioli'r lleoliad mewn digwyddiadau allanol lle gweinir alcohol fe ddylech ystyried hyn i fod 'yn y gwaith' er waetha'r ffaith fod hyn y tu allan i oriau gwaith arferol. O ganlyniad, bydd disgwyl i chi ymddwyn mewn modd proffesiynol ac yn addas ar gyfer gwaith bob amser.

Mae'r Cylch Meithrin yn gweithredu camau rhesymol i atal cymeriant neu or-gymeriant alcohol gan staff, gwirfoddolwyr a myfyrwyr ar brofiad gwaith. Bydd y Cylch yn gweithredu i ddelio ag unrhyw ymddygiad annerbyniol sy'n deillio o ddefnydd alcohol.

Mae'r Cylch yn diffinio "lefel afresymol" o yfed fel un o'r sefyllfaoedd canlynol:

- bod perfformiad yr unigolyn, yn nhyb y rheolwr, yn ddiffygiol. Gall hwn fod yn is na'r terfyn cyfreithlon ar gyfer gyrru.
- bod ymddygiad yr unigolyn, yn nhyb y rheolwr, yn peri embaras, trallod neu dramgwydd (*embarrassment, distress or offence*) i eraill.
- Mae'r unigolyn yn parhau i yfed ar ôl derbyn cyfarwydd i beidio gan reolwr.

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<sup>4</sup> Mae'r defnydd o gyffuriau hefyd yn cynnwys y defnydd o gyffuriau neu feddyginiaeth cyfreithlon sydd yn cael yr un effaith a chyffuriau anghyfreithlon.

## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

Gall unrhyw ymddygiad o'r fath arwain at gamau disgyblu fel y nodir yn y **Polisi Staffio**.

Mae'r Cylch Meithrin yn disgwyl i staff, gwirfoddolwyr, a myfyrwyr ar brofiad gwaith gydymffurfio â deddfau yfed a gyrru a deddfau gyrru cyffuriau cyfredol ar bob amser.

Gall euogfarn (*conviction*) am drosedd yfed a gyrru neu gymryd cyffuriau a gyrru niweidio ein henw da ac, os oes angen i chi yrru ar gyfer eich swydd, efallai na fyddwch yn medru parhau yn eich swydd. Os ydych yn cyflawni (*commit*) trosedd yfed a gyrru neu gyffuriau a gyrru wrth weithio i ni, neu y tu hwnt i oriau gwaith, gall hyn arwain at gamau disgyblu fel y nodir yn y **Polisi Staffio** a allai arwain at ddiswyddo.

Fe fydd y Cylch Meithrin yn:

- cysylltu gyda'r **Heddlu** os bydd unigolyn o dan ddylanwad alcohol neu gyffuriau yn cyrraedd y lleoliad mewn car.
- cysylltu gyda'r **Heddlu** os ydynt yn tybio bod unigolyn, boed yn aelod o staff, gwirfoddolwr, myfyriwr ar brofiad gwaith, ymwelydd neu gontractiwr, yn meddu ar gyffuriau anghyfreithlon.
- cysylltu gyda'r **Heddlu** ble tybir bod gweithred anghyfreithlon (e.e. cyflenwi cyffuriau anghyfreithlon) wedi cymryd lle, fel sy'n ofynnol yn **Neddf Camddefnydd Cyffuriau 1971**.

Ble cyfeirir at aelod o staff, fe fydd hyn yn arwain at gamau disgyblu fel y nodir yn y **Polisi Staffio** a allai arwain at ddiswyddo.

### Meddyginiaeth

Mae'r Cylch Meithrin yn cydnabod nad ydy pob cyffur a ddefnyddir yn anghyfreithlon, neu wedi'i brynu'n anghyfreithlon. Rydym yn cydnabod bod rhai cyffuriau a geir yn gyfreithlon yn gallu effeithio ar waith a pherfformiad unigolyn, ac nid camddefnydd sydd yn achosi hyn.

Bydd y Cylch Meithrin yn disgwyl i staff, gwirfoddolwyr, a myfyrwyr ar brofiad gwaith sydd yn cymryd meddyginiaeth o'r fath gofyn am gyngor gan eu Meddyg Teuluol neu Fferylllydd am yr effaith posib ar eu gallu i gyflawni eu swydd.

Mae disgwyl i staff, gwirfoddolwyr, a myfyrwyr ar brofiad gwaith sydd yn cymryd unrhyw feddyginiaeth (ar bresgripsiwn neu dros y cownter) a all effeithio ar eu gallu i gyflawni ei swydd i rannu gwybodaeth berthnasol gyda'r **Arweinydd / Rheolwr / Cadeirydd / Person Cofrestredig/ Unigolyn Cyfrifol** yn amserol er mwyn trefnu asesiad risg pwrpasol. Rhaid iddynt ddilyn unrhyw gyfarwyddiadau sydd yn deillio o hyn. Ni ddylid defnyddio unrhyw gyffur sydd yn achosi syrthni (*drowsiness*) yn y gweithle.

### Nodi problem

## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

Ni ddylai gweithiwr, gwirfoddolwr neu fyfyrwr ar brofiad gwaith cyflwyno eu hunain ar gyfer gwaith o dan ddylanwad alcohol na chyffuriau, lle mae eu perfformiad neu eu gallu i gyflawni eu dyletswyddau yn ddiogel ac yn gymwys wedi eu heffeithio mewn unrhyw ffordd.

Ni ddylai gweithiwr, gwirfoddolwr neu fyfyrwr ar brofiad gwaith dod â neu ddefnyddio unrhyw alcohol neu sylweddau anghyfreithlon i'r gwaith o dan unrhyw amgylchiadau. Dylai dilyn mesurau rheoli/diogelwch os am ddod â chyffuriau ar bresgripsiwn neu dros y cownter ar dir y Cylch.

Os yw aelod o staff, gwirfoddolwr neu fyfyrwr ar brofiad gwaith yn credu bod ganddynt broblem alcohol neu broblem sy'n gysylltiedig â chyffuriau, disgwylir iddynt geisio cyngor a chymorth arbenigol cyn gynted â phosib.

Ni ddylid gwneud ymdrech i guddio eu gwaith neu ymddygiad os ydynt yn dioddef o ganlyniad i alcohol neu broblem sy'n gysylltiedig â chyffuriau. Anogir staff i ofyn am gymorth drwy'r **Arweinydd / Rheolwr / Cadeirydd / Person Cofrestredig/ Unigolyn Cyfrifol**.

Os yw aelod o staff, gwirfoddolwr neu fyfyrwr ar brofiad gwaith yn sylwi ar newid mewn patrwm ymddygiad cydweithiwr, dylid dwyn hyn i sylw'r **Arweinydd / Rheolwr / Cadeirydd / Person Cofrestredig/ Unigolyn Cyfrifol**, neu ddilyn y drefn a nodwyd yn y **Polisi Chwythu'r Chwiban**.

Cyfrifoldebau'r **Arweinydd / Rheolwr / Cadeirydd / Person Cofrestredig/ Unigolyn Cyfrifol**

Os yw'r **Arweinydd / Rheolwr / Cadeirydd / Person Cofrestredig/ Unigolyn Cyfrifol** yn ystyried fod yna ddirywiad mewn perfformiad gwaith a / neu newid mewn ymddygiad aelod o staff, gwirfoddolwr neu fyfyrwr ar brofiad gwaith oherwydd effeithiau camddefnydd alcohol neu gyffuriau, byddant yn eu gwahodd i gyfarfod i drafod y sefyllfa. Pwrpas y cyfarfod hwn fydd:

- trafod y rheswm dros yr ymchwiliad ac i ofyn am farn yr aelod o staff, gwirfoddolwr neu fyfyrwr ar brofiad gwaith ar, er enghraifft, y dirywiad yn eu perfformiad yn y gwaith ac/neu ymddygiad;
- lle y bo'n briodol, annog yr aelod o staff i ofyn am gymorth gweithiwr iechyd galwedigaethol am gyngor meddygol pwrpasol.
- lle y bo'n briodol, cynnig cyfeirio'r aelod o staff, gwirfoddolwr neu fyfyrwr ar brofiad gwaith at weithiwr iechyd galwedigaethol am gyngor meddygol pwrpasol.

#### Darparu cymorth

Gall problemau sy'n gysylltiedig â chyffuriau ac alcohol ddatblygu am amrywiaeth o resymau a dros gyfnod sylweddol o amser. Mae'r Cylch Meithrin yn ymrwmo, i'r graddau posib, i drin y problemau hyn mewn modd tebyg i faterion iechyd eraill. Byddwn yn darparu cymorth lle bo hynny'n bosibl, gyda'r bwriad o ddychwelyd yr aelod staff i'w dyletswyddau llawn.



# Cylch Meithrin Meini Bach

## Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

Gall hyn gynnwys:

- cyfeirio at ddarparwyr triniaeth briodol, lle bo angen, ar y cyd â'r meddyg teulu.
- caniatáu amser o'r gwaith i fynychu triniaeth.
- addasu dyletswyddau neu gynnig cymorth arall yn ystod triniaeth ac am gyfnod y cytunwyd arno wedi hynny, yn amodol ar ofynion gweithredol ac ymarferoldeb o fewn gofynion y swydd.

Os nad yw aelod o staff yn gorffen rhaglen o driniaeth a'i bod yn dychwelyd i weithio heb fod yn barod i wneud hynny bydd yr **Arweinydd / Rheolwr / Cadeirydd / Person Cofrestredig/ Unigolyn Cyfrifol** yn cyfarfod gyda'r unigolyn i benderfynu pa gamau pellach, os o gwbl, y dylai eu cymryd.

### Cyfrinachedd

Nod y Cylch Meithrin yw sicrhau y cynhelir cyfrinachedd unrhyw aelod o staff, gwirfoddolwr neu fyfyrwr ar brofiad gwaith sy'n profi problemau sy'n gysylltiedig â chyffuriau neu alcohol yn briodol.

Fodd bynnag, rhaid cydnabod, wrth gefnogi staff, gwirfoddolwr neu fyfyrwr ar brofiad gwaith, fod rhywfaint o rannu gwybodaeth yn debygol o fod yn angenrheidiol. Fel rheol, fe fydd y Cylch Meithrin yn gofyn am ganiatâd yr unigolyn cyn datgelu unrhyw wybodaeth gyfrinachol. Fe fydd y Cylch Meithrin yn dilyn canllawiau'r **Polisi Cyfrinachedd a Diogelu Data** mewn achosion o'r fath.

Os yw aelod o staff, gwirfoddolwr neu fyfyrwr ar brofiad gwaith yn gofyn am gymorth gyda phroblem alcohol neu gyffuriau yn uniongyrchol gan **ei Rheolwr Llinell / Pwyllgor y Cylch** ac yn dymuno cadw pethau'n gyfrinachol rhag eu cydweithwyr, byddwn yn parhau hyn oni bai bod rheswm i gredu y gallai hyn ei rhoi nhw, eu cydweithwyr, unrhyw un arall, neu'r busnes mewn perygl neu risg. Yn yr amgylchiadau hyn bydd **y Rheolwr Llinell / Pwyllgor y Cylch** yn eu hannog i roi gwybod i'r cydweithwyr a byddant yn rhoi digon o amser i wneud hynny cyn trafod y mater gyda hwy.

### Diogelu Plant

Mae gan y Cylch Meithrin dyletswydd dros y plant o dan ein gofal. I'r perwyl hwn, fe fydd y Cylch Meithrin yn gofyn i unigolion sydd yn cyrraedd y lleoliad o dan ddylanwad amlwg o alcohol neu gyffuriau i adael y lleoliad.

Ble barnir nad ydy rhiant/gofalwr/gwarchodwr yn medru gofalu am blentyn oherwydd eu bod o dan ddylanwad alcohol neu gyffuriau, fe fydd y Cylch Meithrin yn cysylltu gydag un o'r cysylltiadau argyfwng y darparwyd gan y rhieni ar y ffurflen **P1**.

Fe fydd **Staff / Arweinydd** y Cylch Meithrin yn ymdrechu, hyd eithaf eu gallu, i sicrhau nad ydy plentyn yn teithio mewn cerbyd a yrrir gan unigolyn tybir i fod o dan ddylanwad alcohol neu gyffuriau.

## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

Os nad yw hyn yn bosib, rhaid cofio nad oes hawl gyfreithiol i gadw plentyn rhag ei rhiant / gofalwr / gwarchodwr. Ble barnir bod y plentyn mewn perygl, neu fod pryder am les y plentyn, fe fydd y Cylch Meithrin yn dilyn y canllawiau a nodir yn y **Polisi Diogelu Plant**.

Fe fydd y Cylch Meithrin yn:

- rheoli'r digwyddiad mewn ffordd sensitif er mwyn sicrhau y gellid cynnal perthynas teulu cadarnhaol.
- sicrhau bod dau aelod o staff yn bresennol wrth drafod gyda'r rhiant / gofalwr / gwarchodwr.
- cadw cofnod ysgrifenedig yn y **Llyfr Digwyddiadau** o'r digwyddiad.
- cysylltu gyda'r **Heddlu** os bydd unigolyn o dan ddylanwad alcohol neu gyffuriau yn cyrraedd y lleoliad mewn car.
- cysylltu gyda'r **Heddlu** os ydynt yn tybio bod unigolyn, boed yn aelod o staff, gwirfoddolwr, myfyriwr ar brofiad gwaith, ymwelydd neu gontractiwr, yn meddu ar gyffuriau anghyfreithlon.
- cysylltu gyda'r **Heddlu** ble tybir bod gweithred anghyfreithlon (e.e. cyflenwi cyffuriau anghyfreithlon) wedi cymryd lle, fel sy'n ofynnol yn **Neddf Camddefnydd Cyffuriau 1971**.
- cysylltu gyda **Gwasanaethau Cymdeithasol** i nodi pryder am ddiogelwch y plentyn.

### CANLLAWIAU AR GYFER DIGWYDDIADAU ANNISGWYL

Gall ddigwyddiadau annisgwyl fod yn gysylltiedig â rhieni, gofalwyr, gwarchodwyr, staff, gwirfoddolwyr, myfyrwyr ar brofiad gwaith, ymwelwyr neu unrhyw unigolyn arall sydd yn dod i gyswllt gyda'r lleoliad.

Gall digwyddiadau annisgwyl gynnwys:

- darganfod cyffuriau neu offer gyffuriau yn y lleoliad.
- amheuaeth, si (*rumour*) neu honiad am weithgareddau unigolyn.
- datguddiad gan unigolion am gamddefnydd sylweddau ar safle'r Cylch Meithrin neu ar wibdaith/taith.
- defnydd neu symptomau camddefnydd sylweddau.
- gwerthu sylweddau.
- meddiant (*possession*) ar sylweddau.

Rhaid trin pob achos o gamddefnydd alcohol neu gyffuriau o ddifri a'i adrodd i'r **Arweinydd neu'r Person cofrestredig/ Unigolyn Cyfrifol**. Dylid cadw cofnod o bob digwyddiad yn y **Llyfr Digwyddiadau**, gan gynnwys y dyddiad a'r amser.

Mae lles a diogelwch y plant yn cael blaenoriaeth ym mhob achos.



## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy

Rhaid dilyn gweithdrefnau / canllawiau **Cymorth Cyntaf** os tybir bod unigolyn yn sâl neu'n annigol o ganlyniad i gamddefnydd alcohol neu gyffuriau.

Ble barnir bod y plentyn mewn perygl, neu fod pryder am les y plentyn, fe fydd y Cylch Meithrin yn dilyn y canllawiau a nodir yn y **Polisi Diogelu Plant**.

Ble tybir bod gweithred anghyfreithlon (e.e. cyflenwi cyffuriau anghyfreithlon) wedi cymryd lle, fe fydd y Cylch Meithrin yn cysylltu gyda'r Heddlu fel sy'n ofynnol yn **Neddf Camddefnydd Cyffuriau 1971**.

Ble cyfeirir at aelod o staff, dilynir y camau disgyblu fel y nodir yn y **Polisi Staffio**, gan gyfeirio hefyd at y **Polisi Camddefnydd Alcohol a Chyffuriau** (uchod) a'r **Polisi Di-Fwg**.

#### Darganfod cyffuriau neu offer gyffuriau yn y lleoliad

Os darganfyddir cyffuriau neu offer cyffuriau ar safle'r Cylch Meithrin (tu mewn neu'r tu allan), rhaid dilyn y camau isod:

- Adrodd y darganfyddiad i'r arweinydd ar unwaith.
- Galw **999** os oes unigolyn mewn perygl neu os tybir bod unigolyn mewn perygl o niwed.
- Cadw cofnod o bob digwyddiad yn y **Llyfr Digwyddiadau**, gan gynnwys y dyddiad a'r amser.
- Cysylltu gyda'r Heddlu / Y Cyngor fel sy'n berthnasol i drefnu gwaredu'r eitemau yn ddiogel mor gynted ag sy'n bosib.
- Peidio â gadael i blant y lleoliad fynd yn agos i'r ardal nes gwaredu'r eitemau.

#### Polisiau Cysylltiedig

Polisi Staffio

Polisi Diogelu Plant

Polisi Cyfrinachedd a Diogelu Data

Polisi Iechyd, Diogelwch a Lles

Polisi Gadael a Chasglu Plant

Polisi Chwythu'r Chwiban

Polisi Di-Fwg

#### Cysylltiadau Defnyddiol a Gwybodaeth Bellach

Awgrymir cyfeirio at y cyhoeddiadau a'r gwefannau isod am fwy o wybodaeth:



## Cylch Meithrin Meini Bach

Polisi Camddefnydd Alcohol a Chyffuriau  
Drug and Alcohol Misuse Policy

ACAS 'Dealing with someone who has a drug or alcohol problem'  
<http://www.acas.org.uk/index.aspx?articleid=4387>

BMA 'Alcohol, drugs and the workplace – The role of medical professionals' July 2016 <https://www.bma.org.uk/advice/employment/occupational-health/alcohol-drugs-and-the-workplace>

HSE 'Drug Misuse at Work: A Guide for Employers'  
<http://www.hse.gov.uk/pubns/indg91.pdf>

HSE 'Don't mix it: A guide for employers on alcohol at work'  
<http://www.hse.gov.uk/pubns/indg240.pdf>

HSE 'Drug Misuse at work: a guide for employers'  
<http://www.hse.gov.uk/pubns/indg91.pdf>

TUC 'Drugs and Alcohol in the Workplace: Guidance for Workplace Representatives'  
<https://www.tuc.org.uk/workplace-issues/health-and-safety/drugs-and-alcohol/guides-and-reports-reps/drugs-and-alcohol>

Deddf Camddefnydd Cyffuriau 1971 <http://www.legislation.gov.uk/cy/ukpga/1971/38>

DrugWise 'What are the UK Drug Laws?' <http://www.drugwise.org.uk/what-are-the-uk-drug-laws/>

Llinell Gymorth Cyffuriau ac Alcohol Cymru <http://dan247.org.uk/Default.asp>

### **ATODIAD 1: Arwyddion posib o gamddefnydd alcohol a / neu gyffuriau.**

O dan Ddeddf Iechyd a Diogelwch yn y Gwaith 1974 mae gennych ddyletswydd gyfreithiol, o fewn terfynau rhesymol, i sicrhau iechyd, diogelwch a lles staff. Yn ogystal, mae gennych ddyletswydd o dan Reolaethau Rheoli Iechyd a Diogelwch yn y Gwaith 1999 i asesu risg i iechyd a diogelwch eich gweithwyr. Os ydych yn ymwybodol bod aelod o staff o dan ddylanwad cyffuriau ac yn caniatáu iddyn nhw barhau i weithio, gan roi'r aelod o staff neu eraill mewn perygl, fe allwch chi gael eich erlynnu. Mae'n ofynnol i'ch gweithwyr cymryd gofal rhesymol o'u hunain a phobl eraill gellid eu heffeithio gan yr hyn a wneir yn y gwaith.

Cofiwch, gall y dangosyddion a nodir isod cael eu hachosi gan ffactorau eraill megis straen, a dylid eu trin fel arwyddion *posib* fod rhywun yn camddefnyddio cyffuriau a / neu alcohol.

Arwyddion posib o gamddefnyddio cyffuriau / alcohol gallwch chi chwilio amdanynt:



## Cylch Meithrin Meini Bach

### Polisi Camddefnydd Alcohol a Chyffuriau Drug and Alcohol Misuse Policy



- Newid sydyn mewn hwyliau
- Llid neu flinder anarferol
- Tuedd i ddrysu
- Amrywiadau yn lefelau egni a chanolbwytio
- Diffyg ar berfformiad yn y gwaith
- Gwael am gadw amser
- Cynnydd yn absenoldebau salwch tymor-byr
- Dirwyiad ym mherthnasau gyda chydweithwyr, cwsmeriaid a rheolwyr
- Anonestrwydd a lladrata (sy'n deillio o'r angen i dalu am arferiad drud)

### **Cymerwyd o'r Ddogfen HSE: Drug Misuse at Work: A Guide for Employers**

<http://www.hse.gov.uk/pubns/indg91.pdf>



# Cylch Meithrin Meini Bach

Polisi Camddefnydd Alcohol a Chyffuriau  
Drug and Alcohol Misuse Policy



## **Atodiad 2: Cyfeiriadau at y Gwasanaeth Gwahardd a Diogelu**

Ar ôl cwblhau ymchwiliad trwyadl, mi ddylai'r Cylch benderfynu os dylai wneud cyfeiriad i'r Gwasanaeth Gwahardd a Datgelu yn yr amgylchiadau canlynol:

Mae ymddygiad person yn peryglu plentyn os ydynt yn:

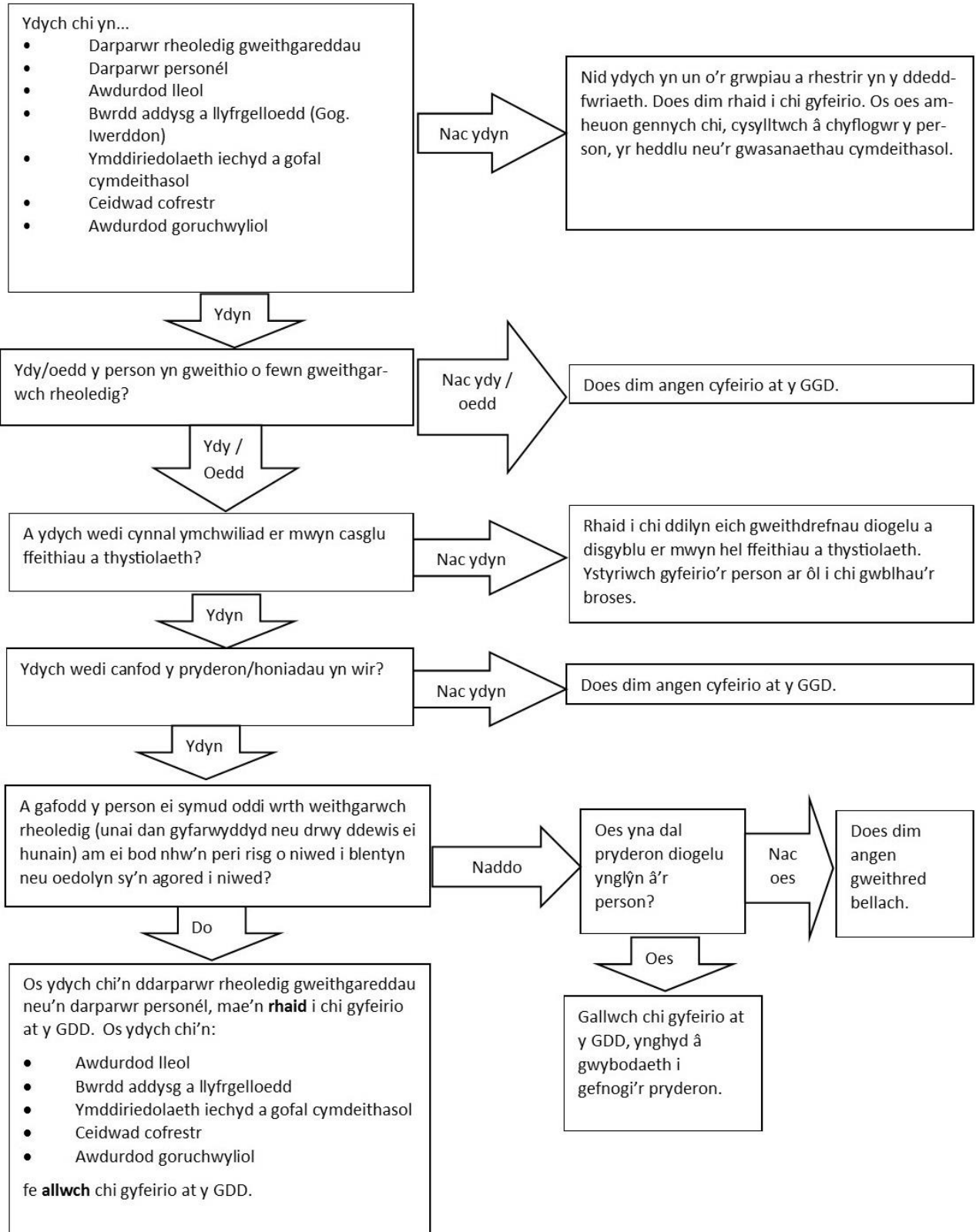
- niweidio plentyn
- achosi i blentyn cael eu niweidio
- rhoi plentyn mewn perygl o niwed
- ceisio niweidio plentyn
- annog rhywun arall i niweidio plentyn



Cylch Meithrin Meini Bach  
Polisi Camddefnydd Alcohol a Chyffuriau  
Drug and Alcohol Misuse Policy



### Atodiad 3: Siart Llif Cyfeiriadau at y Gwasanaeth Gwahardd a Diogelu





Cylch Meithrin Meini Bach  
Polisi Camddefnydd Alcohol a Chyffuriau  
Drug and Alcohol Misuse Policy





## Cylch Meithrin Meini Bach

Polisi Camddefnydd Alcohol a Chyffuriau  
Drug and Alcohol Misuse Policy

### **APPENDIX 1: Possible signs of alcohol and / or drug misuse.**

You have a general duty under the Health and Safety at Work etc Act 1974 (HSW Act) to ensure, as far as is reasonably practicable, the health, safety and welfare at work of your employees. You also have 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. If you knowingly allow an employee under the influence of drug misuse to continue working and his or her behaviour places the employee or others at risk, you could be prosecuted. Your employees are also required to take reasonable care of themselves and others who could be affected by what they do at work.

Please remember that all the signs noted below may be caused by other factors, such as stress, and should be regarded only as indications that an employee *may* be misusing drugs and / or alcohol.

Possible signs of drug / alcohol misuse which you might look for include:

- sudden mood changes;
- unusual irritability or aggression;
- a tendency to become confused;
- abnormal fluctuations in concentration and energy;
- impaired job performance;
- poor time-keeping;
- increased short-term sickness absence;
- a deterioration in relationships with colleagues, customers or management;
- dishonesty and theft (arising from the need to maintain an expensive habit).

**Taken from the HSE publication: Drug Misuse at Work: A Guide for Employers**

<http://www.hse.gov.uk/pubns/indg91.pdf>



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### **APPENDIX 2: Referrals to the Disclosure and Barring Service**

Upon completion of a thorough investigation, the Cylch should decide whether a referral is to be made to the Disclosure and Barring Service under the following conditions:

A person's conduct endangers a child if they:

- harm a child;
- cause a child to be harmed;
- put a child at risk of harm;
- attempt to harm a child;
- incite another to harm a child.

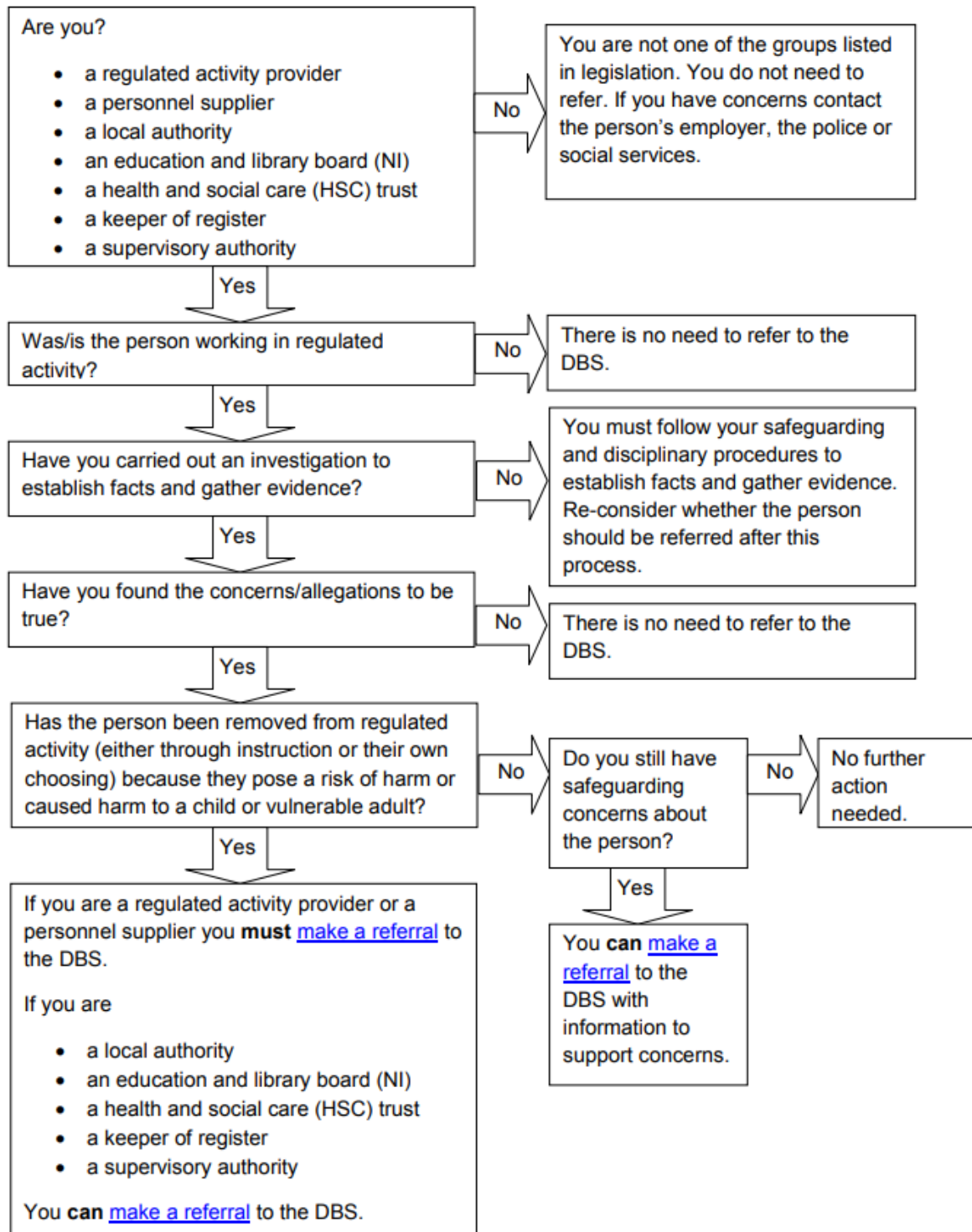


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<https://www.gov.uk/government/publications/dbs-referrals-referral-chart>

## APPENDIX 3: Flow Chart for Referrals to the Disclosure and barring Service





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