

ALCOHOL, DRUG AND SUBSTANCE MISUSE POLICY & PROCEDURE

1 Introduction

- 1.1 This policy is discretionary in nature. Whilst the University expects its employees and staff to comply with this policy, it does not confer contractual rights or form part of any contract of employment and may be amended by the University or replaced at any time following appropriate consultation and negotiation with recognised trade unions.
- 1.2 Breach of this policy may be addressed via the University's disciplinary and code of conduct policy.
- 1.3 This policy will be reviewed by the Human Resources department on a 3-year basis or amended in response to changes in future legislation and/or case law.

2 Ownership

- 2.1 The Human Resources department and Health & Safety jointly owns and manages this policy on behalf of The University of Northampton.

3 Organisational Scope

- 3.1 This Alcohol, Drug and Substance Misuse policy and procedure is a corporate policy and applies to all employees (and workers, as applicable) of The University of Northampton including any wholly owned subsidiaries, unless an alternative policy exists, subject to any qualifying conditions.

4 Policy Statement

- 4.1 There may be occasions when alcohol is served at a University event and alcohol consumption may be permitted provided that employees continue to act in a manner that does not bring the University into disrepute.

- 4.2 All employees should be able to undertake their duties competently and being under the influence of non-medically prescribed drugs and alcohol is prohibited in the carrying out of those duties on University or partner premises.
- 4.2 It is the responsibility of all employees to ensure they are fit to carry out their duties at all times, having particular regard to the health and safety responsibilities for themselves and others who may be affected by their acts of commission or omission.
- 4.3 Alleged breaches of this policy may be dealt with through the Disciplinary Procedure.
- 4.4 This policy sets out the main principles underpinning the management of alcohol and drug/substance abuse and provides guidance for managers in dealing with individual employees affected by alcohol, drug or substance misuse.

5 Definitions

- 5.1 Alcohol, Drug and Substance Misuse is defined as a level of consumption of Alcohol, Drug or Substances which either persistently affects an employee's work or affects it on a "one off" or occasional basis
 - 5.1.1 Illegal drugs include but are not limited to heroin, cannabis/marijuana, cocaine, ecstasy, amphetamines and various other mood or performance altering substances.

6 Key Principles

The main purposes of this Policy & Procedure are:

- 6.1 To ensure that an employee's use of alcohol or drugs/substances does not affect the health and safety of that individual, their co-workers, or others with whom they come into contact in the course of their work.
- 6.2 To ensure that an employee's use of alcohol or drugs/substances does not affect the efficient and effective operation of the University's activities.
- 6.3 To provide a mechanism for employees with an alcohol or drug/substance abuse problem to seek help in confidence.
- 6.4 To outline under this procedure, the responsibilities of the employee, the line manager and the Human Resources Department.
- 6.5 To provide information on the symptoms and effects of alcohol, drugs and substance misuse and sources of help.
- 6.6 Unauthorised recording of conversations is prohibited. Anyone in breach of this may be subject to disciplinary action.

- 6.7 Individuals have a responsibility to determine their own fitness for work; however, whether a member of staff is fit for work is ultimately a matter for the opinion of management. The manager might have sufficient evidence of intoxication (e.g. from observation) to form a reasonable belief.
- 6.8 Prescribed and non-prescribed medication may sometimes cause side effects such as drowsiness which may affect safety to perform certain work activities. It is the employees' responsibility to ensure that this is discussed with their line manager.

7 Responsibilities

7.1 Employees are responsible for:

Having a duty to take care of their own health and safety and that of others who may be affected by their actions or omissions at work.

7.2 Line Managers are:

7.2.3 directly responsible for the health, safety and welfare of employee's.

7.2.4 The line manager is normally the first point of contact and best placed to understand and support the needs of the employee who has an alcohol or drug/substance misuse condition.

7.2.5 able to offer advice and support under this Procedure and may make referral arrangements for advice from Occupational Health through the Human Resources Department.

7.2.6 able to arrange modified work duties to support the employee's rehabilitation and return to normal working. However, managers must balance their responsibility for the affected member of staff with their responsibility to the University, to other members of staff and to others, ensuring a safe and healthy working environment.

7.2.7 It is the managers' responsibility to seek advice from their HR contact.

7.3 The Human Resources Department can provide advice and support to managers and employees about University Policies and Procedures and encourage co-operation to achieve referral, treatment, rehabilitation and recovery and liaising with the Occupational Health provider.

7.4 Staff who are concerned that a colleague is exhibiting symptoms of an alcohol or drug/substance-related problem should notify their manager. It is particularly important that the appropriate manager is advised of these problems where

symptoms start to affect work or working relationships or present a safety hazard or reputational risk. Such notification will be handled in a confidential and sensitive manner.

8 Procedure

Informal discussion

- 8.1 Where a manager suspects an employee may have a problem with alcohol or drug/substance misuse that is affecting their work performance, as opposed to suspecting the member of staff of being responsible for a single instance of alcohol or drug/substance related misconduct (which will be dealt with under the Disciplinary Procedure), the manager will initially hold an informal discussion with the member of staff in order to:
- 8.1.1 Provide the member of staff with the University Policy and Procedure: Alcohol and Drugs/Substances Misuse Policy and the Absence Management Policy and Procedure and detail the support available to them;
 - 8.1.2 Ascertain whether their poor performance is health-related and if so to urge the employee to seek medical help;
 - 8.1.3 Offer the University's assistance: Information regarding the Employee Assistance Programme; adjustments or restrictions to work duties or hours for a specified period including a review of any safety issues; time off for attendance at any treatment; a referral to Occupational Health for further advice;
 - 8.1.4 Document any outcomes, actions or support agreed, and arrange a date for a further meeting with the employee in order to monitor progress and any further problems arising;
 - 8.1.5 Advise him/her to discuss the matter with a colleague, their trade union representative or a family member.
 - 8.1.6 Should the manager have to address their concerns on more than one occasion the Disciplinary Policy & Procedure may be followed.
- 8.2 Managers should keep accurate records of instances of poor performance or other problems that might be related to an alcohol or drug/substance problem. Some of the features that could be associated with alcohol or drug/substance misuse are listed in a separate document of additional information (Alcohol, Drug & Substance Misuse Sources of Help).

- 8.3 Where behaviour has become unacceptable, then the Manager should advise the member of staff that the HR Department will be informed, and should again recommend the individual seek medical help from the employees GP. At this stage other formal interventions may apply, which could be linked to the University's absence management or disciplinary policy.
- 8.4 During any period of absence from work for agreed treatment, the University's normal sick-pay arrangements will apply and absence for treatment will be treated as normal sickness. A Doctors Medical Certificate or appointment confirmations should be provided. Failure to provide this will result in Occupational Sick Pay being deducted.
- 8.5 In the event of the employee not co-operating or achieving a successful agreed or recommended course of treatment, or having a lapse in performance, conduct or attendance the appropriate procedure will be used e.g. the Disciplinary Policy and Procedure, Performance Management Policy and Procedure or Absence Management Policy and Procedure.
- 8.6 In the event that a member of staff who is known to suffer from illness arising from alcohol or drug/substance misuse commits a disciplinary offence, account will be taken of the individual's co-operation in treatment, and any other mitigating factors, when deciding what action, if any, should be taken under University Procedures.

9 Intoxication on University premises

- 9.1 It is University policy that employees have a safe and healthy environment in which to work, free from the effects of alcohol or drugs/substances. For this reason, the following rules will apply:
- 9.1.1 The work performance of any employee should not be adversely affected by alcohol or drugs/substances.
 - 9.1.2 Employees may consume alcohol at University functions where this has been authorised by management. In these circumstances, alcoholic drinks should be served in moderation. At such functions, a range of non-alcoholic drinks should also be available
 - 9.1.3 Employees are responsible for ensuring they are not under the influence of alcohol whilst at work or driving for business purposes, this is not the responsibility of the University.
 - 9.1.4 Employees shall not attend or attempt to work when unfit because of the effects of alcohol or drugs/substances.

9.1.5 Staff shall not be in possession of illegal drugs in the workplace.

9.1.5 and 9.1.6 please refer to key principles 6.8 and 6.9.

- 9.2 Possession of or dealing in illegal drugs on University premises will be dealt with as a potentially criminal act and will be reported to the police via the Duty Security Manager. The University will consider application of the Disciplinary Policy and Procedure in such circumstances in the context of a criminal investigation.
- 9.3 If an employee is known to be, or strongly suspected of being intoxicated by alcohol or drugs/substances during working hours, the HR Business Partner (or his/her nominee) should be consulted. Arrangements will be made for the employee to be escorted from the University premises immediately and ensure they are able to get home safely. Disciplinary action will be considered when the employee has had time to become sober. Intoxication, whether resulting from a dependency problem or not, is considered a serious breach of the Code of Conduct and dealt may be dealt with through the Disciplinary Policy and Procedure.
- 9.4 Investigation Managers should be aware that there may be ill-health, dependency or addiction related issue for an employee who appears to be under the influence of alcohol or drugs/substances at work, and this should be considered during an investigation.

10 Associated Documents

Disciplinary Policy and Procedure
Code of Conduct
Return to Work Form
Absence Management Policy and Procedure
Alcohol, Drug & Substance Misuse Sources of Help

11 Approval Process

TU Liaison 18/09/2018
UMT 09/10/2018
Board 18/10/2018

12 Equality Analysis

An Equality Impact Assessment must accompany this document.

13 Version Control

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20.9.2018	Rewrite of 2012 policy outlining a clearer procedure, and the support mechanisms that are in place for employees and line managers when dealing with Alcohol, Drug or Substance misuse.		