

# Alcohol and Drugs Support Policy



# EMPLOYMENT ZONE

## Our policy

Glasgow City Council is committed to the health, safety, and welfare of all its employees and to providing a working environment that promotes and improves employee health and wellbeing.

We understand that having an alcohol or drug problem is a health and behaviour issue that can affect an employee's safety and performance at work.

We want to support and improve the welfare and performance of our employees by:

- helping them to maintain an effective and motivated position in the workforce;
- helping them to understand the risks associated with alcohol and drugs;
- proactively and effectively managing any alcohol or drug misuse problem;
- providing a comprehensive, independent employee assistance programme offering early help and support through professional counselling and information services.

This policy compliments our [Health and Safety Policy](#) and [Staff Health and Wellbeing Strategy](#).

It will be fairly and consistently applied to all employees as well as those who are providing a service for us, such as contractors, volunteers, or agency workers.

## Aims

Our policy aims to ensure that all employees:

- are made aware of the risks of alcohol and drug misuse;
- understand the consequences of their actions; and
- are encouraged to seek help and support on how to deal with alcohol and drug related problems.

We will achieve these aims by:

- Understanding and acting on our duty of care and legal obligations concerning alcohol and drug misuse, raising awareness on the risks and potential consequences of alcohol or drug misuse, and where to get help;
- Promoting a positive culture, with effective management standards that ensures employees suffering from or at risk of suffering from alcohol and drug misuse feel supported and valued;
- Promoting this policy through appropriate communication channels to ensure that all employees know about it and can access it;
- Encouraging any employee who is experiencing an alcohol or drug problem to seek help at an early stage;
- Making reasonable adjustments to allow employees to recover from alcohol and drug problems including any return to work plans;
- Ensuring that employees are treated appropriately and with sensitivity when concerns are raised;
- Monitoring, evaluating, and reviewing our policy.

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### Legal obligations

#### Health & Safety at Work Act 1974

We have a duty to ensure the health, safety, and welfare of our employees so we must do what we can to identify and address issues relating to alcohol and drug misuse in the workplace, and to ensure that no employee is a danger to themselves or others.

Employees are also legally required to take reasonable care of themselves, and to behave in a way that does not pose risks to the health and safety of themselves or others.

#### Management of Health & Safety at Work Regulations 1999

We have a duty to assess the risk to the health and safety of our employees. We must not knowingly allow an employee to continue to work if they are affected by alcohol or drugs misuse and their actions place others at risk.

#### Misuse of Drugs Act 1971

The possession, supply or production of controlled drugs is unlawful except in special circumstances (For example when they have been prescribed by a doctor). It would be an offence for us to knowingly allow Council premises to be used for processing, supplying, or offering to supply controlled drugs.

#### Road Traffic Act 1988

It is a criminal offence to drive, attempt to drive or be in charge of a motor vehicle when under the influence of alcohol or drugs.

#### Corporate Manslaughter & Corporate Homicide Act 2007

Organisations can be prosecuted for corporate manslaughter if the way in which activities are managed or organised causes a person's death and this amounts to a gross breach of duty of care.

### Definitions

#### Alcohol and drugs misuse

For the purpose of this policy, alcohol and drugs misuse refers to an intermittent or continual use of alcohol or other substances which has a detrimental effect on an employee's health, behaviour, and/or work performance.

The term 'substance' includes:

- Illegal/ controlled drugs;
- Prescribed or over the counter medications;
- Solvents such as aerosols, glues, paint thinners;
- Legal highs (Novel Psychoactive Substances);
- Nootropics ('smart drugs' or 'cognitive enhancers').

#### Alcohol or drug problem

Refers to dependence developed after repeated use and includes:

- A strong desire to take alcohol or drugs, difficult to control;
- Persistent use in spite of harmful consequences;
- Increased tolerance and withdrawal symptoms after stopping.

Alcohol and drug dependence are recognised medical problems. An employee who is misusing alcohol or drugs has the same rights to confidentiality and support as they would if they had any other medical condition.

#### Impairment by alcohol or drugs

Diminished mental and physical control and inability to work normally or safely because of intoxication by alcohol or drugs.

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### Application of policy

#### Our position

The working environment must be free from the influence of alcohol and drugs and all employees must be fit to commence their duties and must remain so throughout their working day.

Alcohol affects everyone in different ways and as such there is no recommended safe limit for alcohol that can be applied to everyone.

#### Civic, corporate, and authorised functions

A civic function is hosted by the Lord Provost or deputising Baillie and involves civic hospitality that may or may not include alcohol.

A corporate event or authorised function is authorised by an Executive Director and could involve retirement presentations and long service awards, for example.

Alcohol must not be consumed on Council premises, with the exception of civic and authorised functions.

Employees attending such functions during working hours should not drink alcohol. Non-alcoholic drinks will be available.

Exceptions to this may be when:

- Prior authorisation has been given by senior management.
- Events and functions take place later in the working day and employees are not expected to return to work.

Employees representing the Council should not act in ways that could affect the reputation of the Council.

#### Prescribed or over the counter medicines

Employees should be aware of the effects of prescribed drugs, over-the-counter medicines, or alternative remedies that they may have for personal use and must inform their line manager of any known side effects that could impact their ability to carry out their job. Their manager and Service HR may seek advice from our Occupational Health Service.

#### Illegal drugs, legal highs, and non-prescription drugs

Employees must not possess illegal drugs at work or misuse any drugs whilst on duty including legal highs. We do not condone the use of illegal drugs or legal highs. In most cases an employee with a drug problem will be encouraged to seek help, advice, and treatment.

#### Compliance

All employees are expected to comply with the terms of this policy to ensure that our working environment is safe from the risks of alcohol and drug misuse, and those who do not may be subject to disciplinary action.

Employees must be satisfied, before attending work, that any alcohol or drugs consumed out with their working hours does not impact their ability to carry out their duties safely and effectively.

This policy is intended to help employees who have an alcohol or drug problem which affects their health, work performance and/or behaviour at work.

All reasonable efforts will be made to help and support an employee to overcome an alcohol or drugs problem, where the employee acknowledges the problem and demonstrates a willingness to address it.

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### Exceptions

This policy will not apply in circumstances where an employee does not have an alcohol or drug problem but, due to occasional alcohol or drug misuse, behaves in a manner contrary to the expected Council standards.

This policy will also not apply in circumstances where an employee commits a serious breach of our safety standards or conduct rules due to being under the influence of alcohol or drugs.

Such circumstances will be dealt with under our [Discipline and Appeals Procedure](#).

### Support available from the Council

If an employee is concerned about an alcohol or drugs problem, they are strongly advised to talk to their manager who can help identify and access support which may include:

- Access to our Work Life Balance and Special Leave provisions to allow employees to manage life changing events;
- Referral to the Council's Occupational Health Service Provider;
- In addition, employees can access help and guidance via our Employee Assistance Provider.

### Independent Support - Employee Assistance Provider

Our Employee Assistance Provider (EAP) will provide an independent assessment to establish the existence, nature, and extent of any problem, and offer the appropriate support. Access to EAP is by:

### Self-referral

Employees who are concerned about the misuse of alcohol or drugs, or who are experiencing difficulties as a result of this, can seek advice and support from our EAP directly and in confidence by calling our free 24-hour dedicated Addiction helpline on: **0808 196 9460**.

### Management referral

If a manager suspects that an employee has issues relating to alcohol or drugs, they will encourage them to seek help. If the employee is reluctant to make contact with our EAP themselves, a manager can do this on the employee's behalf with the employee's permission.

### Disciplinary referral

In line with the Council's [Discipline and Appeals Procedure](#), if an employee advises that their conduct and/ or unsatisfactory work performance is related to an alcohol or drugs problem, then the disciplinary proceedings will be suspended pending advice from our EAP.

### Terms of Management and Disciplinary Referrals

Management will:

- Confirm the terms of referral to the employee in writing;
- Treat information about the employee's progress in the strictest confidence;
- Grant paid time off as necessary to enable the employee to attend counselling. If the employee needs a course of residential treatment, this will be treated as sick leave;
- Resume the disciplinary hearing where appropriate if the employee fails to comply with the terms of the referral.

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Employees must:

- Agree to the terms of the referral by signing the EAP referral form and comply with any recommended counselling;
- Not consume alcohol or drugs during working hours or show signs of misuse when reporting to work or at work;
- Demonstrate a sustained improvement in work performance, commitment, and behaviour as needed.

For disciplinary referrals, if the EAP identify an alcohol or drug problem, proceedings will be suspended providing the employee cooperated and successfully completes counselling.

Disciplinary proceedings will resume if the employee:

- Fails to comply with the terms of referral;
- Is not accepted by EAP as having an alcohol or drug problem; and cannot therefore be considered for counselling

Where the employee complies with the terms of referral and demonstrates the required improvement in conduct or performance, the disciplinary hearing will be reconvened to confirm that the procedure has been concluded and no further action required.

### Re-referrals

Where disciplinary proceedings resume, or after a programme of counselling the employee's work performance and/or conduct results in a further disciplinary hearing as a result alcohol or drug misuse, the manager may decide to make a further disciplinary referral.

Each case will be considered on an individual basis, taking all relevant and available information into account.

It is the employee's decision whether to commit to the recommended counselling, and the management's responsibility to take appropriate action if they fail to do so.

### Duty of Care

Managers in conjunction, with support and advice from Service HR, will make an assessment of all the factors linked to an employee's alcohol or drug misuse as part of the Council's duty of care.

This is to identify the level of risk to the employee, the council, service users and public and if necessary, allow for appropriate measures to be put in place to minimise these.

Managers will use this information to inform any decisions on reasonable adjustments or safeguarding measures and to facilitate a formal discussion with the employee on this matter.

Whilst receiving counselling for an alcohol or drug problem, every effort will be made to ensure that the employee will be able to continue to do the same job unless doing so would risk undermining a return to a satisfactory level of job performance or it is mutually agreed that a change will be desirable or beneficial.

### Reasonable Adjustments

Where the manager assesses as necessary or at the request of an employee seeking help to manage their condition, reasonable adjustments may be taken to support and protect the employee.

Reasonable adjustments will not be needed for all employees but may be required for those with more severe difficulties, such as those who need formal treatment and will be considered on a case-by-case basis subject to the employees' role and service delivery requirements.

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### Safeguarding

There may be circumstances that require management to implement safeguarding arrangements to protect the employee, service users, members of the public, and the Council from harmful behaviours linked to alcohol and drug misuse.

An example may be, if an employee is receiving counselling for alcohol and is working in an adult care home where they may have access to alcohol.

Again, this would be considered on a case-by-case basis, taking into account service delivery needs and discussions between the manager and employee to determine what is appropriate and proportionate.

Both reasonable adjustments and safeguarding measures will be subject to review once counselling has been completed.

### Confidentiality

The confidential nature of any records of employees who have an alcohol or drug problem will be preserved.

For both management and disciplinary referrals, reports regarding an employee's recovery progress - including recommendations on reasonable adjustments and/or safeguarding measures and further referrals - will be sent to the referring manager on a regular basis to inform case management.

This information will be treated in the strictest confidence.

### Information for managers

Information and training will be made available to managers that will:

- Alert them to the risks associated with alcohol and drug misuse;
- Highlight the tendency of fellow employees and managers to collude and try to cover up alcohol and drug misuse;
- Make them aware of the professional support available;
- Allow them to access appropriate assistance for an employee who may have an alcohol or drug problem.

### Information for employees

We will provide our employees with information and training on the harmful effects of alcohol and drugs.

This includes taking part in regular campaigns and activities to highlight the dangers of alcohol and drug misuse, such as the annual Alcohol Awareness Week.

We will also provide information on:

- What constitutes problem drinking, its symptoms and side effects, and the benefits of identifying these early on;
- How the misuse of alcohol and drugs can lead to dependence and the harmful effects this can have on health, work attitudes and performance;
- How they can learn to monitor and control their own alcohol intake and understand the risks associated with alcohol and drug misuse.

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## Responsibilities

The Chief Executive has full responsibility for the successful implementation of this policy.

Executive Directors, Heads of Service and managers are responsible for:

- The health, safety, and welfare of employees;
- Promoting and enforcing the policy;
- Leading from the front and acting as role models;
- Supporting the principles and upholding the culture of the policy.

## Policy review

We will regularly monitor and review this policy in line with our recognised arrangements.

## Further guidance

Further information, guidance and support is available from:

- [Your Service HR](#)
- [Your Service Health and Safety](#)
- [Your Health and Wellbeing Connect Pages](#)
- [Workplace Wellbeing Support Council Web Pages](#)