

## Alcohol & Substance Misuse Policy

### 1. Introduction

This policy provides information to staff and managers on how to address situations arising from alcohol and/or substance misuse. It is the intention of this policy to provide support to any member of staff experiencing any dependency on alcohol and/or substances. However, it is equally the intent of this policy that disciplinary action may be taken up to and including dismissal.

For the purpose of clarification, alcohol and substance misuse is when a person consumes alcohol or substances (legal and illegal) to excess or is dependent upon it.

This document does not form part of a contract of employment and may be changed from time to time in line with current best practice and statutory requirements, and to ensure business needs are met. Staff will be consulted and advised of any changes as far in advance as possible of the change being made, unless the change is required by law.

### 2. Policy Aims

- To confirm the responsibilities are for staff, managers and the organisation.
- To confirm the support and reasonable adjustments which will be offered and considered relating to any alcohol or substance misuse.
- To define the difference between misuse and dependency and what action will be taken for each definition.
- To ensure staff are aware that any breach of this policy and/or the law will instigate the disciplinary policy with a sanction of up to and including dismissal being possible.

### 3. Responsibilities

#### Staff Responsibilities

To comply with the law and this policy at all times whether or not on duty and whether or not within the workplace. To report any concerns about themselves or any colleague to a manager immediately upon suspicion of being under the influence or dependent.

#### Manager Responsibilities

To provide support to any staff member experiencing dependency issues whether alcohol, legal or illegal substances. To protect the health, safety and wellbeing of all staff and service users including considering suspending any staff member suspected of being under the influence or dependent.

#### Organisation Responsibilities

To ensure fair, equal, reasonable and consistent treatment of all staff regarding any aspect of the implementation of this policy.

To ensure all those with line management responsibility are reasonably trained in the practical application of this policy.

To regularly review and update this policy in line with legislation and best practice

#### **4. Attending Work Under the Influence**

No member of staff should attend work if they are under the influence of alcohol or substances. This includes consumption from the previous day which has not as yet left the system. Any staff member who consumes alcohol or substances the day before working must ensure they are fit to attend work.

Any staff member suspected of being at work under the influence will meet with a manager and may be sent home immediately – this will be processed as unpaid leave. The manager will ensure staff get home safely and may authorise the cost of a taxi for this purpose. Managers will not allow any staff member suspected of being under the influence to drive themselves home – if staff attempt this, the manager will alert the police immediately.

#### **5. Alcohol**

Consumption of alcohol within the workplace and/or whilst on duty will not be tolerated at any time. Permission may be granted during special occasions such as the festive season or other instances as determined by the organisation.

Alcohol misuse will be managed with consideration to occasional overindulgence events and/or dependence.

Occasional overindulgence will be managed initially by offering support and ensuring staff understand potential disciplinary action should overindulgence have any impact on their attendance, performance or conduct.

Staff must not drive or attend the workplace if they are under the influence of alcohol with specific consideration to overindulgence the previous day. Any staff suspected of being under the influence will be relieved from their duties, sent home on unpaid leave and be subject to the Disciplinary Policy.

If staff advise of an alcohol dependency issue before or during instigation of the Disciplinary Policy, the process will be paused to allow support to be provided. The procedure will be restarted if staff refuse support, continue to attend work under the influence or fail to meet any aspect, arrangement or provision offered during the support period.

#### **6. Legal Substances**

Prescribed, over the counter or shop-bought substances can affect people differently. Any staff who is taking any substance including medications whether short term or long term,

should advise their line manager. It is not a requirement to do so as staff may feel uncomfortable disclosing this information however, if performance or behaviour is affected, managers will deal with the situation based on the information they have available.

Managers will take into consideration any substances being taken when reviewing performance, attendance or behavioural changes, offering support and considering reasonable adjustments whether temporary or permanent.

The organisation will at all times, protect its reputation and may consider alternatives such as medical suspension, homeworking, variation of working hours, variation of duties. Medical reports may be required from a GP and/or Occupational Therapist prior to any decisions or reasonable adjustments being considered.

The organisation acknowledges that cannabis may on occasion, be prescribed by a medical professional. Any staff who are prescribed cannabis must inform their line manager immediately who will review their work practices including travel to work, duties, performance management and contact with service users.

## **8. Illegal Substances**

Consumption or being under the influence of any substance which is illegal under UK law will not be tolerated and may instigate the Disciplinary policy with sanction imposed of up to and including dismissal.

Staff who are dependent on any illegal substance will in the first instance, be offered support however, it will be a requirement of the support that staff do not carry out any duties whilst under the influence. Any breach of this policy may instigate the Disciplinary Policy.

A further requirement of support being offered by way of temporarily suspending any disciplinary action will be compliance with all terms of the support which may include seeking and actively participating in counselling, support groups etc. A risk assessment will be carried out by the line manager to assess whether or not it is appropriate for staff to continue working whilst undertaking this provision.

The organisation will at all times, protect its reputation and may consider alternatives such as medical suspension, homeworking, variation of working hours, variation of duties. Medical reports may be required from a GP and/or Occupational Therapist prior to any decisions or reasonable adjustments being considered.

If any staff are suspected of having any illegal substances in their possession within the workplace, the police will be contacted immediately. Any resulting allegation, charge or conviction will be taken into consideration by the organisation when deciding upon what action to take under and in terms of this and the Disciplinary Policy. However, even if the police take no further action, the organisation will conduct its own internal investigation which may result in disciplinary action up to and including dismissal.

## **9. Data Protection Act 2018**

The organisation will treat all personal data in line with obligations under the current data protection regulations.