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Substance Use & Misuse Policy and Procedure

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Version Control

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1. PURPOSE AND SCOPE

- 1.1 Edinburgh College recognises the need to take measures to address the issue of substance misuse in the workplace.
- 1.2 We acknowledge that substance misuse can affect an employee's health and safety, work performance and attendance and this can also ultimately have a detrimental effect on colleagues and service users.
- 1.3 Substance misuse or dependency are problems which can afflict anyone. Edinburgh College approaches these issues from an employee welfare perspective in an open manner and to offer whatever reasonable support is practical.
- 1.4 This policy and procedure has been developed to:
 - protect the health and safety of employees and service users;
 - ensure a working environment free from the effects of substance misuse;
 - encourage employees who have a substance related problem to seek help voluntarily;
 - provide appropriate support and practical guidance to employees in dealing with substance related problems effectively;
 - promote a climate that will reduce the tendency to conceal or deny substance-related problems by enhancing awareness and understanding;
 - comply with relevant legislation.
- 1.5 The College will support any employee who is fully committed to overcoming their substance problem.
- 1.6 Substance dependence will be treated as an illness in which a person's physical or psychological dependence on substances interferes with their health, work relationships and/or job performance.

- 1.7 This policy and procedure applies to all College employees. The College expects the same standards from any contractors/consultants/agency workers that it engages, however, they will not be subject to this policy and procedure. Any concerns about the behaviour of the employees of contractors or an agency should be raised under Health and Safety procedures.

2. POLICY

2.1 The College:

- will always follow legal and best practice requirements;
- will always aim to be supportive, reasonable and open;
- values the effective performance and conduct of its staff;
- understands that staff may need additional support to maintain effective performance.

2.2 A culture of support, fairness, common sense and openness is required by all.

2.3 This Policy is concerned with the effect of inappropriate or uncontrolled alcohol consumption or drugs/substance misuse which results in impaired job performance and ill-health. This Policy is not concerned with responsible social drinking or the use of drugs when medically prescribed. It is however important to recognise that no employee should be undertaking their role under the influence of alcohol, drugs or other substances.

2.4 All matters concerning an employee's substance misuse will remain private and confidential and will be restricted to a need to know basis.

2.5 Where there are potential serious or imminent Health and Safety risks to an employee, or those around them, the College encourages all employees to exercise their duty of responsibility and to highlight their concern to their manager or HR if they suspect a colleague has a substance related problem. The intention being that the employee will then be

encouraged to seek further support to help them address their problem.

- 2.6 Potential signs of those with a substance related problem are listed below. This list of examples is neither exclusive nor exhaustive. All the circumstances should be considered and managers and employees should not rely on one particular factor (see appendices for further details on support organisations).

Signs of a short-term problem:

- Unsteadiness
- Aggression
- Appearing to be detached from reality
- Slurred speech
- Making inappropriate comments
- Smell of solvents or alcohol
- Inappropriate giggling
- Clumsy/lack of co-ordination

Signs of a long-term problem:

- Poor level of attendance
- Arriving late, leaving early, absent for periods of time with no explanation
- Poor work performance, especially large variations in the quality and quantity of work of a previously reliable employee
- Many minor errors in work
- Forgetful
- Many accidents such as trips, slips and falls
- Deterioration in personal appearance
- Lack of concentration and easily distracted
- Moody and picks arguments with colleagues

Source: www.drugfree.org

- 2.7 The College seeks to:

- promote the health and wellbeing of all employees;

- educate and inform employees on the harmful effects of substance misuse;
 - create a climate which encourages employees with substance dependence to acknowledge the problem and give both College management and the employee confidence to deal with the issue;
 - offer individuals who accept their misuse problem appropriate counselling and support.
- 2.8 Acknowledged addiction to alcohol or drugs/other substances will be treated as an illness.
- 2.9 In order to use this policy and procedure effectively, the College commits to training key users/stakeholders.

3. KEY DEFINITIONS

3.1 **Substances**

Substances are defined as alcohol (a beverage, condiment or food additive which contains alcohol in any form) or a drug (defined as illegal substances, glues, solvents or other substances, prescribed and over-the-counter medications).

3.2 **Substance related problem**

A 'substance-related problem' is defined as any consumption of alcohol or substances which interferes with an employee's health, safety, attendance, performance in any aspect of employment; or negatively affects colleagues or service users. Any use of drugs or substances that in themselves are legal but may be subject to abuse such as glue or solvents etc.

4. RESPONSIBILITIES

- 4.1 The Director of Human Resources and Organisational Development is responsible for the operation, monitoring, application and review of this operational policy and procedure.

- 4.2 All employees are responsible for the consistent application of this operational policy and procedure.
- 4.3 All employees should ensure that they are aware of what is required of them under this operational policy and procedure.
- 4.4 All employees and managers involved with referrals and requests for help, advice and support offered through this policy will respect the confidentiality of the employee concerned at all times, unless an extreme situation arises where there is immediate risk of harm or injury to the employee or others.

5. REFERRAL

- 5.1 In relation to a known or suspected substance misuse problem, this procedure can be activated by either the individual concerned, their line manager or a colleague:
- 5.2 **Self-Referral**
Employees who have a substance misuse problem are encouraged to self-refer to their GP, occupational nurse, or any of the organisations listed in the appendix, where appropriate. Employees should consider their responsibilities for their duty of care to themselves and others.
- 5.3 **Management Referral**
Where a line manager suspects an employee has a substance misuse problem they should take advice from Human Resources.
- 5.4 **Colleague Referral**
 - 5.4.1 When a colleague is confided in by another employee that they have a substance misuse problem, they should encourage them to seek support from their GP or the organisations listed in the appendix.
 - 5.4.2 In circumstances where a colleague has grounds to believe an employee has a substance misuse problem,

which could lead to potential serious or imminent Health and Safety risks for the employee or those around them (as per 2.6), they should highlight their concern to their line manager, or other manager or HR immediately.

- 5.5 In instances where the employee is considered to be unfit for work due to health and safety issues they may be removed from the College premises immediately, and where necessary asked not to return until further notice from the College. The employee will receive their normal full pay during this period.
- 5.6 The line manager, or person interacting with the employee, will ensure that where someone is removed from College premises, that they are able to return home in a safe way which may include organising a taxi for them on the College account.

6. MEETING (1)

- 6.1 A meeting with the employee and their line manager (or in certain circumstances another manager may be more appropriate) will then be arranged to discuss the concerns. An employee can be accompanied by a Union representative or colleague at this, or other meetings, that arise from this policy.
- 6.2 Where the employee has self-referred to the College the purpose of the meeting will be to determine how the College can best support the employee. The employee will be informed of the course of action required, which may include attending an appointment with our occupational health provider in order to attain a report detailing a treatment/recovery plan. A second meeting will then be arranged.
- 6.3 Where the employee has been referred, the purpose of the meeting will be to explore the issue with the employee. A second meeting will then be arranged.

- 6.4 Where the employee admits there is a substance misuse problem they may be asked to attend an appointment with our occupational health doctor in order to attain a report detailing a treatment/recovery plan.
- 6.5 Where the employee denies a substance misuse problem the issue may be dealt with under appropriate alternative procedures.

7. MEETING (2)

- 7.1 Following receipt of the occupational health report, a second meeting with the line manager and employee will be arranged. The purpose of this meeting will be to discuss, agree and action the contents of the treatment/recovery plan. The employee should also be given access to the College's confidential counselling service (currently MCL Medics). An agreed amount of time away from work with pay will be given to the employee to attend treatment or counselling etc. Reasonable adjustment to duties will be taken where necessary.

8. MONITORING

- 8.1 The employee's progress should be monitored on a regular basis by their manager, or with some other appropriate person employed by the College. During these review meetings the employee should provide an update on their progress, and submit evidence in relation to confirmation of attendance at appointments etc. They should also submit evidence of future medical appointments if asked to do so.
- 8.2 The College may ask the employee to attend an appointment with the occupational health service at any time during the treatment/recovery plan for a progress report.
- 8.3 If at any point the employee refuses to comply with the treatment/recovery plan section 9 may apply.

- 8.4 Upon the conclusion of the treatment/recovery plan the employee will be asked to attend a final appointment with the occupational health provider.
- 8.5 Where the occupational health report states the treatment has been successful and the line manager feels the employee is performing acceptably in their role, the employee will be informed that the process is now complete and no further action will be taken. They will therefore be expected to resume full duties and maintain acceptable levels of performance, conduct, and attendance.
- 8.6 Where the occupational health report states the treatment has been unsuccessful and this has been due to the employee section 9.1 will apply.
- 8.7 Where the manager feels that despite completion of the treatment /plan and medical approval that the employee is not performing adequately section 9 may apply.

9. FAILURE TO IMPROVE/FURTHER ACTION

- 9.1 Where an employee denies substance misuse or refuses to accept help or to follow recommended support as defined through this policy and procedure, the relevant procedure such as the Disciplinary Policy and Procedure or Attendance Support Procedure may be invoked.
- 9.2 Where the employee refuses to comply with the treatment/recovery plan disciplinary action may be taken under the College's Disciplinary Policy and Procedure.
- 9.3 Where misconduct has taken place the Disciplinary Procedure will be invoked, however, should it become apparent there is a substance misuse related issue, the disciplinary will be placed on hold, pending the completion of this procedure. Subsequent to this, the Disciplinary Procedure may be continued, or no further action may be taken.

10. RECURRENCE

- 10.1 If the employee should have a relapse in future due to the same or different issue, the matter will be considered again through this policy considering current circumstances and support agreed previously.

11. ASSURANCE

- 11.1 This policy and procedure will be reviewed following any relevant changes to employment law or alternatively every three years as a minimum.

APPENDIX 1: SUPPORT ORGANISATIONS

We are with you (formerly Addaction) (0800 915 4624):

- Provides free, confidential support with alcohol or drugs via a local service or online
- Weekdays: 9am - 9pm, Weekends: 10am – 4pm
- Webchat function also available – <https://wearewithyou.org.uk>

Drinkline telephone (0800 731 4314 free):

- Supports people who are worried about their own or someone else's drinking
- Weekdays: 9am – 9 pm, Weekends 10 am – 4pm
- Webchat function also available

Alcoholics Anonymous (AA) (0800 917 7650):

- Provide free self-help groups across Scotland
- Its 12 step programme involves getting sober with the help of regular support groups
- Email address: help@aamail.org

Breaking free from substance abuse (<https://breakingfreeonline.com>):

- Evidence based recovery support programme

SMART recovery (<https://smartrecovery.org.uk>):

- Helps individuals recover from an addictive behaviour and lead meaningful and satisfying lives, using a science-based therapeutic programme of training
- Online meetings

Narcotics Anonymous (NA):

- <https://ukna.org>

Cocaine Anonymous (CA):

- <https://cocaineanonymous.org.uk>

Additional support organisations:

- Samaritans: (116 123 free) - <https://samaritans.org> email address: <mailto:jo@samaritans.org>
- Childline: 0800 1111
- Women's Aid Scotland: 0800 027 1234
- National Domestic Abuse helpline: 0800 027 1234
- Carers Scotland: 0808 808 777