



Substance Misuse Policy

**Market House
14 Market Street
Lerwick**

A charitable company limited by guarantee registered in Scotland No. 165677
Registered Office Market House, 14 Market Street, Lerwick, Shetland ZE1 0JP
Company Secretary Catherine Hughson
Recognised by the Inland Revenue as a Scottish Charity - No. SCO 17286

SUBSTANCE MISUSE POLICY

POLICY STATEMENT

VAS recognises the importance of the safety and welfare of its staff and is committed to ensuring that all employees carry out their duties in an efficient and effective manner without risk to themselves, the well-being of colleagues or members of the public.

This Policy is therefore designed to provide a framework for the prevention and management of substance misuse related problems within VAS and ensure that the health and well-being of all employees is given a high priority.

This Policy covers visitors, volunteers and contractors in Market House.

This policy will be developed in consultation with all levels of staff and directors of VAS. Any concerns or complaints regarding this policy should be raised at the regular staff meetings or directly with Management. Twelve weeks notice of implementation of this policy has been given to all employees.

VAS does not permit any employee to be under the influence of alcohol or drugs during the working day or at any other time when undertaking VAS duties or representing VAS. This applies equally to activities being undertaken on VAS premises or on other premises or in vehicles being used as part of the person's work.

Any member of staff who is suspected of being at work while under the influence of alcohol or drugs will be asked to leave the premises and arrangements will be made for him/her to be taken home.

Failure to comply with this policy will result in disciplinary action being taken. Disciplinary action will follow VAS Disciplinary & Grievance Procedures Policy.

VAS recognises that:

- substance misuse is a health problem and is likely to require specialist help
- substance misuse impacts adversely on an individual's health and job performance
- substance misuse does not only affect the individual involved. Family, friends, colleagues and the public at large may suffer as a consequence of an individual's substance misuse.

LEGAL REQUIREMENT

VAS has a number of responsibilities and statutory duties relating to substance misuse, towards employees, the public and the employees of other organisations who may be on their premises, namely:

- The Misuse of Drugs Act 1971
- The Transport and Works Act 1992
- The Health & Safety at Work Act 1974
- The Workplace (Health Safety and Welfare) Regulations 1992
- The Health and Safety at Work Regulations 1999

LINKED POLICIES/PROCEDURES

- Health and Safety Policy
- Disciplinary Procedure

POLICY OBJECTIVES

To ensure that information on the effects of alcohol, drugs and solvents is provided to members of staff on a regular basis by their line managers.

- To provide appropriate support for employees who suffer from alcohol, drug and solvent related problems
- To engender a climate which encourages honesty and gives both staff and management confidence to deal with substance misuse problems through following a clear procedure
- To prevent and reduce the incidence of substance related work impairment
- To safeguard other staff. It is recognised that, in operating this Policy, there may be occasions when staff may be placed under stress during the treatment of a colleague, either due to their absence or behaviour. VAS wherever possible, will take appropriate measures to safeguard the interests and welfare of other staff.
- To provide regular information on sensible alcohol intake as part of general information on healthier lifestyles provided by their line managers.

APPLICATION OF THE POLICY

The Policy is applicable to all staff, without exception.

LEGAL IMPLICATIONS

It is a criminal offence:

- For a person to be in possession of an illegal substance
- For a person to supply an illegal substance to another person
- If a person knowingly allows illegal/non prescribed drugs to be used, kept or supplied on premises in which they are in charge

Employees involved in misconduct involving illegal substances in Market House or whilst undertaking VAS duties will be subject to VAS Disciplinary and Grievance Policy.

In addition, accidents caused by substance misuse may leave the individual and/or employer liable to prosecution.

RESPONSIBILITY

All line managers have a responsibility:

- To make themselves familiar with this policy, policy maintenance, monitoring and review
- To attend appropriate training to assist in the effective implementation of the policy
- To ensure that their staff are aware of and understand this policy
- To be alert to possible substance misuse in their projects
- To take an objective and non-judgemental approach when investigating or taking action on any potential or actual case of substance misuse
- To be aware that a single or random occurrence will also be subject to VAS Disciplinary & Grievance Procedures Policy.
- To offer support and guidance when required by employees
- To ensure fairness and consistency of treatment across VAS
- To identify any aspects of the working environment which could lead to substance misuse problems and take steps to change them, where possible.
- To ensure that where alcohol is offered at in house functions, an equal amount of non-alcoholic drinks are also served.
- To be aware that under the Misuse of Drugs Act (1971) the owners or managers of an organisation will be liable if they knowingly allow their

premises to be used for processing, taking, supplying or offering to supply controlled drugs.

All members of staff have a responsibility to comply with this policy

- Not to be in possession of a controlled substance while at work
- Not to consume alcohol during working hours including breaks
- Not to consume alcohol while on work premises unless at special, arranged social functions
- To advise their line manager if they are using medicines prescribed by their own doctor or specialist, which may have the potential to affect work performance. This applies to any medicines purchased over the counter, which similarly have the potential to affect work performance.

MANAGEMENT OF ALCOHOL AND DRUG RELATED PROBLEMS

Gathering information

Where there is a suspected case of substance misuse, factual information should be gathered confidentially relating to the employee's conduct, absence or other relevant factors.

Line Manager

If the evidence gathered supports the initial concern, the line manager should conduct a confidential interview with the individual who may be accompanied if she/he wishes.

The situation must be approached with tact and sensitivity. Any admission will be treated confidentially and in a non-judgemental fashion. An employee who has recognised that they have a problem has taken one of the most difficult steps, that of admitting to themselves that they have a problem.

Voluntary Referral - Self Recognition

If an employee/line manager knows or suspects that they have an alcohol or drug related problem, they are strongly encouraged to seek help voluntarily and to contact either his/her line manager/Chairman VAS for help.

Where the nature of the referral has, or may have, a bearing on the type of duties which an individual can safely undertake, the line manager, on advice from the medical adviser, will take action to ensure that such duties are not undertaken until it is safe to do so.

Individuals may also seek help and support directly through their own doctor or external agencies

The organisations listed below may be able to help anyone with an alcohol or substance problem.

Support

Drugs

- NHS Shetland Substance Misuse Service 01595743006
- Parent Line Scotland 0808 800 2222
- Drugline 0808 1 606 606 (freephone crisis and support line)

Alcohol

- NHS Shetland Substance Misuse Service 01595743006
- Alcoholics Anonymous 0845 769 7555 (24hr service)
- Alcohol and Education Research Council – www.aerc.org.uk

Details of local branches of a number of the above agencies can be found in the Yellow Pages.

VAS will provide information and advice leaflets in the central resource library for management, employees, visitors of VAS and Market House.

Support will also be offered to employees with a drug or alcohol related problem in obtaining help and advice from other agencies.

Action following denial of a problem and/or refusal of help

If an employee refuses to acknowledge the nature of their problem or does not respond to help, any subsequent poor performance or behaviour will be dealt with under VAS Disciplinary and Grievance Procedures Policy.

Working during treatment

During the course of treatment, the individual will, so far as is reasonably possible, carry out normal duties and within safety limits in accordance with medical advice.

Termination of treatment without agreement

If the employee terminates an agreed treatment programme, without prior agreement, any subsequent poor performance or behaviour will be dealt with under VAS Disciplinary and Grievance Procedures Policy.

Time off for agreed treatment

Any time off for agreed treatment will be with the agreement of staff member, management and the support agency.

Sick pay in accordance with VAS policy will be paid.

Return to work

Following treatment, and on the advice of the support agency, it may be appropriate to consider a temporary adjustment to employees hours and a planned, staged return may be implemented. The employee will normally return to the same job unless it is otherwise determined that the long term effects of the substance misuse problem render him/her unfit or unsuitable to do so and/or where resumption of the same job would be inconsistent with the long term resolution of the problem. In such a case, suitable alternative employment will be investigated.

Promotion and staff development

Where an employee has successfully completed treatment and rehabilitation for substance misuse difficulties, this will not prejudice their eligibility for promotion, personal development or professional advancement. This complies with VAS Equal Opportunities Policy.

Drink/drug driving offences

The prosecution of an employee, outside working hours, for driving under the influence of drink or drugs is not in itself a disciplinary offence.

However, should the nature of the incident be such that VAS is brought into disrepute, or where driving is an essential part of an employee's job, disciplinary action may follow.

Where an employee is driving under the influence of drink or drugs whilst undertaking VAS duties, disciplinary action will be taken.

NB: The above are indicative of breaches of discipline and are neither exhaustive nor exclusive.

RECURRENCE

Where an employee, following a course of treatment return to work, shows evidence of a recurrence of the problem, any subsequent poor performance or behaviour will be dealt with under the company's disciplinary procedures.

CONFIDENTIALITY

In all cases, referral or requests for treatment, and related records, will be treated in strictest confidence.

Although every effort will be made to treat information disclosed confidentially, there may be instances where this is not possible due to legal obligations. This may involve disclosing certain information to the police.

GLOSSARY

Substances – The term applies to alcohol, drugs controlled under the Misuse of Drugs Act 1971, prescribed drugs, over the counter medicated and volatile substances such as glues, gases and aerosols.

Substance Misuse - the problematic use of alcohol, drugs and other substances (IPD's Code of Practice definition)

APPENDIX 1

DEFINITION OF SUBSTANCE MISUSE

Substance misuse can be defined as a problematic use of alcohol, drugs and other substances.

Problematic use falls under three main headings:

1. **Inappropriate use:** where substances may aggravate an existing condition or situation which they were intended to alleviate.
2. **Habitual use:** where an individual becomes so dependent on the effects of a substance, that the desire for these effects becomes a central and overriding concern of daily life and has adverse occupational and social consequences.
3. **Excessive use:** a level of use which is likely to lead to physical and/or psychological illness and which could ultimately be fatal

(Chartered Institute of Personnel & Development code of Practice definition)

Where problematic use definitely and repeatedly interferes with an individual's work capability or conduct, and/or health and social functioning, it becomes a matter of concern for VAS.

SIGNS OF SUBSTANCE MISUSE

It is stressed that there may be a range of explanations for occurrences that may give rise to concern about the possibility of substance misuse.

It is essential to take early action in order to allow individuals every opportunity to overcome their difficulties hence recognition of a problem is an important part of the process. VAS realise that it is not always easy to identify these types of problems in individuals.

Symptoms of Alcohol and Substance Misuse:

Absenteeism

- Evidence of unauthorised absence
- Regular absence on Friday and Monday
- Poor time-keeping, particularly after lunch time
- Excessive levels of sickness, particularly around pay day

Work Performance

- Lack of concentration
- Problems with remembering instructions
- Lack of regard for the health & safety of self and others
- Unreliability and poor judgement

Behaviour

- Unpredictable actions and mood swings defiance towards authority
- Irritability, depression or general confusion paranoia
- Poor staff relations

Appearance

- Sour breath and lack of hygiene/untidiness
- Puffiness around the face dilated pupils
- Heavy unnatural perspiration, drowsiness

Personal Situations

- Marriage difficulties
- Borrowing money and financial difficulties, avoidance of supervisors and managers
- Frequent phone calls from people who won't leave a message