

Alcohol and Substance Misuse Policy

Introduction

The Education Fellowship is committed to providing a safe and productive work environment and to promoting the health, safety and wellbeing of its employees. The alcohol and substance misuse policy is designed to ensure that employees are aware of the risks associated with alcohol/drug misuse and the consequences, including the legal consequences of their actions.

The Trust recognises that an alcohol or substance misuse problem may be an illness which calls for advice and support and should be treated in a confidential and constructive manner, notwithstanding that it may be appropriate to apply disciplinary measures. Early identification and appropriate treatment are the most useful ways of dealing with such misuse. The procedure aims to assist those affected to acknowledge the problem, and to encourage employees who recognise that they may have a problem to voluntarily seek advice and help.

Consumption of alcohol or substance misuse at work, during breaks or immediately prior to starting work is detrimental to job performance and incompatible with good practice in terms of health and safety. Employees should not attend for work whilst still under the effects of alcohol, drugs or other misused substances.

The inappropriate use of alcohol or drugs can damage the health and wellbeing of employees and have far-reaching effects on their personal and working lives. At work, alcohol or drug misuse can result in reduced levels of attendance, sub-standard work performance and increased health & safety risks not only for the individual concerned but also for others, for example work colleagues and students in our Academies.

The use of non-prescribed controlled drugs is not only dangerous but also illegal under criminal law.

-  Section 2(2)(e) of the Health and Safety at Work Act 1974 places a duty on employers to provide a safe and healthy working environment

- ♥ It is an offence to supply, produce, offer to supply or produce controlled drugs
- ♥ The Misuse of Drugs Act 1971 makes it an offence for the occupier of premises to permit knowingly the production or supply of any controlled drugs or allow the smoking of cannabis or opium on those premises
- ♥ It is also an offence to aid or abet any of these offences

This policy covers the use and misuse of intoxicating substances, which include 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.

Aims of the Policy

This policy aims to:

- ♥ To assist Managers and colleagues identify employees with a problem at an early stage and to provide appropriate guidance and support
- ♥ To assist an employee whose performance is affected to restore this to an acceptable level within a reasonable time scale
- ♥ To protect the welfare of all employees and to minimise problems arising at work. A failure to act where substance misuse is known of may also make The Education Fellowship liable to prosecution
- ♥ Comply with the Company's legal obligations to provide a safe and healthy working environment for all staff
- ♥ Raise awareness of the dangers and penalties associated with the use of controlled drugs
- ♥ Guarantee the right of all staff to work in an environment unaffected by alcohol or controlled drugs
- ♥ Provide support to staff whose lives are or who have been affected by the misuse of alcohol or controlled drugs, by creating an environment, which actively encourages employees to acknowledge their problem and seek treatment
- ♥ Promote awareness of alcohol related problems and addiction
- ♥ Indicate restrictions on drinking alcohol at work
- ♥ Protect Employees from the dangers of alcohol abuse

Health and Safety

In a social environment the consumption of alcohol in moderation is an accepted part of life. In the workplace however it can impair performance, result in inappropriate behaviour, and can place both the individual and those around them in danger, as well as affect health.

While it will be clear if an individual is affected by alcohol at work, the symptoms of larger scale systematic alcohol abuse may be less obvious. Symptoms of alcohol abuse may include:

-  Unusually high rates of absenteeism
-  Unkempt appearance/Lack of hygiene
-  Spasmodic work patterns and lower productivity
-  Poor relations with others

Controlled substances often possess side effects that could not only adversely affect employees health but also that of their colleagues at work, as well as their performance. Employees should be aware that anyone under the influence of controlled drugs is a risk to everyone around them and should be alert to possible signs of drugs abuse. Such indicators commonly include:

-  Sudden changes in behaviour
-  Confusion and/or irritability
-  Fluctuations in mood and energy
-  Impairment of performance
-  Increase in short term sickness absence

Employees should report any concerns they may have about a colleague displaying any or all of these symptoms to their Line Manager but should not under any circumstances approach the person displaying the symptoms or discuss their concerns with any other colleagues.

Prohibition

-  No non – prescription drugs (with the exception of mild analgesia medication e.g. paracetamol) are to be consumed in or brought onto company premises, land or vehicles at any time by any person irrespective of their status in, or business with The Education Fellowship
-  The prohibition of non – prescription drugs extends to all activities carried out by staff whilst they are at work. These activities include but are not restricted to driving on company business, when on call or

standby duties or when on trips for company business, training or social events

- Any employee found with drugs in their possession, arrested and or cautioned must report that information to the CEO's office where their employment and suitability of position with the Fellowship will be reviewed.

Restrictions on Drinking Alcohol at Work

- Unless it is exceptionally and formally approved by their line manager, employees may not consume alcohol during normal working hours, nor should they be incapable of work through the consumption of alcohol
- Alcohol must not be consumed in any situation where as a consequence the safety of the individual, colleagues or visitors is put at risk
- Alcohol must not be consumed in excess [or in sufficient quantities to impinge on the exercise of any individual's duties] when on The Education Fellowship business outside normal working hours, for example when involved in functions or in providing hospitality
- Employees are not obliged to work with anyone they consider to be incapable through the consumption of alcohol and should immediately report the matter to their Line Manager
- Employees who are incapable of working through the consumption of alcohol should be immediately removed from duty and the matter reported to their Line Manager
- Employees will be held to be contributory negligent in the event that whilst on TEF business they cause an accident or damages to anyone or anything, and that the incident occurred due to the Employee's consumption of alcohol

Disciplinary Action

Employees who breach the above prohibition rules and restrictions, or are unfit or otherwise incapable for work through the consumption of alcohol or other controlled substances, will be liable for disciplinary action, may be found guilty of gross misconduct, and may face summary dismissal.

Principles

- All alcohol and drug related issues will be dealt with in a constructive and sympathetic manner

-  If an employee is diagnosed as having an alcohol or drug related problem The Education Fellowship will, initially treat it as a health matter and will consider action in line with the Trust's Absence Management Policy. This does not however excuse the employee from any of the disciplinary matters that may fall within the scope of The Education Fellowship Disciplinary Policy
-  Managers are not expected to diagnose alcohol/substance misuse or to recommend treatment, as only those medically qualified to do so should make this assessment
-  All requests for help will be treated in the strictest confidence and all information gathered as a result will be held in accordance with the Data Protection Act 1998
-  The Trust will provide support to any affected employees [and where necessary consider providing suitable treatment to be paid for by the trust.] Where an employee agrees to follow a suitable course of action or treatment any disciplinary action may be suspended
-  The Company reserves the right to provide affected employees alternative duties at the same rate of pay, or require them to take paid leave if it is deemed appropriate. It may be necessary to suspend the employee on medical grounds whilst treatment is being provided
-  Following effective treatment and in the absence of any disciplinary action The Education Fellowship will endeavour to return an affected employee to their previous role[and where this is not possible to a suitable alternative]
-  In the event that an employee following successful treatment for a drug related problem suffers a relapse The Education Fellowship is under no obligation to make provision for any further treatment and the employee in question may face summary dismissal
 If it is considered that the working environment or culture is the cause or a contributor to an alcohol or drug related problem, The Education Fellowship will take all reasonably practical steps to ensure a reduction of such factors

Further advice and information

The Education Fellowship also operates a number of related policies, which employees are required to follow and which include but are not limited to:

-  Disciplinary Policy
-  Absence Management Policy
-  Code of Conduct