



# **Substance Misuse Policy**

**Date: August 2018**

**Review: August 2021**

## **Bourton Meadow Education Trust**

### **Substance Misuse Policy for the Workplace**

This policy should be read in conjunction with the Staff Code of Conduct.

#### **1. Introduction**

1.1 BMET is committed to ensuring a safe, healthy and productive working environment and to minimising problems arising from the misuse of drugs and alcohol at work. It is evident that substance misuse causes enormous social and medical problems, which can lead to accidents at work, reduced efficiency, poor decision-making and lost productivity. The purpose of this policy is to ensure a workplace as free from the risk of alcohol, drug or substance misuse as possible, and the underlying principle is prevention by providing support to individuals with an alcohol or drugs problem. In order to address these issues the Trust is committed to having procedures which:

- Minimise substance misuse related problems in the workplace, through promoting a sensible attitude to drinking and a greater awareness of the risks of taking other drugs;
- Offer support and advice to individuals experiencing difficulties related to alcohol or drug use;
- Increase awareness of potential problems and provide guidance and advice on work-related issues;
- Explain clearly what is and/or isn't acceptable with regards to the consumption of drugs and alcohol at work.

The Trust expects the same standards of behaviour from all those representing it; directors, governors and employees alike

#### **2. Aims of this policy**

2.1 This policy has been developed to actively promote the health and well-being of all those representing the Trust. Its purpose is to:

- Ensure all those representing the Trust are aware of their responsibilities regarding drugs and alcohol at work
- Ensure problems are identified and dealt with appropriately at the earliest stage possible
- Ensure support and assistance is offered to those having a drug or alcohol problem which affects their performance
- Assist those with managerial responsibilities to deal with substance misuse-related incidents in the workplace
- Demonstrate the organisation's commitment to the health and safety of those representing the Trust and the public.
- Raise awareness amongst staff and those working on behalf of the Trust, of the effects of drugs and alcohol, and the impact of inappropriate use.
- Comply with our legal responsibilities

### **3. Scope and Responsibility**

3.1 This policy applies to all employees and volunteers at all levels when engaged in Trust business. However, the Trust would expect all those engaged in Trust business to present in an appropriate and sober state to enable them to fully undertake their roles and responsibilities. All individuals have a responsibility to adhere to the policy and report breaches of the policy. This policy should be read in conjunction with the Code of Conduct and the Capability Policies and Procedures

3.2 Managers at all levels are responsible for implementing and monitoring the policy with regard to paid employees.

3.3 Managers should seek advice from Human Resources (HR) if there are any unresolved issues arising from this policy or other policies relating to capability and discipline.

### **4. Definitions**

4.1 Substance misuse is drug and/or alcohol taking which causes harm to the individual, families and the wider community. By definition those requiring drug or alcohol treatment are substance misusers (National Treatment Agency, Models of Care, 2005).

4.2 The term misuse in this document refers to the illegal or illicit drug taking or alcohol consumption that leads a person to experience social, psychological, physical or legal problems related to intoxication or regular excessive consumption and/or dependence. Drug misuse is, therefore, drug taking which causes harm to the individual, their significant others or the wider community. (Models of Care, 2005)

4.3 The term “drugs” used in this document refers to psycho-active drugs including illicit drugs, non-prescribed pharmaceutical preparations, and solvents.

4.4 Treatment refers to a range of interventions which are intended to remedy an identified drug/or alcohol-related problem or condition relating to a person's physical, psychological or social (including legal) well-being.

## **5. Rules and Procedures**

5.1 Those representing the Trust are personally liable for their conduct, specifically in relation to consumption of drugs, and alcohol. They must personally ensure that their consumption of drugs and alcohol does not impinge on their ability to do their job safely and does not break the law of the land.

5.2 No member, employee or other individual working on behalf of the Trust must possess, consume, sell or give away illegal drugs especially whilst on duty or undertaking work on behalf of the council .

5.3 Nothing in this policy and procedures or their application shall be construed so as to prevent or inhibit the law.

5.4 Employees and those working on behalf of the Trust in safety-critical jobs i.e. drivers who are found to be under the influence of drugs or alcohol will be temporarily relieved from their duties with immediate effect, pending investigation.

5.5 Procedures aim to ensure that those representing the Trust are aware of the drug and alcohol policy, its aims and safeguards, and other relevant employment policies on this matter.

5.6 All employees and those working on behalf of the Trust, should be assured that advice, assistance and support will be offered to anyone identified as possibly having a drug or alcohol problem.

5.7 Employees and those representing the council are encouraged to seek help, should they wish.

5.8 The employee or those representing the Trust will be advised of potential consequences if help is refused or relapse occurs.

5.9 Assistance under this policy does not apply to anyone who, because of drug or alcohol misuse, behaves in a manner contrary to the standards of conduct required by BMETL.

5.10 Such behaviour will be dealt with in accordance with the normal disciplinary procedure applying to the individual, until subsequent investigation has taken place that would uncover whether this route is the most appropriate.

5.11 The use of drugs as defined by the Misuse of Drugs Act 1971 during the working day is debarred, except those prescribed and over the counter medication. Many prescribed and over the counter medications can impair performance. All staff and others working for the Trust have a responsibility for making themselves aware of advice given / supplied with their medicines and seeking medical advice where appropriate.

## **6. How to recognise the problem**

6.1 In most cases it is the behaviour associated with drug, alcohol and substance misuse that will be evident to managers and other colleagues.

6.2 Listed below are a number of indicators. It is essential to note that these indicators could equally apply to other illnesses or stress. It is important to thoroughly examine each situation before acting.

6.3 Possible indicators of substance misuse are:

- Patterns of depression or fatigue (often after the weekend)
- Absenteeism – short term / frequent patterns
- Poor timekeeping
- Erratic performance
- Lack of discipline
- Unusual irritability or aggression potentially culminating in harassment
- Over-confidence
- Sudden mood swings
- Inappropriate behaviour
- Reduced response times
- Becoming easily confused
- Reduced productivity
- Deterioration in relationships with colleagues, customers or management
- Financial irregularities
- Dishonesty and theft
- Stale alcohol smell, dishevelment, appearance and personal hygiene.

**Note:** *These are only signs – they can all be caused by other medical or psychological factors. For example diabetes, epilepsy, and stress.*

6.4 The cornerstone of this policy is the commitment to regard drug, alcohol and substance misuse as a health and social problem, which may have safety implications and affect work activities. The guidance aims to enable the individual to seek help in order to maintain his/her performance. The success of this guidance depends upon a joint commitment from management and employees and those representing the Trust.

6.5 This policy seeks to ensure that support and assistance is proactively offered to employees and those working on behalf of the Trust and available to those seeking help. It is also recognised that the alcohol/drug problems of a family member may also impact upon an individual's work efficiency. This guidance provides a background of advice and guidance which those with managerial responsibilities should consider in any disciplinary hearings where drink and/or drugs might be a contributory factor to poor performance or misconduct.

## **7. When potential substance misuse is identified**

7.1 This policy refers to substance misuse because a wide range of substances available both legally or illegally can be abused. A person with an alcohol problem can be just as much at risk from the abuse of that particular substance as a person using illegal recreational drugs. Managers and those representing the Trust should be aware of the need for care and discretion when approaching a perceived problem as there are many underlying causes (for example, stress, or manic depression) that can lead to substance misuse. They are also reminded that those who are suffering from substance misuse may not admit that they have a problem, even to themselves. For these reasons, it is advised that should substance misuse be suspected, the Human Resources Department should be contacted for advice and support in moving forward.

7.2 At all times it is vital to ensure that the matter is dealt with in a totally confidential way. The matter should be handled with sensitivity, in the same way as any other health related condition. This kind of information is sensitive personal data, as defined by the Data Protection Act and Human Rights Act and may be recorded on an individual's personnel file. An individual bringing to the attention of management, concerns regarding a colleagues drinking or drug taking behaviour, will be handled sensitively, with respect and with appropriate regard to confidentiality.

7.3 For a step by step guide for employees, please see the flowchart in appendix 2A.

## **8. Roles and Responsibilities**

8.1 The following roles and responsibilities will ensure that the guidance is implemented and applied equally to all. A further guidance note is to be developed for members.

8.2 Managerial:

- To be familiar with this guidance, local resources and services ([www.bucksdaat.co.uk](http://www.bucksdaat.co.uk)).
- To set a good example through their own responsible use of alcohol
- To be aware of the effects of drug, alcohol and substance misuse and to be alert to and monitor changes in work performance and attendance, sickness and accident patterns
- To take appropriate but sensitive action and early intervention where potential alcohol or drug misuse has been identified
- To identify any factor which could contribute to alcohol or drug misuse and take action to change them
- To observe strictest confidentiality as far as is practicable
- When organising work or social events, to pursue good practice by ensuring that ample supplies of non-alcoholic drinks are available. In exceptional circumstances alcoholic drinks can be provided. However, this should be authorised by a senior manager in accordance with the principle of not bringing the Trust into disrepute.

8.3 The role of those representing the Trust:

- To urge colleagues to seek help if they have a drug, alcohol or other substance misuse related problem
- To avoid covering up or colluding with colleagues
- To report concerns around breaching this policy to managers
- To seek help from managers, HR or an outside agency, if they are worried about their own drinking or drug use
- To use alcohol responsibly
- To be aware that the consumption of alcohol or any substance prior to entering the workplace puts him/her at greater risk of accidents and a loss of efficiency
- To ensure they are conversant with disciplinary rules and this guidance
- To avoid the use of illegal substances or any substance which may affect their work or which might place them at risk of accidents, loss of efficiency or effectiveness

8.4 The role of the Occupational Health Service:

Individuals who are believed to have a substance misuse-related problem will, subject to budgetary authorisation from the appropriate Service Area, be encouraged to meet with an Occupational Health Physician. The Occupational Health Service will advise on the treatment and rehabilitation of the individual with a substance misuse problem by:

- Giving appropriate advice to management about the individual's condition and the likely treatment
- Advising on a rehabilitation programme to assist the employee back to optimal functioning in the workplace
- Liaising with the employee's GP as required/specialist treatment unit (with the Employee's or others' consent).

## **9. Conclusion**

9.1 This policy has been devised to provide directors and those with managerial responsibilities with a framework for dealing with alcohol/drug related problems in the workplace. However, it is not a definitive guide and each situation should be approached with discretion and an awareness that every case is unique.

9.2 HR staff are also available to provide advice and assistance to ensure that a fair and consistent approach is taken throughout the organisation.

## **10. Policy review**

This policy will be reviewed in the light of experience.