

Beyond Limits Dumfries & Galloway provides policies and procedures to promote safe and consistent practice across the Organisation. The framework laid down within our policies and procedures lets everyone know how we work and reflects our values and mission statement. Our policies and procedures are written to help us, employees of Beyond Limits Dumfries & Galloway, to make good, safe decisions.

Beyond Limits Dumfries & Galloway expects all employees to be familiar with the contents of all policies and procedures relevant to their role and to understand how to apply them within their daily work.

None of these documents stand alone, all fit within the larger framework of the way we work and any associated policies which are particularly relevant will be directly referenced.

# Drugs and Alcohol

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To be read in association with the Health & Safety policy, Safeguarding policy, Grievance policy, Lone Working policy, Code of Conduct policy, Whistle Blowing policy, Medication policy and the Employee handbook.

## Drugs and Alcohol Policy – what this means to Beyond Limits Dumfries & Galloway

This policy applies to all our employees as well as subcontractors (including agency and self-employed), consultants and employees of other organisations when working on our sites, premises, or with the people we support. It aims to ensure that drugs and alcohol problems are dealt with effectively and consistently so that workers are protected and those affected are encouraged to seek help. We expect all of those to whom this applies to support this policy and in doing so comply with the rules below.

Beyond Limits Dumfries & Galloway operates a **zero-tolerance** approach to Drugs and Alcohol. We require all employees to come to work free from the effects of alcohol and drugs. Commencing work under the influence of alcohol or drugs, or consuming alcohol or drugs during hours of work, including paid and unpaid breaks, is unacceptable behaviour, even if the person you are supporting

and/or their family/friends are suggesting it is ok or inviting you to join them in doing so. Employees must also not bring any alcohol or drugs to their place of work or purchase this for their personal use outside of work whilst you are supporting a person. If the legitimate use of prescribed drugs is likely to affect job performance and safety, employees must inform their line manager prior to commencing any work so a safety assessment for the employee and the person receiving support can be completed.

Employees found in possession of illegal drugs or using illegal drugs while at work will normally be reported to the police and disciplinary procedures will commence.

Consumption of drugs and alcohol (including prescription and over the counter drugs) or intoxication during working hours implicates the health and safety of the individual and others, since these substances impair coordination, judgement, and decision making. Irresponsible behaviour resulting from the misuse of drugs and/or alcohol may damage our reputation and/or business.

Drug and Alcohol problems are associated with a wide variety of costs for employers and employees. These costs include ill-health, sickness absence, reduced work performance, and accidents. This can be problematic to the individual, other employees, the people we support and/or to the organisation.

### Definitions

**Alcohol abuse:** We define alcohol abuse as any drinking, either intermittent or continual, which interferes with health and/or social functioning and/or work capability or conduct.

**Drugs:** We define drugs as illegal, prescribed and over the counter medicines and solvents. In the case of prescribed and over the counter drugs, we recognise that their possession and use by the employee is legitimate.

**Drug abuse:** We define drug abuse as the use of illegal drugs, the deliberate misuse of prescribed or over the counter drugs, and the use of solvents, either intermittent or continuous, which interfere with health and/or social functioning and/or work capability or conduct.

### The Law

The Health and Safety at Work Act 1974 requires employers to protect the health, safety and welfare of their employees and others who may be affected by their activities, as far as is reasonably practicable.

The Misuse of Drugs Act 1971 is the main legislation covering drugs and categorises them as classes A, B and C. These drugs are called controlled substances and class A drugs are the most harmful under this act. It is illegal for anyone, whether at work or not, to produce, supply or be in possession

of illegal drugs. Employers may be liable if they knowingly allow dispensing, manufacturing, possession, using or selling on their premises.

### Identifying a problem

Substance misuse may become apparent through several signs. The following list of signals (particularly in combination) could indicate an issue. This list is not exhaustive.

- Persistent short-term absence.
- Frequent unauthorised absence.
- Recurrent small accidents.
- Poor time keeping.
- Inconsistency in work performance.
- A breakdown in working relations.
- Paranoia/aggression.
- Deterioration in physical appearances, such as dental problems/weight loss.

These factors can have several other causes, and we encourage line managers to use all the information at their disposal and intellectual discretion to identify a potential problem. Colleagues may be the first to notice when an employee is misusing substances. If a member of staff suspects an alcohol or drug problem in a colleague, they should:

- Encourage the person to seek help from support agencies.
- Report the matter to their line manager immediately.

If a colleague or your line manager believes that you are under the influence of drugs or alcohol whilst on our sites, premises, or whilst supporting a person, you may be asked to leave, having been advised of the support available to you and your rights in accordance with our disciplinary procedures.

### Assistance for a Member of Staff

Beyond Limits Dumfries & Galloway recognises that alcohol and drug abuse related problems are an area of health and social concern. Through this policy Beyond Limits Dumfries & Galloway will seek both to support a member of staff during such specialist help, and as far as possible, to protect his/her employment.

Beyond Limits Dumfries & Galloway offers an Employee Assistance Program (EAP) through Health Assured. This is a free service for all Beyond Limits staff and their immediate family. Support and advice are available 24 hours a day, 7 days a week, on a range of issues including legal information,

bereavement support and medical and health support. Full details of this service are given to all employees at the start of their employment.

### Contact details for Health Assured

- 0800 0305182
- [www.healthassuredeap.com](http://www.healthassuredeap.com)
- There is also a Health e-hub app available for Android and Apple devices

Please also check the Appendix at the end of this policy for a list of organisations who can provide further external support and advice on Drug and Alcohol related issues.

Professional assistance and support can be made available to those to whom this policy applies and we would urge anyone who feels that they may have a drug or alcohol problem to come forward (with a friend, or colleague) to discuss this confidentially with their relevant line manager.

The organisation will, where possible, provide the following assistance to a member of staff during a period of treatment:

This may include a period of sick leave or approved other leave, continuation in post or transfer to other work, depending upon what is appropriate in terms of the staff member's condition and needs of Beyond Limits Dumfries & Galloway.

Beyond Limits Dumfries & Galloway's assistance will depend upon the following conditions being met:

- The Occupational Health Service, GP, or other appropriate professional diagnoses an alcohol or drug dependency related problem.
- The member of staff recognises that he/she is suffering from an alcohol or drug dependency problem and is prepared to co-operate fully in referral and treatment from appropriate sources.

Where a member of staff fails to co-operate in referral or treatment arrangements, no special assistance will be given and any failure in work performance and behaviour will be dealt with through the disciplinary action may be taken.

If the process of referral and treatment is completed but is not successful, and failure in work performance or behaviour occurs, disciplinary action may be taken.

A member of staff's continuation in his/her post or an alternative post during or after treatment will depend upon the needs of Beyond Limits Dumfries & Galloway at that time.

### **Voluntary Referral**

Employees who suspect or know they have a drug or alcohol problem are encouraged to seek support at an early stage. In such instances, we recognise that it is up to the discretion of individuals regarding informing their line managers.

### **Referral by Management**

Line managers will offer support to employees who are suspected of having an alcohol or drug problem. If the problem has become apparent because of a decline in work performance, line managers will place the employee on a performance improvement plan where the employee will be required to demonstrate improvement and satisfactory completion of the support programme. If performance does not improve, disciplinary action will be taken.

We will give employees the opportunity to attend treatment within work time. If an employee is absent from these, normal absence reporting procedures still apply.

### **Confidentiality**

All staff must maintain confidentiality for any employee who is experiencing problems with drugs and alcohol. Information can only be divulged in cases where safety would be compromised by not doing so. Staff must not divulge information regarding individual cases to third parties.

### **Relapse**

We acknowledge that relapse is common with alcohol and drug problems and, in normal circumstances, we will support employees through two relapses after treatment. We will treat subsequent relapses on a case-by-case basis. During any review, we will consider the needs of the organisation. Line managers should make sure that employees are aware that disciplinary procedures may begin following subsequent relapses.

### **Return to Work**

After the successful completion of treatment, the organisation will try to make sure that the employee returns to their existing role. However, if the employee is unable to fulfil their required duties, we will, where possible, consider alternatives duties.

## Appendix – Sources of External Support

### Alcohol Dependence

#### **NHS**

Find Alcohol Addiction services in your area:

[www.nhs.uk/service-search/other-services/Alcohol-addiction/LocationSearch/1805](http://www.nhs.uk/service-search/other-services/Alcohol-addiction/LocationSearch/1805)

Alcohol Support:

[www.nhs.uk/live-well/alcohol-support](http://www.nhs.uk/live-well/alcohol-support)

#### **Alcoholics Anonymous Great Britain**

AA is an organisation of men and women who share their experience with each other hoping to solve their problems and help others to recover from alcoholism.

[www.alcoholics-anonymous.org.uk](http://www.alcoholics-anonymous.org.uk)

#### **Drinkaware**

[www.drinkaware.co.uk](http://www.drinkaware.co.uk)

Drinkaware works to reduce alcohol misuse and harm in the UK.

#### **Al-Anon**

[www.al-anonuk.org.uk](http://www.al-anonuk.org.uk)

Provide support to anyone whose life is, or has been, affected by someone else's drinking, regardless of whether that person is still drinking or not.

### Drug Dependence

#### **NHS**

Find Drug Addiction services in your area:

<https://www.nhs.uk/service-search/other-services/Drugaddictionsupport/LocationSearch/339>

Getting help for drug addiction:

<https://www.nhs.uk/live-well/healthy-body/drug-addiction-getting-help>

#### **Talk to Frank**

[www.talktofrank.com](http://www.talktofrank.com)

National drugs awareness site for young people and parents/carers.

#### **Narcotics Anonymous**

[ukna.org](http://ukna.org)

Helpline for the UK: 0300 999 1212

N.A. is a non-profit fellowship of recovering addicts who meet regularly to help each other stay clean.

Membership is open to anyone. The only requirement for membership is a desire to stop using drugs.