

Substance Misuse Policy – Managers Guide FAQs

How does the council define alcohol/substance misuse?

Substance misuse is defined for the purposes of the policy as the problematic use of alcohol, drugs (both prescribed and illegal) or other substances such as butane gas, glue, thinner or petrol.

Problems associated with substance misuse normally fall into two categories:

1. an excessive indulgence in the misuse of alcohol and/or drugs on random occasions, but which is not related to a physical dependency
2. a confirmed habitual misuse of alcohol and/or drugs related to a physical dependency

If an employee has been prescribed medication, which may make them drowsy, impair their judgement, or otherwise affect their performance, they are required to advise their line manager

What should I do if I suspect an employee has a problem with alcohol/drugs?

Don't rush to any conclusions. Bear in mind that there may be a reason for the employee's behaviour, which has nothing to do with the consumption of alcohol or drugs. They may be suffering from an underlying medical condition affecting their speech, co-ordination or behaviour.

If you suspect an employee is abusing alcohol/drugs you should speak to them in private stating why you have concerns. Make reference to your observations such as:

- the smell of alcohol
- their co-ordination
- their speech
- their mood or behaviour
- their pattern of attendance

Remember that confidentiality must be maintained at all times.

If an employee admits they have a problem with alcohol/drugs what assistance can the council offer then?

Assistance and support is available through the Council's Occupational Health Service. The service can arrange treatment or counselling or put the employee in touch with other sources of assistance as appropriate.

Time off with pay will be granted to an employee undergoing treatment for alcohol/drug dependency to allow them to attend counselling sessions.

Dependant upon the employee's job it may be necessary, for a short time, to temporarily

redeploy them to other duties or to a different work location while they complete their course of treatment. This decision will be made based on the manager's assessment of the risk involved if the employee remains in their job during treatment.

What do U do if an employee denies they have a problem with alcohol/drugs, however their behavior suggests they do?

Problems arising as a result of an employee's behaviour will be dealt with as a matter of conduct under the terms of the council's disciplinary procedure. If the employee does not admit to having a problem with alcohol or drugs then this cannot be taken into account as a mitigating factor during the investigation or disciplinary hearing.

If an employee admits they have a problem with alcohol/drugs does this mean no disciplinary action will be taken?

No. If an employee admits they have a problem with alcohol/drugs this will be taken into account as a mitigating factor during any investigation or disciplinary hearing.

The investigation or disciplinary hearing will be suspended pending the employee's referral to the council's medical adviser or an agreed external agency. If a dependency problem is confirmed, the suspension may be continued, on condition that the employee successfully completes any prescribed course of treatment and that a significant improvement in their behaviour is identified within a defined period.

On completion of the employee's course of treatment the investigation or hearing will be reconvened and a decision made regarding any action to be taken.

If a dependency problem is not confirmed the disciplinary process will proceed in accordance with normal practice.

What do I do if an employee has received treatment and support for alcohol or drug misuse and has a relapse?

It is not unusual for an employee undergoing treatment for alcohol/drug dependency to relapse during treatment. Under these circumstances the employee should be referred to the Council's Occupational Health Service for review.

If the employee does not resume treatment, issues of unacceptable performance or behaviour will be dealt with under the disciplinary procedure. If the disciplinary process has been commenced and suspended to allow the employee to undergo treatment, the process may be resumed in accordance with normal practice.

Can disciplinary action be taken against an employee when they are receiving treatment for alcohol or drugs misuse?

Yes. The Policy on Substance Misuse aims to provide appropriate support and advice to employees who suffer from alcohol/drug related problems, however there may be

circumstances where an employee's behaviour while undergoing treatment is such that it is necessary to invoke the disciplinary procedure.

What do I do if an employee comes to work smelling of alcohol or their behaviour leads me to believe that they are under the influence of drugs?

As a council employee you have a responsibility to ensure that your health, safety and welfare and that of your colleagues and users of council services is not put at risk due to the actions or behaviour of other employees. If you believe, based on your observations of an employee, that they are under the influence of alcohol or drugs, you should remove that person from the immediate work environment by sending them home or if necessary arranging for them to be taken home. The matter should then be investigated under the council's disciplinary procedure.

When an employee is on call from home does this policy apply?

Yes. When an employee is on call the same conditions apply to them in respect of the consumption of alcohol/drugs as do when they are at work. All employees are expected to ensure that their consumption of alcohol or use of prescribed drugs does not interfere with their ability to perform their duties safely.

If I suspect an employee is consuming alcohol during working hours can I search their bag?

Only if the employee gives you permission to do so.

What do I do if I find drugs in the workplace?

Report the incident to your Service Manager, who will arrange for the police to be informed.

Do not remove the drugs from where you found them unless their location poses a threat to the health and safety of users of the council's services. If the location of the drugs does pose a threat to the health and safety of council service users, they may be removed in the presence of a colleague to a safe location awaiting collection by the police.

Under what circumstances may alcohol be consumed on council premises?

The consumption of alcohol or other substances, excluding prescribed and or legal drugs taken for a genuine medical reason, is prohibited on council premises during working hours. An exception may be made where specific events are formally approved by the council, Chief Executive, Director or Head of Service for example moderate consumption of alcohol may be permitted at an informal gathering arranged to mark a colleague's retirement.

Does this policy prohibit employees from consuming alcohol before work or at lunchtime?

Employees are encouraged not to consume alcohol before work or during lunch breaks, however the policy does not expressly prohibit this. Employees should remember that they have a responsibility to ensure that any consumption of alcohol before starting work or during lunch

breaks does not impair their ability to work safely and effectively or to deal with customers or clients to the required standards.

The council reserves the right to impose a ban on the consumption of alcohol during the working day for certain categories of employee on safety, legal and/or operational grounds.

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