

Black Sluice Internal Drainage Board

Policy No: 48

Substance and Alcohol Misuse

Review Dates:

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| Reviewed | Audit & Risk Committee 25 October 2022 |
| Board Approved | 22 November 2022 |

1. INTRODUCTION

The Board is committed to providing a safe, healthy, and productive working environment for all employees, contractors, and visitors involved in its operation.

This policy sets out the Board's aims in reducing and managing alcohol and drug problems in the workplace. The consumption of alcohol and drugs has implications for health and safety at work since these substances impair co-ordination, judgement and decision making.

This policy will apply equally to all employees of the Board.

2. POLICY AIMS & OBJECTIVES

Aim - To clearly state the Board's position on alcohol and drugs within the workplace.

Objectives -

- To ensure the Board complies with appropriate legislation
- To minimise the risks associated with alcohol and drugs in the workplace
- To have clear rules regarding alcohol and drugs in the workplace
- To encourage the early identification of employees who may be experiencing alcohol or drug problems
- To provide support for employees experiencing alcohol and drug problems
- To provide training and support to line managers to ensure they are equipped to support employees experiencing problems

3. DEFINITIONS

'Alcohol misuse is when you drink in a way that's harmful, or when you're dependent on alcohol' (NHS, 2022).

'Substance abuse, also known as drug abuse, is a patterned use of a drug in which the user consumes the substance in amounts or with methods which are harmful to themselves or others, and is a form of substance related disorder' (NHS, 2022).

'Addiction is defined as not having control over doing, taking or using something to the point where it could be harmful to you' (NHS, 2022).

For the purpose of this policy:

'Alcohol problem' will be defined as: any drinking, either intermittent or continual which interferes with a person's health and/or social functioning and/or work capability or conduct.

'Drug problem' will be defined as: The use of illegal drugs, the deliberate use of prescribed or over the counter drugs (when not for a medical condition) and the use of solvents, either intermittent or continual which interferes with a person's health and/or social functioning and/or work capability or conduct.

'Drugs' will be defined as: Any drug, whether illegal, prescribed or over the counter or solvents such as glue, butane, etc. In the case of prescribed and over the counter drugs, their possession and use by the employee is acknowledged as legitimate (when used for a medical reason).

4. RELEVANT LEGISLATION

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- Misuse of Drugs Act 1971
- Road Traffic Act 1988
- Common Law Duty of Care
- Psychoactive Substances Act 2016
- Human Rights Act 1998
- Equality Act 2010
- Data Protection Act 2018 (and EU General Data Protection Regulation 'GDPR')

5. EXPECTATIONS

- In some cases, the legitimate use of prescribed drugs can affect a person's ability to do their job. In such instances employees should inform their Line Manager.
- It is not acceptable to be under the influence of alcohol or drugs (except for prescribed or over-the-counter drugs being used for a medical reason) at work or consume alcohol or drugs during hours of work - this includes paid and unpaid breaks.
- Strict confidentiality will be maintained when dealing with individuals under this policy.

6. IDENTIFICATION OF A PROBLEM

Alcohol and drug problems may become apparent through various means, for example the following (particularly in combination):

- Persistent short-term absence
- Unauthorised absence
- Poor time keeping
- Reduced work performance
- Poor working relationships
- Deterioration in appearance

However, it must be remembered that these factors can have a number of other causes.

7. SUPPORT

- Employees with an alcohol or drugs problem are encouraged to disclose this at the earliest opportunity to ensure support and help with treatment.

Those who admit to having a problem with alcohol or drugs will be fully supported as follows:

- The Line Manager will help the employee to recognise the problem. This will be through, in the first instance, encouraging them to seek help through their own General Practitioner. Under these circumstances and with the employee's consent, a referral may be made to other agencies for specialist advice and support.
- Time off may be allowed (normally unpaid) for employees to obtain treatment or attend support groups.
- Support during a period of treatment. This may include a period of sick leave or approved other leave, restricted duties, or temporary transfer to other work (if this is feasible).
- Ongoing wellbeing conversations between the Line Manager and employee in order to continue supporting the employee during any treatment plans or any assistance they are accessing. As part of such discussions, consideration will be given to whether the employee is fit to continue attending work and if not then the normal attendance procedures and support should be followed.

8. WORK PERFORMANCE AND CONDUCT MATTERS

This policy is primarily concerned with ongoing alcohol and drugs problems, which are classed as capability issues, i.e., where the problem impacts on the person's ability to do their job and will be dealt with under the capability procedures as outlined in the ADA Lincolnshire Branch Wages & Salaries and Conditions of Service Handbook.

One-off cases where the rules of this policy are breached, such as someone reporting for work clearly under the influence of alcohol or drugs or suffering from the effects of alcohol will be classed as a conduct issue and will be dealt with under the disciplinary procedures as outlined in the ADA Lincolnshire Branch Wages & Salaries and Conditions of Service Handbook.

9. TESTING

Drug and alcohol testing may be carried out on employees carrying out jobs in which impairment due to drugs or alcohol could have disastrous effects for the individual, colleagues, members of the public and the environment, e.g., drivers and mechanics operating workshop machinery. The Board will limit testing to employees that need to be tested.

Consent from employees is required for testing. Employees can't be made to take a test but, if they refuse when the Board has good grounds for testing, they may face disciplinary action.

Testing must be carried out properly to ensure samples cannot be contaminated or tampered with, and that testing procedures and analysis are accurate.

Testing will be random, and employees will not be singled out for testing unless this is justified by the nature of their job.

10. SOURCES OF EXTENRAL SUPPORT

- NHS (alcohol misuse) <https://www.nhs.uk/conditions/alcohol-misuse/>
- Drink Aware [Drinkaware Home | Drinkaware](#)
- Alcoholics Anonymous <https://www.alcoholics-anonymous.org.uk/>
- NHS (drug misuse) <https://www.nhs.uk/Live-well/addiction-support/drug-addiction-getting-help/>
- Talk to Frank <https://www.talktofrank.com/get-help/find-support-near-you>
- We are with you <https://www.wearewithyou.org.uk/>
- Narcotics Anonymous <https://ukna.org/>