



Alcohol and Substance Abuse Policy

Policy approved by the Governing Body of St Osburg's Catholic Primary School on:

Date: Feb 2017

1. Introduction

This policy applies to any addictive behaviour that affects conduct, behaviour at work or work performance and as a Voluntary Aided School we have adopted it in full.

This policy applies to all Coventry City Council employees and has been the subject of full consultation with trade unions. Coventry City Council recognises that addiction problems are both health and social concerns and acknowledges that employees with such problems require support and treatment. The Council recognises that employers can have an important role in helping people overcome addiction problems through the introduction of a policy, which can produce the following benefits:

- a reduction in occupational injuries
- a reduction in sickness absence
- a reduction in lost time
- a reduction in employee grievances and disciplinary action
- a reduction in the cost of recruiting and training new staff
- increased productivity
- improved employee morale

2. Objectives

The main objectives of this policy are:

- a. Prevent and reduce the incidence of poor work performance or unacceptable conduct related to addiction issues.**
- b. To alert employees to the risks associated with addiction (alcohol or other drugs, gambling, smoking, solvent abuse, etc.,).**
- c. To facilitate referral for counselling, where appropriate, so that employees may overcome addiction difficulties.**
- d. Engender a climate that encourages addiction problems to be discussed openly and gives both management and trade unions the confidence to deal with them appropriately.**

3. Definition of Addiction Problems

In the context of the workplace, addiction problems can be defined as:

Any addictive behaviour, which interferes with a person's health and social functioning and/or work capability, behaviour or conduct.

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This may include alcohol or other substance abuse, gambling, smoking, Obsessive Compulsive Disorders (OCD) or self-harm issues.

4. Highlighting the Problem

The potential existence of an addiction related problem may materialise in one of the following ways:

- a. The employee voluntarily discusses having an addiction with his/her manager, Human Resources or a trade union representative
- b. The employee is, for example, found to be under the influence of alcohol whilst at work
- c. There is a reduction in the quality of work performance that indicates, for example, that misuse of alcohol or other addiction may be the cause
- d. There are work related behavioural or conduct issues which indicate, for example, that misuse of alcohol or other addiction may be the cause

5. Roles & Responsibilities

Managers

All Managers have a responsibility to ensure that they adhere to the Corporate Health & Safety policy. Managers must ensure that all necessary health and safety activities, requirements and standards are undertaken and met within their area of control.

Managers must ensure that employees take health and safety seriously and perform their work in such a way that does not place themselves or others at risk.

5.1 Managers should be aware that, under the Health & Safety at Work Act 1974, if they knowingly allow an employee under the influence of excess alcohol or drugs to continue working and this places the employee or others at risk, they themselves could be prosecuted.

5.2 Directorate managers should seek advice from Human Resources in dealing with cases of addiction or suspected addiction where it impacts upon the employee's work performance or conduct. Specialist advice may also be sought from the Council's Occupational Health & Counselling Services and/or other external specialist agencies.

5.3 It is a function and role of line management to be alert to possible changes in their employees' attendance at work, work performance or changes in personality and behaviour.

5.4 Identifying potential problems 'earlier' rather than 'later' increases the chances of successfully resolving the matter, with less harm to an employee's health and career.

Employees

5.5 Individual employees have a responsibility under the Health & Safety at Work Act to seek to ensure the health and safety of themselves, their colleagues and the public.

5.6 Where employees consistently refuse to seek help and guidance or do not acknowledge that there is a problem and work performance is adversely affected, the disciplinary procedure or capability procedure may be implemented.

5.7 Similarly, if an employee refuses to attend any pre-arranged Occupational Health appointment or refuses to participate in the Alcohol/Substance Misuse at Work Programme and work performance is adversely affected, the appropriate Council procedure e.g. disciplinary or capability procedure may be implemented. In addition, should they fail to keep appointments then appropriate action may be considered against them.

6. Off-Duty Conduct

6.1 It is recognised that employees off duty hours are their own concern. However, whilst this is the case an employee's off duty conduct must not bring the City Council into disrepute. The employees Code of Conduct applies.

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6.2 All employees are required to present themselves for work, free of any undue influence of alcohol and/or substance misuse.

6.3 Employees should not consume alcohol when they are on duty, unless agreed beforehand by their Manager for specific occasions. The employees should make sure that if they drink any alcohol when they are off duty, but during the working day, it will not affect their ability to carry out work or damage the reputation of the City Council. For example, this could include if the employee has alcohol on their breath when they need to interview the public. If they use heavy machinery or drive Council vehicles, employees should never drink alcohol during the working day. Some posts carry a specific restriction concerning drinking at any time and employees will be told by their Manager or the Human Resources Team if this restriction applies to them.

7. Legal Position

7.1 Under the Health and Safety at Work Act 1974 employers have a duty to ensure the health, safety and welfare of their employees. They must ensure that employees do not injure themselves or endanger the public or colleagues. Similarly, employees are required to take reasonable care of themselves and others who could be affected by their actions at work. Knowingly allowing an employee to continue working if affected by alcohol or drugs could make the employer liable to prosecution.

7.2 The Road Traffic Act 1988 makes it illegal for any person to drive or attempt to drive a motor vehicle while unfit to drive through the use of a substance. This includes prescribed and over-the-counter medication, as well as illegal drugs and alcohol.

7.3 The Misuse of Drugs Act 1971 makes it an offence if a manager of a premises 'knowingly permits or suffers' the production or supply of any controlled drugs or the smoking of cannabis or opium to take place on their premises.

8. Support Available

8.1 Where an employee has an addiction, this will be regarded as an illness. The employee will be given reasonable time off to receive medical or other recognised treatment. The amount of time granted for this support will relate to the progress made by the employee in overcoming the problem, and also the ability of management to maintain the level of support. The same triggers as applied to sickness absence will be used to consider overall capability for the post. All information and records concerning the employee will remain confidential.

8.2 Employees who have an alcohol or drug dependency problem, are encouraged to seek assistance from their line manager, the HR Advice Line, Occupational Health Counselling Service, their GP, trade union representative, a friend at work, or other counselling services.

9. Process

The process outlined below is to be followed when dealing with incidents of addictive behaviour. The example provided below deals with alcohol or other substance abuse however the process applies equally to other addictive behaviours.

Please refer to the Addiction & Substance Abuse Policy Manager Guide and Employee Guide when following this process.

9.1 Advice should be sought from Human Resources at the earliest opportunity. Each case should be assessed individually, and the balance between support and the potential application of Council procedures assessed.

9.2 If gross misconduct does not apply, but the manager has a concern about work performance or conduct, the manager should meet with the employee informally as soon as possible to explain their concerns and enable the employee to explain what has happened. The employee may be supported at this meeting by their trade union representative or a colleague if they so wish.

The manager should re-set acceptable standards of behaviour and/or address areas of under performance, identify any support mechanisms and consider a referral to Occupational Health and/or Counselling and Support Services. Full notes of the meeting must be taken for the benefit of both parties.

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9.3 If the employee is under the influence of alcohol or other substance misuse they should be instructed to leave the workplace until they are able to discuss the situation. Care should be taken to ensure that the individual does not drive and the employee may need to be escorted home.

9.4 In some cases it will be necessary to refer the matter to the Occupational Health Service for advice. Referrals for health assessments should be undertaken as soon as possible. However, viewing the matter as a health problem does not necessarily preclude other managerial action, and the matter may need to be considered in the context of the disciplinary or capability procedures and the Code of Conduct. All reasonable efforts will be made by the City Council to provide employees with support but where work performance, conduct or behaviour continue to be adversely affected, it may be necessary to implement the appropriate procedure.

9.5 If a referral is made to Occupational Health, it is possible that a decision about disciplinary or capability action may be deferred until a report has been received and considered. This will not be the case in instances considered to be gross misconduct. If an employee who is potentially the subject of disciplinary or capability proceedings refuses or fails to attend a pre-arranged medical referral, then a decision about proceeding with the planned action will be taken.

9.6 Factors that should be taken into account when making a decision as to how to proceed include:

- whether the employee is in charge of machinery, vehicles etc.
 - whether the employee is responsible for service users, children or vulnerable people or has contact with members of the public.
 - the impact of alcohol or substance misuse on work performance, colleagues, or Council property.
 - Should the employee confide to a manager that they have a problem, then the Council would view this as a positive step. Seeking help at an early stage may avoid the need for any disciplinary or capability action.
- However, if work performance or conduct is an issue and continues to be so, then disciplinary or other action may need to be considered.

9.7 The employee may need support and counselling depending on the circumstances. The Counselling service is available to all employees and offers a confidential counselling service. The Council may provide the employee with other appropriate support, which could include reasonable time off for specialist or other treatment

9.8 Occupational Health will carry out a health assessment and provide HR a written report, advising whether a designed plan of intervention could be of assistance to the employee. Where this is appropriate the employee will be referred to the Counselling Service, as part of the Alcohol/Substance Misuse at Work Programme.

9.9 The Counselling Service will support and monitor the employee and provide progress reports to HR. Reports will be provided within the bound of ethical guidelines and professional confidentiality at all times.

The initial report should include:

- The estimated length of time required for the programme to be effective
- The details of chosen specialist agency
- A programme for review

9.10 An intervention plan will require the declared co-operation of the employee who will have a copy of the report.

9.11 A copy of the report will also be made available for Trade Union representatives if relevant.

9.12 Failure to comply with agreed plans may mean the application of the disciplinary or capability procedure if performance or conduct still remains a problem.

9.13 In the event of relapse after treatment, each case will be considered on its merits, taking into account medical or specialist opinion. The Council will make all reasonable efforts to further support employees but this cannot be guaranteed.

9.14 It may be necessary to consider urgently whether the employee has committed a criminal offence; appropriate advice in these instances is available from Human Resources.

For further information please contact the HR Advice Line (024) 76832454

hradvice@coventry.gov.uk