



## **MANAGEMENT OF ALCOHOL, DRUGS AND SUBSTANCE MISUSE AT WORK**

**Mae'r ddogfen hon ar gael yn Gymraeg. This document is available in Welsh.**

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## **SECTION 1 - INTRODUCTION, ROLES and RESPONSIBILITIES**

### **Policy Statement**

1.1 The City of Cardiff Council is committed to promoting the health, safety and wellbeing of all its employees and recognises the risks that may be caused by the misuse of alcohol, drugs and other intoxicating substances.

### **Aims and Objectives**

1.2 This policy aims to describe employee responsibilities in respect of the consumption of alcohol, drugs and other substances and sets out the Council's corporate response to the misuse of alcohol, drugs and legal or illegal substances. The policy looks to encourage early detection and provide constructive help and support. However, it is important to recognise in certain circumstances the use of the Disciplinary Policy and Procedure may be appropriate.

In particular, the aims are to:

- Promote the health and wellbeing of our employees.
- Provide support to employees who are seeking help with alcohol, drugs and substance misuse related issues.
- Ensure risks are managed in association with alcohol, drugs and substance misuse at work.
- Ensure compliance with the Misuse of Drugs Act 1971.

1.3 This policy should be read in conjunction with the Managers Guide on Alcohol, Drugs and Substance Misuse.

### **1.4 Roles and Responsibilities**

It is important that everyone clearly understands their roles and responsibilities within this process.

### **1.5 Employee Responsibilities**

All employees are responsible for:

- a) Seeking help if employees are concerned about their own drinking, drug and/or substance habits.
- b) Ensuring they do not report for duty if under the influence of alcohol, drugs or substances.
- c) Ensuring they do not bring drugs and/or substances into work.

- d) Ensuring they do not bring in or have alcohol in work for consumption during working hours.
- e) Informing their line manager if they are taking any medication which interferes with the safe performance of their role.
- f) Drawing their managers' attention to anyone they suspect might be under the influence of alcohol, drugs, or substances.
- g) Fully complying with the requirements of this policy.
- h) Ensuring they do not consume alcohol, drugs or substances at work.
- i) Recognising the dangers of alcohol, drugs and substances misuse particularly during working hours.
- j) Not covering up or colluding with colleagues over their own or other colleagues misuse.

### **1.6 Management Responsibilities:**

In addition to their responsibilities as employees, managers are also responsible for:

- a) Ensuring all employees are aware of this policy and its requirements.
- b) Promoting and supporting the prevention of alcohol, drugs and substance misuse.
- c) Referring employees for assistance and support as appropriate.
- d) Being familiar with the effects/signs of alcohol, drug and substance misuse and respond to changes in performance, attendance etc.
- e) Informing HR People Services of any employee involved in court proceedings arising from alcohol, drug and /or substance misuse related offence.
- f) Seeking advice from HR People Services as required.
- g) Maintaining confidentiality at all times.
- h) Approaching issues sensitively without making moral judgements.
- i) Taking appropriate action if an employee is known or strongly suspected of being at work under the influence of alcohol drugs or substances.
- j) Taking appropriate action if an employee identifies themselves as having an alcohol or substance related problem.

### **1.8 HR People Services responsibilities:**

- a) Acting as advisor to managers on the consistent application of the policy.
- b) Providing all employees and managers with information and advice as necessary.
- c) Advising managers on the approach to specific issues and on the use of the Disciplinary Policy where necessary.
- d) Referring employees for assistance and support as necessary.
- e) Reviewing the application of the policy and procedures in the light of operational experience.

## SECTION 2 - POLICY

### Purpose

- 2.1 The City of Cardiff Council recognises that misuse of alcohol, drugs or substances is an issue in the workplace which must be addressed. This policy is the commitment of the Council to assist employees who misuse alcohol, drug or substances whilst recognising that in some circumstances, the use of the Disciplinary Policy and Procedures may be appropriate.
- 2.2 Alcohol, drug and substance misuse leads to under-performance, sickness and absence, accidents, mistakes, stress, increased overtime, and additional costs if an employee leaves their job or is dismissed. In addition, employee morale can be adversely affected by the behaviour of someone who is having a problem associated with the misuse of with alcohol, drug or substances or who is being shielded and not afforded assistance. This has a detrimental effect on organisational performance and subsequent service to the people of Cardiff. Employees who misuse alcohol or substances are liable to damage both their physical and mental health. The aim of this Policy is to minimise the damage caused to individual employees and the Council and to encourage employees to seek help.

### Who is covered by this Policy?

- 2.3 This Policy applies to all employees of the Council, agency workers and contractors irrespective of status and/ or grade, except those employed directly by Schools. The policy is commended to school governing bodies.

### Key Principles

- 2.4 The Council recognises that the misuse of alcohol, drugs and substances is a health problem, and treatment and assistance should be offered to employees who misuse alcohol and substances however in some circumstances disciplinary action may be appropriate.
- 2.5 Employees have a responsibility to ensure that they attend work free from the consumption and influence of alcohol, drugs and/or substances.

This includes:

- Periods when an employee is on-call or on standby and is being paid to do so.
- Before commencing the working day.
- At anytime during the working day or on returning from a break.

- 2.6 Employees must not return to or engage in formal Council business following any consumption of alcohol, drugs and/or substances. This excludes hospitality and civic engagements when not returning to Council business.
- 2.7 Employees must inform their line manager of any formal allegation/accusation made against them, of any criminal offence, cautions and /or, a conviction for a criminal offence including that involving alcohol, drugs and substances. Employees should be aware that professional regulatory bodies such as the EWC will inform the Council of any convictions.
- 2.8 In all cases relating to alcohol, drug and/or substance misuse support will be offered. Employees shall be allowed free access to telephones in work time, for the purposes of accessing telephone based support. Employees can request a reasonable amount of time off work, for the purpose of attending meetings and/or appointments in connection with support or treatment. Managers should ensure balancing support for the employee whilst being mindful that this practice does not adversely affect service delivery.
- 2.9 Where the Council's policies such as, Attendance and Wellbeing, Capability policy or Disciplinary have been invoked, support will run concurrently. Medical advice will be obtained from the Council's Occupational Health Service and/or other specialist agencies as needed.
- 2.10 Employees who suspect or know that they have a drink, drug and/or substance related problem are encouraged to seek help and treatment voluntarily through recognised agencies e.g. Community Alcohol Team or from their General Practitioner. Employees in these circumstances need to take responsibility and should not wait to be advised by their manager before seeking advice for alcohol or substance misuse problems.
- 2.11 Whilst it is not the intention of the Council to infringe upon the liberty of employees, the Council has a duty as an employer to ensure the health and safety of employees and others, and to ensure appropriate standards in the workplace and work activities.
- 2.12 Confidentiality will be observed at all times. Breach of confidentiality will result in disciplinary action being taken against the employee concerned.
- 2.13 Employees have the right to be accompanied by a trade union representative or work colleague of their choice at any meetings associated with this policy.
- 2.14 Employees are expressly forbidden from consuming alcohol on Council premises unless:
- not on duty and in a licensed public area or
  - an exception has been agreed by the relevant line manager.

- 2.15 Any employee who, on Council premises, takes unlawful drugs or substances which have not been prescribed on medical grounds, buys or sells drugs, or is in possession of unlawful drugs, will be deemed to be committing an act of gross misconduct and will be dealt with in line with the Council's Disciplinary Policy and Procedure and a referral to the police.
- 2.16 Disciplinary action may be taken in cases where alcohol, drugs or substance misuse has led to loss of qualifications to carry out a job, e.g. loss of driving licence.
- 2.17 Intoxicating substances may remain in the system for some time and even small amounts can impair performance and jeopardise safety. Employees are personally responsible for allowing sufficient time for intoxicating substances to leave their system before reporting for work. Employees, and in particular, those operating machinery or driving as part of their role must be particularly mindful of this.

## **SECTION 3 – PROCEDURE**

- 3.1 HR People Services will provide advice at any stage to managers or employees on the implementation of the policy.
- 3.2 A manager who believes an employee's behaviour or unsatisfactory performance may be alcohol, drugs or substance related should hold a confidential meeting with the employee. The objective of the meeting is to discuss behaviour and/or performance and to explain that if there is a problem with alcohol, drugs or substances, help is available.
- 3.3 If an employee refuses to acknowledge there is a problem, or refuses to accept help, a time-scale will be set for improvement in behaviour or performance. At the end of this period, the Disciplinary Policy and Procedures may be used if there is not satisfactory or sustained improvement.
- 3.4 The implementation of this Policy and the Disciplinary Policy is not mutually exclusive. It is impossible to be prescriptive over the use of the Disciplinary Policy, as each case is unique. Consideration must always be given to all relevant factors and circumstances.
- 3.5 If the employee accepts there is a problem and will accept help, paid leave will be granted for counselling or treatment. Such leave will be treated as leave to attend medical appointments. Any employee who is absent for treatment or rehabilitation will be regarded as being on normal sickness absence, provided this is supported by the appropriate medical certification. Where appropriate managers can agree reasonable adjustments in line with the Attendance and Wellbeing Policy
- 3.6 The employee will remain in post unless on the basis of medical advice, the nature of the job would be inconsistent with the long-term resolution of the employee's alcohol drugs or substance problem. It may occasionally be necessary to request that the employee refrains from work temporarily, or undertakes restricted duties to ensure their own safety and that of others. When an employee cannot carry out their normal duties, every consideration will be given to finding suitable alternative employment.
- 3.7 Having accepted help, and addressed the alcohol drugs or substance problem, the employee's career prospects will not be impaired.
- 3.8 Where an employee, having received treatment, suffers a relapse, the case will be considered on its individual merits. Medical advice will be sought in an attempt to ascertain how much more treatment/rehabilitation time is likely to be required for a full recovery. At the Council's discretion, further treatment or rehabilitation time may be given in order to help the employee recover fully.

- 3.9 If, after an employee has received treatment, he or she is still unable to fulfil duties, then following medical advice and full consultation, termination of contract or ill health retirement.
- 3.10 When an individual is thought to be unfit for work through intoxication, the line manager should ensure that the following action is undertaken: -
- Immediately withdraw permission to undertake their role.
  - Advise them that they are being sent home and assist them in making arrangements to be taken home by a friend, relative or via a taxi etc.
- 3.11 A risk assessment will be required to determine if it is safe for the employee to return to their role. Factors to consider may include:
- Driving.
  - The use of machinery and ladders or other equipment.
  - Decision making ability on behalf of the Council.
  - Working with vulnerable adults.
  - Working with children and young people.
- 3.12 If it is deemed unsafe for the employee to continue in their role, allocation of alternative duties or redeployment can be considered on a temporary or permanent basis. A medical opinion may be obtained from Council's Occupational Health Service to support this assessment. The line manager should also seek advice from HR People Services with regard to invoking the Disciplinary Policy.
- 3.13 The Council has a legal obligation to involve the Police in cases of suspected or confirmed illegal drug activity, whether that is possession, the supply or intent to supply.
- 3.14 An employee with an alcohol, drug and/or substance misuse problem will sometimes come to the notice of a fellow employee/s through deteriorating work performance and/or behaviour. It is in the employee's interests to be offered help as soon as possible, as it improves the chances of a successful outcome of treatment. Although it may be difficult, employees are encouraged to raise the issue with their line manager. Covering up for a colleague, or not addressing problems out of loyalty, will not help the colleague in the longer term.
- 3.15 Each employee has a responsibility for their own health and safety and that of others at work. If another employee's actions or behaviour compromises health and safety, this must immediately be brought to the attention of a supervisor or line manager.
- 3.16 The Council may be held legally responsible where an employee drives a Council vehicle and is found to be under the influence of alcohol, drugs and/or substances in the event of an accident. It is the responsibility of managers/supervisors to ensure that employees required to drive

Council vehicles or their own whilst on Council business are not suspected of being under the influence of alcohol, drugs &/or substances.

## **Support**

The Council will participate in campaigns in line with local and national events to further promote a healthy lifestyle and encourage employees to seek help with alcohol, drug and substance misuse related issues. Please note all links below are available on the Health and Wellbeing page of the Intranet.

### **Internal Support**

Employee Counselling Service 02920 788301

Employee Assistance Programme 0800174319 or via [www.carefirst.lifestyle.co.uk](http://www.carefirst.lifestyle.co.uk) User name is ccw001. Password is diff1234

### **External Self Help Advisory Services for Alcohol Drugs or Substance Dependency**

This list is not intended to be exhaustive

#### **NHS**

(Information and advice from the National Health Service)

[www.nhs.uk](http://www.nhs.uk)

**EDAS – 0300 300 7000 (option 2) Substance Misuse Services in Cardiff and the Vale.** This is a first point of contact for drug and alcohol services and will provide referrals for health service support, counselling and other services, dealing with drug, alcohol and other addictions.

#### **Taith 0300300 7000 (option 1) Support Service (Neville Street)**

**Recovery Cymru 02920 227019** Offers friendly and informal peer support and drop in service 9 Cowbridge Road East and Holton Road, Barry.

**The Living Room** 02920 493895 Offers a range of support and counselling for all kinds of addictions. (Richmond Road)

**Alcoholics Anonymous** – 0800 917 7650 Offers confidential advice either by phone or e-mail. Calls are redirected automatically to an AA member in the caller's region. Information can be provided about future meetings that are to be conducted in the local area.

**Al-Anon Family Groups** – 020 7403 0888 Offers help and support for people whose lives are affected by someone else's drinking

**Drinkline** – 0300 123 1110

Provides free information, self-help materials and advises callers of where to go for help. Also offers help for families and friends of people who are drinking.

#### **Drug help lines and services:**

**Talk to Frank** – 0300 123 6600 Offers free and confidential advice about drugs and can refer people to local drug advice services. The website provides extensive drug information.

**Narcotics Anonymous** – 0300 999 1212 Help line offers confidential support and advice for drug addicts. Website provides a message board chat-room to discuss problems and contact information for local support groups across the UK.

**Release** – 0845 4500 215 [www.release.org.uk](http://www.release.org.uk)

Offers free, confidential and non-judgemental advice on drug use and legal issues.

**ADFAM** – 020 3817 9410 Provides information for families and friends of drug users.

**Dan – Wales Drug & alcohol helpline** Free phone: 0808 808 2234 Text: DAN 81066

**Re-Solv** -01785 810762 (helpline) [www.re-solv.org](http://www.re-solv.org)

Re-Solv is a national charity dedicated to the prevention of solvent and volatile substance abuse.

## **SECTION 4– DEFINITIONS**

The definition of 'drug misuse' refers to the **use** of illegal drugs and the **misuse**, whether deliberate or unintentional, of prescribed drugs and substances such as solvents. Drug misuse can harm the misuser both physically and mentally and, through the misusers actions, other people and the environment may also be adversely affected.

There are two main types of drug addiction:

- Physical addiction, when there are withdrawal symptoms, such as nausea, vomiting or cramping, if the supply of the drug is suddenly withdrawn.

- Psychological addiction, when there is a psychological compulsion or need to regularly use a drug. If the drug is withdrawn, there are no physical symptoms but there may be psychological symptoms such as depression, anxiety and irritability.

Appendix 1

Drug, Alcohol and Substance Misuse Flowchart

