



Regionally Focused – Globally Engaged

Alcohol and Drugs Policy and Procedure

March 2022

History of Changes

Version	Description of Change	Authored by	Date
1.1	Minor changes to wording	Debbie Kerr	4.9.14
1.2	Minor changes to terminology	Debbie Kerr	11.10.18
1.3	Minor changes to dates and titles	Debbie Kerr	24.3.22

1. Introduction

Borders College endeavors to ensure that the use of either alcohol or drugs by employees does not impair the safe and efficient running of the organisation or the health of its staff. This policy is part of the College's overall concern for the health, safety and welfare of staff and complies with all relevant legislation including the Health and Safety at Work Act 1974, the Misuse of Drugs Act (1971) and employment law.

2. Scope

This policy is applicable to all employees, contractors, volunteers and agency workers engaged by Borders College.

3. Key Principles

- 3.1 Employees must present for work free from the effects of alcohol or drugs during working hours. Alcohol affects everyone in a different way as individuals metabolise alcohol at a different rate, there is no recommended safe limit that applies across the board.
- 3.2 The use of alcohol and/or drugs poses a significant risk to health, safety and wellbeing. Health issues resulting in misuse of alcohol and drugs include weight problems, sleep problems, cancer, liver disease, mental health problems and stroke.
- 3.3 Under the Misuse of Drugs Act (1971), the managers of Borders College will be liable if they knowingly allow their premises to be used for processing, taking, supplying or offering to supply controlled drugs.
- 3.4 The term "drug" applies to drugs controlled under the Misuse of Drugs Act 1971, prescribed drugs and over-the-counter medication and solvents.
- 3.5 Employees using prescription/over-the-counter drugs, which may affect their behaviour and/or work, have a responsibility to inform their line manager.
- 3.6 Employees who recognise that they have a drink or drug problem, or that they are at risk of developing one, should seek an appointment, in confidence, with the Occupational Health Nurse. Contacts at outside agencies where help can be obtained will be made readily available to all staff via the College Occupational Health Nurse – telephone number 01896 825982.
- 3.7 In so far as is reasonably practicable information regarding any individual will remain confidential.

4. Responsibilities

- 4.1 The SLT is responsible for overseeing compliance with the principles of this policy.
- 4.2 The Head of HR is responsible for the implementation of this policy.
- 4.3 Line Managers are responsible for ensuring compliance with this policy.
- 4.4 All staff are responsible for adhering to this policy.

5. Related documents

- 5.1 Employee Disciplinary Policy and Procedure
- 5.2 Staff Handbook
- 5.3 Health and Safety Policy and Procedures

6. Review

This policy will be reviewed every three years or more regularly if required.

7. Procedure

7.1 Establishing the Problem

Managers should be aware that the misuse of drugs or alcohol by employees may come to light in various ways. The following characteristics, especially when arising in combinations, may indicate the presence of an alcohol or drug-related problem.

Absenteeism

- instances of unauthorised leave
- frequent Friday and/or Monday absences
- leaving work early
- lateness (especially returning from lunch)
- excessive level of sickness absence
- strange and increasingly suspicious reasons for absence
- unusually high level of sickness for colds, flu, stomach upsets
- unscheduled short-term absences, with or without explanation

High accident level

- at work
- elsewhere – i.e. driving, at home

Work performance

- difficulty in concentration
- work requires increased effort
- individual tasks take more time
- problems with remembering instructions or own mistakes

Mood swings

- irritability
- depression
- general confusion

Managers however, should not assume that when displayed, these characteristics automatically point to alcohol or drug related problems. Rather their presence should be taken as action to investigate formally or informally. These signs should not be ignored especially if evidence is combined.

Misconduct

An employee's alcohol or drug problem may come to light as a mitigating factor in a disciplinary interview. It should be treated as a mitigating factor for certain "less serious" disciplinary offences, such as poor timekeeping or lateness, provided the person acknowledges the problem, is prepared to undergo treatment and accepts that their progress with and adherence to such treatment will be monitored.

Self-referral

In some instances, employees may seek help and advice themselves.

7.2 Intervention

Managers who feel an employee's unsatisfactory performance may be drug or alcohol-related should inform the Head of HR and Development to discuss the matter. If thought necessary, the Senior Manager should arrange a meeting with the employee. At the meeting the individual should have his or her unsatisfactory performance/conduct and "indicators" discussed.

The Senior Manager should restate the College's required standards, making sure the employee understands what is expected of him or her.

The Senior Manager should try to establish the cause of the problem (although it must be pointed out that individuals with a drug or alcohol problem will often go to great lengths to conceal the situation).

The employee should be reminded or informed of the assistance the College is prepared to give employees who are trying to overcome a drink or drugs problem and should be informed of outside agencies where help can be obtained.

The employee should be informed that the College requires his or her performance to be improved to an acceptable standard and that failure to achieve this could result in dismissal. The Senior Manager should agree with the employee what follow-up action is to be taken. Where it is established that misuse of alcohol or drugs is – or could be – the problem, an appointment should be arranged with the Occupational Health Service. Referral to support will not affect the job or the promotion prospects of the employee.

The employee will be entitled to paid time off work to access support for an alcohol and/or drugs problem.

If the employee denies that either alcohol or drugs is the cause of the problem (whether believed or not), he or she should be treated as for any other disciplinary/capability problem, whichever is judged as appropriate by the College.

However, if there are strong signs that the employee's unsatisfactory performance is drug or alcohol-related and he or she will not admit or acknowledge this, further encouragement should be given at all stages of the disciplinary/capability procedure to face up to the true underlying problem.

7.3 Treatment

Where employees acknowledge that they have a problem and are given help and treatment, this will be on the understanding that:

- it may be necessary, whilst undergoing treatment, to be on sick leave and in these circumstances the employee will be entitled to the usual College sick pay benefits
- every effort should be made to ensure that on completion of the recovery programme employees are able to return to the same or equivalent work.

However, where such a return would jeopardise either a satisfactory level of job performance or the employee's recovery, the Senior Manager will review the full circumstances surrounding the case and agree with the employee a course of action to be taken. This may include the offer of suitable alternative employment, the consideration of retirement on the grounds of ill health, or dismissal. (Before a decision on dismissal is made, it should be discussed with the employee and an up-to-date medical opinion obtained.)

7.4 Relapse

Where an employee, having received treatment, suffers a relapse, the College will consider the case on its individual merits. Medical advice will be sought in an attempt to ascertain how much more treatment/rehabilitation time is likely to be required for a full recovery. At the College's discretion, more treatment or rehabilitation time may be given in order to help the employee to recover fully.

7.5 Recovery unlikely

If, after an employee has received treatment, recovery seems unlikely, the College will consider its position in the light of the prognosis and other available information. Depending on such information, the College will decide whether or not to terminate the employee's employment, with due regard to any entitlement under the relevant Superannuation Scheme.

7.6 Serious Misconduct caused by Alcohol or Drugs

Intoxicated employees

If an employee is known to be – or strongly suspected of being – intoxicated by alcohol or drugs during working hours, the Head of HR and Development will be consulted. Arrangements will be made for the employee to be escorted from the College premises immediately. Any such occurrences may be regarded as potential gross misconduct and will be subject to investigation and any appropriate disciplinary action under the College's Employee Disciplinary Policy and Procedure.

Consumption of Alcohol on the premises

Employees are, under normal circumstances, expressly forbidden from bringing or consuming alcohol on College premises. Any breach of this rule will be dealt with in accordance with the College disciplinary procedure. There are, however, certain occasions when Management may make an exception, but permission should be sought in advance.

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At such times, employees will still be expected to behave in a responsible manner. Drivers are advised, where necessary, to find alternative means of transport home.

Drug Abuse on the Premises

Employees who take drugs which have not been prescribed on medical grounds will, in the absence of mitigating circumstances, be deemed to be committing an act of gross misconduct which will be dealt with in accordance with the College disciplinary procedure, as will any employee believed to be buying or selling drugs, or in possession of unlawful (i.e. – unprescribed) drugs.

7.7 Training and Development

Senior Managers will be offered training in order to develop “early recognition” techniques for identifying any employee misusing alcohol or drugs. Effective interviewing and counselling skills will be developed so that employees can be dealt with promptly, tactfully and firmly.

All staff will be made aware of the effects of alcohol and drug misuse. They will be encouraged not to cover up for employees with a drink or drug problem, but to recognise that collusion represents a false sense of loyalty and will in the longer-term damage those employees.

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