

Carlton Primary School

Substance Misuse Policy



If you believe, you CAN achieve

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Signed: _____

Substance Misuse

Health & Safety Guidance Note

Camden Health & Safety Service
Simple, sensible, safe



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Purpose of This Safety Guidance Note

The purpose of this health and safety guidance note is to explain in a simple and easy to understand way how we manage key health and safety issues. Guidance notes also provide heads of service or their equivalent with guidance on what they need to do to comply with health and safety law. Each note is specific to a particular area of safety.

In particular this guidance note is designed to:

- Provide employees and managers with a guide on how to deal with substance misuse.

Further Help, Support and Guidance

- Camden Health & Safety Service: Please see our pages on <http://camden-essentials.lbcamden.net/ccm/navigation/working-at-camden/your-health--safety-and-well-being>
- Support, guidance and information about illegal drugs. www.talktofrank.com
- Alcoholics Anonymous: www.alcoholics-anonymous.com
- NHS Drinking Calculator: <http://www.nhs.uk/Tools/Pages/Alcoholcalculator.aspx>
- NHS Alcohol Guidance: <http://www.drinking.nhs.uk/>

Terms Explained

- **Camden Health & Safety Service:** Based in Organisational Development and responsible for raising standards of health and safety within Camden Council.
- **Substance Misuse:** The use of illegal drugs, the misuse of legal drugs or other substances and the misuse of alcohol.
- **Pharmacy medicine:** Over the counter non-prescription medicine, such as cough medicine.

Introduction

Substance misuse is the abuse of alcohol, use of illegal drugs, misuse of legal drugs and other substances.

Substance misuse can cause reduced work performance, high absence levels and health and safety risks. It can result in bad behaviour or poor discipline with adverse effects on colleagues, customers and the Council's reputation.

These guidelines set out the roles and responsibilities to follow, along with guidance for managers to deal with instances of substance misuse in the workplace.

These Substance Misuse guidelines supersede the previous 'Alcohol and Drug Abuse policy' dated November 2000.

Principles

It is Camden's approach to regard substance misuse problems as health and well-being issues whenever possible and to encourage the employee to seek professional help and treatment with managerial support as appropriate.

It is not normally Camden's approach to use the Underperformance or Disciplinary Policy in the first instance when the employee is taking steps to address their problems and the circumstances permit.

If, however, the employee commits an offence against the law, or breaches the Code of Conduct, or underperformance persists, formal action will be taken.

Taking formal action does not preclude the continued encouragement and support outlined above. It is quite possible to take sanctions against specific actions while at the same time continuing to offer support and time off to undergo treatment, for example.

Scope

This substance misuse guidance applies to all permanent and fixed term employees of the Council and aims to:

- Clarify what is, and is not, acceptable behaviour in relation to drugs and alcohol.
- Encourage employees who feel concerned about their drinking or drug-taking to seek help with an appropriate person or agency.
- Assist managers on when it is appropriate to offer help and support, the types of support that are available and how to access this.
- Outline situations in which formal action under Council policies and procedures may be appropriate.

Roles and Responsibilities

Employees should:

- Take responsibility to ensure their actions and behaviour do not impact on their duty of care for the health and safety of colleagues or the public, nor affect their work performance or breach the Council's Code of Conduct.
- Never drink any alcohol during the working day if they operate heavy machinery or drive vehicles on the Council's behalf.
- Only drink alcohol when on duty if the manager agrees to it on specified special occasions and not drink alcohol at lunchtime if it affects work performance, or other colleagues, or the Council's reputation.
- Never take any non-medical substance, such as drugs, that may affect their ability to work.
- For consideration of provisions in this guidance, seek help from management, occupational health or external agencies to deal with a substance misuse problem.
- Advise their manager of any debilitating effect of prescription drugs or pharmacy medicine taken for illness, and not exceed the dosage.
- If wished, self-refer to the Employee Advisory Resource for short term confidential

counselling/advice from professional advisors.

Managers should:

- Intervene at an early stage. Guide employees towards professional help and provide support when appropriate, or take appropriate action under our policies and procedures, e.g. Disciplinary and Underperformance, in accordance with the guidelines for dealing with substance misuse issues below.

HR Advice and Case Management will.

- Offer advice to managers to ensure consistency of approach across the Council for employees with substance misuse problems.

HR Health & Safety (with the Occupational Health provider) will.

- Provide information and educational initiatives on substance misuse.
- Assist management in developing a greater understanding of substance misuse problems.
- Where appropriate, make referrals to the Occupational Health provider for employee assessment and consideration/set up of a support/treatment programme.

Guidelines for Dealing with Substance Misuse Issues

Alcohol and substance intoxication at work

Managers may not need to apply the on-going provisions in this guidance, if instances of intoxication are one-off and there is no pattern of performance or behaviour issues. However, managers should discuss matters to rule out continuing alcohol or substance misuse problems and take appropriate action relating to any incidents.

The manager should not allow the employee to begin or resume work and should send him/her home if he/she is unfit for work due to the apparent use of alcohol or other substances.

A meeting to discuss the matter should be arranged for as soon as possible, ideally the next working day or a short time later when the employee is no longer intoxicated.

Medical Suspension: In some circumstances, paid suspension of an employee as a precautionary, not a punitive measure may be considered appropriate in situations including, but not limited to:

- Serious doubts about an addiction arise, or are admitted.
- Time is needed for professional assessment and any agreed period of treatment.
- There is a duty of care to young or vulnerable clients.
- The employee drives a council vehicle or operates heavy machinery.

Suspensions must be authorised by a head of service, or a chief officer in consultation with HR Advice and Case Management.

Identifying substance misuse problems

Substance misuse problems may come to light through specific misconduct or post-incident investigations and/or become evident through gradual deterioration.

Some signs to look out for are listed below. However, these signs do not necessarily indicate a substance misuse problem, but might instead indicate other issues such as stress or depression. Care should therefore be taken not to jump to conclusions when such signs are identified.

- **Work performance** - missed deadlines, missed appointments, erratic performance, increased error rate, lack of concentration, inability to remember instructions, unreliability.
- **Attendance** - lateness (mornings, after lunch), unauthorised leave, patterns of absence (e.g. around weekends), recurring causes of self-certificated absence (e.g. stomach problems, headaches, colds).
- **Conduct** - unpredictable mood changes, withdrawal and isolation, depression, nervousness and anxiety, poor co-operation with colleagues, uncharacteristic behaviour, accidents or injuries, regular alcohol on breath, dishonesty, customer complaints.
- **Appearance** – deterioration in appearance and/or personal hygiene.

Managers should also be aware of signs among colleagues who may be covering up for someone with a problem. This type of 'collusion' is common both among family members of those with a substance misuse problem, and among close colleagues whose sense of loyalty, and fear of getting their colleague into trouble, prevents them from coming forward.

Providing assistance

Treatment, coupled with support from the manager, can help an employee regain a healthier lifestyle, and ensure efficient and safe performance at work.

The employee would usually be offered an initial assessment undertaken by a specialist service, e.g. occupational health, which will advise on whether a problem exists and the recommended course of action, e.g. type and duration of programme, support that may be provided by the employer (including time off), along with suggested frequency of progress reports.

The employer and the specialist service should agree before the course of action commences:

- How long the initial period of assessment should last before reviewing the situation.
- Whether or not progress reports are required and, if so, how often.
- What the progress reports should contain within the bounds of client confidentiality – usually an attendance record and general statement of progress, rather than specific details.

Where agreed, time off for treatment may be handled in the same way as stated in the Sickness Absence Management Policy and Procedure. This will depend on the circumstances and whether evening treatment is appropriate and available.

Considerations as to the appropriateness of the employee continuing in work during all or part of a treatment programme will include:

- The ability to perform the duties of his/her post, or other suitable duties if available.
- The potential impact on the employee of being in or away from the workplace during this period.

If the assessment indicates there is no substance misuse problem, the specialist service may, in agreement with the employee, refer to other relevant or mitigating circumstances, which are causing the employee difficulties. In these cases, the manager will determine an approach to addressing the issues, referring to other Council policies, procedures and guidance as appropriate.

The disciplinary procedure may be invoked at any time, even where an employee has accepted a referral for help and attends specialist treatment, where the employee's behaviour warrants this (for example should an employee become abusive, aggressive or be absent without leave during treatment).

Aftercare

Once an employee returns to work or once they finish a treatment programme it is important to take steps to avoid a relapse. This may mean encouraging the employee to attend support groups. It may also mean working with the employee to decide whether the job itself is a factor in their drug or alcohol problem, for example, lengthy periods working away from home, or a heavy workload – and consider whether a change of job or responsibilities is necessary or possible.

Counselling service – the Employee Advisory Resource (“EAR”).

We have a confidential, short-term counselling to help employees where they can talk over issues with a professional counsellor. The Counselling service can be contacted on 0800 243 458 or 020 8987 6550, e-mail assistance@ear.co.uk Further information is also available on essentials.

Relapse

Where relapse occurs, it may be appropriate to offer the employee a final opportunity to accept and co-operate with further treatment. However, action may be taken under the disciplinary or underperformance procedures instead of or in addition to further treatment.

Disciplinary action

Whilst support will be provided where possible, there may come a point when the manager can no longer make such concessions given the on-going impact to the service. In these circumstances the manager will refer to Camden's disciplinary or underperformance policies.

However, the employee may be referred for formal action in the first instance for an

offence against the law and/or substantial breach of the Code of Conduct, or if retrospective conduct/performance/ negligence is more serious as a result of substance misuse.

Action under these policies may also be appropriate where an employee continues to deny the existence of a problem, refuses the opportunity to seek help, or discontinues treatment and then reverts to the previous pattern of conduct or performance. Managers are advised to discuss the matter with HR Direct.

Possession of illegal drugs

Possession of illegal drugs is a crime in law. Possessing illegal drugs on council premises would normally be an act of gross misconduct under the disciplinary policy. Gross misconduct may result in summary dismissal, which is immediate dismissal after the first instance.

Prescription drugs and pharmacist medicine

At times, managers may note, monitor or address changes in employees' actions and behaviours due to taking prescribed drugs, or pharmacy medicine for an illness. Employees must notify their manager if such medication is having an intoxicating or other debilitating affect.

As part of their discussion on the well-being of the employee, the manager can enquire on the correct dosage of medicine taken if, for example, drowsiness or other impairment is noticed.

Intentional abuse of prescription drugs or purposely taking pharmacy medicine for an intoxicating effect is substance misuse and can be dealt with under these guidelines and/or the disciplinary and underperformance policies.

Where work is affected during medication, managers may consider temporary adjustments to the employee's duties.

Relevant Legislation

- Corporate Manslaughter and Corporate Homicide Act 2007.
- Health & Safety at Work etc Act 1974.
- Management of Health & Safety at Work Regulations 1999.

Other Relevant Policies and Procedures

- Sickness Absence Management Policy and Procedure.
- Disciplinary Policy and Procedure.
- Underperformance Policy & Procedure.