

## Alcohol and Substance Misuse at Work Policy

**CONTROLLED DOCUMENT**

<b>CATEGORY:</b>	Policy
<b>CLASSIFICATION:</b>	Human Resources
<b>PURPOSE</b>	This document outlines the policy for supporting staff with alcohol and/or substance misuse issues.
<b>Controlled Document Number:</b>	033
<b>Version Number:</b>	005
<b>Controlled Document Sponsor:</b>	Executive Director of Delivery
<b>Controlled Document Lead:</b>	Director of Human Resources
<b>Approved By:</b>	Chief Executive
<b>On:</b>	November 2017
<b>Review Date:</b>	November 2020
<b>Distribution:</b>	
<ul style="list-style-type: none"> <li>• <b>Essential Reading for:</b> Executive Directors Directors of Operations Divisional Directors Heads of Service Line Managers HR Team</li> <li>• <b>Information for:</b> Trade Union Representatives All employees</li> </ul>	

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## **1. Policy Statement**

- 1.1. University Hospitals Birmingham NHS Foundation Trust (the 'Trust') is committed to protecting the safety, health and well-being of its staff, patients and all people who come into contact with its services and premises.
- 1.2. The Trust recognises that misuse of alcohol or substances poses a direct and significant threat to the Trust's Vision of providing the best in care. Misuse of alcohol and/or substances may not only affect the health of staff but also attendance at work, work performance and relationships with colleagues. It is therefore committed to ensuring a working environment which is free of this risk.
- 1.3. The Trust considers dependency on alcohol, drugs or substances to be a health problem for which the individual requires specialist treatment and support. As such, the Trust offers to provide assistance to individuals with alcohol or substance dependencies where appropriate.

## **2. Scope**

- 2.1. This policy and its associated procedural document apply to all staff of the Trust including bank staff, secondees, volunteers, staff on fixed term contracts and honorary contracts. For those staff not directly employed by the Trust but carrying out work on Trust premises e.g. agency workers, contractors, only the rules regarding consumption of alcohol and/or substances apply. Where concerns about performance and health issues arise, their employing organisation must be notified.
- 2.2. This policy distinguishes between staff who acknowledge that they have a genuine alcohol or substance misuse problem and seek assistance for it, and those who are in breach of the Trust's Disciplinary Policy concerning alcohol or substance misuse related issues.

## **3. Policy Framework**

- 3.1. This policy covers the use and misuse of alcohol, solvents, legal and illegal drugs, prescription and over-the-counter medicines and other substances that could adversely affect work performance and/or health and safety.
- 3.2. This section describes the broad framework for the Alcohol and Substance Misuse at Work Policy. Detailed instructions are provided in the associated procedural documents.
- 3.3. The Director of Delivery shall approve all procedural documents associated with this policy, and any amendments to such documents, and is responsible for ensuring that such documents are compliant with this policy.

### 3.4. Definitions

- 3.4.1. The misuse of alcohol is defined as any drinking, either intermittent or continual, which interferes with an individual's health and/or work performance so that safety, efficiency, productivity or work attendance is affected.
- 3.4.2. The misuse of substances is defined as the use of illegal drugs, solvents or other substances and the inappropriate taking of prescribed and non-prescribed drugs, which interferes with a person's health and/or work performance so that safety, efficiency, productivity or work attendance is affected.

### 3.5. Key Principles

- 3.5.1. All staff are responsible for reporting for work in a fit state and capable of performing their duties in a safe and satisfactory manner and not under the influence of alcohol, drugs or other harmful substances.
- 3.5.2. Alcohol must not be consumed on Trust premises unless previously agreed by a Senior Manager for a formal function e.g. conference events.
- 3.5.3. Staff must not consume alcohol or use any substance that may impede their performance during breaks or prior to a shift starting.
- 3.5.4. Staff must not consume, have in their possession or trade any illegal drugs whilst on Trust premises. Any activity or behaviour over which there are concerns as to its legality will lead to disciplinary action and the involvement of the police.
- 3.5.5. There is a distinction between staff with an alcohol or substance misuse problem which will be regarded as a health problem, and misconduct involving alcohol or substances e.g. theft of drugs, which will be dealt with under the Disciplinary Policy. Where an alcohol or substance misuse problem is identified, the Procedure on Alcohol and Substance Misuse at Work details the process to be followed.
- 3.5.6. The Trust will try to offer help and assistance to any member of staff who has an alcohol or substance misuse problem, however, it is also the responsibility of the member of staff to accept this help and assistance to improve their condition. If they chose not to accept this help and their condition continues to be a cause for concern, disciplinary action may be considered.
- 3.5.7. All issues raised under this policy will be treated in the strictest confidence unless there is an overriding safety concern.

## **4. Duties**

### **4.1. Executive Director of Delivery**

The Executive Director of Delivery is responsible for the policy and its implementation and has the authority to approve the Procedure on Alcohol and Substance Misuse at Work and any amendments to that document in response to changes in legislation or best practice, provided that they are compliant with this policy.

### **4.2. Managers**

Managers will:

- 4.2.1. Ensure that they and their staff are aware of the policy and know how to seek appropriate advice and support if they identify they have a problem;
- 4.2.2. Seek advice and support from the Occupational Health and Human Resources departments in all cases of actual or suspected alcohol and/or substance misuse;
- 4.2.3. Intervene at an early stage where changes in performance, behaviour, sickness levels or attendance patterns are identified to establish whether alcohol, drugs or substance misuse is an underlying cause;
- 4.2.4. Encourage staff to seek help voluntarily;
- 4.2.5. Maintain a high degree of confidentiality throughout the application of this policy; and
- 4.2.6. Use disciplinary measures only when appropriate to do so.

### **4.3. Occupational Health Department**

Occupational Health will:

- 4.3.1. Provide support, information and advice to managers and staff;
- 4.3.2. Provide an impartial, confidential service to staff which includes counselling, assessment or referral to another agency;
- 4.3.3. Respond to referrals from Managers;
- 4.3.4. Determine whether as part of a rehabilitation programme objective testing and/or an alcohol/substance misuse contract is integral to a staff member returning to work; and
- 4.3.5. Publicise the policy and assist in any health promotion initiatives.

#### **4.4. Human Resources**

Human Resources will:

- 4.4.1. Provide consistent and appropriate advice to managers and staff regarding the policy and its associated procedural document; and
- 4.4.2. Advise on the appropriateness or otherwise of the Disciplinary procedure.

#### **4.5. Staff side and Trade Union representatives**

Staff side and Trade Union representatives will:

- 4.5.1. Be familiar with this policy in order to provide advice and support to their members if requested to do so; and
- 4.5.2. Assist in raising awareness and communication of the policy.

#### **4.6 Staff**

Staff will:

- 4.6.1 Familiarise yourself with this policy and comply with its provisions;
- 4.6.2 Report for work, and remain throughout their shift, in a fit and safe condition to undertake their duties and not be under the influence of alcohol or drugs;
- 4.6.3 Notify their line manager if they are experiencing side effects that impair their ability to perform their duties safely and satisfactorily as a result of taking prescribed or over-the-counter medication. Staff do not have to tell their manager the medical condition that they are being treated for, simply the side effects;
- 4.6.4 Seek help if they have concerns regarding their alcohol or drug consumption with their line manager, Occupational Health, GP or other external agency;
- 4.6.5 Co-operate with any support and assistance provided by the Trust to address an alcohol or substance misuse problem; and
- 4.6.6 Act within professional guidelines and Trust policy with regard to colleagues suspected of having an alcohol or substance misuse problem.

## **5. Implementation and Monitoring**

### **5.1. Implementation**

This policy will be available on the Trust's Intranet Site. The policy will also be disseminated through the management structure within the Trust.

### **5.2. Monitoring**

Appendix A provides full details on how the policy will be monitored by the Trust.

## **6. References**

ACAS Advisory booklet 'Health, Work and Wellbeing'

CIPD Guidance 'Managing Drug and Alcohol Misuse at Work'

Health and Safety at Work Act 1974

Misuse of Drugs Act 1971

## **7. Associated Policy and Procedural Documentation**

Disciplinary Policy and Procedure

Equal Opportunities in Employment Policy

Managing Poor Performance Policy and Procedure

Sickness Absence and Attendance Policy and Procedure

## Appendix A

## Monitoring Matrix

<b>MONITORING OF IMPLEMENTATION</b>	<b>MONITORING LEAD</b>	<b>REPORTED TO PERSON/GROUP</b>	<b>MONITORING PROCESS</b>	<b>MONITORING FREQUENCY</b>
Disciplinary and capability cases relating to alcohol and substance misuse	Director of Human Resources	Board of Directors via Annual Workforce Report	Disciplinary and capability cases relating to alcohol and substance misuse are reported in the Annual Workforce Report	Annual report