

Scotmid



ALCOHOL & DRUG MISUSE POLICY

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This procedure sets out the standards of conduct expected in relation to drug and alcohol abuse, and offers support avenues to individuals seeking help for drug or alcohol problems.

Under the Health and Safety at Work Act (1974) the Society has a duty to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all staff and others working for the Society. The Act also places a general duty on staff to take reasonable care of their own health and safety and of any other persons who may be affected by their acts or omissions whilst at work.

The Society is concerned where health or behaviour impairs the conduct, safety or work performance of its staff and it recognises that the misuse of alcohol or drugs may be a cause of such impairment. The Society therefore considers it has a responsibility to promote good health by raising the awareness to staff of the risks of alcohol and drug misuse and by offering support and counselling for those who have a drink or drug problem.

In addition to its Health and Safety responsibilities, the Society is obliged to comply with the Misuse of Drugs Act 1971 and will notify the police if a member of staff or other person is found to be in possession of drugs or to be supplying or producing illegal substances. The Society therefore considers that the possession, use or supply of illegal substances is strictly forbidden.

In terms of the Society's disciplinary rules, all staff are expected to attend work without being under the influence of alcohol or drugs.

Responsibilities – All Staff

- Staff must not attend work under the influence of alcohol or drugs.
- Staff must not consume alcohol or drugs during working time or on work premises.
- Staff must not consume or be under the influence of alcohol or drugs when driving, attempting to drive or when in charge of a Company vehicle.
- Staff are not expected to work with someone who they know or suspect has consumed alcohol or drugs if they consider that by doing so they are putting themselves or others at risk.
- Staff have a duty to report any concerns or breaches of the Alcohol and Drug Misuse policy to their Manager.
- Any individual who is in possession of or is supplying illegal substances will be referred to the police.
- In exceptional circumstances the consumption of alcohol may be sanctioned (by Regional Business Manager level or higher) for hospitality purposes in a designated Society area. In these cases an equal availability of non-alcoholic drinks should be made available.

At Society functions/staff parties staff have a duty to conduct themselves in a proper manner. Inappropriate behaviour that damages the Society's reputation may lead to disciplinary action.

- Staff must not cover up for or collude with any colleague who has a misuse problem
- Staff should urge colleagues to seek help if they have or may have alcohol or drug misuse problems
- Staff should seek help if they themselves have or may have problems related to alcohol or drug misuse.

If the Manager has a reasonable belief that an employee is under the influence of drugs or alcohol, the member of staff may be suspended from duty and People & Performance contacted. The consumption of alcohol or drugs whilst at work, on Society premises and/or being present at work under the influence of Alcohol or drugs is viewed as gross misconduct and will be dealt with under the Society's disciplinary procedure.

Testing for Alcohol & Drug Use

The Society reserves the right to randomly test employees for signs of alcohol and drug use which may have an adverse effect on their ability to carry out their role in a safe and lawful manner.

Society Drivers may be randomly tested for alcohol at the beginning, during or at the end of their shift or a test may be carried out when the Line Manager has a reasonable belief that an employee is under the influence of alcohol. The tests will, in the first instance, be carried out by the Line Manager, or other authorised person, with the use of breathalysers calibrated in line with legal requirements. In instances where the results are positive, a further test will be carried out using an evidential breathalyser and/or a urine test which will be facilitated by the Society's Occupational Health Provider.

The current drink drive limits are:

Scotland

- 50 milligrams of alcohol in 100 millilitres of blood, or
- 22 micrograms of alcohol in 100 millilitres of breath, or
- 67 milligrams of alcohol in 100 millilitres of urine.

The rest of the UK

- 80 milligrams of alcohol in 100 millilitres of blood, or
- 35 micrograms of alcohol in 100 millilitres of breath, or
- 107 milligrams of alcohol in 100 millilitres of urine.

The Society operates a zero tolerance policy in respect of drugs and if any employee is thought to be under the influence of drugs they will be asked to provide an appropriate sample which will be processed by the Society's Occupational Health Provider. Examples of drugs that will be tested for include:

- barbiturates
- cannabis
- cocaine
- methadone
- opiates
- propoxyphene
- benzodiazepines

This list is not exhaustive

Anyone testing positive for drugs or who is found to be above the stated driving levels for alcohol may face disciplinary action up to and including dismissal for Gross Misconduct.

Drinking and driving

Loss of an employee's driving licence due to a conviction for driving over the legal alcohol limit could have repercussions on their employment. Where an employee has to drive as an integral part of his/her job, dismissal may be considered although the possibility of alternative work will also be explored.

For more information please see the Society Drivers – Disqualification Policy, which can be found on SharePoint.

Work related problems which may be caused by Alcohol or Drug Abuse

Listed below are examples of the kind of symptoms which may manifest in someone with an alcohol or drug related problem. Clearly, cases vary and not all these will apply in every instance. Similarly these symptoms may arise but be wholly unconnected with alcohol or drugs in which case developments which give cause for concern should be addressed appropriately.

Absenteeism/Irregular Attendance

- multiple instances of unauthorised leave
- frequent Monday or Friday absences
- improbable reasons for absences
- unusually high absenteeism, e.g. for colds, flu, gastritis and general sickness.

Reporting for Work

- excessive lateness, for example on Monday mornings or returning from lunch
- arriving at work under the influence of alcohol or drugs
- smelling of alcohol
- unkempt appearance/lack of hygiene.

Absenteeism whilst at work

- repeated absences from the post, more often than reasonably necessary
- frequent trips to the cloakroom
- overlong tea/coffee breaks
- incapacity due to the influence of alcohol or drugs
- leaving work early.

Lack of concentration and confusion

- work requires greater effort
- jobs take an unreasonable time to complete
- difficulty in recalling instructions and details
- increasing difficulty in handling complex assignments
- difficulty in recalling errors.

Spasmodic work patterns and deteriorating performance

- alternate periods of high and low productivity
- increasing general unreliability and unpredictability
- missed deadlines
- mistakes due to inattention or poor judgement
- complaints about performance
- improbable excuses for poor performance

Poor employee relations

- over-reaction to real or imagined criticism
- unreasonable resentment
- irritability
- complaints from colleagues about behaviour
- attempts to borrow money from colleagues
- avoidance of manager or colleagues

Managers who identify or suspect a member of staff of having a drink or drug related problem should encourage them to seek help and support at an early stage. Further advice can be sought from the People & Performance Team.

Defining the Problem

Alcohol problems with employees generally fall into one of 2 categories:

- an over- indulgence in alcohol which results in socially unacceptable or even dangerous behaviour but which is not related to a physical or psychological dependence;
- where a person's dependency on alcohol continually or repeatedly interferes with his/her work

The Society considers that the former type of behaviour is likely to be a conduct problem which may merit disciplinary action including dismissal while the latter should *initially* be viewed as an ill health problem and thus treated as such.

As with alcohol, drug problems affecting work performance could be either problems of conduct or ill health.

Possession of Illegal Drugs

Selling or trafficking drugs can, depending on the offence, lead to a prison term and/or a fine. If an employee is found in possession of drugs or is found to be trafficking in drugs contact Profit Protection in the first instance. Such actions will be considered Gross Misconduct and, as an alleged criminal offence, the police will be notified.

Medication and other Substances

Prescribed medication and some over-the-counter drugs such as antidepressants, sleeping pills or hay fever remedies can cause drowsiness and loss of concentration. These effects may be intensified if even small quantities of alcohol are also consumed. These side effects increase the risk of accidents particularly for staff operating machinery or working at heights. Staff taking medication are advised to ascertain potential side effects from their GP or pharmacist and to inform their Manager if there are any safety implications so that appropriate measures can be taken.

Procedure for dealing with Alcohol and Drug Dependency

Staff who believe they have an alcohol or drug related problem are encouraged to seek confidential help and treatment. An employee may consult, in complete confidence, a member of management or the People & Performance team. The member of staff may in turn be referred to the Society's Occupational Health Provider and/or may be offered counselling with an independent counselling service if appropriate.

A Manager who believes a member of staff has an alcohol or drug related problem should encourage the individual to seek help. However, the responsibility for accepting treatment will remain with the individual member of staff.

If the problem is clearly impacting on the employee's effectiveness in their work and/or their conduct at work, then the Manager has a duty to intervene and should discuss the matter with the employee concerned and with their People & Performance Consultant.

Where appropriate the Society will consult with the member of staff concerned and will ask the Occupational Health Provider for advice concerning the problem and the time period which should be allowed for a return to satisfactory work performance/conduct and, with the Occupational Health Provider, will regularly review the progress of staff during and after any treatment. The member of staff will be kept informed of the content of these discussions.

Disciplinary action including dismissal can be avoided where there is a return to satisfactory work performance/conduct within a reasonable period of time. If there is

no improvement in work performance/conduct within a reasonable time period, the normal disciplinary procedures will be followed.

If the employee attends work under the influence of alcohol or drugs, and there doesn't appear to be a drug or alcohol problem, this will be dealt with under the disciplinary procedures as outlined in the Responsibilities Section.

Where work performance is unsatisfactory due to an alcohol or a drug related problem and the individual refuses assistance, denies the alcohol or drug problem or discontinues a course of treatment and reverts to unsatisfactory levels of performance and/or conduct then the normal disciplinary procedures will apply. In appropriate cases the requirement to undertake treatment will form part of any disciplinary action taken.

If the alcohol or drug related problem continues after reasonable support has been given and results in a high level of sickness absence, the issue may also be dealt with through the sickness absence procedures, up to termination on the grounds of ill health/capability. An up-to-date medical report would be obtained and a discussion with the member of staff would take place before a decision was made to dismiss on the grounds of ill-health/capability.

Useful Contact Organisations

Alcoholics Anonymous

Northern Service Office (Scotland),
Baltic Chambers, 50 Wellington St
Glasgow G2 6HJ.

Tel: 0141 226 2214 or 0845 769 7555

The Scottish Drug Forum

Tel: 0141 2211175

Email: enquires@sdf.org.uk

Provides advice on drug agencies and local drug services in Scotland.

Frank about Drugs (Helpline)

Tel: 0800 77 66 00

Free, confidential, 24 hours a day.

The Retail Trust Employee Wellbeing Service

Tel: 0808 801 0808