

DATED

19/12/2023

SUBSTANCE MISUSE POLICY



1. About this policy

- 1.1 We are committed to providing a safe, healthy and productive working environment. This includes ensuring that all staff are fit to carry out their jobs safely and effectively in an environment which is free from alcohol and drug misuse.
- 1.2 The purpose of this policy is to increase awareness of the effects of alcohol and drug misuse and its likely symptoms and to ensure that:
- (a) All staff are aware of their responsibilities regarding alcohol and drug misuse and related problems.
 - (b) Staff who have an alcohol or drug-related problem are encouraged to seek help, in confidence, at an early stage.
 - (c) Staff who have an alcohol or drug-related problem affecting their work are dealt with sympathetically, fairly and consistently.
- 1.3 This policy is not intended to apply to "one-off" incidents or offences caused by alcohol or drug misuse at or outside work where there is no evidence of an ongoing problem, which may damage our reputation, and which are likely to be dealt with under our Disciplinary Procedure.
- 1.4 This policy does not form part of any contract of employment or other policy to provide services, and we may amend it at any time.
- 1.5 Any information you provide to us about your health will be processed in accordance with our Data Protection Policy. We recognise that such data is sensitive and will handle it in a confidential manner.

2. Who does this policy apply to?

- 2.1 This policy applies to all employees, officers, consultants, self-employed contractors, casual workers, agency workers, volunteers and interns.

3. Who is responsible for this policy?

- 3.1 The board of directors (the **Board**) has overall responsibility for the effective operation of this policy. The Board has delegated responsibility for overseeing its implementation to managing director. .
- 3.2 Any questions you may have about the day-to-day application of this policy should be referred to a director of the company in the first instance.

3.3 This policy is reviewed annually by the directors of the company.

4. Our approach to alcohol and drug misuse

4.1 We recognise that some of our staff may become dependent on alcohol or drugs. We also recognise that such dependencies can be successfully treated. We will not accept staff arriving at work under the influence of alcohol or drugs, or whose ability to work is impaired in any way by reason of the consumption of alcohol or drugs, or who consume alcohol or take drugs (other than prescription or over the counter medication, as directed) on our premises.

5. Identifying a problem

5.1 If you notice a change in a colleague's pattern of behaviour you should encourage them to seek assistance through a director of the company. If they will not seek help themselves, you should draw the matter to the attention of your line manager. You should not attempt to cover up for a colleague whose work or behaviour is suffering as a result of an alcohol or drug-related problem.

5.2 If you believe that you have an alcohol or drug-related problem you should seek specialist advice and support as soon as possible. We may use the services of an Occupational Health provider if circumstances warrant a referral, in confidence.

6. Alcohol and drugs at work

6.1 Alcohol and drugs can lead to reduced levels of attendance, reduced efficiency and performance, impaired judgement and decision making and increased health and safety risks for you and other people. Irresponsible behaviour or the commission of offences resulting from the use of alcohol or drugs may damage our reputation and, as a result, our business.

6.2 You are expected to arrive at work fit to carry out your job and to be able to perform your duties safely without any limitations due to the use or after-effects of alcohol or drugs. In this policy drug use includes the use of controlled drugs, psychoactive (or mind-altering) substances formerly known as "legal highs", and the misuse of prescribed or over-the-counter medication.

6.3 You should not drink alcohol during the normal working day, at lunchtime, at other official breaks and at official work-based meetings and events. Drinking alcohol while at work without authorisation or working under the influence of alcohol may be considered serious misconduct.

Managers should act to implement this policy at all times and should take steps to deal with any unacceptable conduct. Any such behaviour may lead to disciplinary action.

- 6.4 You must comply with drink-driving laws and drug-driving laws at all times. Conviction for drink-driving or drug-driving offence may harm our reputation and, if your job requires you to drive, you may be unable to continue to do your job. Committing a drink-driving or drug-driving offence while working for us [or outside working hours] may lead to action under our Disciplinary Procedure and could result in dismissal.
- 6.5 If you are prescribed medication you must seek advice from your GP or pharmacist about the possible effect on your ability to carry out your job and whether your duties should be modified or you should be temporarily reassigned to a different role. If so you must tell your line manager without delay.

7. Searches

- 7.1 We reserve the right to conduct searches for alcohol or drugs on our premises, including, but not limited to, searches of lockers, filing cabinets and desks, bags, clothing and any packages.
- 7.2 Any alcohol or drugs found as a result of a search will be confiscated and action may be taken under our Disciplinary Procedure.

8. Drug screening

We will operate a rolling programme of random drug testing.

Drug screening will be conducted by an external provider (to avoid compromising the confidential and supportive nature of our Occupational Health Department)]. Arrangements will be discussed with affected members of staff at the start of each screening programme.

9. Managing suspected substance misuse

- 9.1 Where a line manager considers that a deterioration in work performance or changes in patterns of behaviour may be due to alcohol or drug misuse they should seek advice and assistance from a director.
- 9.2 If your line manager has reason to believe that you are suffering the effects of alcohol or drugs misuse, they will invite you to an investigatory interview. The purpose of the interview is to:

- (a) discuss the reason for the investigation and seek your views on, for example, the deterioration of your work performance or behaviour; and
 - (b) where appropriate, offer to refer you to [Occupational Health **OR** the HR Department] for medical or specialist advice.
- 9.3 If you arrive at work and a manager reasonably believes you are under the influence of alcohol or drugs, they shall immediately contact a director to be provided with assistance and an investigation can be undertaken.
- 9.4 If you agree to be referred to Occupational Health, your line manager will request an urgent appointment and prepare a letter of referral, a copy of which will be provided to you.
- 9.5 Occupational Health or the company may ask for your consent to approach your GP for advice. A report will be sent to your line manager who will then reassess the reasons for their investigatory meeting with you and decide on the way forward.
- 9.6 If, as the result of the meeting or investigation, your line manager continues to believe that you are suffering the effects of alcohol or drugs misuse and you refuse an offer of referral to [the Occupational Health Department or] appropriate treatment providers the matter may be dealt with under our Disciplinary Procedure.
- 10. Providing support**
- 10.1 Alcohol and drug-related problems may develop for a variety of reasons and over a considerable period of time. We are committed, in so far as possible, to treating these problems in a similar way to other health issues. We will provide support where possible with a view to a return to full duties. This may include:
 - (a) Referral to appropriate treatment providers, where necessary in conjunction with your GP.
 - (b) Time off work to attend treatment and recognition of any periods of absence for such treatment as periods of sickness absence.
 - (c) Adjusting your duties or other support [as recommended by [the Occupational Health Department or] your GP or specialist] during treatment and for an agreed period afterwards, subject to operational requirements and feasibility.
- 10.2 If you do not finish a programme of treatment, or your recovery and return to work does not go as planned, a manager or director will meet with you to decide what further action if any should be taken.

11. Confidentiality

- 11.1 We aim to ensure that the confidentiality of any member of staff experiencing alcohol or drug-related problems is maintained appropriately. However, it needs to be recognised that, in supporting staff, some degree of information sharing is likely to be necessary.
- 11.2 If you seek help with an alcohol or drug-related problem directly from the HR [or Occupational Health] Department and you wish to keep matters confidential from your line manager and colleagues, this will be respected unless there is reason to believe that this could put you, your colleagues or anyone else at risk or carries some other material risk for the business. In those circumstances a manager/director will encourage you to inform your line manager and will give you sufficient time to do so before discussing the matter with them.

12. Performance and disciplinary issues

- 12.1 If you agree to undertake appropriate treatment or rehabilitation for an acknowledged alcohol or drug-related problem, we may decide to suspend any ongoing disciplinary action against you for related misconduct or poor performance, pending the outcome of the treatment.
- 12.2 Our intention is to support all staff with alcohol or drug-related problems to regain good health. Depending on the progress made on the course of treatment, any disciplinary action may be suspended for a specified period, discontinued or restarted at any time as we see fit.

Signed:  _____ Position: Managing Director Date: 19/12/2023