

Isle of Wight Council
ALCOHOL/SUBSTANCE MISUSE
POLICY
November 2011

1 Document Information

Title:	Alcohol/Substance Misuse Policy
Status:	Final
Current Version:	Version 1
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Consultation:	All recognised Trade Unions All Staff Directors Team Health
Approved by:	Claire Shand
Approval Date:	November 2011
Review Frequency:	3 Years
Next Review:	2014

Version History		
Version	Date	Description
0.1	October 2009	First draft
0.2	September 2011	Revised draft following initial Union consultation and other considerations taken into account from others consulted

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3 Policy Statement

- 3.1 The Isle of Wight Council (“the Council”) recognises both its duty to ensure a safe working environment as specified in the Health and Safety at Work Etc Act 1974 and its obligation in supporting staff experiencing alcohol and/or substance misuse difficulties.
- 3.2 This policy provides a framework to ensure consistency in management of staff experiencing alcohol and/or substance misuse issues at work while at the same time ensuring all reasonable steps are taken to support staff to overcome the health effects.
- 3.3 Staff suffering an alcohol and/or substance misuse problem will be treated with the strictest of confidence and offered support and assistance to treat the condition. All employees of the Council have an obligation to take reasonable care of themselves and others who could be affected by their actions at work. Any employee involved in misconduct through alcohol and/or substance misuse will be dealt with under the relevant Disciplinary Procedure.
- 3.4 Alcohol and/or substance misuse, including drugs which are legitimately prescribed, can significantly affect people at work. This can result in time off from work, difficulties with performance while at work as well as changes in behaviour in relation to colleagues and the general public. Staff should recognise that when their actions affect their health, performance, safety, conduct, relationships at work or the reputation of the Council then this becomes a legitimate concern for the Council.
- 3.5 There is a responsibility on all employees to present themselves and the Council in a way that inspires confidence and to observe their duty of mutual trust and confidence.
- 3.6 This policy covers all employees of the Council.
- 3.7 For the purposes of this policy the term “substance” includes;
- substances covered by the Misuse of Drugs Act 1971 (referred to as “controlled drugs”)
 - prescribed and over-the counter drugs
 - solvents, legal highs and any other substances which interferes with a person’s health, social functioning, work capability, performance or conduct whilst at work
- 3.8 The aim of this policy is to promote the health and welfare of all Council employees and to protect the public, visitors and other employees or partners of the Council as well as to set out the guidelines for dealing with associated effective and consistent advice and support in relation to the use of alcohol, drugs and substances by Council employees whilst on Council property or whilst engaged on Council business on non-Council premises.
- 3.9 The policy clearly states the responsibilities of line managers, staff and support services when dealing with an employee’s alcohol and/or substance misuse problem and for line managers to encourage employees to seek help before it becomes a disciplinary matter.
- 3.10 For the purposes of this policy, a person is considered as having an alcohol, drug or substance misuse problem if their drinking or use of drugs and/or substances interferes with their health, social functioning (ie the ability of an individual to interact in the normal or usual way in society), work capability, performance or conduct whilst at work.

3.11 The Council prohibits the drinking of alcohol by staff including those who are under contract for services in the workplace or whilst on Council business other than reasonable consumption of alcohol in connection with approved social functions. However, in some service areas, notably operational Fire Service staff, it may be necessary to require more stringent rules concerning alcohol, for example:

- Whilst using machinery or breathing apparatus is a requirement of the job or any other activities that could increase the risk of danger to self or others in the course of their duties.
- Any member of staff who is required to drive in the course of their duties are reminded of their legal obligation to remain within the prescribed limits of blood/alcohol limit. In addition, it must also be recognised by staff that small amounts of alcohol may also impair driving ability.

Managers are responsible for ensuring that appropriate risk assessments are undertaken and staff informed of their responsibilities to follow reasonable management instruction in mitigating identified risks.

3.12 Any alcohol intake by employees should be balanced against the needs of the service and staff should pay particular attention to any alcohol intake when they will subsequently be dealing with the public or representing the Council. At all times, the needs and comfort of customers should be prevalent.

3.13 Drinking to an unreasonable level will be deemed as any of the following situations:

- The individual has the potential to be over the legal limit stipulated for driving.
- In the opinion of the manager that the individual's performance is impaired or has the potential to put self and others in danger.
- In the opinion of the manager that the individual's behaviour may cause embarrassment, distress or offence to others.
- The individual continues to drink when instructed to stop by their manager.

3.14 No member of staff or other person under contract for services shall, in connection with any work-related activity:

- Report, or endeavour to report, for duty having consumed drugs or alcohol and has the potential to render them unfit and/or unsafe for work.
- Consume or be under the influence of drugs or alcohol while on duty unless with the express agreement of their manager for the purposes of official or approved social events.
- Store drugs (other than declared prescribed medication – see also 3.15 below) or alcohol in personal areas such as desk drawers or lockers without obtaining permission from their line manager
- Attempt to sell or give drugs or alcohol to any other employee or person on the Council's premises.

3.15 Staff must inform their manager of any medication that may have an effect on their ability to carry out their work safely and must follow any instructions subsequently given.

3.16 In cases where the effects on work or misuse of alcohol or drugs is confirmed, suspected or admitted, the Council will refer the employee to an Occupation Health Advisor.

4 Employee's Responsibilities

- 4.1 All employees shall be familiar with this policy and associated procedures.
- 4.2 A member of staff who suspect or know they have an alcohol and/or substance misuse related problem are encouraged to seek assistance voluntarily either via their line manager, HR, their GP or trade union/professional representative. Refer to Appendix 3.
- 4.3 Employees suffering from an alcohol and/or substance misuse related problem will be handled sensitively and in the strictest of confidence except where appropriate to consult with a relevant advisor. This clause will not prevent the Council reporting illegal activities to the police.
- 4.4 Any staff member who has a concern regarding their colleagues is encouraged to seek guidance from their line manager who will offer a positive and supportive approach. Staff should recognise that covering-up or colluding with colleagues with alcohol or drugs problems is counter productive and can perpetuate the problem. In circumstances where a member of staff actively covers up or colludes for a colleague, or where maliciously false allegations are made, disciplinary action may be taken.
- 4.5 Any member of staff taking prescribed medication is encouraged to notify their line manager and must do so if they think it may have an adverse effect on their ability to carry out their duties. Following consultation with HR it may be appropriate to refer the employee to the Occupational Health Service.
- 4.6 An individual that discloses that they have an alcohol/substance misuse related problem should understand that disclosure does not excuse further misuse and that this misuse may then lead to disciplinary action being taken.

5 Manager's Responsibilities

- 5.1 It is the responsibility of managers to be familiar with this policy and to follow the procedures set out in the flowchart contained in Appendix 1 when dealing with a member of staff who has or is suspected to have an alcohol, and/or substance misuse problem.
- 5.2 The Human Resource Service Advisors will assist managers in identifying job performance problems that may be attributable to the effects of alcohol, drugs or substance misuse and consult with the manager to determine whether there is sufficient concern to warrant a referral to the Occupational Health Service.
- 5.3 Managers should take a flexible approach in allowing the employee time off work to attend any treatment programmes. It would normally be expected that employees attend treatment/support groups in their own time, although those staff wishing to attend recognised treatment or support group activities will be permitted paid time off for up to one hour per week for a maximum period of three months. The needs of the service are always paramount and this should not be seen as an entitlement.
- 5.4 Managers, in conjunction with the Occupational Health Service, will take appropriate measures with the clear focus on supporting the employee to return to satisfactory work performance within a reasonable period of time.

6 The Role of the Human Resource Service

- 6.1 The Human Resource Service will provide advice and assistance on the application of this policy. Line managers are encouraged to seek advice from and discuss concerns regarding any alcohol and/or substance misuse related issues with the HR Department, even if the matter is not the subject of disciplinary action.

- 6.2 The Human Resource Service will make referrals to the Occupational Health Service where appropriate. Where an employee is taking part in a recovery programme but is not on sick leave and it is considered that a return of the employee to their substantive post is inappropriate in the circumstances, consideration will be given as whether there are any suitable redeployment opportunities available. If there are no suitable vacancies, the employee will be required to take sick leave and will be dealt with under the Council's Attendance Management Policy.

7 The Role of the Occupational Health Service

- 7.1 Occupational Health will respond to referrals following consultation with the employee's GP and may arrange for onward referral of the member of staff for treatment. Occupational Health and the employee's GP will work together to help and assist the employee with a view to gradually return to work.
- 7.2 If an employee rejects any treatment or support that is offered, or at a subsequent date stops the treatment prior to its conclusion, the matter may be referred back to the line manager to consider all the information and decide whether disciplinary action is appropriate.
- 7.3 If the employee agrees to engage with any treatment or support offered and is considered unfit to work, the Occupational Health Service should state in their report the expected time off that the employee may require. The Occupational Health Service should also consider and recommend any work that the employee could engage in whilst undergoing any treatment.

8 Procedure for Dealing with Staff with a Suspected Alcohol/ Substance Misuse Problem

- 8.1 The potential dangers to the health and safety of drug or alcohol misusers and their colleagues are recognised if the problem is not acknowledged and goes untreated. When dealing with problems caused by suspected alcohol or drug misuse, a full investigation of all the circumstances must be undertaken before deciding the appropriate action. If a manager suspects or is aware that the employee has an alcohol and/or substance related problem they should take the following steps:
- 8.1.1 Meet the member of staff to discuss any concerns which may include instances of poor performance that have been identified and explore the reasons.
 - 8.1.2 Discuss this policy and the help available with a view to agreeing future action.
 - 8.1.3 Seek the advice of their Human Resource Service Advisor. In exceptional circumstances it may not be possible for the employee to continue in their role and referral to Occupational Health is necessary. Measures taken may include but are not limited to removing some responsibilities from the employee, making temporary adjustments to the role, temporary redeployment or requiring the employee to take sick leave.
 - 8.1.4 Arrange regular meetings to monitor performance and offer support on progress and discuss any future problems if they arise.
 - 8.1.5 Refer to Occupational Health Service, giving time off for any appointments and further referrals for support/treatment as long as the employee co-operates fully (see Appendix 1).
- 8.2 When a line manager suspects an employee is under the influence of alcohol and/or substances at work they should contact their Human Resource Service Advisor and consider whether any immediate action needs to be taken. This may include suspension.
- 8.3 Following referral to the Occupational Health Service, refusal of an employee to comply with any measures or treatment that is put in place to assist them may be treated as a disciplinary offence.

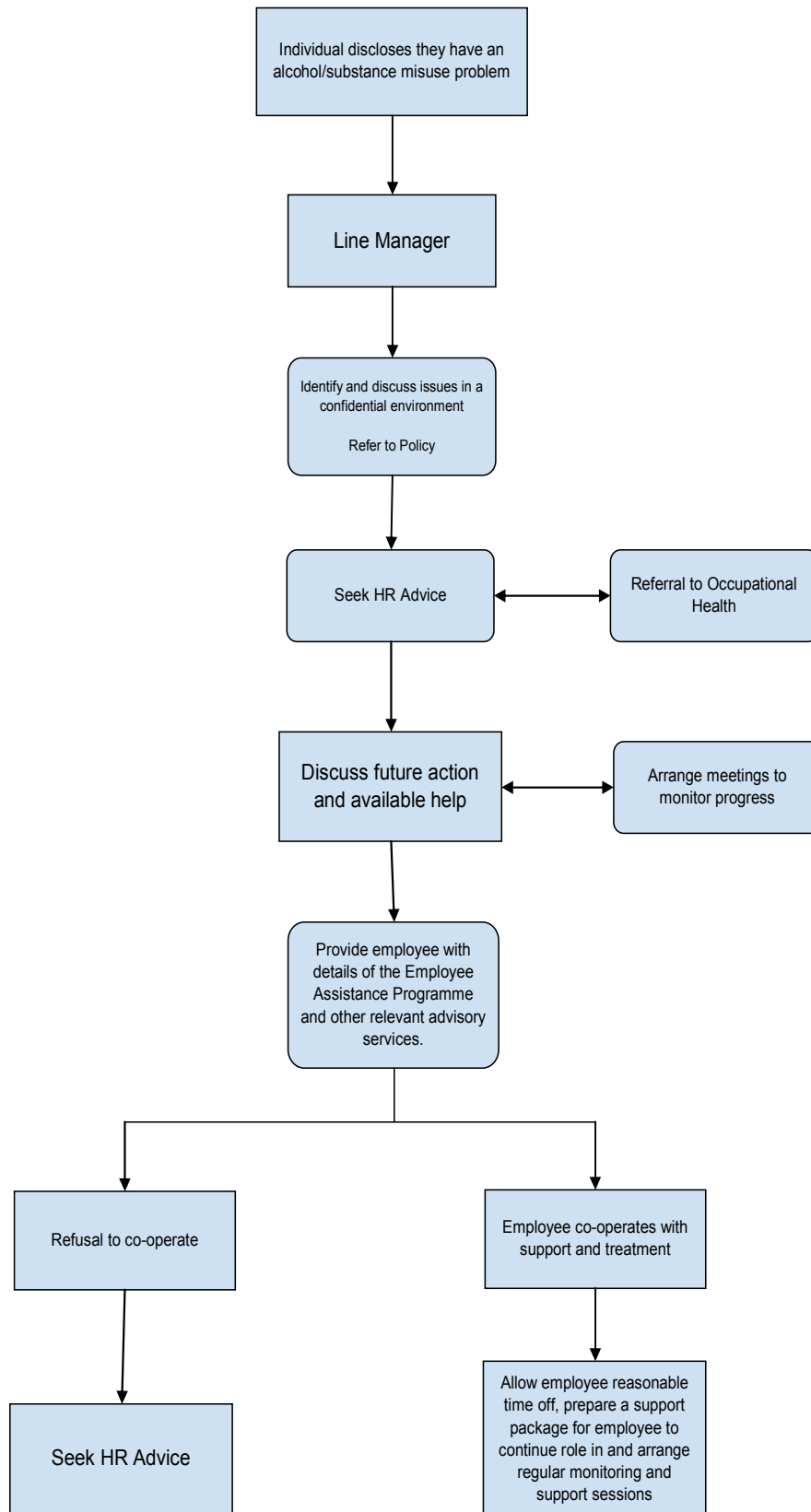
9 Help Lines

- 9.1 Appendix 3 sets out details of local and national Help Lines. In addition employees may contact the Council's free and confidential Employee Assistance Programme PPC. Such information can be found at www.ppcworldwide.com – username is isle, password is wight. Call free phone 0800 282 193 (minicom number for hearing and speech impaired only is 0800 854 739).

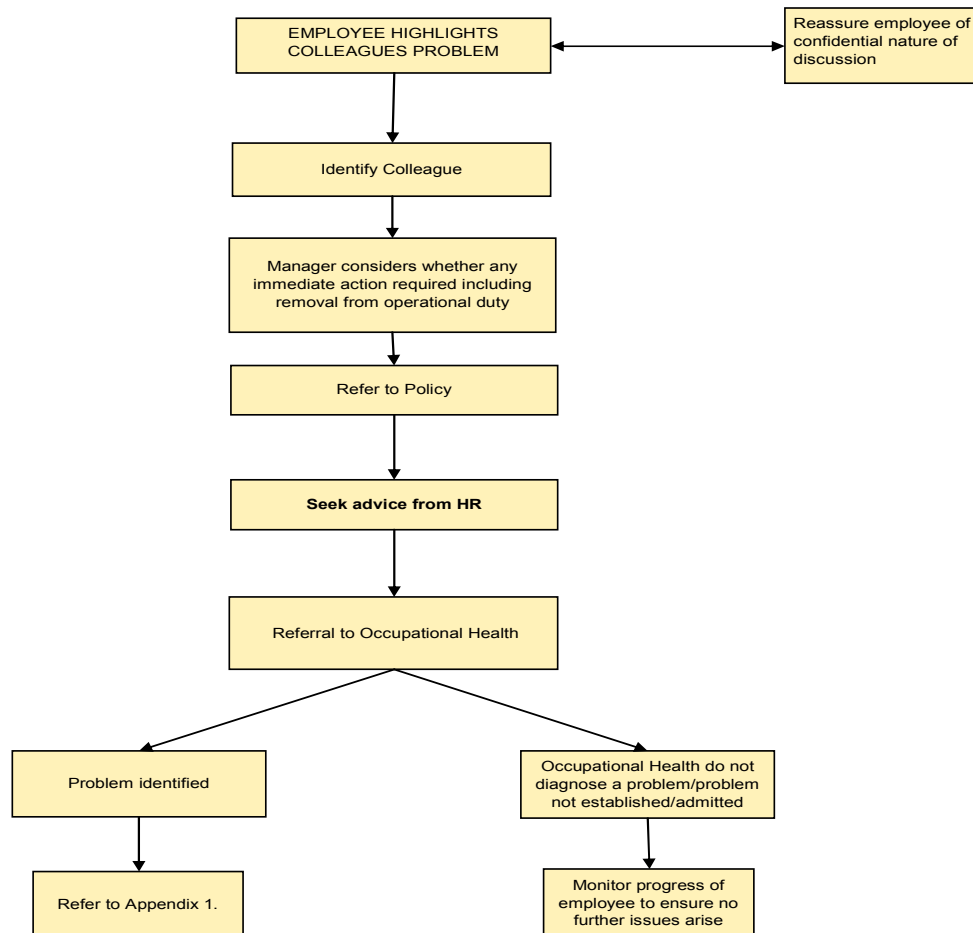
10 Related Documents

- Sustainable Community Strategy - *Eco-Island* www.eco-island.org.uk
- Corporate Plan www.iwight.com/council/documents
- Disciplinary Policy & Procedure <http://wightnet.iow.gov.uk/documentlibrary/view/disciplinary-policy-procedure>
- Capability Procedure <http://wightnet.iow.gov.uk/documentlibrary/view/capability-procedure>
- Attendance Management Policy & Procedure <http://wightnet.iow.gov.uk/documentlibrary/view/attendance-management-policy-procedure1>
- Workplace Wellbeing Policy <http://wightnet.iow.gov.uk/documentlibrary/view/workplace-wellbeing-policy>

11 Appendix 1



12 Appendix 2



13 Appendix 3 – Help Line Sources

Alcoholic Anonymous

0845 769 7555

Drinkline

0800 917 8282

Island Drug and Alcohol Service

102 Carisbrooke Road

Newport

Isle of Wight

PO30 1DB

Tel: 01983 526654

Narcotics Anonymous

www.hampshirena.org

0845 373 3366 or 0207 730 0009

Samaritans

www.samaritans.org

08457 90 90 90

Talk to FRANK (confidential helpline in relation to drugs)

0800 77 66 00

Hearing impairment? Textphone – 0800 917 8765