



## **Alcohol & Substance Misuse Policy**

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## Introduction

This policy has been devised to assist Fair Deal in managing situations of alcohol and substance misuse affecting the employee's ability to carry out their duties. Fair Deal has a duty to provide high service standards of at all times and it is acknowledged that alcohol and substance misuse is likely to have an adverse effect on this.

This policy will set out Fair Deal's standards and expectations in relation to alcohol and substance misuse and the level of support that will be offered should such a situation arise.

## Policy Aims

- Clarify Fair Deal's position on ongoing alcohol and/or substances misuse at work whilst on duty
- Explain Fair Deal's position on illegal activity concerning alcohol and substance misuse
- Provide guidance and boundaries on appropriate assistance and support to employees being affected by alcohol or substance misuse
- Adhere to the legal obligations of Fair Deal as set out under Health & Safety legislation
- Clarify the circumstances in which disciplinary procedures will be instigated
- Provide guidance for managers to manage alcohol and substance misuse
- Clarify the distinction between dependent and non-dependent misuse of alcohol or substances

## Definitions

For the purposes of this policy the following definitions apply:

- **Alcohol Misuse**  
when a person drinks in a way that is harmful, or they are dependent on alcohol. ([www.nhs.uk](http://www.nhs.uk))
- **Substance Misuse**  
Intoxication by/or regular excessive consumption of and/or dependence on psychoactive substances, leading to social, psychological, physical or legal problems. It includes problematic use of both legal and illegal drugs (including alcohol when used in combination with other substances) [www.nice.org.uk](http://www.nice.org.uk)

## Disciplinary Procedures

In circumstances where Fair Deal's disciplinary procedures are instigated in relation to this policy, the outcome may include dismissal.

## Legal Framework

- Health & Safety at Work Act 1974
- Misuse of Drugs Act 1971

## Health and Safety

Fair Deal recognises its duty under the Health & Safety at Work Act 1974 to ensure as far as is reasonably practical the physical and psychological health, safety and wellbeing of all employees. If it is felt that an individual poses a risk to the health, safety or wellbeing of

themselves or anyone else as a result of alcohol or substances, immediate action will be taken to remove the individual from the environment, most likely by sending the individual home, or seek emergency medical assistance. If it is not safe for the individual to make their own way home alternative travel arrangements must be made.

All employees have a responsibility to ensure the health, safety and wellbeing of others is not put at risk. If an employee has reason to believe that a colleague is misusing alcohol or substances, they must inform their line manager immediately.

## **Illegal Activity**

Fair Deal respects an individual's right to a private life; however Fair Deal works within the community with a purpose of improving the lives of those who live there. As a result, Fair Deal will not tolerate any instances of illegal activity concerning or associated with substances. Any employee found to be involved or connected to illegal activity will be managed under Fair Deal's disciplinary procedure which will likely result in dismissal.

## **Alcohol and the Workplace**

The consumption of alcohol at work is not normally permitted. However, at special events, where the employee is not working, not driving and only with the approval of the Governing Body alcohol may be permitted. Fair Deal operates a zero-tolerance policy for alcohol and Substances whilst working.

## **Driving at Work**

Drinking alcohol or taking substances can affect people in different ways. Should an employee drink alcohol or take a substance (legal or illegal) which impairs their ability to drive and then undertake any occupational driving this will be deemed as breach of conduct and will be dealt with under our Disciplinary Policy. This will also be reported to the police.

Before any driving at work takes place, a dynamic risk assessment should be conducted. This should be completed by the driver and should include any alcohol or substance consumption. This is particularly relevant 'the morning after the night before'. If an employee is in any doubt as to whether they are safe to drive they should not do so.

If an employee suspects another staff member has consumed alcohol or substances or they have reason to believe the person may not be safe to drive, they have a responsibility to report this immediately to a manager. The manager will deal with the situation appropriately which will include informing the police. Should malicious allegations be made this will be treated very seriously and will be subject to formal disciplinary action.

## **Managing Alcohol Misuse**

Fair Deal will manage alcohol misuse depending on its nature. Alcohol misuse will be dealt with under the following categories:

1. Alcohol overindulgence
2. Alcohol dependence

Where concern arises regarding alcohol overindulgence that results in socially unacceptable or dangerous behaviour, but which is not related to a physical or psychological dependence, this will be treated as a conduct issue and will be dealt with under the organisation's disciplinary procedures.

Where concern arises regarding alcohol dependency and interferes with an employee's ability to carry out their duties, this will initially be considered as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, programme not completed, or no dependence is diagnosed Fair Deal will instigate the disciplinary procedure.

## **Managing Substance Misuse and Legal Substances**

Where concern arises regarding overindulgence in legally obtained substances which results in socially unacceptable or dangerous behaviour. This also relates to prescription medication, whether required short or long term. Such situations will be treated as a conduct issue and will be dealt with under the organisation's disciplinary procedures.

Where an issue arises concerning legal substance dependency which has been obtained legally and interferes with an employee's work, this will initially be managed as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, programme completed, or no dependence is diagnosed Fair Deal will instigate the disciplinary procedure.

## **Illegal Substance Misuse**

Fair Deal will not tolerate the consumption or possession of illegal substances in any circumstances. This will always be considered to be gross misconduct.

### **Illegally Obtained Legal Substances**

Fair Deal will not tolerate illegal activity concerning legal substances. Any employee who is suspected of being involved in any such activity will be dealt with in accordance with Fair Deal's disciplinary procedures as gross misconduct.

## **General Illegal Activity**

Any employee suspected to be involved in illegal activity concerning substances will also be reported to the police.

## **Police Involvement**

In circumstances where the police are involved in an investigation concerning any employee, Fair Deal will continue with their own investigation and act on this accordingly regardless.

## **Dependency**

In circumstances where an employee is suspected of having an alcohol or legal substance dependency Fair Deal will provide reasonable support. In the first instance the line manager will have a meeting with the employee and make a referral to a counselling service. The manager will then have follow-up meetings on an appropriate and regular timescale to determine the progress the individual is making.

Where there are performance issues relating to the dependence appropriate performance plans will be put in place in accordance with Fair Deal's under performance procedures as detailed in the disciplinary procedures. Where the improvement is not adequate or support via a counselling service is not adhered to, normal disciplinary procedures will be instigated which may result in dismissal.

## Confidentiality & General Data Protection Regulations

Employees with alcohol or substance misuse problems who are referred for support, whether voluntarily or mandatory will be dealt with in the strictest confidence.

This information will be handled in line with Fair Deal s obligations under the current data protection regulations and our own Data Protection Policy Information regarding how your data will be stored can be obtained by contacting Business Support Team Leader at the main office base 0141 634 4996.

### Supporting Agencies

<b>Turning Point Scotland</b>	Tel: 0800 652 3757
<b>National Drugs Helpline</b>	Tel: 0300 123 6600
<b>Glasgow Council on Alcohol</b>	2nd Floor 14 North Claremont Street Glasgow G3 7LB  Tel: 0141 353 1800 Freephone: 0808 802 9000 Website: <a href="https://www.glasgowcouncilonalcohol.org">https://www.glasgowcouncilonalcohol.org</a> <i>Provides confidential help and advice on alcohol and drugs.</i>
<b>Know the Score Drugs Helpline</b>	Freephone: 0800 587 5879 Website: <a href="http://knowthescore.info">http://knowthescore.info</a> <i>Offers free, confidential information and advice. Open between 8am and 11pm.</i>

## Document Information

<b>Document Ref:</b>	Alcohol & Substance Misuse Policy
<b>Version:</b>	4
<b>Date of Version:</b>	02/02/2024
<b>Created By:</b>	Anne Marie Borthwick
<b>Approved By:</b>	Fiona Dunwoodie
<b>Confidentiality Level:</b>	Controlled: Uncontrolled if printed

## Amendment History

<b>Date</b>	<b>Version</b>	<b>Created By</b>	<b>Description of Change</b>
12/09/2019	1	Margaret Fenton	Initial Release
26/04/2019	2	Elaine Davidson	Added Front Cover and updated date / version
16/06/2022	3	Fiona Dunwoodie	Reviewed no amendments
02/02/2024	4	Anne Marie Borthwick	Reviewed, changed policy name and language used within policy and formatted to Fair Deal Standard Policy Template.