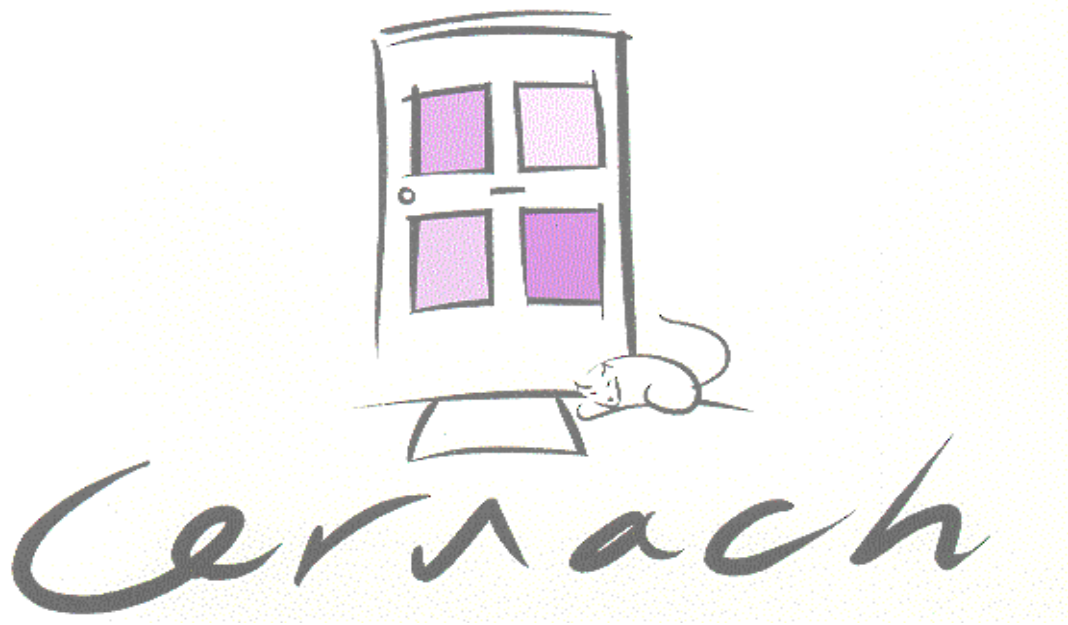


CERNACH HOUSING ASSOCIATION LIMITED



ALCOHOL & SUBSTANCE MISUSE POLICY

Date Approved by Management Committee:
Due for Review:

31st July 2013
August 2018

Cernach Housing Association

Alcohol & Substance Misuse



1. INTRODUCTION

Cernach Housing Association Limited has adopted a policy on alcohol and substance misuse in the work place to protect the health and welfare of all its employees and to prevent the damaging effects of alcohol and other substance misuse on business performance.

In framing this policy the Association aims to:

- Prevent or reduce the incidence of alcohol and substance misuse related work impairment.
- Reduce the personal suffering of employees affected by alcohol or substance misuse related problems.
- Alert employees to the risks associated with alcohol and substance misuse.
- Offer encouragement and assistance to employees with an alcohol or substance misuse problem to seek help from appropriate agencies.
- Give management and staff concerned the confidence to deal with such problems.

2. DEFINITIONS

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 Abuse: - 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.

3. GENERAL PRINCIPLES

- 3.1 Employees who have an alcohol or substance misuse related problem would be encouraged to seek help and treatment voluntarily.

- 3.2 Employees who are perceived to have an alcohol or substance misuse problem will be offered the opportunity to seek assessment, and if necessary treatment.
- 3.3 The employee's normal career or promotional progress will not be affected if treatment leads to a resolution of the problem.
- 3.4 Employees who decline offers of a referral for assessment or treatment or who prematurely discontinue treatment and whose work performance continues to be unsatisfactory will be subject to the Association's disciplinary procedure and may lead to dismissal.
- 3.5 In cases of relapse during or following treatment resulting in an adverse effect on performance, each case will be considered on its merits and, if appropriate, a further opportunity of assistance will be offered.
- 3.6 All employees will have the right to be accompanied at any discussion by the Trade Union Representative or fellow employee of his/her choice.
- 3.7 Loss of licence due to a conviction for driving over the legal alcohol limit or being under the influence of drugs can have repercussions on employment. Where an employee has to drive as a requirement of his/her job, this may result in the termination of their employment.

4. CONFIDENTIALITY

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

5. REGULATORY & LEGAL FRAMEWORK

Health & Safety at Work Act 1974 and Misuse of Drugs Act 1971 inform this policy framework.

6. ILLEGAL ACTIVITY

- 6.1 Cernach Housing Association respects an individual's right to a private life, however Cernach Housing Association works within the community with a purpose of improving the lives of those who live there. As a result, Cernach Housing Association will not tolerate any instances of illegal activity concerning drugs or substances.

- 6.2 Any employee found to be involved or connected to illegal activity will be managed under Cernach Housing Association's disciplinary procedure which will likely result in dismissal. This will also be reported to the police.
- 6.3 In circumstances where the police are involved in an investigation concerning any employee, Cernach Housing Association will continue with our own investigation and act on this accordingly regardless.

7. EQUALITY & DIVERSITY

- 7.1 The Association's Equality and Diversity policy, which was approved by the Committee in April 2012 following community consultation, outlines our commitment to promote a zero tolerance to unfair treatment or discrimination to any person or group of persons, particularly on the basis of any of the protected characteristics¹. This includes ensuring that everyone has equal access to information and services and, to this end, the Association will make available a copy of this document in a range of alternative formats including large print, translated into another language or by data transferred to voice.
- 7.2 We are also aware of the potential for policies to inadvertently discriminate against an individual or group of individuals. To help tackle this and ensure that it does not occur, best practice suggests that organisations carry out Equality Impact Assessments to help identify any part of a policy that may be discriminatory so that this can be addressed (please see section 6 of the Equality and Diversity Policy for more information).
- 7.3 In line with section 6.3 of the Equality and Diversity Policy, the Association will apply a screening process based on that recommended by the Equality and Human Rights Commission to ascertain whether each policy requires an Impact Assessment to be carried out. The screening process was applied to this policy and it was decided that an impact assessment is not required.

8. ROLES & RESPONSIBILITIES

Cernach Housing Association 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

¹ The Equality Act 2010 identifies the "protected characteristics" as age, disability, marriage and civil partnership, race, religion or belief, gender, gender reassignment and sexual orientation.

or anyone else as a result 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.

It is the responsibility of every employee to ensure that the policy operates effectively. 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.

9. ROLE OF MANAGEMENT

- a) To be familiar with policy procedures relating to alcohol & substance misuse
- b) To ensure that their staff/department understands the policy and their own responsibilities.
- c) To be alert to and to monitor changes in work performance, attendance, sickness and accident patterns.
- d) To take an objective and non-judgemental approach when interviewing employees.
- e) To refer employees for assistance when appropriate.
- f) To identify any aspects of the working environment which could lead to alcohol or substance misuse problems and, if possible change them.
- g) To intervene early when there are signs of problems.
- h) To refer to the Association disciplinary procedure where appropriate.
- i) To be responsible for maintaining a safe and healthy workplace.
- j) To act promptly on information from staff.

10. ROLE OF THE EMPLOYEE

- a) To find out about alcohol and substance misuse and the social, health and employment effects.
- b) To arrive at work free from the effects of alcohol and drugs
- c) To ensure alcohol is not consumed during work hours (this includes lunch and break times), except where approval has been granted in advance by Director for staff social functions. Equally when external entertaining, employees consuming alcohol must not return to duty while under the influence of alcohol. Again permission should be sought from the Director.
- d) To avoid covering up or colluding with colleagues.
- e) To urge colleagues to seek help if they have problems arising from alcohol or drug abuse.

- f) To seek help where they themselves have problems from alcohol or substance misuse.
- g) To not use illegal drugs.
- h) To be responsible for maintaining a safe and healthy workplace.
- i) To report any incidence of alcohol and substance misuse amongst colleagues to management.

11. ROLE OF A COUNSELLING SERVICE

- a) To provide advice and guidance on how best to help and employee who has a problem, which might be related to alcohol and substance misuse.
- b) To provide an assessment of employees who refer themselves for help.
- c) To respond positively to referrals from managers.
- d) To provide an impartial and confidential service to employees which may include counselling, assessment and referral to another agency.
- e) To help identify and assist in any education initiative to promote knowledge of alcohol and substance misuse.

12. VOLUNTARY REFERRAL

- a) Where an employee voluntarily decides to seek help, he/she will contact their Line Manager.
- b) The Line Manager will see the employee as soon as possible and arrange an appointment with an approved counselling service.

13. REFERRAL BY MANAGEMENT

- a) Where an employee has a capability problem the cause of which is known or suspected to be alcohol or substance misuse 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.
- b) If the line manager believes that the employee could benefit from a programme of treatment for alcohol or substance 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.

- c) 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.
- d) 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 substance misuse 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.
- e) If the course of agreed treatment is satisfactorily concluded, the suspended disciplinary action will be dropped.
- f) Being under the influence of drink and/or drugs at work is dealt with as Gross Misconduct under the disciplinary procedure.

Alcohol Misuse

- i) Alcohol overindulgence that results in socially unacceptable or dangerous behaviour but which is not related to a physical or psychological dependence will be treated as a conduct issue.
- ii) 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.

Substance Misuse

- iii) Where an issue arises concerning the recreational use or overindulgence in legally obtained legal substances which results in socially unacceptable or dangerous behaviour, this will be treated as a conduct issue.
- iv) 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.
- v) Consumption or possession of illegal drugs in any circumstances will not be tolerated and will always be considered to represent gross misconduct.

14. TRAINING

Managers who carry out the implementation and operation of the policy will receive regular in-depth training. All staff will be trained in the operation of the policy and alcohol and drug awareness.

15. SUPPORTING AGENCIES

Glasgow Council on Alcohol

Tel: 0141 353 1800

Web: www.glasgowcouncilonalcohol.org

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

Employee Counselling Service

Tel: 0141 332 9833

Web: www.empcs.org.uk

8th Floor, Savoy Tower, 77 Renfrew Street, Glasgow, G2 3BZ

National Drugs Helpline

Tel: 0800 77 66 00

16. MONITORING & POLICY REVIEW

The Alcohol and Substance Misuse Policy will be reviewed every five years or sooner as deemed necessary by Management Committee or relevant changes in legislation.