

ALCOHOL AND DRUG USE POLICY



You should not attend work under the influence of alcohol or drugs whereby your performance or ability to work is impaired. This would pose a risk to the health and safety of colleagues and/or customers.



Advance will support staff who disclose that they have an alcohol or drug problem. In a number of cases, staff have disclosed that they have a problem and we have worked with them to overcome the problem.



If alcohol and drug problems are not addressed, an employee attends work under the influence, or an employee possesses, uses or sells drugs, then employment may be terminated.



This policy lists useful contact information for services that could assist you or family members who are concerned about alcohol or drug use.



If you have concerns that a colleague has an alcohol or drug problem, then please talk to your line manager or a member of the HR Department.

Advance endeavours to ensure that employees' use of drugs, alcohol or other substances does not impair the safe and efficient running of Advance or the health of its employees and customers. This Policy has been developed to protect the health and safety of employees and to comply with relevant legislation. e.g. Health and Safety at Work etc. Act 1974 and Misuse of Drugs Act 1971.

Drug, alcohol or substance abuse should be viewed as a health problem. Managers should respond to employees experiencing such problems in the following ways:

Confidentially – the employee can share details in complete confidentiality and this must be maintained. Details regarding medical assistance for the drug/alcohol problems must also remain confidential.

Sensitively – a non-judgemental attitude must be adopted

Constructively – the purpose being to help the employee to acknowledge and seek assistance for their condition; thereby enabling them to continue their employment with Advance.

Definitions

'Alcohol' is defined as any drink which contains alcohol in any form as set out by Government.

An 'alcohol-related problem' is when the consumption of alcohol interferes with an employee's health, safety, welfare or performance in any aspect of employment.

Alcoholism is a primary illness or disorder characterised by some loss of control over drinking, with habituation or addiction to the drug alcohol, causing interference in any major life function, e.g. health, family, job, spiritual, friends, legal.

'Drugs' include illegal substances (including solvents), prescribed and over-the-counter medications.

A 'drug-related problem' is defined as any use of drugs, or substances which may in themselves be legal, but which interferes with a employee's health, safety, welfare and performance in any aspect of employment.

General Rules for All Employees

At all times, employees must ensure that:-

- They do not attend work under the influence of alcohol or drugs whereby their performance or ability to work is impaired in any way.
- The consumption of alcohol or drugs (other than prescribed or over the counter drugs used in accordance with medical advice) during normal working hours or on Advance premises is prohibited. For the purpose of this policy, normal working hours may include night shifts, on-call hours and additional hours.
- If representing Advance outside normal working hours, then employees should ensure that any consumption of alcohol is responsible and that their actions do not bring the organisation into disrepute.
- Employees must not be under the influence of alcohol or drugs when driving vehicles on Advance business.
- Any agency worker, contractors or visitors to Advance premises will be asked to leave the premises if they appear to be under the influence of drugs or alcohol.

In the case of a work social gathering or social event, then any consumption of alcohol must be authorised by a senior manager (i.e. Director/Senior Manager level). The following guidelines should be observed by all staff:

- In residential care work, there are a few times when it is appropriate for staff to join with Customers on an occasion in a more social climate and most homes celebrate special occasions or organise events for the Customers where it is common practice for staff to join in, and in doing so, have a drink within that setting
- For office based staff there are a few times when it is appropriate to celebrate special occasions and in doing so have a drink within that setting
- Staff have the responsibility to ensure that no such occasion gets out of hand and that they keep their drinking to an absolute minimum at all times. As mentioned above, staff should not drink if they are on duty, on-call or planning to work after the event.

Establishing the Problem

Staff should be aware of the effects of alcohol/drugs:

- Employees who recognise that they have an alcohol/drug problem, or that they are at risk of developing one are encouraged to come forward for confidential help - this may be done via the Human Resources Department.

- If an employee has been prescribed medication or has purchased medication that could affect work performance and/or have health and safety implications then they should notify their manager immediately. Further advice should be obtained from Human Resources or Occupational Health and if appropriate, there may be the requirement for a risk assessment and changes to employment duties.
- Employees who suspect that a colleague may have a drink/drugs problem are encouraged to consult with the Human Resources Dept in the recognition that 'covering up' represents a false sense of loyalty and in the long term may put vulnerable customers at risk and cause damage to both their colleagues and the quality of service which Advance strives to provide.
- Managers, in particular, should be aware that the misuse of drugs or alcohol by employees may come to light in various ways. The following characteristics/indicators, especially when arising in combinations, may indicate the presence of an alcohol or drug-related problem:-
 - Change in work attendance or performance
 - Alteration of personal appearance / smell of alcohol/drugs
 - Mood swings or attitude changes
 - Withdrawal from responsibility or associate contacts
 - Unusual patterns of behaviour
 - Defensive attitude concerning the object of addiction.
- An employee's alcohol or drug problem may come to light as a mitigating factor in a disciplinary interview. It should be treated as a mitigating factor for certain less serious disciplinary offences, such as poor time keeping or lateness, provided the person is prepared to co-operate in a scheme of medical help.
- In some instances, employees may seek help and advice themselves.

Intervention

Managers who feel an employee's unsatisfactory performance may be drug or alcohol-related should discuss the matter with the Human Resources Dept. If thought necessary the line manager should arrange for a meeting with the employee who may be accompanied if they wish.

At the meeting the individual should have his or her unsatisfactory performance/conduct and indicators discussed.

At the meeting, there should be a statement of Advance's required standards, making sure the employee understands what is expected of him or her.

The meeting should include discussion about the causes of the problem (although it must be pointed out that individuals with a drug or alcohol problem will often go to great lengths to conceal the situation).

The employee should be reminded or informed of the assistance (as described under Medical Help below) Advance is prepared to give employees who are trying to overcome an alcohol or drugs problem and should be informed of outside agencies where help can be obtained.

The employee should be informed that Advance requires his or her performance to be improved to an acceptable standard and that failure to achieve this may result in dismissal. The line manager should agree with the employee what follow-up action is to be taken. Where it is established that alcohol or drugs is or could be the problem, an appointment should be arranged with Advance's Occupational Health service.

If the employee consistently denies that either alcohol or drugs are the cause of the problem (whether believed or not), he or she should be treated as for any other disciplinary/poor performance issue.

However, if there are strong signs that the employee's unsatisfactory performance is drug or alcohol-related and they will not admit or acknowledge this, further encouragement should be given at all stages of future processes to establish if there is an underlying alcohol or drug problem.

Line managers need to consider carefully the possible impact or risk of any employee alcohol or drug problem on customers. If there is a risk to customers, then advice should be obtained from the Human Resources department.

Medical Help

Where employees acknowledge that they have a problem and are willing to undergo help and treatment, this will be on the understanding that:

- Whilst they are undergoing treatment, they may be entitled to sick leave and will be entitled to the usual organisation sick pay benefits.
- Every effort should be made to ensure that on completion of the recovery programme employees are able to return to the same or equivalent work.

However, where such a return would jeopardise either a satisfactory level of job performance or the employee's recovery, the Human Resources Dept, in liaison with the line manager, will review the full circumstances surrounding the case and agree a course of action to be taken. This may include the offer of suitable alternative employment or dismissal (see below for further details).

Relapse

Where an employee, having received medical help, suffers a relapse, Advance will consider the case on its individual merits. Medical advice will be sought in an attempt to ascertain how much more treatment/rehabilitation time is likely to be required for a full recovery. At Advance's discretion, more treatment or rehabilitation time may be given in order to help the employee to recover fully.

Recovery Unlikely

If, after employees have received medical help, recovery seems unlikely, Advance may be unable to tolerate the situation any longer. In such cases, Advance will obtain up-to-date medical advice on the condition and prognosis and will take appropriate action under the Sickness Absence or Poor Performance policy. This could include action up to and including dismissal on grounds of capability.

Misconduct Caused by Alcohol or Drugs

Intoxicated employees: If an employee is known to be, or strongly suspected of being intoxicated by alcohol or drugs during working hours, the line manager or line manager's manager should consult the Human Resources Dept and consideration should be given to suspending the employee without delay under the Disciplinary Procedure. An appropriate investigation will then be conducted in accordance with the Disciplinary Policy.

Drug Abuse on Association Premises

Employees who take drugs which have not been prescribed on medical grounds will, in the absence of mitigating circumstances, be deemed to be committing an act of gross misconduct and will thus render themselves likely to be summarily dismissed as will any employee believed to be buying or selling drugs, or in possession of unlawful (i.e. non-prescribed) drugs.

Additional Assistance

Advance provides its employees with an Employee Assistance Programme (EAP) - a service which provides you and your family household members with access to a wide range of free and confidential advice, information and personal support services.

The service can be accessed any time, day or night, on any day of the year, and you can be safe in the knowledge that you will be getting the very best help and support when you need it. The contact details are listed below:-

0800 030 5182

www.healthassuredeap.co.uk

There are also a large number of external providers of assistance:

ACAD

(Advice and Counselling on Alcohol and Drugs).

ACAD is a registered charity helping those who are concerned about their own or someone else's drinking or drug use.

www.acad.org.uk

Alcoholics Anonymous

Fellowship of some 2000 groups in UK which aim to help members give up alcohol entirely.

Tel 0800 9177650 www.alcoholics-anonymous.org.uk

Alcohol Concern

Alcohol Concern is the National Agency on alcohol misuse. This site contains fact sheets and other useful publications.

Tel 0207 264 0510 www.alcoholconcern.org.uk

Drinkline UK

A free confidential telephone information and advice service for anyone who has a drink problem or is worried about someone who may have a drink problem.

Tel 0800 917 8282

FRANK

(Previously known as National Drugs Helpline)

A free confidential telephone information and advice service for anyone who has a drug problem or is worried about someone who may be using drugs.

Tel 0300 123 6600 www.talktofrank.com

| | |
|----------------------------|---|
| Policy owner | Director of Human Resources |
| Date written | 17 May 2016 |
| Approved by | GMT |
| Who was consulted | Assistant Director HRBP and HR Business Partners |
| Date of approval | June 2016 |
| Date to be reviewed | Two years after publication unless any significant changes (June 2018). |
| Related Policies | <ul style="list-style-type: none"> • Sickness Absence Policy • Discipline Policy • Performance Improvement Policy • Code of Conduct |