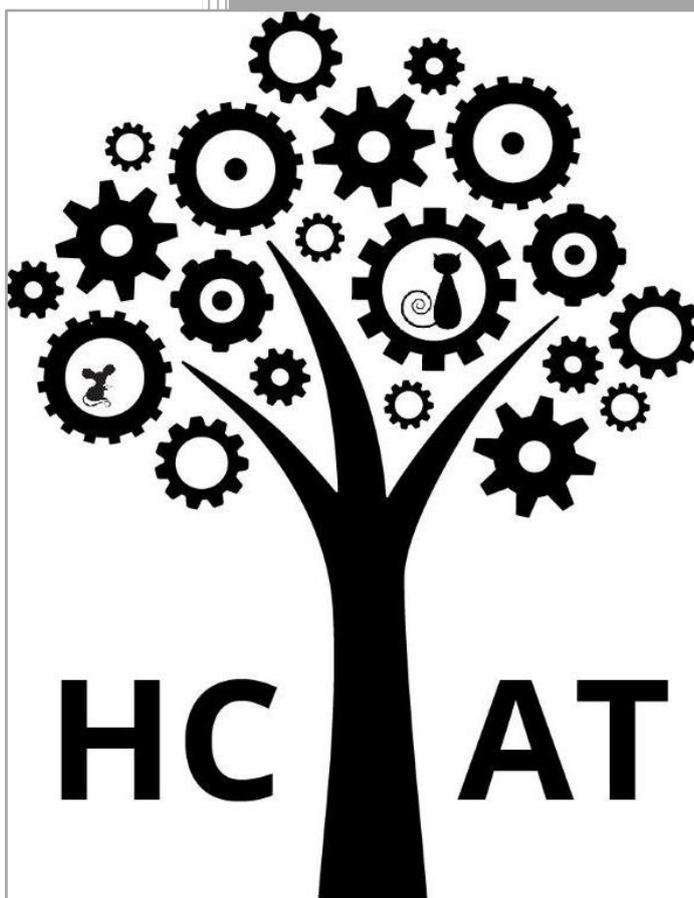


HCAT

Substance Misuse Policy 2022



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## **HCAT Substance Misuse Policy**

### **1. Introduction**

- 1.1 This Policy has been developed in consultation with Trade Unions and Professional Associations who are recognised by HCAT.
- 1.2 For the purpose of this policy, substance misuse refers to the use and misuse of intoxicating substances. This includes alcohol, drugs, prescription and over the counter medicines, novel psychoactive substances (legal highs), solvents and other substances, either intermittently, or continuously which interfere with an individual's health, work capabilities or conduct, or which affects work performance and/or safety of themselves or others.
- 1.3 Substance misuse can affect an employee's work performance, personal conduct and relationships at work which in turn, may affect the work performance of others. Furthermore, the impairment of judgement by such misuse may lead to accidents and decisions which can have financial and resource implications for the Trust.
- 1.4 HCAT is committed to actively promoting awareness and understanding of the effects of alcohol and drug related problems within the workplace, emphasizing the potential dangers of such misuse for both the individuals health and work performance, and encouraging and supporting those with a problem to seek help.

### **2. Scope**

- 2.1. This policy applies to all employees of HCAT (the Trust) including those employed by Academies within the Trust, agency staff, contractors and anybody else engaged to work for HCAT.

### **3. Principles**

- 3.1 To assist the Trust in maintaining a safe and healthy working environment for all employees, free from the influences of alcohol, drugs or other substances which may adversely affect personal conduct, work performance and relationships at work.
- 3.2 To encourage the attitude that prevention is better than cure, by informing employees of the adverse effects and the dangers of substance misuse and enabling them to identify and act upon the symptoms.
- 3.3 To foster a culture in which acute substance misuse is treated as a health problem, within a caring and supportive environment, which enables employees to come forward for assistance. The Trust is committed to providing confidential support to any employee making a disclosure regarding their misuse of substances and their intention to manage their situation more effectively.
- 3.4 To outline the responsibilities of employees under the policy; the procedures to be followed and the assistance available to employees where they acknowledge substance misuse is a problem.

#### **4. Drug and Alcohol Use in the Workplace**

- 4.1 The misuse of Drugs Act (1971) specifies the different categories of drugs according to their relative harmfulness when abused. The possession, use or supply of illegal drugs is strictly forbidden in work and the police will be contacted where an employee is found to be in possession of, or using/supplying illegal substances.
- 4.2 It is not permitted for staff to drink, smell of alcohol, or be under the influence of alcohol, whilst on Trust premises; or to drink alcohol in a public place when wearing any uniform or identification badge.
- 4.3 If an employee is intoxicated at work, they will be sent home immediately and may be also suspended from duty, and the appropriate course of action decided up on depending on whether it is a long-term issue or a one-off excess.
- 4.4 Any activities outside of work in relation to substance misuse that could be damaging to the reputation of the Trust and/or that are in breach of the professional standards expected will be dealt with through the Disciplinary Procedure.

#### **5 Responsibilities and Duties under the Policy**

- 5.1 To ensure that substance misuse is understood and dealt with positively, it is essential that all parties are aware of their responsibilities. With this in mind the following roles are clearly identified:

##### **a) (Executive) Principals/Headteachers/Heads of School/Line Managers (referred to throughout as Line Manager).**

- i. Are responsible for promoting and maintaining safe systems of work by carrying out health and safety risk assessments and generally monitoring their employees in the workplace.
- ii. All Line Managers have welfare responsibilities as part of their management role and employees should be able to discuss problems with their line manager in the first instance, if they wish.
- iii. Line Managers also have an important role to play in detecting problems at an early stage and taking positive action.
- iv. Line Managers should ensure they explore with the employee concerned that there are no underlying health conditions that could be causing similar symptoms to those caused by substance misuse as detailed in Section 6.
- v. Trust HR will provide advice when it is suspected that an employee may have a substance misuse problem.

##### **b) Employees**

- i. Are responsible for ensuring they report for work and remain in a condition to perform their duties free from the effects of drugs, alcohol or any other substance, whether on Trust premises or at external locations.

- ii. Should be aware that alcohol remains in the body long after an alcoholic drink is consumed and this must be remembered when drinking outside of working hours, including the previous evening.
- iii. Should seek advice from their G.P. when taking medication as to any potential adverse impact on their work performance or behaviour, particularly with regard to their safety and the safety of others and are encouraged to notify their line manager of this. Further advice can also be sought from Occupational Health via Trust HR.
- iv. Should seek help when a problem or suspected problem has been identified
- v. Should be aware of the health and safety implications of being under the influence of alcohol, illegal drugs or other substances. Employees under such influence pose a danger to themselves as well as to others. This applies especially to people who drive in the course of their duties, or who drive to and from work. NB Disabled employees should disclose their medication to the DVLA to enable a decision to be made about their continued driving.
- vi. Should bring to their Line Managers attention any medical condition not already disclosed that could cause similar symptoms to substance misuse as outlined in Section 6.
- vii. All employees have a duty to take reasonable care for the health and safety of themselves and of others who may be affected by their actions or omissions.
- viii. Employees are required to participate positively in any recommended programme of recovery for their substance misuse, including the attendance at appointments to ensure any relevant treatments are maintained.

### **c) Human Resources and Occupational Health**

- i. Human Resources can appropriately source assistance and advice on all medical related matters.
- ii. Cases of potential substance misuse will be dealt with as a confidential medical matter and medical information on the employee's condition will not be released by the Occupational Health Service without the employee's permission.
- iii. However, the Occupational Health Service has a duty to inform the employee's line manager of any situation which could put the employee, or others, at risk whilst at work, or coming to and from work. The employee will be made aware of this requirement. In these cases, the Occupational Health Service will consider the potential effect of the employee continuing with their current duties and, in appropriate cases, may recommend temporary redeployment for 'medical reasons' to an alternative post.

## **6. Possible/Potential Signs of Substance Misuse**

- 6.1 The symptoms listed below are not exhaustive **and may not necessarily be as a result of substance misuse**, but in the absence of an acceptable explanation being offered by the employee in question, this may indicate that there is a potential problem to be investigated.
- 6.2 The behaviour described in the checklist below will require action regardless of the cause.

### **6.2.2 Absenteeism**

- Instances of unauthorised leave.
- Frequent Monday and/or Friday absences.
- Excessive lateness e.g. Monday mornings, return from lunch.
- Regularly leaving work earlier than is usual for that employee.
- Peculiar and increasingly improbable excuses for absences.
- Frequent, unscheduled short-term absence, without explanation.

### **6.2.3 High Accident Rate**

- Accidents at work.
- Reporting on arrival to work accidents at home, travelling to work.

### **6.2.4 Difficulty in Concentration**

- Work requires greater effort.
- Jobs take more time.
- Physical incapacity at work that is not attributable to disability or any other illness.

### **6.2.5 Confusion**

- Difficulty in recalling instructions, details etc.
- Increasing difficulty in handling complex work.
- Difficulty in recalling own mistakes when not medically accounted for.

### **6.2.6 Spasmodic Work Patterns**

- Alternative periods of high and low productivity.
- Increasing general unreliability and unpredictability.

### **6.2.7 Reporting to Work**

- Coming to work in an obviously abnormal condition.
- Aroma of alcohol, or other unfamiliar substances, particularly in the early morning.
- Tremors, especially of the hands.
- Facial flushing, bleary eyes, sweating.
- Drowsiness, loss of concentration and dizziness.
- Increasing untidy appearance/lack of hygiene.

### **6.2.8 Generally Deteriorating Job Efficiency**

- Missed deadlines, memory lapses.
- Mistakes due to inattention or poor judgement and the use of deception to cover up mistakes and behaviour.
- Making poor decisions.
- Improbable excuses for poor performance.

### **6.2.9 Decline in Employee Relations**

- Over-reaction to real or imagined criticism.
- Irritability, lethargy, mood changes.
- Deterioration of relationships with colleagues at work.
- Over-excitement.

### **6.2.10 Other**

- Disclosure of domestic problems, e.g. in relationships with members of the family.
- Financial difficulties, borrowing money.
- Criminal offences.
- Loss of interest - hobbies/family/friends.

## **7. Substance Misuse Procedure**

- 7.1 Employees who suspect or know they have a substance misuse problem will be encouraged to seek specialist help as soon as possible.
- 7.2 If an employee is suspected of having a substance misuse problem, a meeting should be arranged in which aspects of work performance and/or behaviour should be discussed openly and frankly. Whether they have a health problem which might be a contributing factor should also be explored. They may have their Trade Union, Professional Association Representative or a trusted colleague present with them in a supportive capacity.
- 7.3 If an employee admits to an alcohol/drug related problem they should, with their agreement, be referred to the Occupational Health Service, who will arrange for further support.
- 7.4 Where all reasonable steps have been taken to support an employee, then the appropriate procedure, (Disciplinary, Performance Management, Supporting Attendance) will be used to resolve the problem.
- 7.5 If the employee accepts a referral and co-operates with treatment and consequently returns to good health and an acceptable level of work performance, then no further action will be necessary.

## **8. Time off for Treatment**

- 8.1 Employees will be granted reasonable paid leave to attend a specialist agency to follow an agreed programme of recovery.
- 8.2 Should the programme of recovery result in a continuous period of absence, this will be treated as sickness absence.

## **9. Further Action**

- 9.1 After completion of counselling, therapeutic or medical treatment, if there is no improvement or return to satisfactory performance, or there is a relapse to the previous condition, then each case will be decided in the light of the circumstances. This may include:
- a) Further counselling or medical treatment i.e. a further recovery programme.

- b) A transfer to another area of work which is more appropriate to the employee's condition or work performance if there is the opportunity to do so.
- c) Formal action on the grounds of Disciplinary, Performance Management, Supporting Attendance, dependent on the circumstances of the case.
- d) Employees who have a substance misuse problem should have no fears about seeking advice, help and treatment to affect a recovery. The Trust undertakes to give every assistance in confidence. The confidential nature of any records or correspondence relating to employees who have undergone recovery programmes for substance misuse will be strictly observed.

## **10. Monitoring and Review**

- a. The Equality Act 2010 requires public bodies, in carrying out their functions, to have due regard to the following:
  - to eliminate discrimination and other conduct that is prohibited by the Act
  - to advance equality of opportunity between people who share a protected characteristic and people who do not share it
  - to foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.
- b. In the development of this policy due regard has been given to achieving these objectives.
- c. This procedure will be reviewed to respond to any changes in the employment legislation, and at least every three years, in conjunction with the Trust's recognised trade unions.