

Workplace Alcohol and Substance Misuse Policy

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1. Introduction

- 1.1 The NIGALA has a general duty under Health and Safety at Work Legislation to ensure, as far as is reasonably practicable, the health, safety, and welfare of all its employees. A further duty is placed upon the NIGALA under the Management of Health and Safety at Work Regulations 1992, to assess the risks to the health and safety of employees. Therefore, if an employer knowingly allows an employee under the influence of alcohol, drugs or other substances to continue working and his/her behaviour places others at risk, then the employer could face prosecution under the Act. It must be noted that all employees are also required to take reasonable care of themselves and others who could be affected by what they do at work.
- 1.2 The principal legislation in the UK for controlling the misuse of drugs/substances is the Misuse of Drugs Act 1971. Nearly all drugs and substances with misuse and/or dependence liability are covered by this Act. The Act makes the production, supply and possession of these controlled drugs/substances unlawful. If an employer knowingly permits the abuse of illegal drugs/substances and/or the production/supply of any controlled drugs/substances to take place on its premises, then the employer could be committing an offence.
- 1.3 Alcohol and substance misuse are issues for all of society. They have consequences for the individual concerned, the organisation for whom they work as well as family, friends and work colleagues. Successfully tackling the problem can benefit both the organisation and its employees by:
- Reducing the cost of absenteeism or impaired productivity
 - Reducing the risk of accidents caused by impaired judgement
 - Contributing to society's efforts to combat alcohol, drug and substance abuse
 - Saving on the cost of recruiting and training employees to replace those whose employment has been terminated because of abuse
 - Enhancing the public perception of the organisation as a responsible employer
 - Creating a more productive environment by offering support to those employees who have an alcohol, drug or substance related problem and thereby improving employee performance, self-esteem and well-being

2. Purpose of this Policy

- 2.1 The purpose of this policy is to make clear to all staff the NIGALA's position on alcohol and substance abuse while at work and the action to be taken if such circumstances arise.

3. Aims

- 3.1 This policy aims to contribute to a safe and healthy work environment by:
- Preventing drugs, alcohol and other substances problems through awareness raising and providing guidance on the symptoms, effects on work and health consequences of drugs, alcohol and substance abuse
 - Identifying problems at an early stage, thus minimising risks to the health and safety of employees and potentially safeguarding the health and safety of fellow employees and others
 - Recognising drug, alcohol and other substances problems as medical conditions that are potentially treatable and providing the means whereby those who have a problem can seek and be offered help in confidence
 - Providing assistance and a supportive environment to employees with problems with the aim of maintaining them in and, where appropriate, re-integrating them into the workplace
- 3.2 The substance free status of all NIGALA premises applies to both employees and visitors.

4. Responsibility

- 4.1 This policy is applicable to all employees of the NIGALA.
- 4.2 All managers and supervisors have a responsibility for implementing this policy with appropriate support from Human Resources and Trade Union representatives. All employees have a responsibility to adhere to the policy and a duty to cooperate with management to ensure implementation and adherence to the policy.
- 4.3 You should note that while you are free to do what you choose in your own time, this freedom brings with it the responsibility of ensuring that you do not engage in any spare time activity which would bring into question your loyalty and reliability, in any way weaken public confidence in the conduct of the NIGALA's business or in any other way prevent the efficient performance of your official duties. You are

reminded that inappropriate behaviour outside working hours (including at NIGALA functions) may constitute misconduct in some circumstances and will be dealt with in accordance with the NIGALA's disciplinary procedures.

5. What is Alcohol/Substance Abuse?

- 5.1 In this policy, "substance abuse" refers to the use of illegal drugs and substances and the misuse of prescribed and "over the counter" drugs and substances including solvents. Substance misuse can harm the user both physically and mentally and, through the user's actions, other people.
- 5.2 Alcohol problems are defined as "any drinking, either intermittent or continual, which impairs an employees' work performance and/or interferes with attendance."

6. The Policy

- 6.1 Employees must not during the course of their employment:
- Possess any illegal substance or abuse drugs, alcohol, solvents or any other potentially abusive substance;
 - Supply or attempt to supply any person with any illegal substance;
 - Attend work under the influence of alcohol or other substance. (The policy does not restrict the appropriate use of prescribed or over-the-counter medication).
- 6.2 Where prescribed or over-the-counter medication is likely to affect work performance, particularly safety at work, employees are required to make this known to their Line Manager who can then seek advice from Occupational Health.
- 6.3 It should be noted that if any employee is aware that a colleague is using an illicit substance and fails to report same, he/she may have committed an offence. In Northern Ireland it is an offence under the criminal law not to report to the police, without reasonable excuse, the commission of certain serious criminal offences ("arrestable offences"), including certain offences under the Misuse of Drugs legislation (Section 5, Criminal Law Act NI 1967).
- 6.4 Staff are reminded that all our premises are alcohol free. The availability of alcohol at pre-arranged events and/or special occasions is subject to the prior approval of the Senior Management Team.

7. Alcohol/Substance Abuse – What are the Signs?

- 7.1 All kinds of people are involved in alcohol and substance abuse – they do not conform to any stereotype. Many people who are involved in such misuse are in work. Alcohol and substance abusers do not conform to any stereotype so it is unwise to make any assumptions about who may be abusers. Alcohol reduces physical coordination and reaction speed. It also affects thinking, judgement and mood. Excessive alcohol can lead to arguments, mood swings, emotional problems including depression and violence.
- 7.2 Particular care must be given when interpreting behaviour/symptoms which may in fact constitute the side – effects experienced by people on medication for a condition encountered as a result of Disability as defined by the Disability Discrimination Act.

8. Guidance On Dealing With An Alcohol/Substance Abuse Problem

- 8.1 Employees with an alcohol or substance abuse problem have the same rights to confidentiality and support as they would have if they had any other medical or psychological problem. As far as possible, save for the provisions of the law, alcohol and substance abuse as identified by the Occupational Health Service shall be treated initially as a health issue rather than an immediate cause for dismissal or disciplinary action. The movement into Disciplinary Procedure will be dependent on the circumstances of each case and management should seek advice from Human Resources before initiating the formal Disciplinary Procedure.
- 8.2 Managers should ensure that any member of staff with an alcohol/drug/substance problem which affects their work has access to appropriate advice, information and help in getting treatment. Staff who think they have such a problem are encouraged to seek help voluntarily at the earliest possible moment. If there is an immediate danger the person should be safely removed from the workplace. Every effort should be made to ensure the person does not endanger others for example, by driving home.
- 8.3 Members of staff who, because of the deterioration in their work or behaviour come to the attention of management as having such a problem, will be required to discuss the situation confidentially with the manager, a representative from Human Resources and a Trade Union representative if necessary. They will also be offered professional advice and help through the auspices of the Occupational Health Services.

- 8.4 Time off will be allowed for such treatment as is deemed necessary and, as long as treatment is being provided and accepted, job security will be protected in the same way as for staff experiencing other health problems.
- 8.5 Treatment of alcohol, drug and substance misuse may require long-term support and members of staff who begin a course of treatment will be given encouragement to continue despite possible relapses. Each case will be considered on its own merits in conjunction with professional advice and sympathetic consideration will be given to absences for treatment and rehabilitation under normal sick-leave provisions, although this cannot be continued indefinitely in the case of chronic conditions.
- 8.6 Should staff persistently refuse help or fail to complete a treatment programme, and this is reflected in poor performance or behaviour at work, this will lead to disciplinary action which may lead to dismissal.
- 8.7 Cases of gross misconduct e.g. possession and/or dealing in drugs/substances will also lead to disciplinary action which may result in dismissal.
- 8.8 Possession and/or dealing in drugs or other substances is a criminal offence and will be reported immediately to the police. Such action is mandatory.
- 8.9 Where the job of an employee with a drug, alcohol or substance related problem carries an element of risk from a health and safety point of view, it may be necessary to reassign them to other duties for a temporary period. This may include withdrawal from driving duties.
- 8.10 Any member of staff who attends work showing signs of being under the influence of alcohol, drugs and/or other substances and is deemed unfit for work, will be removed from their working environment. Disciplinary action will also be taken in accordance with the Disciplinary Procedures.

9. Review Date

- 9.1 This policy will be reviewed every three years.

10. Equality Screening

- 10.1 This policy has been screened for equality implications as required by Section 75 and Schedule 9 of the NI Act 1998. Equality Commission guidance states that the purpose of screening is to identify those policies which are likely to have a significant impact on equality of opportunity so that greatest resources can be devoted to these.

Appendix 1: Possible Indicators of an alcohol/drug related problem

‘Excessive drinking at the weekend may lead to an inordinate size hangover and a Monday ‘sicky’. But for people who take occasional days off sick are not necessarily a ‘problem drinker’ and conversely, people with an alcohol dependency problem are often good at hiding it, including from themselves, so their attendance record may be unblemished for long periods of time’. (TUC document, ‘A Potent Cocktail’).

When trying to identify drug or alcohol problems, it is therefore important to bear in mind that it can be extremely difficult to know if someone has a problem or not, since many of the indicators of a drug or alcohol problem could also indicate other conditions such as grief, depression, stress or debt.

The following may indicate that an individual may have an alcohol or drug misuse problem and should be considered as reason for concern and further investigations.

Absenteeism

- Frequent and unexplained absences
- Excessive sick leave especially for stomach upsets, diarrhoea, etc
- Frequent Monday and/or Friday absences

Poor Work Performance

- Lack of concentration
- Fatigue
- Reduced productivity
- Mistakes and errors in judgement
- Telling lies to cover up

Changes in Personality

- Fluctuating relationships with other colleagues
- Mood swings, irritability, lethargy
- Tendency to blame others
- Changes in attitude to authority
- Oversensitivity to criticism
- Avoiding company

High Accident Rate

- Frequent injuries/accidents at work and elsewhere

Other signs

- Smelling of alcohol
- Under the influence of alcohol at work
- Blear/red eyes dilated pupils
- Slurred speech
- Hand tremor
- Unkempt appearance
- Unusual requests to borrow money
- Euphoria
- Confusion
- Staggering
- Increased sweating
- Decreased co-ordination
- Needle marks on arms