

# HR20 – Alcohol, Drug & Substance Misuse Policy

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<b>Owner:</b>	Michael Catlin	<b>Job Title:</b>	Head of People & OD
<b>To be issued to: (check as needed)</b>			
<input checked="" type="checkbox"/> Board of Management <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> ET/SLT <input type="checkbox"/> Head Office Managers <input type="checkbox"/> Head Office Staff <input type="checkbox"/> Finance <input type="checkbox"/> Housing <input type="checkbox"/> Asset <input type="checkbox"/> ICT		<input type="checkbox"/> OD <input type="checkbox"/> Compliance <input type="checkbox"/> All Care & Support <input type="checkbox"/> C&S Managers (RM, OM, CSM) <input type="checkbox"/> C&S Staff <input type="checkbox"/> Contractors <input checked="" type="checkbox"/> Agency Staff <input type="checkbox"/> Unite the Union <input type="checkbox"/> Employee Voices Group <input type="checkbox"/> Other: _____	
<b>Method of Delivery: (check as needed)</b>			
<input type="checkbox"/> Lean Pro <input type="checkbox"/> Board Portal <input type="checkbox"/> Line Manager to Share (eg. Agencies)		<input type="checkbox"/> Policy Owner to Notify (eg. Contractors) <input type="checkbox"/> Other: _____	
<b>Stakeholder Consultation Completed (check as needed)</b>			
<input type="checkbox"/> Board of Management <input type="checkbox"/> All Staff <input type="checkbox"/> ET/SLT <input type="checkbox"/> Head Office Managers <input type="checkbox"/> Head Office Staff <input type="checkbox"/> Finance <input type="checkbox"/> Housing <input type="checkbox"/> Asset <input type="checkbox"/> ICT		<input checked="" type="checkbox"/> OD <input type="checkbox"/> Compliance <input type="checkbox"/> All Care & Support <input checked="" type="checkbox"/> C&S Managers (RM, OM, CSM) <input type="checkbox"/> C&S Staff <input type="checkbox"/> Contractors <input type="checkbox"/> Agency Staff <input checked="" type="checkbox"/> Unite the Union <input type="checkbox"/> Employee Voices Group <input type="checkbox"/> Other: _____	

## Version Control

Date	Owner	Version	Reason for Change
October 2024	Michael Catlin	1	Cyclical review due & transfer to new template

## Summary of Changes

Section	Change
Policy Name	Alcohol, Drug and Substance Misuse policy – added 'Substance' to align with similar policies in the sector and to reflect content.
1.0	Updating Arks current values.
5.0	Updated legal framework in line with new policy format.
6.0	Updated responsibilities in line with new policy format.
7.0	Added policy detail, removed old section 5 details in line with new format
7.1 to 7.4	Added, Expectations, support, confidentiality and disciplinary
8-12	Updated in line with new policy format

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## 1.0 Ark's Values

Arks values are true to the core purpose of the organisation and the services we deliver. They determine our behaviours towards one another and what we should expect in our relationships with one another. Working within the following values will guide and help us deliver our vision and mission of Ark being an organisation where everyone is equal:

### Trust

We have confidence in our people to deliver excellent services and trust in them to do so. We will develop trusting and honest relationships, and our customers will feel assured that they can rely on us to deliver.

### Respect

We treat everyone fairly and we listen. We are respectful of each person with whom we come into contact and expect our people to respond professionally and treat others as they would wish to be treated.

### Understanding

We will operate with empathy and compassion and approach each situation with an open mind. We will question and challenge to ensure we achieve the right outcomes for customers and our people.

### Equality

We believe everyone is equal and expect our people to create positive experiences where everyone feels valued and included.

### Integrity

We will do the right thing and take responsibility for our actions. We will work together to uphold the highest standards of behaviour and practice.

## 2.0 Purpose

The misuse of alcohol, drugs and other substances can damage the health and well-being of employees and have far reaching effects on their personal and working lives. At work, alcohol, drug or substance misuse can result in reduced levels of attendance, sub-standard work performance and increased health and safety risks not only for the individual concerned but also, for others, for example work colleagues, tenants, supported people and members of the public. Furthermore, the effects of alcohol, drug or substance misuse are likely to be detrimental to an organisation's reputation and image and its ability to deliver high-quality services.

Ark is committed to providing a safe and productive work environment and to promoting the health, safety and well-being of its employees. The Alcohol, Drug and Substance Misuse Policy is designed to ensure that employees are aware of the risks associated with

alcohol/drug/substance misuse and the consequences, including the legal consequences, of their actions.

### 3.0 Policy Statement

This policy provides Ark employees and managers of their responsibilities regarding the use of alcohol, drugs and other substances whilst at work, and is intended to;

- Raise staff awareness of the risks and potential harm to health associated with the use of intoxicating substances.
- Set out the rules regarding the use of intoxicating substances so that employees are aware of the likely consequences for their employment of misusing them.
- Create a climate that encourages employees who may be misusing alcohol, drugs or substances to come forward and seek help.
- Provide a framework to enable instances of substance misuse by employees to be handled in an appropriate, fair and consistent manner.
- Achieve a balance between supporting employees who come forward with a problem and the overriding need to preserve, the health, safety and welfare of employees and those with whom they come into contact whilst at work.

### 4.0 Scope

This policy applies to all employees and covers the use and misuse of alcohol, solvents, legal and illegal drugs, prescription and over-the-counter medicines and other substances that could adversely affect work performance and/or health & safety.

Ark expects Board members, all staff, students on placement, volunteers and others working on behalf of the organisation to comply with this policy. Failure to do so may result in the working arrangements being terminated.

### 5.0 Legal/Regulatory Framework

Ark has a zero-tolerance policy with regards to the consumption of alcohol, drugs or any other substance. Ark does not permit the consumption of alcohol, drugs or any other substance while on duty or within Ark premises.

Under Sections 2 and 3 of the Health and Safety at Work Act 1974 employees have the responsibility to respect the health, safety and welfare of colleagues and others they come into contact with while at work.

Where drug or alcohol misuse results in a criminal conviction this may impact on employment. All Care & Support staff are registered with the SSSC, and any breach of this policy will be reported to the SSSC and could result in the employee's registration being withdrawn.

This policy complies with the Misuse of Drugs Act 1971 and the Health and Safety at Work Act 1974.

## 6.0 Responsibilities

### 6.1 Board of Management

Ark's Board of Management is responsible for consideration and approval of this policy.

### 6.2 Executive Team

Ark's Executive Team is responsible for ensuring that this policy is reviewed in accordance with Ark's schedule for review of policies, or sooner if required.

### 6.3 Leadership Team

Ark's Leadership Team is responsible for review of the policy, and for ensuring that relevant measures are put in place in order to implement its requirements.

### 6.4 Managers

Ark Managers are responsible for the effective implementation of this policy and to adhere to this policy at all times during their employment with Ark.

### 6.5 All Staff

All staff are required to adhere to this policy at all times during their employment with Ark.

## 7.0 Alcohol, Drug & Substance Misuse Principles

### 7.1 Employee Expectations

All employees are required to:

- Ensure they report for work and remain in a condition to perform their duties free from the effects of drugs, alcohol or any other substances, whether on Ark premises or at external locations such as 'Working from Home'.
- Ensure they do not consume alcohol or drugs at any time while at work including during rest or meal breaks at or away from work premises. Exceptions apply to drugs prescribed for the individual or over-the-counter medicines used or their intended purpose. Please note, safe storage of medicine should be practiced and not accessible to anyone other than yourself.
- Notify their manager immediately should they be prescribed medication or plan to take over-the-counter medicines that may cause side effects and impair their ability to undertake their duties safely and effectively.
- Similarly, employees who experience side effects as a result of taking prescribed or over-the-counter medicines that impair their ability to perform their duties safely and satisfactorily must notify their line manager immediately.

- Be aware alcohol and drugs remain in the body long after consumption and this must be remembered when outside of working hours, including the previous evening.
- Ensure employees who are On-Call are not under the influence of alcohol, drugs or other substances during the On-Call period as they may be required to make decisions / drive / attend work (see HR39 - On-Call Policy for further information).
- Seek advice on any adverse impact on work performance or behaviour, particularly with regard to safety while taking medication. They should also notify their manager of this. Advice from Occupational Health can be sought, or an extra duty of care risk assessment put in place.
- Ensure they do not possess, store, trade or sell controlled drugs on Ark premises or bring Ark into disrepute by engaging in such activities outside work. Employees may only possess drugs which have been prescribed to them personally.
- Ensure where the individual concerned does not wish to come forward to seek help, and their colleague(s) genuinely suspect that the individual may be misusing drugs or alcohol, they have responsibility to raise their concerns with the employee's line manager.

For prescribed medication, employees are not obliged to disclose the actual medical condition being treated nor the medication - simply the impact/side effects.

## 7.2 Manager expectations

Managers are required to:

- Be aware of the signs of alcohol and substance misuse and the effects on performance, attendance and health of employees.
- Ensure the health, safety and welfare of employees and others with whom they come into contact.
- Ensure that staff understand the zero-tolerance policy and are aware of the rules and consequences regarding the use of alcohol, drugs and other intoxicating substances whilst on duty or reporting for duty
- Ensure that staff are aware of the support that is available to them should they have a problem.
- Monitor the performance, behaviour and attendance of employees as part of the normal supervisory relationship.
- Intervene at an early stage where changes in performance, behaviour, sickness levels, and attendance patterns are identified to establish whether alcohol or drug misuse is an underlying cause.
- Provide support and assistance, where appropriate and for a reasonable period, to staff who are dependent upon intoxicating substances to help their recovery.
- Instigate disciplinary measures where appropriate to do so.

Where a manager is aware, or suspects, that an employee is misusing alcohol, drugs or any other substance they are strongly advised to seek advice from HR on the approach to be taken.

### 7.3 Support and Assistance

We are committed to supporting employees who are affected by alcohol, drug or substance misuse. Assistance may include:

- Access to counselling services.
- Referral to Occupational Health.
- Adjustments to work duties or hours where appropriate.

Employees who have a substance related problem will be encouraged to seek help and treatment voluntarily.

Employees who are perceived to have a substance related problem will be offered the opportunity to seek assessment, and if necessary, treatment.

Employees agreeing to undergo treatment will be granted paid leave for the purpose of attending appointments.

Following treatment, the employee will be able to return to the same job unless it is considered that continuation of duties would be inconsistent with the resolution of the employee's substance related problem, in which event every consideration will be given to finding the employee suitable alternative employment.

The employee's normal career or promotional progress will not be affected if treatment leads to a resolution of the problem.

Employees who decline offers of a referral for assessment or treatment or who prematurely discontinue treatment and whose work performance continues to be unsatisfactory, may be subject to Ark's disciplinary procedure.

In cases of relapse during or following treatment resulting in an adverse effect on performance, each case will be considered on its merits and, if appropriate, a further opportunity of assistance will be offered.

### 7.4 Confidentiality

All discussions with the employee will be strictly confidential as far as is legitimately and legally possible. This will also be the case with any treatment which the employee undertakes.

Where evidence warrants, Ark will inform the police of illegal drug use or any activity or behaviour over which there are concerns as to its legality. For example, it would be necessary to report criminal behaviour associated with alcohol abuse such as having a driving accident under the influence of alcohol in a work vehicle.



## 7.5 Disciplinary Action

Breaches of this policy may result in disciplinary action, up to and including dismissal (see HR18 - Disciplinary Policy and HR18a - Disciplinary Procedure for further information).

Each case will be considered on an individual basis, taking into account the nature of the substance misuse and its impact on work.

Loss of driving licence due to a conviction for driving over the legal alcohol limit or being under the influence of drugs may have repercussions on employment. Where an employee must drive as a requirement of their job, this may result in disciplinary action being taken, which may result in termination of employment, if through losing the driving licence, they cannot carry out the duties of the post (see HS22 – Use of Vehicles at Work Policy for further information).

Where drug or alcohol misuse results in a criminal conviction this may impact on employment (see HR01 - Recruitment & Selection Policy and HR01a - Recruitment Selection Procedure for further information).

## 8.0 Learning & Development Requirements

No learning & development requirements have been identified in relation to this policy.

## 9.0 Related Policies & Procedures

This policy should be read in conjunction with:

- CS21a Supporting People on Holiday Procedure
- G02 Code of Conduct for Board of Management Members Policy
- G03 Staff Code of Conduct Policy
- G36 Keeping People Safe Policy
- HR01 Recruitment & Selection Policy
- HR01a Recruitment Selection Procedure
- HR18 Disciplinary Policy
- HR18a Disciplinary Procedure
- HR39 On-Call Policy
- HS22 Use of Vehicles at Work Policy

## 10.0 Equality Impact Assessment (EIA)

An Equality Impact Assessment has been completed in relation to the development of this policy.

## 11.0 Data Protection Impact Assessment (DPIA)

No potential data protection issues have been identified in relation to the development of this policy, and consequently an DPIA has not been completed.

## 12.0 Monitoring and Review

### 12.1 Monitoring

Ark's Executive and Leadership Team will monitor implementation of this policy on an ongoing basis. The People & Organisational Development team will provide advice to all staff and Managers when appropriate.

### 12.2 Review

This policy will be reviewed within 5 years from the date of approval by our Board of Management, in accordance with Ark's policy review framework.