



*I have come that they may have life and have it to the full  
(John 10:10)*

## **SUBSTANCE MISUSE POLICY**

**This policy is taken from the OLHOC Trust Handbook of Statutory policies and should be read in conjunction with the other policies within the document.**

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## **SUBSTANCE MISUSE POLICY**

### **1. Introduction**

- 1.1. The Trust applies this policy to all employee regardless of their level or grade. It does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. The Trust reserves the right to amend this policy at any time.
- 1.2. You must comply with the rules set out in this policy at all times.
- 1.3. Notwithstanding Paragraph 1.1 above, the requirements of this policy must also be observed by all workers, agency staff, volunteers, contractors, consultants, and any other individual working for, at or on behalf of, the Trust.
- 1.4. You are the Trust's most valuable resource, and your health and safety are of the utmost importance. As such, the Trust is committed to providing a safe, healthy and productive working environment for all staff. This includes ensuring that all staff are fit to carry out their jobs safely and effectively in a working environment which is free from alcohol and drug misuse and which in turn safeguards the Trust's students.
- 1.5. For the purposes of this policy the term 'drug' includes:
  - 1.5.1. substances covered by the Misuse of Drugs Act 1971 (referred to as 'controlled drugs');
  - 1.5.2. prescribed and over-the-counter drugs, where these are misused;
  - 1.5.3. solvents and any other similar substances; and
  - 1.5.4. psychoactive drugs and new psychoactive substances (formerly known as 'legal highs') (even where these may not be banned under the Misuse of Drugs Act 1971).

### **2. Aims of this Policy**

- 2.1. The Trust recognises the impact that both alcohol and drugs may have upon an individual's ability to work safely and correctly and, as such, it aims to ensure a working environment free from the inappropriate use of substances and where its staff are able to carry out their duties in a safe and efficient manner. The Trust recognises that in certain circumstances an alcohol or drug problem can be an illness.
- 2.2. There are often signs that might suggest that someone has a problem. These may include:
  - 2.2.1. a decline in work performance;
  - 2.2.2. a poor attendance record;
  - 2.2.3. unreliability;
  - 2.2.4. unexplained injuries; and/or
  - 2.2.5. changes in behaviour, such as irritability and lack of concentration.

- 2.3. This policy aims to prevent and treat problems created in the workplace by inappropriate alcohol consumption and drug usage, whether intermittent or continual, in light of the potential dangers to the health and safety of alcohol and drug users and their colleagues, students and the wider Trust community if an alcohol or drug-related problem is untreated.
- 2.4. This policy is also intended to alert all staff to the risks associated with drinking alcohol and using non-medicinal drugs and to promote good practice and a progressive change of behaviour and attitude concerning use, and to encourage and assist employees who suspect or know that they have an alcohol or drug problem to seek help and appropriate treatment at an early stage. It also aims to ensure that employees who have an alcohol or drug-related problem affecting their work are treated sympathetically, fairly and consistently.
- 2.5. This policy is principally intended to deal with alcohol and drug problems which, in the context of this policy are any drinking or taking of drugs, whether intermittent or continual, which interferes with work performance in relation to attendance, efficiency, productivity or safety.
- 2.6. 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 the Trust's reputation, and which will likely to be dealt with under the Disciplinary Policy and Procedure.

### **3. Responsibilities under this policy**

- 3.1. The Trust Board has overall responsibility for the operation of this policy. Responsibility for overseeing its implementation has been delegated to local Governing Bodies.
- 3.2. Line Managers are responsible for:
  - 3.2.1. promoting this policy and ensuring its effective implementation;
  - 3.2.2. ensuring that you understand your responsibilities for action under the policy and for confidentiality, to ensure consistency of approach; and
  - 3.2.3. undertaking appropriate training when it is provided; and
  - 3.2.4. being alert to the signs of misuse of alcohol and drugs and deal with individual cases in accordance with this policy.
- 3.3. You are expected to:
  - 3.3.1. 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 (whether prescribed, over the counter or illegal);
  - 3.3.2. take reasonable care of yourself and others who could be affected by what you do;
  - 3.3.3. take personal responsibility for your own alcohol consumption and/or drug use; and
  - 3.3.4. where required, cooperate with the Trust to assist any colleague who has an alcohol or drug use problem.

3.4. The Trust will not accept anyone 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 onto its premises.

#### **4. Rules on alcohol and drugs**

4.1. The use of alcohol and drugs can lead to reduced levels of attendance at work, reduced productivity and performance, impaired judgement and decision-making and increased risks to the health and safety of the individual concerned and others.

4.2. 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 (whether prescribed, over the counter or illegal).

4.3. The Trust's rules on alcohol and drugs at work are as follows:

4.3.1. You must not attend work under the influence of alcohol or drugs and/or drink alcohol or take drugs during the normal working day, at lunchtime or at other official breaks. Drinking alcohol or taking drugs while at work or working under the influence of alcohol or drugs may be considered serious misconduct. This does not include prescription or over the counter medication taken as directed. If the Trust suspects that a member of staff is under the influence of any such substance, it reserves the right to suspend them from their duties pending investigation.

4.3.2. You must not drink alcohol during the normal working day, at lunchtime or at other official breaks. Drinking alcohol while at work without authorisation or working under the influence of alcohol may be considered serious misconduct.

4.3.3. The Trust expects you to demonstrate responsible behaviour at work, work-related functions and work-related social events and to act in a way that will not have a detrimental effect on the Trust's reputation. If you represent the Trust at external events where alcohol is served, you are considered to be "at work" regardless of whether you do so during or outside normal working hours. Consequently, the Trust will expect you to remain professional and fit for work at all times.

4.3.4. Line Managers should act to prevent excessive consumption of alcohol by any employee and should take steps to deal with any unacceptable conduct that occurs at such functions. Any such behaviour may lead to disciplinary action.

4.3.5. Dispensing, distributing, processing, using, selling or offering to buy drugs at works is prohibited. Any such activity (including reasonable suspicion of it) on the Trust's premises will be reported immediately to the police.

4.3.6. The use of drugs at work (as defined above) is strictly prohibited at any time when at work, work-related functions and work-related social events or before or outside work whenever work performance may be affected.

4.3.7. The Trust expects all staff to comply with the drink-driving legislation at all times. The Trust's reputation will be damaged if you are convicted of a drink-driving offence and, if your job requires driving any Trust vehicle and you lose your licence, you may be unable to continue to do your job. Committing a drink-driving offence outside or during working hours or while working for the Trust may lead to disciplinary action and could result in dismissal in accordance with the Trust's Disciplinary Policy and Procedure.

4.3.8. 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 or academy Business Manager without delay.

- 4.3.9. Any employee who is found to be in breach of these rules may be liable to dismissal on the grounds of gross misconduct under the Disciplinary Policy and Procedure.

**5. Searches**

- 5.1. The Trust reserves the right to conduct searches for alcohol or drugs, including, but not limited to, searches of lockers, filing cabinets and desks which are on its premises.
- 5.2. Refusal to co-operate with a search may lead to disciplinary action. The Trust reserves the right to involve the police, where it has reasonable suspicion that an offence has or may have taken place and they may undertake their own search.
- 5.3. Any alcohol found as a result of a search will be confiscated and recorded. If any drugs are found, these will also be confiscated and recorded. In addition, the police will be informed of any illegal substances found and they will either be held securely until handed to the police or disposed of, as appropriate following guidance from the police. In either case this may result in disciplinary action.

**6. Drug and Alcohol Screening**

- 6.1. The Trust reserves the right to conduct drug and alcohol screening in cases where there is reasonable cause to suspect that an individual's performance is impaired as the result of drug or alcohol misuse.
- 6.2. Drug and alcohol screening will be conducted by an external provider. Arrangements will be discussed with affected employees.

**7. Confidentiality**

- 7.1. The Trust aims to ensure that the confidentiality of any employee experiencing alcohol or drug-related problems is maintained appropriately by Line Managers and, where it is necessary to inform them, colleagues. However, it needs to be recognised that, in supporting staff, some degree of information sharing is likely to be necessary.

