

Freedom of Information request reference number: 6874.2

Date of response: 03/10/2022

Request:

1) a) *If the doctor has prescribed medical cannabis surely it is not illegal and does not count as an illegal drug, hence not breaking rules of policy (PN550)?*

b) *Therefore why would the employee be suspended while an investigation is carried out ?*

2) *You state in the response to FOIA 6874.1, "If medical cannabis was prescribed and being used as prescribed with no safety concerns, Occupational Health (OH) would provide advice directly to the individual but this would not be shared with the organisation";*

If the individual in question was using the cannabis medicine as described by the doctor who prescribed considering avoiding safety concerns, surely if OH informed the LFB this would be wrong / immoral / illegal as the doctor should respect Doctor / patient confidentiality ?

3) *If the employee was "encouraged " to make their line manager aware, but chose not to what would happen exactly?*

Response:

Please see the answers to each question in turn below:

1a) *If the doctor has prescribed medical cannabis surely it is not illegal and does not count as an illegal drug, hence not breaking rules of policy (PN550)?*

If a doctor has prescribed medical cannabis to an LFB employee, they would need to advise their manager in accordance with paragraph 4.1 of policy PN550: "All personnel have a duty to ensure that: They advise their managers if they are taking prescribed or 'over the counter' medicines, which may potentially affect their capacity to carry out their work safely and effectively." As this is a controlled drug, LFB managers would seek advice from OH, People Services and General Counsel and make a decision as to whether the employee can remain on duty and if other management action needs to be taken.

b) *Therefore why would the employee be suspended while an investigation is carried out if it is not illegal?*

If an employee tests positive for cannabis without prescription as detailed above, the employee will be suspended from duty while an investigation takes place in accordance with the Brigade's Disciplinary procedure.

2) *You state in the response to FOIA 6874.1, "If medical cannabis was prescribed and being used as prescribed with no safety concerns, Occupational Health (OH) would provide advice directly to the individual but this would not be shared with the organisation."*

If the individual in question was using the cannabis medicine as prescribed by the doctor whilst considering avoiding safety concerns, then surely if OH informed the London Fire Brigade this would be wrong / immoral / illegal as the OH doctor should respect Doctor / patient confidentiality ?

As stated in the answer to question 1a), the employee has a responsibility in accordance with policy PN550 to notify their manager if they are taking medical cannabis.

3) If the employee was "encouraged " to make their line manager aware, but chose not to, what would happen exactly?

The employee would be in breach of policy 550 and this would be investigated in accordance with the Brigade's Disciplinary procedure.

We have dealt with your request under the Freedom of Information Act 2000. For more information about this process please see the guidance we publish about making a request on our website: <https://www.london-fire.gov.uk/about-us/transparency/request-information-from-us/>