



ALCOHOL AND SUBSTANCE MISUSE POLICY & PROCEDURE



UNIVERSITY OF
WOLVERHAMPTON

INDEX

ALCOHOL AND SUBSTANCE MISUSE POLICY

Page 3 - 1. Introduction

2. Scope

3. Definitions

3.1 Substance Misuse

3.2 Substances

3.3 Controlled Drug

Page 4 - 4. Responsibilities

4.1 Managers

4.2 Employees

4.3 Human Resources Service

Page 5 - 5. Responsibilities

ALCOHOL AND SUBSTANCE MISUSE PROCEDURE

Page 6 - 6. Managing Alcohol or Substance Misuse Abuse

7. Identifying a Problem

Page 7 - 8. Intervention

8.1 Voluntary approach by and employee who may have an alcohol or substance abuse problem

8.2 Action by Colleagues

8.3 Action by Line Manager

Page 8 – 9. Relapse

10. Performance and Disciplinary Issues

11. Confidentiality

12. Additional Support

POLICY

1. Introduction

The University of Wolverhampton is committed to providing a safe and positive working environment, and to promote the health, safety and well-being of its employees. It is recognised that this can be put at risk by members of staff who misuse alcohol and substances to such an extent that it affects their health, work performance, behaviour or relationships at work. Where appropriate to do so, the University will adopt a supportive and constructive approach when dealing with staff that may be experiencing drug and/or alcohol dependencies or addictions.

The University's position is that no employee shall report for work while under the influence of substances or alcohol. The University does not consider it acceptable for staff to be impaired by alcohol and/or substances during the conduct of their duties and this may form the basis for disciplinary action, including conduct or capability dismissal depending on the circumstances.

The purpose of this policy is to:

- ensure that employees are aware of the consequences of drug and substance misuse in the workplace
- ensure that employees' use of alcohol and/or substances does not impair the safe and efficient running of the University, or result in risks to the health and safety of themselves, other employees, students and the general public
- assist the University to comply with all relevant legislation in this area, principally the Health and Safety at Work Act 1974, Management of Health and Safety at Work Regulations 1999, Misuse of Drugs Act 1971, Psychoactive Substances Act 2016, and the Road Traffic Act 1988

2. Scope

The Alcohol and Substance Misuse Policy and Procedure applies to all employees of the University including agency and contract staff who visit or work on University premises.

3. Definitions

3.1 Substance Misuse

Drinking alcohol, taking drugs or a substance, either intermittently or continuously, such that it adversely interferes with an individual's health, work performance or conduct or affects the work performance and/or safety of themselves and/or others.

3.2 Substances

Includes prescription medicines where the prescription medicines have not been prescribed for the person possessing or using them and/or such prescription medicines which are not taken in accordance with a physician's direction. This includes any substance (other than alcohol) that produces physical, mental, emotional or behavioural changes in the user.

3.3 Controlled Drug

Includes all chemical substances or drugs listed in any controlled drugs acts, or regulations applicable under the law.

4. Responsibilities

4.1 Managers

Managers will:

- Ensure that the alcohol and substance misuse policy is communicated to employees and ensure its compliance.
- Actively seek to maintain a good level of communication with all their employees.
- Seek guidance from the Human Resources Service if they suspect that an employee is under the influence of alcohol or a substance. It is the responsibility of the manager to discuss with the employee as soon as possible if their behaviour, performance or absence may indicate a possible problem with substance misuse.
- Where a possible case of alcohol or substance misuse is suspected, should adopt a non-judgmental approach and refer the employee to the Occupational Health Service for an assessment and specialist advice.
- Encourage employees to seek counselling and supporting employees to attend relevant treatment programmes.

4.2 Employees

Employees will:

- Be expected to comply with the requirements of the alcohol and substance abuse policy.
- Co-operate with managers, the Human Resources Service and the Occupational Health Service in dealing with alcohol and/or substance misuse issues.
- Declare any alcohol or substance misuse problem at an early stage when being managed under any of the University's policies and procedures for managing work performance, conduct or attendance.
- Co-operate with any support and assistance provided by or accessed through the University to address alcohol or substance misuse.
- Be encouraged to seek help from their GP if they believe that they may have a dependency on drugs or alcohol. They should also approach their manager and/or the Human Resource Service so that appropriate workplace support can be considered to assist rehabilitation and aid recovery.
- Encourage colleagues to seek help voluntarily, where appropriate.
- Be responsible for their own behaviour and ensure that, whilst at work, they are free of the effects of alcohol and/or substances. This includes corporate or celebratory events during working hours (and formal University events outside normal working hours) taking into account the knowledge that intoxicating substances may remain in the system for some time and even small amounts can impair performance and jeopardise safety.
- Comply with safe working practices and procedures.

4.3 Human Resources Service:

Human Resources Service will:

- Oversee the operation and monitoring of the alcohol and substance misuse policy and procedure.
- Provide advice, guidance and support to managers and employees on the interpretation and application of the alcohol and substance misuse policy and procedure.

5. General Principles

- This policy is designed to ensure that all employees are aware of the risks associated with alcohol/substance misuse and the consequences, including the legal consequences, of their actions.
- The University will apply a fair and consistent procedure when dealing with employees whose conduct, attendance and/or performance is adversely affected by alcohol consumption/substances abuse.
- Employees are expected to attend work free from the effects of alcohol or substance misuse, and the consumption of alcohol or misuse substances is forbidden during working hours. However, the consumption of alcohol during work-related social events, e.g. retirement presentations, etc., is permitted, on the basis that there should always be an equal availability of non-alcoholic drinks, and where possible these events should be held toward the end of the 'normal' working day. Members of staff who are required to attend work following such events must ensure that they return to work free from the effects of alcohol. Employees should be aware that they are representing the University and behave in a responsible manner.
- While the University has an interest in the well-being of its employees, what they do in their private lives is generally outside the scope of this policy unless it affects their work, interferes with the legitimate activities of other members of the University, brings the University into disrepute, or risks their safety or that of others.
- If the University believes that an employee is dependent on drugs or alcohol, the Human Resources Service may refer the individual to the Occupational Health Service for assessment. Advice may also be sought from the individual's GP or counsellor as appropriate (with the consent of the member of staff concerned).
- Reasonable periods of absence for advice and treatment for dependence on alcohol or drugs will be treated in accordance with the University's policies on managing absence and time off for medical and/or counselling appointments.
- Strict confidentiality will be maintained when dealing with individuals under this policy, within the limits of what is practicable and within the law.
- The University will process data collected in accordance with the Data Protection Policy. Information relating to an employee will be held securely and accessed by, and disclosed to, individuals only for the purposes of managing the alcohol and substance misuse policy and procedure. Inappropriate access or disclosure of employee data constitutes a data breach and will be reported in accordance with the University's data protection policy immediately.
- The implementation of this policy is in accordance with the University's core values which are to be:
 - Ethical
 - Respectful

- Transparent
- Inclusive and fair
- Challenging
- Confident
- Collaborative
- Professional

PROCEDURE

6. Managing Alcohol or Substance Misuse Abuse

Alcohol or substance related issues with employees fall into one of two categories:

- a) Conduct related issue: an over-indulgence in alcohol, or misuse of substances, which results in socially unacceptable or even dangerous behaviour but which is not related to a physical or psychological dependence. If it is established that an employee's misconduct in the form of alcohol or substance abuse is not due to a dependency, recourse to the disciplinary procedures may be appropriate. The nature and appropriateness of disciplinary action will depend on such considerations as the seriousness of the misconduct, and the type of work done by the member of staff, e.g. the safety risks of a member of staff being under the influence of alcohol or substances.
- b) On-going Health related issue: where a person's physical or psychological dependency on alcohol or substances continually or repeatedly interferes with his/her work. In these circumstances, the matter will be treated as a capability issue in relation to health, whereby, in the first instance, the manager will discuss the matter with the employee and if an alcohol or substance abuse problem is identified the employee will be referred to the Occupational Health Service for further advice and support.

Relevant considerations by the manager before referring to the Occupational Health Service for review will include:

- the employee's acceptance that there is a problem;
- the employee's willingness and commitment to obtaining treatment;
- the number of previous occasions on which similar support has been provided;

7. Identifying a problem

Concerns about an individual's misuse or dependency on substances and/or alcohol might be raised in a number of ways either through personal disclosure of the problem by the member of staff or concerns raised by others about an individual's behaviour from observation. Examples may relate to the following.

- The individual's work performance may have deteriorated or they may have difficulty concentrating or they make more errors. They may take longer to complete tasks or have problems remembering instructions.
- There may be increased absenteeism from work, repeated lateness, or a pattern of absence that gives cause for concern and might initially be raised as part of an attendance management process e.g. during an informal return to work discussion or formal Attendance Management Meeting. (See the university's Managing Absence Policy and associated guidance for more information.)

- They may have more accidents, at home or at work or while driving.
- Their personality or behaviour may have changed or is erratic: they may be irritable or seem depressed.

It should be noted that the above indicators are not conclusive of any problem with alcohol or substances and might be indicative of other health conditions or a number of other factors. There may however be sufficient indicators to cause concern about the individual's welfare and to act as a prompt to try and initiate an open and honest dialogue with the individual about those concerns.

8. Intervention

The University encourages any employee who suspects that they may have an alcohol and/or substance misuse problem to seek assistance voluntarily. Additionally, attempts should be made to help an employee who is suspected of having an alcohol and/or substance misuse problem. Under every circumstance, this should be treated sensitively and in strictest confidence.

8.1 Voluntary approach by an employee who may have an alcohol or substance abuse problem

Where such an approach is made by an employee to their manager, the manager should discuss the matter fully with them and through the employee's agreement/consent, refer them to the Occupational Health Service and/or another appropriate external agency for advice and support. A date for a review meeting should be arranged at this stage to ensure that ongoing support is being provided.

8.2 Action by colleagues

It is possible that an employee with an alcohol or substance abuse problem may be identified through the observation of colleagues or through inadequate or deteriorating work performance. It is in the interest of the employee with such a problem to be offered help as soon as possible. If help is accepted, prompt action may assist earlier recovery for the member of staff and will reduce the effects on colleagues.

Employees are encouraged to address the issue directly and not to cover up for colleagues with an alcohol or substance abuse problem, as no-action represents a false sense of loyalty and may in the long term impact on the colleague with the problem as well as other members of staff. The first approach should normally be for colleagues to encourage the individual to recognise his/her problem and to seek advice either through his/her GP or appropriate external agencies. Should this fail, colleagues are encouraged to alert their manager to the situation so that more formal support may be provided within the University's procedures at as early a stage as possible.

8.3 Action by Line Manager

Where an alcohol or substance abuse problem is suspected, the manager will, in the first instance, arrange to meet with the employee to discuss the matter. The discussion should be confined to aspects of work performance, attendance, behaviour and/or attitude. In these circumstances the first step will most likely be referral to the Occupational Health Service for advice and support and/or treatment. The manager may seek support and advice from the Human Resources Service as well as from the Occupational Health Service, but the primary focus in the workplace will be via the manager.

Where a manager has a reasonable belief that the employee is under the influence of alcohol or other substances while at work, they should seek immediate advice from the Human Resources Service and the Occupational Health Service to consider whether the individual is fit for work. If the individual is considered unfit for work and/or there is any potential danger to the health and safety of the individual or others, they may be asked to go home (they should not be allowed to drive home and where necessary the manager may arrange appropriate assistance to return home safely). The absence will normally be recorded as sickness absence.

Depending on the circumstances and the employee's role at the university, the matter may be considered as a misconduct matter under the Disciplinary Policy.

9. Relapse

If following treatment an employee suffers a relapse the University will consider the case on its individual merits. In these circumstances the manager should immediately seek guidance from the Human Resources Service to determine the appropriate procedure to be followed.

10. Performance and disciplinary issues

If an employee agrees to undertake appropriate treatment and/or rehabilitation for an alcohol or substance related problem, the University may decide to suspend any ongoing disciplinary action for related misconduct or poor performance, pending the outcome of the treatment.

The University's intention is to support all employees with alcohol or substance related problems to regain good health. Depending on the progress made on the course of treatment, any disciplinary action may be suspended for a specified period, discontinued or restarted at any time as the university considers appropriate in the circumstances.

11. Confidentiality

Appropriate records will be kept in accordance with the University's data protection policy and the processing of personal data. These will include confidential management records and training received by employees and managers. The Occupational Health records will be subject to medical confidentiality restrictions and in line with the professional records management codes of practice. Where appropriate, it may be necessary to share information when the health and safety of the individual or others may be put at risk.

12. Additional Support

Additional support can be obtained through the University's Employee Assistance Programme (EAP) who offer an independent, free and confidential telephone advice service. The telephone service is provided using a Freephone number and is available 24 hours a day, 365 days per year.

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