



Dunbritton Housing Association Limited

Name of Policy	Alcohol & Substance Misuse
Responsible Officer	Corporate Services Manager
Date approved by Board	14 February 2018
Date of next Review	February 2022
Section	Corporate Services
Reference	C7

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Appendix 1 – Supporting Agencies

1. Introduction

1.1 This policy has been devised to enable the Association to manage alcohol and substance misuse problems affecting the working environment. DHA has a duty to provide high standards of customer care at all times and it is acknowledged that alcohol and substance misuse is likely to have an adverse effect on this.

1.2

This policy will set out DHA's standards and expectations in relation to alcohol and substance misuse and the level of support that will be available/provided when problems arise.

2. Policy Aims:

- Clarify DHA's position on drinking and/or substance abuse at work
- Explain DHA's position on illegal activity concerning drugs and/or alcohol
- Provide guidance and boundaries on appropriate assistance and support to employees with issues relating to alcohol or substance misuse.
- Adhere to our legal obligations as set out under Health and Safety legislation.
- Clarify the circumstances in which disciplinary procedures will be instigated.
- Provide guidance for managers to manage alcohol and substance misuse issues.
- Clarify the distinction between dependent and non-dependent misuse of alcohol or substances.

3. Definitions

3.1 For the purposes of this policy the following definitions apply:

- **Alcohol Misuse:** where a person feels that they are unable to function without alcohol, and the consumption of alcohol becomes an important, or sometimes the most important, factor in their life. (www.nhs.co.uk)
- **Substance Misuse:** Intoxication by/or regular excessive consumption of and/or dependence on psychoactive substances, leading to social, psychological, physical or legal problems. It includes problematic use of both legal and illegal drugs (including alcohol when used in combination with other substances) www.nice.org.uk

4. Confidentiality

4.1 Employees with alcohol or substance misuse problems who are referred for treatment, whether voluntarily or mandatory will be dealt with in the strictest confidence.

5. Disciplinary Procedures

In circumstances where DHA's disciplinary procedures are instigated in relation to this policy, the outcome may include dismissal.

6. Legal Framework

- Health & Safety at Work Act 1974
- Misuse of Drugs Act 1971

7. Health and Safety

- 7.1 DHA recognises its duty under the Health and Safety at Work Act 1974 to ensure as far as is reasonably practical the physical and psychological health and safety of all employees. If it is felt that an individual poses a risk to the health and safety of themselves or anyone else as a result of misuse of alcohol or substances, immediate action will be taken to remove the individual from the environment, most likely by sending the individual home. If it is not safe for the individual to make their own way home alternative travel arrangements must be made
- 7.2 All employees have a responsibility to ensure the health and safety of others is not put at risk. If an employee has reason to believe that a colleague is misusing alcohol or drugs, they must inform their line manager immediately.

8. Illegal Activity

- 8.1 DHA respects an individual's right to a private life, however we work within the community with a purpose of improving the lives of those who live there. As a result, DHA will not tolerate any instances of illegal activity concerning drugs or substances. The Police will be contacted where any employee is found to be involved or connected to illegal activity. Any such circumstances will be dealt with under our disciplinary procedure which will likely result in dismissal.

9. Drinking at Work

- 9.1 The consumption of alcohol at work is not normally permitted. However, at special events, where the employee is not driving and only with the approval of the Board / CEO alcohol may be permitted.

10. Driving at Work

- 10.1 Drinking alcohol can affect people in different ways. As a result, DHA takes the view that the only safe level of alcohol is no alcohol. Should an employee drink alcohol and then undertake any occupational driving this will be deemed as breach of conduct and will be dealt with under our Disciplinary Policy.
- 10.2 Before any driving at work takes place, a risk assessment should be conducted. This should be completed by the driver and should include any alcohol intake. This is particularly relevant 'the morning after the night before'. If an employee is in any doubt as to whether they are safe to drive, they should not do so.
- 10.4 If an employee suspects another staff member has consumed alcohol or they have reason to believe the person may not be safe to drive the morning after,

they have a responsibility to report this immediately to a manager. Should malicious allegations be made this will be treated very seriously and will be subject to formal disciplinary action. Alternatively, a call can be made directly to the Police.

11. Managing Alcohol Misuse

11.1 DHA will manage alcohol misuse depending on its nature. Alcohol misuse will be dealt with under the following categories:

- 1) Alcohol overindulgence
- 2) Alcohol dependence

11.2 Where an issue arises concerning alcohol overindulgence that results in socially unacceptable or dangerous behaviour, but which is not related to a physical or psychological dependence. This will be treated as a conduct issue and will be dealt with under the organisation's disciplinary procedures.

11.3 Where an issue arises concerning alcohol dependency and interferes with an employee's work, this will initially be considered as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, support programme not completed, or no dependence is diagnosed we will instigate the disciplinary procedure.

12. Managing Substance Misuse

12.1 Legal Substances

Where an issue arises concerning the recreational use or over-indulgence in legally obtained substances which results in socially unacceptable or dangerous behaviour. This will be treated as a conduct issue and will be dealt with under the organisation's disciplinary procedures.

Where an issue arises concerning legal substance dependency which has been obtained legally and interferes with an employee's work, this will initially be managed as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, support programme not completed, or no dependence is diagnosed we will instigate the disciplinary procedure.

12.2 Illegally Obtained Legal Substances

DHA will not tolerate illegal activity concerning legal substances. Any employee who is suspected of being involved in any such activity will be dealt with in accordance with DHA's disciplinary procedures and this will be considered as gross misconduct.

12.3 Illegal Substance Misuse

DHA will not tolerate the consumption or possession of illegal drugs in any circumstances. This will always be considered to represent gross misconduct.

13. General Illegal Activity

- 13.1 Any employee suspected to be involved in illegal activity concerning substances will also be reported to the Police.

14. Police Involvement

- 14.1 In circumstances where the police are involved in an investigation concerning an employee, DHA will continue with its own investigation and act on this accordingly regardless.

15. Managing Dependency Problems

- 15.1 In circumstances where an employee is suspected of having an alcohol or legal substance dependency DHA will provide reasonable support. In the first instance the line manager will have a meeting with the employee and make a management referral to an appropriate professional, independent and confidential Counselling Service (or other appropriate employee support organisation). The manager will then have follow up meetings at appropriate and regular timescales to determine the progress the individual is making.

Where there are performance issues relating to the dependence, appropriate performance plans will be put in place in accordance with our under-performance procedures as detailed in the disciplinary procedures. Where the improvement is not adequate or support via the agreed Employee Counselling Service (or other employee support organisation) is not adhered to, normal disciplinary procedures will be instigated which may result in dismissal.

Where a meeting is arranged, the individual can be accompanied by a trade union representative and may also have the meeting off-site if they so wish.

- 15.2 **Voluntary referral**
Where an employee voluntarily decides to seek help, he/she should contact their line Manager or a member of the HR team, who will see the employee as soon as possible and arrange an appointment with an approved counselling service.
- 15.3 **Referral by Management**
Where an employee has a capability problem the cause of which is known or suspected to be alcohol or drug related and disciplinary measures have been applied or are indicated, the appropriate line manager will interview the employee in the normal course of endeavouring to rectify work performance or difficulties.

If the line manager believes that the employee could benefit from a programme of treatment for alcohol or drug misuse, he/she will offer the employee a referral to an assessment /counselling service as an alternative to taking the indicated disciplinary action. If the employee rejects the offer of referral, normal disciplinary measures will be applied.

Where the employee accepts referral, an interview will be arranged with an appropriate assessment/counselling service, which will report back indicating the outcome of the assessment interview(s) and, if relevant, what co-operation is required to facilitate recovery.

It is emphasised that disciplinary action is only suspended pending a satisfactory outcome of assessment and treatment. If, however the counselling service indicates that no alcohol or drug related problem exists or should the employee cease to co-operate in any way with the counselling service, the suspended disciplinary action will be enforced. Normal disciplinary or workplace requirements will apply to anyone attending counselling services.

It should be noted that being under the influence of drink and drugs at work is dealt with as Gross Misconduct under the disciplinary procedure. If the course of agreed treatment is satisfactorily concluded, the suspended disciplinary action will be dropped.

15.4 Awareness

Managers who implement and operate the policy will receive appropriate training. All staff will be made aware of the policy and of the negative effects of alcohol and drug misuse.

16. Other Related Policies

- Staff conduct
- Equality & Diversity
- Whistleblowing
- Attendance management
- Health and Safety

17. Equality and Diversity

17.1 As a service provider and employer, we recognise the requirements of the Equality Act 2010, oppose any form of discrimination and will treat all customers, internal and external, with dignity and respect. We recognise diversity and will ensure that all of our actions ensure accessibility and reduce barriers to employment and the services we provide.

Appendix 1

SUPPORTING AGENCIES

Glasgow Council on Alcohol

7th Floor Newton House, 457 Sauchiehall Street, Glasgow, G2 3LG

Tel: 0141 353 1800

Web: www.glasgowcouncilonalcohol.org

Dumbarton Area Council on Alcohol

West Bridgend Lodge, West Bridgend, Dumbarton G82 4AD

Phone: 01389 731456

Web: www.daca.org.uk

National Drugs Helpline

Tel: 0800 77 66 00 (Freephone number)