

Guidance Material

UK CAA Guidance Material for Drugs and Alcohol Policies for Air Operator Certificate Holders

1 Introduction

- 1.1 Alcohol, medication and drugs are among the most common medical causes of worldwide fatal commercial air transport aircraft accidents. Recent evidence from alcohol and drugs testing programmes of aviation safety critical workers in the UK and internationally has demonstrated positive rates at levels that have warranted an increase in testing.
- 1.2 A clear policy on the use of alcohol and drugs should form an essential component of an Air Operator Certificate (AOC) holder's management system. A robust alcohol and drugs policy for safety critical staff is important to provide safety assurance in this area. This guidance has been produced to cover the most important points that should be included in an alcohol and drugs policy.

2 The Effects of Alcohol, Medication and Drugs

- 2.1 Alcohol impairs performance at any level and the impairment increases exponentially with the amount taken. Many medicines, whether prescribed by a doctor or obtained 'over the counter' or by other means (e.g. over the internet) and illicit drugs also impair performance. In the short term (minutes to hours) judgement and decision-making will be affected, there will be an increase in errors and risk-taking behaviour, mood changes, poor co-ordination, tracking and concentration and slow reaction times. Some effects can persist for several days, particularly poor balance and slow cognition. High or persistent intake over a prolonged period can result in a wide range of chronic and debilitating illness.
- 2.2 It is important to note that the effects of alcohol or drugs may be very difficult to recognise, even in close colleagues or friends.

3 Regulatory Requirements

3.1 International Civil Aviation Organisation (ICAO)

The ICAO Standards require that States ensure their safety critical personnel are not under the influence of alcohol or drugs. Annex 1 Personnel Licensing to the Convention on International Civil Aviation includes:

- 1.2.7.1: licence holders '*shall not exercise the privileges of their licences and related ratings while under the influence of any psychoactive substance* which might render them unable to safely and properly exercise those privileges.*' * The definition of psychoactive substance includes drugs and alcohol but excludes coffee and tobacco.
- 1.2.7.2: licence holders '*shall not engage in any problematic use of substances*'.

3.2 European Union – Air Operations

Annex IV to Regulation (EC) No. 216/2008 sets out Essential Requirements for Air Operations. Paragraph 7.g. states: '*A crew member must not perform allocated duties on*

board an aircraft when under the influence of psychoactive substances or alcohol or when unfit due to injury, fatigue, medication, sickness or other similar causes'.

This requirement is reflected at CAT.GEN.MPA.100 (c)(1) of the EASA Air Operations Regulation.

In addition, AMC3 ORO.MLR.100 provides that an AOC holder ought to include guidance to crew members concerning health, including material dealing with alcohol and other intoxicating liquids, narcotics and drugs.

**** Note ** The Air Operations Regulation is currently being amended. This information will be updated when the new Regulation is published (anticipated early 2019).**

3.3 UK legislation

a) General

The Health and Safety at Work etc Act 1974 and Management of Health and Safety at Work Regulations 1999 put a duty on employers to ensure a safe working environment for workers including safety issues related to the misuse of drugs or alcohol in the workplace.

b) Aviation

The Railways and Transport Safety Act 2003 sets out a prescribed alcohol limit for people involved in aviation activities including flight crew, cabin crew and air traffic controllers (ATCOs). The limit is 20mg of alcohol/100ml blood except for licensed aircraft engineers for whom the limit is 80mg/100ml (the same as the current drink driving limit in England and Wales). The Act authorises the police to test flight crew, cabin crew and ground crew after accidents or incidents or with due cause.

Article 139(2) of the Air Navigation Order 2009 states that '*a person must not ...as a member of the crew...be under the influence of drink or a drug to such an extent as to impair their capacity so to act*'. The government has recently published two consultations on drug driving which consider legislation for the introduction of roadside drug testing. There is likely to be consequential legislation for other transport areas including aviation workers.

4 Creating a Drug and Alcohol Policy

4.1 All AOC holders should have a drug and alcohol policy as part of their SMS which should include the following elements:

- 1) training and education programme covering:
 - i) the potential effects of alcohol and drugs;
 - ii) medication use (prescribed or bought from a pharmacy) to ensure the safe exercise of licence privileges whilst taking medication; and
 - iii) the early recognition and rehabilitation of individuals with an alcohol or drug problem; a peer intervention programme may be considered in this context.
- 2) briefing on self-awareness and facilitation of self-referral for help with an alcohol or drug problem.
- 3) procedures for monitoring the efficacy of the alcohol and drugs policy; this is likely to include a drug and alcohol testing programme ('with cause', post incident/accident and random). AOC holders should review their employment contracts to ensure they permit testing.