



NORWOOD UK

## Substance Misuse Policy

## **1 Introduction**

- 1.1** The company is committed to providing a safe, healthy, productive and supportive working environment.
- 1.2** This policy sets out how the company aims to protect and maintain the health, safety and welfare of all its employees and other people within the workplace by reducing the risk of substance related harm. It also provides an overview of how the company will support and manage staff where instances of substance misuse are identified.
- 1.3** At all times, the company will ensure that it complies with its legal obligations under the Health & Safety at Work Act etc.1974. Under this legislation in section employees also have a personal responsibility for maintaining a safe and healthy working environment by taking care of themselves.

## **2. Definitions**

### **2.1 Drug**

For the purpose of this policy a drug is defined as any substance other than alcohol that produces a physical, mental, emotional or behavioural change in the user.

This may include:

- Prescription drugs that when taken as directed may produce such a change;
- Where the drug is being used by an individual other than the one for whom the prescription has been made;
- When the drug is not being taken as directed by a Doctor;
- Recreational drugs including legal highs.

### **2.2 Substance Misuse**

Drinking alcohol, taking drugs or another chemical substance either continuously or intermittently which affects an individual's health, work capability, conduct or affects the work performance and the welfare of themselves or others.

### **2.3 Safety Critical Workers**

For the purpose of this policy a Safety Critical Worker is defined as one who is required as part of their role to undertake activities that could place other workers at risk, unless the person has full, unimpaired control of their physical and mental capabilities. For example, such roles could require the worker to operate heavy machinery, work in a laboratory environment, or drive a vehicle.

### **3. Aims and Objectives**

#### **3.1 Aims**

- 3.1.1** The Policy is intended to promote a greater awareness of the impact that alcohol and drugs can have in the workplace and to ensure that the company continues to safeguard the health and safety of employees and others on its premises.
- 3.1.2** It is the company's expectation that individuals will not use alcohol or drugs in such a way as to adversely affect safe behaviour or work performance.
- 3.1.3** Implementation of the policy is intended to provide a means of supporting employees whose performance is impaired as a result of substance misuse, highlight where this may have repercussions on others, and seek to support individuals in resolving the issues.
- 3.1.4** The company wishes to promote a culture in which the problems associated with substance misuse are understood and the approach the company will take when substance misuse affects staff performance at work is clear.

#### **3.2 Objectives**

- 3.2.1** To ensure the company complies with appropriate legislation.
- 3.2.2** To minimise the risks associated with alcohol and drugs in the workplace.
- 3.2.3** To raise staff awareness of the risks and potential harm associated with alcohol and drug misuse.
- 3.2.4** To set clear rules regarding alcohol and drugs in the workplace.
- 3.2.5** To create an environment that encourages employees who face problems with alcohol or drugs to seek help.
- 3.2.6** To provide support, encouragement and assistance for employees experiencing alcohol and/or drug related problems.
- 3.2.7** To provide a framework to enable instances of alcohol and or drug misuse by employees to be handled in an appropriate, fair and consistent manner.
- 3.2.8** To achieve a balance between supporting employees who come forward with a problem and the overriding need to preserve:
- the health, safety and welfare of employees and others with whom they come into contact;
  - the company's reputation and image;
  - the delivery of high quality, effective services and outputs.

#### **4. Scope**

- 4.1** This policy applies to all staff employed by the company regardless of position or seniority. It also applies to independent Consultants engaged to undertake contract work.
- 4.2** This policy is intended to both cover one-off instances where staff are under the influence of drugs and/or alcohol whilst at work, as well as situations where staff have, or develop, an underlying drug and/or alcohol related problem.
- 4.3** For the purposes of this policy, individuals will be deemed to be under the influence of drugs and/or alcohol where, in the reasonable assessment of the company, the individual is incapable of effectively discharging his or her duties by reason of being under the influence of drugs and/or alcohol. Managers are not required to prove intoxication definitively; they simply have to have reasonable grounds for believing this is the case.

#### **5. Responsibilities**

- 5.1** All line managers have responsibility for monitoring health and safety in the workplace, and for the application of this policy. Line managers should be familiar with the content of this policy and understand the implications of not tackling cases of drug and alcohol misuse, especially where safety is an issue. Further useful information can also be found on the Government's Health & Safety Executive website (<http://www.hse.gov.uk/alcoholdrugs/index.htm>).
- 5.2** Individual employees have a responsibility for their own health and safety in the workplace and should be aware of this policy.
- 5.3** HR Department has a responsibility to assess employees following a referral. They will provide advice on an employee's fitness for work and recommend modifications that could be made to a role or working pattern where appropriate.

#### **6. Expectations**

- 6.1** Employees will report for work, and remain throughout their time at work, in a fit and safe condition to undertake their duties and ensure that their performance at work and their judgement are not impaired by the effects of either drugs and/or alcohol. This includes ensuring that there has been sufficient time for alcohol/drugs consumed prior to attending work (e.g. the previous evening) to not affect safety or performance when reporting for work. Where prescribed medicine may have an impact as mentioned in section 2.1 of this policy, your line manager must be made aware so a risk assessment can take place and, if necessary, reasonable adjustments made to job role. HR Department can assist in this process.

- 6.2** Specific additional measures will apply to staff who are required to carry out safety critical roles. These employees in particular are expected to be aware that even a small amount of alcohol/drugs may affect judgement and that the consequences of poor judgement / impaired performance in their work may have more serious consequences.
- 6.3** This policy does not set specific maximum limits for breath, urine or blood alcohol levels. However, managers of employees working in safety critical roles are expected as their duty of care to identify employees whose performance may be impaired by alcohol or drugs and take prompt action, bearing in mind the potential seriousness of impaired judgement / performance. As a guide, staff should make themselves aware of statutory national limits, such as those defined by the Road Traffic Act 1988 (sections 4, 5 & 11(2)).
- 6.4** Employees are expected to declare any convictions relating to drink/drug driving offences if this could bring the company's reputation into disrepute or if it is relevant to their role. If an employee commits a drink/drug driving offence during working hours or whilst working for the company (whether using their own transport or that of the company), this will be investigated in accordance with the company's Disciplinary Policy and with reference to the company's Driving at Work Policy.
- 6.5** Employees who are required to entertain clients for business purposes are expected to remember that they are representing the company at all times. As such at events where alcohol is served, even if this is outside of normal working hours or off site, employees are expected to remain professional and fit for work at all times.
- 6.6** The company recognises that from time to time work social events may be organised for staff at which alcohol may be served. Regardless of whether these events take place during or outside normal working hours, or are based on or off site, employees are expected to remember that they are still representatives of the company. Employees whose behaviour or conduct is deemed to be unacceptable as a result of excessive consumption of alcohol and/or misuse of drugs should be aware that the company's Disciplinary Policy applies to activity that takes place during work social events.
- 7. Implementation of the Policy**
- 7.1** Where it is suspected that an employee has consumed alcohol or used drugs in a way that might have affected their conduct or performance at work advice should be sought from Human Resources as soon as possible. Where an individual is no longer able to discharge their duties safely and/or effectively, a manager should address the issue with the member of staff promptly and may initiate an investigation in accordance with the company's Disciplinary Policy. It may be appropriate at this point

for the employee to be removed from their place of work to remove them from any potential risks.

- 7.2** Whilst it is important for such situations to be addressed with the member of staff promptly, it is expected that managers will consider each situation individually. For instance, in cases where an individual is suspected of being, or admits to being, dependent or addicted to alcohol and/or drugs, or suffering from an illness arising from alcohol/drug dependence or misuse they should be offered support and help. In such cases, the employee will normally be referred to the HR Department for an assessment in accordance with the company's Sickness Absence Policy. Where an individual is required to embark on a course of treatment or rehabilitation to address their alcohol and/or drug problem or related illness, the company will endeavour to support them and may grant reasonable time off for treatment. Whilst alcohol and/or drug misuse will not be used as an excuse for poor performance or misconduct, in cases where an employee is undergoing treatment for this as an illness, disciplinary and capability procedures may be suspended whilst the problem is identified or the treatment is concluded.
- 7.3** Where an employee is considered temporarily unfit for work by the HR Department, the intention will always be for them to ultimately return to their normal duties as far as is possible. If a return to normal duties is not appropriate then efforts will be made to find suitable alternative employment either on a temporary or permanent basis in accordance with the company's redeployment process.
- 7.4** Where an employee refuses or continually neglects to accept or respond to advice and/or treatment for a confirmed drug and/or alcohol problem or performance, attendance or behaviour continues to be unacceptable, despite any support and assistance that is offered, the manager will address the issues via the company's Capability Procedure or Disciplinary Policy as appropriate. This policy will be monitored and reviewed regularly and may be amended from time to time.

Signed for and on behalf of the company

A handwritten signature in blue ink, appearing to read 'Jo Shuttlewood'.

Jo Shuttlewood – HR Director