

G35 ALCOHOL AND DRUGS MISUSE POLICY

APPLICATION

This document applies to all Council employees.

The policy is advisory though recommended in schools.

INTRODUCTION

The Council has a legal duty to maintain a healthy and safe working environment as far as is reasonably practicable and is committed to assisting and supporting employees who may be experiencing problems associated with substance misuse.

Alcohol and drug abuse affects men, women and young people. It is not just an individual problem, but also a social problem with social causes and implications, some of which may be associated with work.

The Council may have employees with substance related problems, which may be the result of work or external pressures. The Council will act reasonably and sympathetically in dealing with such employees.

The Council regards any employee's dependency on alcohol or drugs as a treatable illness or disorder and will encourage individuals with a problem to seek voluntary advice and assistance.

OBJECTIVES

The Council's Policy is to deal reasonably and sympathetically with employees who have substance related problems.

PRINCIPLES

Employees are expected to report for work fit and to remain fit to perform their duty and whilst the Council regards alcohol and drug misuse or a related dependency as a treatable illness, individual employees have a responsibility to seek assistance when required. The Council:

Encourages individuals who believe they may have a problem with substance misuse to seek assistance and support.

Reserves the right to intervene where misuse affects an employee's work performance or the safe and efficient conduct of duties.

Requires that all practicable measures are introduced to prevent substance misuse in the workplace and to support employees with an identified problem. In particular, the following will apply:

- advice will be offered and any other assistance identified and, where possible, arranged
- reasonable paid time off work will be provided for an employee to receive treatment provided the employee co-operates fully. Employees should provide their manager with proof of their appointment (e.g. an appointment card or copy of the appointment letter) when requesting time off to attend treatment
- opportunity for discussion with the employee will be provided once it is evident or suspected that work performance is being affected

- at all times the employee may be accompanied by a friend or trade union representative
- referral services will be identified and, where possible, treatment or counselling services arranged. This may be either internally or from a specialised agency (All employees have access to the Employee Support and Counselling Service)
- all employment rights will be safeguarded during any reasonable period of treatment
- procedures will be put in place to monitor, evaluate and review the policy
- individual responsibilities will be made explicitly clear to the employee
- information will be made available to all employees to enable them to recognise a problem and, where they can, seek help to overcome it

RESPONSIBILITIES

DIRECTORS AND ASSISTANT DIRECTORS

Implementing the policy via their managers and communicating its provisions to their employees.

MANAGERS

- Implementing the policy and being familiar with the policy and procedures.
- Promoting and maintaining safe systems of work.
- Setting a good example to their employees and others.
- Ensuring employees understand the policy and their responsibilities.
- Being alert to possible abuse problems and monitoring changes in work performance, attendance, sickness and accident patterns.
- Taking an objective and non-judgemental approach when counselling or interviewing employees
- Referring employees for assistance when appropriate and supporting employees that are receiving treatment.
- Identifying any aspects of the working environment that could lead to substance misuse problems and, if possible, change them.
- Intervening early where there are signs of problems.

PEOPLE MANAGEMENT

- Assisting managers in implementing the policy.
- Monitoring and review and revision of the policy.
- Advising on the appropriateness of the disciplinary procedure.
- Ensuring that statistics are kept on absence and sickness levels and analysed periodically.
- Helping plan and take part in providing training on substance misuse and the Council's policy and procedure.

TRADE UNION REPRESENTATIVES

- Helping inform employees about the policy.
- Encouraging their members to seek help voluntarily.
- Advising their members of their rights and responsibilities under the Policy.
- Helping their members at work and assist with their rehabilitation.
- Encouraging their members to take part in appropriate education and training programmes.

EMPLOYEES

- Being aware of their responsibilities towards themselves and their colleagues under the Health and Safety at Work Act 1974.
- Being aware of the health and safety implications of being under the influence of alcohol, drugs or other substances and the dangers they pose to themselves, colleagues, service users and members of the public.
- Finding out about alcohol and drugs and the social, health and employment effects avoiding covering up or colluding with colleagues.
- Urging and encouraging colleagues to seek help if they have problems from substance misuse.
- Being familiar with the policy and procedures.
- Using alcohol responsibly and not using illegal drugs.

OCCUPATIONAL HEALTH

- Providing advice and guidance on how best to help an employee who has a problem which might be related to substance misuse.
- Providing an assessment of employees who refer themselves for help.
- Responding positively to referrals from managers.
- Providing an impartial and confidential service to employees which may include counselling, assessment and referral to another agency.
- Helping identify and to assist in any education initiatives to promote knowledge of alcohol and drugs.

PROVISION

Pre-Employment Medical

Alcohol and drug screening may be included in the Council's pre-employment medical examination through the use of appropriate sampling procedures. The requirement for this screening will be determined by managers on the basis of risk ([see document G35.2 Example Risk Assessment](#)), e.g. Lincolnshire Fire and Rescue Service – All Operational Fire Fighter posts.

Satisfactory completion of this medical examination is a condition of employment. If an individual's medical screening results prove positive for alcohol and/or drug misuse then any conditional offer of employment will be withdrawn.

Reasonable Cause

If an employee on Council premises or business is observed to be in an unfit condition and not capable of performing work in a safe or productive manner because of an alcohol or drug problem, the manager will intervene and take corrective action. This may include:

- removal of the employee from operational duties
- the manager meeting with employee to discuss concerns
- employee referral to Occupational Health for a medical assessment, including if required, an alcohol and/or drug screening procedure.
- a referral request to the screening company for immediate same-day testing

The requirement for screening will be determined by managers on the basis of risk. The employee will be requested to complete a consent form and provide an appropriate sample. Refusal may lead to disciplinary action being taken.

In Service Testing

The Council does not carry out unannounced random testing for alcohol and drugs. However it may wish to introduce such procedures at some point in the future following appropriate consultation.

RECOGNISING EMPLOYEES WITH AN ALCOHOL/DRUG PROBLEM

The earlier individuals with alcohol/drug problems are identified the greater the success of any intervention offered. Listed below are various factors that may indicate an employee has an alcohol/drug problem:

- Absenteeism - unauthorised absences, increased amounts of sick leave, lateness, leaving early, frequent visits to the cloakroom.
- Increasing incidences of accidents in and out of work.
- Low performance standards - unreliability, impaired concentration, memory and judgement.
- Interpersonal problems - irritability, paranoia, erratic behaviour.
- Great physical incapacity - lack of concern for personal appearance/hygiene, flushed face, hand tremors, runny nose, dilated/constricted pupils and the smell of alcohol.

REFERRALS

Referrals under the Policy may occur in the following ways:

- Employees voluntarily seeking assistance through their line manager
- Management Referral ([see document G10.5](#))
- Medical referral/monitoring (see below)

Employees Voluntarily Seeking Assistance

When an employee is already undergoing treatment or receiving assistance from an external organisation, requests for leave/time off will be approved by the line manager.

Management Referral

As soon as a line manager believes, because of inadequate work performance, attendance or observed behaviour that a particular employee might have a misuse problem the following procedure must be followed:

Line manager to meet with the employee to discuss the manager's observations/views. The manager should avoid any judgement as to whether or not the person has a problem but give the employee the opportunity to admit to any problem with alcohol etc. which they may be experiencing. Strict confidentiality must be maintained.

Employee referred to Occupational Health for assessment and further discussion with regard to the circumstances that have led to the suspicion of misuse and if required, an alcohol and/or drug screening procedure.

If required the employee will be offered further advice and counselling and referred for specialist treatment. Should the employee refuse the offer of further assistance, disciplinary action may be considered.

Whilst an employee is undergoing treatment for substance misuse the line manager will hold further update meetings with the employee and if appropriate the line manager will obtain further advice from Occupational Health.

Voluntary Rehabilitation Agreement

Employees may be required to complete a Drugs/Alcohol Rehabilitation Agreement ([Appendix1](#)) which sets out the expectation on the employee with regard to treatment.

Medical Referral/Monitoring

If during a normal medical referral procedure the Council's Medical Adviser suspects that an employee has a misuse problem, the employee will in the first instance be encouraged to voluntarily seek help.

While maintaining strict medical confidentiality the Occupational Health Department must make management aware of any risks to health and safety.

UNACCEPTABLE PERFORMANCE LEVELS

General

Substance misuse should not constitute grounds for dismissal, unless performance levels or actions reach an unacceptable level. In these circumstances the case must be dealt with under the appropriate procedure eg Discipline, or Capability Procedure. Such circumstance might include:

- unacceptable behaviour at work whilst under the influence of drugs or alcohol
- unacceptable attendance records, with the employee refusing any support or treatment
- failure to undertake an alcohol and/or drug screening test
- failure to follow the treatment programme, maintain abstinence and achieve regular attendance on any rehabilitation programme.

Where an employee is referred for treatment within this policy, any current disciplinary procedures associated with alcohol/substance misuse may be suspended whilst treatment is ongoing. Where an employee refuses help or drops out of a treatment programme, this will not be automatic grounds for dismissal, however any unacceptable behaviour or level of performance thereafter will be subject to appropriate action.

TESTING ARRANGEMENTS

REASONABLE CAUSE TESTING OR TESTING FOLLOWING A MEDICAL REFERRAL

There are several methods and types of testing which can be used for both alcohol and drug screening. These include urine, saliva, hair and blood tests.

Testing will be carried out by a specialist organisation who will advise on the most appropriate test.

The employee will be required to give their written consent for the test.

Employees will be advised of the process for obtaining samples prior to giving their consent

The line manager and Occupational Health will be informed of the results of the test.

SCREENING ON APPOINTMENT/TRANSFER

The method for this screening will be by urine analysis.

FURTHER INFORMATION

[G35 Appendix 1 Example Drugs/Alcohol Abuse Rehabilitation Agreement](#)

[G35.2 Model Significant Findings of Risk Assessments](#)

[G10.4 Medical Clearance of Employees on Appointment/Transfer](#)

[G10.5 Management Referrals](#)

ADVICE AND SUPPORT

Please contact People Management or your Health and Safety Adviser (in relation to risk assessment).

EXTERNAL SUPPORT FOR EMPLOYEES

Addaction:

24 hour referral line – 0808 131 1113

Lincoln – 01522 301307

Grantham – 01476 512950

Boston – 01205 319920

www.addaction.org.uk

DART:

Lincoln – 01522 597979 / lincoln.dart@nhs.net

Grantham – 01476 591233 / grantham.dart@nhs.net

Boston – 01205 314479 / boston.dart@nhs.net

General advice on reducing alcohol consumption can be found at NHS Choices – www.nhs.uk/livewell/alcohol

Drug advice can be found at www.nhs.uk/livewell/drugs

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