



# **SUBSTANCE MISUSE POLICY**

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## 1. Introduction

1.1 What is Substance Misuse?

1.2 In the context of this policy substance misuse refers to:

- the misuse of alcohol;
- the use of illegal drugs;
- the misuse of prescribed and/or over the counter drugs (e.g. tranquillisers, anti-depressants);
- the use psychoactive substances (previously known as legal highs) such as solvents, glues, aerosols or lighter fuel.

All of which impair the individual, interfere with health, affect job performance and safety at work.

1.3 The use of the term misuse throughout the policy does not imply that illegal substances have a correct use.

### **Prescribed medication**

1.4 The policy does not stop staff from using prescribed medication, over-the-counter medication or herbal remedies. However, medication such as tranquillisers, sleeping pills, pain-killers, decongestants, cough suppressants, antihistamines (for treatment of hay fever or other allergies) and antidepressants can make people feel drowsy and may affect their work performance or the safety of themselves or others.

1.5 If a member of staff is taking any medication they should:

- check the possible side effects with their doctor or pharmacist and inform their line manager, in confidence, that they are taking medication and the possible side effects;

1.6 Their line manager will, if necessary, make alternative arrangements for them.

1.7 It is recognised by the Trust that prescription drugs can impact on behaviours without a misuse problem existing, and that staff should inform the school of any such prescription in order that a risk assessment can be undertaken.

1.8 The Trust recognises its duties under the Health and Safety at Work Act 1974 to risk assess all hazards, including substance misuse.

## 2. Who is covered by the policy?

2.1 This policy covers all employees working at all levels and grades. It also applies to consultants, contractors, casual and agency staff and volunteers (collectively referred to as staff in this policy).

## 3. Personnel responsible for implementing the policy

3.1 The Board has overall responsibility for the effective operation of this policy, but has delegated day-to-day responsibility for its operation to the Chief Executive Officer and the Director of HR.

- 3.2 Responsibility for monitoring and reviewing the operation of this policy and making recommendations for change to minimise risks also lies with the CEO and Director of HR.
- 3.3 All managers have a specific responsibility for operating within the boundaries of this policy, ensuring that all staff understand the standards of behaviour expected of them and taking action when behaviour falls below its requirements.
- 3.4 All staff are responsible for the success of this policy and should ensure that they take the time to read and understand it.
- 3.5 Questions regarding the content or application of this policy should be directed to the same people.

#### **4. Staff**

- 4.1 Staff must behave responsibly at all times to safeguard their own health and safety, and that of those around them, ensuring that their performance at work is not affected by alcohol consumption or substance misuse.
- 4.2 Staff who have a substance misuse problem are advised to seek help from one or more of the following:-
  - **Their line manager**
  - **Their General Practitioner**
  - **Occupational Health Provider - Health Assured/EAP**
- 4.3 Staff must not cover up or collude with colleagues whose behaviour and performance is, or could be, affected by the taking of a substance, and should urge those colleagues to seek help if they have problems arising from the use and or abuse of a substance. Staff must however keep confidential any information disclosed to them in confidence by a fellow employee unless they reasonably believe there is a serious and immediate threat to well-being of pupil or other members of staff.
- 4.4 Staff must advise their doctor or pharmacist of the nature of their job, and thus find out, as far as is possible, whether, as a result of taking prescribed or over the counter medication, there could be side effects, which may affect their work performance/health and safety. This is particularly important if their job is classroom based.
- 4.5 Staff must inform their manager (as soon as possible) before they take any prescribed or over the counter medication if they are informed that the medication may affect their work performance/health and safety.
- 4.6 Staff must understand that they can be sent home by their line manager or Headteacher/ Deputy Headteacher if it is believed that they are considered incapable of performing their duties efficiently, effectively or safely and it is reasonably believed that this is due to substance abuse.

#### **5. Headteacher/Deputy Headteacher and Line Manager**

- 5.1 The Headteacher/ Deputy Headteacher/Line Manager must review relevant health and safety risk assessments in the knowledge of an employee having a substance

misuse problem which could increase the risk to other members of staff and especially the potential impact on pupils.

- 5.2 The Headteacher/ Deputy Headteacher/Line Manager must be alert to, and monitor changes in, work performance, attendance, sickness and accident patterns and take appropriate action. The line manager should take an objective and non-judgemental approach when interviewing staff due to poor work performance.
- 5.3 If an employee or the Headteacher/Deputy Headteacher/Line Manager (on behalf of the employee) requests a referral to occupational health for assistance, HR advice should be sought to provide support with the referral. The occupational health provider should be contacted, to be advised of the nature of the case and the need for a prompt referral.
- 5.4 The Headteacher/ Deputy Headteacher/Line Manager must review and monitor the progress of an employee who is undertaking a programme of assistance.

## **6. Policy**

- 6.1 In recognition of the continued and growing problems of substance misuse in society, Reach South Academy Trust will act to prevent, in so far as it is reasonably practicable, any such misuse by staff which increases the potential for ill health, accidents, absence, poor performance, or which adversely affects Reach South Academy Trust (including its image, business and reputation), our staff, pupils, parents, guardians and Governors.
- 6.2 If, despite Reach South Academy Trust attempts at prevention, substance misuse problems do occur Reach South Academy Trust will, within reason, support the employee in a programme to overcome their problem but only with the full commitment of the employee and under the advice and monitoring of a medical professional.
- 6.3 It is important to deal with these issues in a way that is as consistent, supportive and fair as possible.
- 6.4 If an employee comes forward voluntarily and seeks help for an alcohol or drug problem they will be given help and support by the Trust. If an employee thinks they have a problem and may be violating this policy as a result, the Trust strongly encourages them to come forward and seek help.
- 6.5 The Trust will be sympathetic and ensure the employee gets the help and support they need which may include direction to external specialists.
- 6.6 If an employee volunteers information to the Trust that they have an alcohol or drug problem they will be treated with dignity at all times.
- 6.7 Any discussions will be in the strictest of confidence.
- 6.8 The Trust recognises that staff may continue to struggle with alcohol or drug dependency even after they have sought and are receiving assistance.
- 6.9 The Trust will make every effort to provide ongoing support to staff.

- 6.10 Subject to 6.11 below, the use of alcohol or the misuse of substances or drugs on the premises is forbidden and will be regarded as a disciplinary offence should it occur. Criminal activity in the workplace involving drugs will, in every case, require the school/Trust to alert the police.
- 6.11 In the case of staff social events outside of normal working hours, then the Headteacher, Director and CEO have the authority to approve that alcohol may be brought and consumed in moderation on the premises. Staff must not consume alcohol whilst in charge of, or responsible for, children or vulnerable adults.
- 6.12 Any member of staff or volunteer taking medication likely to affect behaviour or cause other noticeable side effects should inform their line manager immediately.
- 6.13 Staff must not drink or take drugs prior to coming to work to such an extent, or within the timescale, that it will affect their ability to perform their work.
- 6.14 If an employee attends work and the smell of alcohol is evident, or it appears that the person is under the influence of alcohol or another substance, the Director, Headteacher, Deputy Headteacher or HR Business Partner will ask them to go home and this may also include non-school based staff.
- 6.15 Alternative travel arrangements should be made if appropriate for staff who are sent home from work due to being suspected of being under the influence of alcohol or other substances.
- 6.16 The employee is responsible for their own conduct at all times, but where capability or disciplinary issues arise, each case will be considered on its merits, with the needs of the Trust and its responsibilities being paramount.
- 6.17 Disciplinary action must not be taken simply because a member of staff has a misuse problem.

## **7. Procedure**

- 7.1 The following will apply should any employee be found to be under the influence of alcohol or any other substance whilst at work. This may be noticed through observation, poor performance or unacceptable conduct but cannot be presumed in the absence of other evidence of a substance problem, such as it being proffered as an excuse by the employee.
- 7.2 Where performance is adversely affected then the use of the capability procedure may be appropriate with support to improve, which could include a medical referral via our occupational service provider Health Assured. In such circumstances the employee will be suspended immediately without prejudice, pending an investigation which must include a report from occupational health
- 7.3 In the event that unprofessional conduct or aggressive behaviour is reasonably believed to be a result of drink or drugs, the emphasis will still be on appropriate medical referral; in the absence of any alternatives consideration will be given to suspending the employee if their condition or behaviour is judged to be an immediate and significant risk to children or a hazard. Employees remain responsible for their own behaviour and our colleagues deserve the right to be protected at work in all circumstances and the safety of our pupils is our highest imperative. Where aggressive behaviour is considered by a disciplinary panel to have taken place it may be considered a gross misconduct.

- 7.4 Therefore, in such circumstances the employee will be suspended immediately without prejudice, pending an investigation which must include a report from occupational health.
- 7.5 Alternative travel arrangements should be made if appropriate for staff who are suspended from work.
- 7.6 In the event that an informal approach is felt to be the most appropriate action, the focus will be on the need for professional help, advice and/or referral to Occupational Health.
- 7.7 The Director, Headteacher or Deputy Headteacher will arrange for the person's work performance and behaviour to be monitored closely for a specified period and this will also apply to our non – school based staff.
- 7.8 Should poor performance continue, or further instances of being incapable be observed, the Trust's capability or disciplinary procedure will be followed, which could result in termination of employment at all stages of these procedure accurate records will be kept of all communication between the line manager/ Headteacher/ Deputy Headteacher and member of staff involved.

## **8. Symptoms**

- 8.1 The following may be symptoms of a problem and as such, a discussion needs to take place to determine the cause, although conclusions should not be jumped to.
  - Absenteeism – increase in sickness absence - short (especially Monday and Friday absences) or long term
  - Impairment of work performance
  - Poor co-ordination/judgement, frequent injuries/accidents at work
  - Sudden change in behaviour pattern – mood swings, irritability, lethargy
  - Poor time-keeping
  - Concentration and memory affected
  - Deterioration in relationships with other people
  - Neglect of personal care
  - Financial difficulties
  - Incursions with the law
  - Smell of alcohol around the person - this may be noticed by pupils/parents/colleague and can have a very damaging effect on the reputation of Reach South Academy Trust so must be reported to a senior manager and action taken promptly

## **9. Off Duty Conduct**

- 9.1 If an employee misuses substances when “off duty”; the issue may be less about the actual misuse of a substance, but more about the effect on the employment relationship.
- 9.2 Reach South Academy Trust may be justified in taking action where the use of drugs or another substance occurs, because it is, or has become known, to pupils, parents or the wider public, and significantly undermines the employer's reputation.

- 9.3 Reach South Academy Trust reserves the right to investigate such instances under the disciplinary policy, which could lead to a formal suspension followed by an investigation which could result in termination of employment.
- 9.4 If behaviour which indicates that an employee is under the influence of a substance occurs during a Reach South Academy Trust event for pupils and/or colleagues. This may include such as activities as Trust trips and excursions, or whilst representing Reach South Academy Trust or any action which is likely to constitute gross misconduct if they are responsible for the care of pupils, or in the presence of pupils at the time could result in termination of employment.
- 9.5 Any criminal conviction or loss of a licence due to a conviction for driving while over the legal alcohol limit might be considered by the Trust, in terms of the ongoing employment of the employee which may result in termination of employment.
- 9.6 Where an employee has to drive as part of their job, dismissal may be a consequence although the possibility of alternative work during the period of the driving ban should be first considered.

The Reach South Academy Trust HR Business Partner/HR Director should be consulted for advice and support.

## **10. Training**

- 10.1 The Trust is committed to training to ensure that all line managers are able to recognise, support and signpost staff who may be struggling with substance misuse.
- 10.2 In addition to specific training courses on the issue, it will be integrated into other relevant training courses e.g. performance management.
- 10.3 As a minimum, line managers will be trained to:
- Recognise signs of substance misuse;
  - deal with staff seeking help;
  - signpost/offer referrals to other organisations;
  - understand that they are not counsellors.

## **11. Internal and external support**

11.1 Sources to help and support staff and managers can be found below:

- Health Assured Employee Assistance Programme (EAP) which provides 24/7 confidential support, advice and guidance including financial advice and support <https://healthassuredeap.co.uk/>
- Access to additional HR support including Health and Wellbeing Champions;
- [Nacro](https://www.nacro.org.uk) offer recovery services seeking to reduce the harm caused by drug and alcohol addiction to people, their families and the communities they live in; they provide help and support via one-to-one and group sessions. <https://www.nacro.org.uk>

- [Action Addiction](https://www.actiononaddiction.org.uk) experts provide life-saving treatment for individuals and families affected by all kinds of addiction including alcohol, drugs (prescribed and non-prescribed), gambling, gaming, sex and love, and some food-related disorders. <https://www.actiononaddiction.org.uk>
- [Turning Point](https://www.turning-point.co.uk) enable people with serious problems related to drug and alcohol misuse, mental health and learning disabilities to lead more independent lives by providing high quality community services. <https://www.turning-point.co.uk>
- [Drinking and You](http://www.drinkingandyou.com) provide advice about sensible alcohol consumption, national government guidelines and your health. <http://www.drinkingandyou.com>
- [DrinkAware](#) is an independent charity working to reduce alcohol misuse and harm in the UK.

## **12. Review of policy**

- 12.1 This policy is reviewed as required by the Trust in consultation with the recognised trade unions.
- 12.2 The Trust will monitor the application and outcomes of this policy to ensure it is working effectively.

## POLICY HISTORY

<b>Policy Date</b>	<b>Summary of change</b>	<b>Contact</b>	<b>Implementation Date</b>	<b>Review Date</b>
May/June 2020	Trade Union consultation	All Recognised Trade Unions	N/A	N/A
June 2020	New policy implemented	HR	June 2020	April 2023