

## **Drug & Alcohol Misuse**

### **Introduction**

1. The Corporation recognises that substance misuse, including excessive alcohol and drug use, gives rise to physical and psychological dependence which needs support and treatment to overcome. We encourage any employee who feels they have a problem to seek help from the Occupational Health Service (OHS) in confidence.
2. The Corporation will offer help and assistance to any employee who recognises they may have a problem and wants help. The Corporation however recognises that substance misuse can impair the safety, performance, conduct and the behaviour of an individual and possibly place others at risk. The Corporation has a duty to manage the performance of all individuals under its care and reserves the right to pursue the disciplinary procedure when appropriate.

### **Policy Statement**

3. The purpose of this policy is to address in a structured way the problem of alcohol and drug misuse by covering the issues of prevention and education, advice and counselling, training for managers and monitoring and evaluation. It is important for managers to distinguish between a one-off episode of alcohol misuse and whether there is a probability of dependency. One-off episodes will be treated as a conduct/capability issue and may result in disciplinary action.
4. The policy aims to:-
  - Encourage staff with problems relating to alcohol or drug misuse to seek and accept appropriate counselling or treatment in the knowledge that managers and colleagues understand their difficulties. If they work in an environment that is supportive of them, such employees are more likely to acknowledge their problem and to volunteer to have appropriate treatment.
  - Ensure managers are aware of their responsibility to manage swiftly and appropriately if alcohol or drug misuse is suspected. This issue can often manifest itself via poor performance or behavioural issues, which require the intervention of a manager or supervisor at an early stage.
  - Continue to promote awareness amongst all employees of the risks involved in alcohol or drug misuse.

- Provide training for line managers on recognising and dealing with cases of alcohol or drug misuse.
- Prevent and reduce the incidence of alcohol or drug misuse affecting work performance or leading to personal and social problems.

## **Substance Misuse**

5. Substance misuse is recognised where an individual's performance or behaviour is altered through the suspected misuse of a given substance.

## **Employee's Responsibilities**

6. Employees should be familiar with the aims and procedures of this policy and be aware of the health risks related to alcohol or drug misuse.
7. The Corporation requires all employees to arrive at work in a condition to perform their duties effectively, and to refrain from the consumption of any substance in quantities that may impair their performance during their working day. Employees must also bear in mind that certain work activities (such as driving a vehicle) are subject to legal limits with regard to alcohol. Employees should ensure that they are always compliant with the relevant law when undertaking these activities as part of their job. Failure to do so will result in disciplinary action.
8. Any employee who recognises that they have an alcohol or drug related problem is recommended to seek confidential help from the OHS.
9. Employees shall comply with a referral decision by their managers regarding assessment for an alcohol or drug problem. Failure to comply with such a decision or maintain a satisfactory level of performance or behaviour may result in disciplinary action.
10. Employees who are taking a course of prescribed or over the counter medication which may affect their performance or behaviour, should notify a line manager or their departmental personnel of the possible effects of the medication as soon as possible to avoid any misunderstandings. Line managers may wish to seek advice from OHS.  
Whilst employees must inform management that they are taking medication which may affect their performance or behaviour, they do not necessarily have to inform their manager or departmental personnel of the name of a prescribed medication or the reason it has been prescribed if they do not wish to do so.
11. Any employee who becomes aware that the alcohol or drug consumption of a colleague poses a danger to health and safety, may lead to a breach of the law when undertaking certain work activities (such as driving a vehicle), or is diminishing the ability of that colleague to perform their duties, must report this to management.

## **Manager's Responsibilities**

12. Managers are expected to adhere to this policy and understand that the intention of the policy is to enable effective management of any incident in a sensitive and confidential manner.
13. Managers should be aware that drug and alcohol misuse may be a factor in deteriorating work performance, sickness absence, conduct or behaviour. If a manager has reason to believe that an individual employee may have a problem with alcohol or drug misuse, they should discuss an appropriate course of action with their departmental personnel in order to:-
  - gather appropriate evidence;
  - meet the employee and confidently to address the identified problem;  
**and**
  - offer appropriate help and assistance in a sensitive manner.
14. Where managers are responsible for employees who undertake activities (such as driving) that are subject to legal limits regarding alcohol or other substances, they should ensure that such staff are aware of current legal limits.
15. Manager initiated early referrals to the OHS for assessment will take place where there is unsatisfactory or deteriorating work performance or behaviour where alcohol or drug misuse may be a factor. This referral will need to be initiated **after** the first meeting with the employee.
16. Managers are responsible for providing the OHS with factual background information of the individual case, including written documentation of the initial management meeting.

## **Corporation Procedure**

### **Self Referral**

17. Employees who recognise they may have a drink or drug problem are encouraged to seek help and treatment voluntarily. This may include advice from their personnel/administrative section, trade union representative, manager, OHS or any other agency, including their General Practitioner. In cases where the employee approaches the OHS directly, no reference is made to the employing department without full discussion with the employee, unless safety issues are an overriding factor. Employees should be advised to book appointments around their work commitments.

### **Manager Identified Referrals**

18. Managers should identify and address any deterioration in performance or behaviour and gather sufficient evidence to meet with the individual to discuss

the matter. Where alcohol/drug misuse is suspected this must be addressed with the individual and an opportunity to declare a problem given. This will be considered the informal approach but a full record will be kept of the meeting. It is only if the matter is more serious, or the shortfalls in performance or behaviour persist, that the formal procedures will be brought into operation.

Where alcohol/drug misuse is **not declared** as a contributing factor management would need to consider the presenting performance and behaviour as per the Capability or Disciplinary Procedure indicating to the individual that further patterns may result in disciplinary action and could result in dismissal.

Where alcohol/drug misuse is **declared** the individual will need to be offered help and assistance and a referral made to the OHS as per this policy. The manager in consultation with OHS will agree the options to improve the employees' performance and continue to monitor. The OHS can assist in obtaining access to treatment, but the individual would have to take responsibility to comply. Periods of absence due to treatment will be regarded as sick leave if approved by OHS or relevant medical authorities.

For any further episodes or incidents, where alcohol or drug abuse is suspected and performance or behaviour affected, management would need to consider the behaviour or performance as per the Capability or Disciplinary Procedure, and this may result in a disciplinary hearing possibly culminating in dismissal. Management would need to take into consideration the commitment of those with a declared problem to their treatment plan and rehabilitation.

The disciplinary panel could bear in mind that, in appropriate cases, where substance misuse is a factor an appropriate treatment plan could be stipulated, in consultation with the OHS, as part of a rehabilitation process as well as any other option open to them under the disciplinary policy.

## **Occupational Health Service**

19. OHS will treat referrals in confidence. Those who self-refer will be assessed and referred if necessary to a specialist external agency. An action plan will be agreed between OHS and the individual, and progress will be monitored. Those who are referred by management will be assessed and again referred appropriately. An action plan will be drawn up between OHS, the individual and the referring department in confidence. The action plan will require monitoring by management and OHS.

## **Legal Position**

20. Section 8 of the Misuse of Drugs Act 1971 allows for the prosecution of a 'person in charge of premises, who permit the supply of controlled drugs on their premises'. Not taking reasonable action to prevent supply has been

legally found to constitute 'permitting' – turning a blind eye is not an option. The Corporation will not tolerate the use or possession of illegal substances on their premises. Possession of any illegal substance is an offence and can lead to disciplinary as well as criminal action being taken, as can failing to take action to prevent the supply of controlled drugs.

## **Training**

21. Appropriate training on this policy will generally be covered in sickness absence training for managers. General awareness of the issues involved for all employees may also be highlighted by such means as articles in newsletters and Occupational Health campaigns.

## **Evaluation**

22. Departments will record the number of referrals to the OHS and outcomes. The OHS will record the number of self referrals and management referrals as part of their statistical returns. Personnel and Management Services will collate this information on a yearly basis.

## **Sources of Help and Assistance**

Occupational Health Service  
Sixth Floor  
Guildhall  
020 7332 1617/1592

City and Hackney Counselling Service  
Tower View House  
134 Kingsland Road  
London  
E2 8DY  
020 7613 1313

FRANK (Drug advice and information service)

Website: [www.talktofrank.com](http://www.talktofrank.com)  
24 hour helpline: 0800 77 66 00