



Alcohol and Drugs Misuse Policy

Our values

- **Integrity**
- **Commitment**
- **Accountability**
- **Pride in what we do**
- **Listening and engaging**
- **Creativity and learning**

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1. Introduction

- 1.1 The Scottish Social Services Council has a duty, so far as is reasonably practicable, to provide and maintain a safe and healthy working environment for employees. The Scottish Social Services Council recognise that alcohol and drug misuse problems are an area of social concern. Increasingly the workplace is being seen as an appropriate context for preventative healthcare and development of alcohol and drug policies related to employment.
- 1.2 The Scottish Social Services Council also recognise that an employee with such problems requires support and help.
- 1.3 This policy supports the principles of the Corporate Health and Safety Policies of the Scottish Social Services Council.

2. Scope of Policy

The Policy applies to all employees of the Scottish Social Services Council.

The Policy does not apply to employees who, because of excessive indulgence in alcohol on random occasions, behave in a manner contrary to acceptable standards of conduct and safety; and / or are found in possession of illegal drugs or buying or selling drugs. Such instances will be dealt with in accordance with the Scottish Social Services Council's Disciplinary Procedures.

3. Legislation

The following legislation applies to the application of this policy;

Health and Safety at Work Act 1974
Management of Health & Safety at Work Regulations 1999
Human Rights Act 1998
Misuse of Drugs Act 1971
Equality Act 2010
Misuse of Drugs Act 1971
Misuse of Drugs Act (Modification) 2008
Medicines Act 1968
Road Traffic Act 1988
Drug Act 2005
Transport Works Act 1992

4. Definitions

We define an alcohol and drugs misuse problem as any substance taken either regularly or intermittently which repeatedly interferes with a person's work capability, their health and social functioning or conduct to other employees, service users or members of the public.

The policy applies to alcohol, drugs controlled under the Misuse of Drugs Act (Modification) 2008, prescribed drugs, over-the-counter medication and solvents.

Alcohol – any drink or liquid with an alcoholic content.

Drugs – any illegal drug as defined by the Misuse of Drugs Act 1971, for example, cannabis, cocaine, heroin and any preparations covered under the Medicines Act 1968. This includes amphetamine type stimulants (ATS) and psychoactive substances – drugs that affect the human brain, i.e. all those synthetic and herbal products previously known as NPA or legal highs are included in the Psychoactive Substances Act 2016.

Prescription drugs – your doctor may prescribe you legal drugs. Whilst prescription or over-the-counter (OTC) medicines are legal, they may have side effects that can affect your behaviour and ability to perform at work. If this applies to you, it is very important that you let your line manager or Occupational Health know what medication you are taking. Your line manager can support you, with the assistance of Human Resources. With effect from 21 October 2019 drug driving limits will be introduced in Scotland. There will be a zero tolerance approach to eight drugs most associated with illegal use and the drugs with medical uses will have limits based on impairment.

Solvents – including, but not restricted to: aerosols, glues and other toxic or non-toxic substances.

5. Aims

The main aims of the policy are to:

- Ensure that misuse of alcohol or drugs does not compromise the safe, efficient and productive operation of the Scottish Social Services Council.
- Alert employees to the risks associated with excessive consumption of alcohol and drug misuse and to promote a progressive change in attitude.
- Engender a climate which encourages honesty and gives both employees and management confidence to deal with alcohol or drug related problems.
- Encourage employees who suspect or acknowledge that they have an alcohol or drug related problem to seek help voluntarily at an early stage. Confidential support will be provided from managers to the employee and they will be treated fairly and consistently when support is requested.
- Offer employees who may have an alcohol or drug related problem, support, assistance and the opportunity to seek assessment and treatment through the Employee Assistance Programme, from appropriate specialist agencies or from Occupational Health.

- Contribute to the promotion of the health, safety and welfare of staff, and stakeholders.
- Raise awareness of alcohol or drug related problems, its impact on the workplace and what help is available.
- Assist managers in dealing with alcohol or drug misuse incidents in the workplace.

6. Confidentiality

The maintenance of strictest confidentiality is fundamental to this policy. Management will treat in the strictest confidence all dealings with individuals coming within the scope of this policy and any records associated with referral to the Employee Assistance Programme or Occupational Health and appropriate specialist agencies.

7. Responsibilities

7.1 Directors/Senior Managers

Shall ensure that the requirements of this policy are included in the Health and Safety planning process and are implemented in all work locations for which they have responsibility.

7.2 Line Managers

Shall make themselves familiar with the policy and ensure that their staff are aware of and understand its contents.

Shall be alert to possible alcohol or drug misuse within their area of responsibility. Appendix 1 contains examples of signs which may, but do not necessarily, indicate substance misuse problems.

Provide confidential support and practical assistance to those with alcohol and drug related problems.

Shall take an objective and non-judgemental approach when investigating or taking action on any potential or actual case of alcohol or drug misuse.

7.3 Employees

All employees shall:

- Report to work free from the effects of illegal drugs, misuse of prescribed drugs or alcohol and in a condition that allows them to perform their duties safely.
- Not possess, consume, sell or give away illegal drugs or controlled substances.

- Notify their line manager upon reporting for duty that they are on prescribed medication which may affect their ability to perform their duties or present any safety risks.
- Not consume alcohol on SSSC property.
- Not cover up or collude with any colleague who has or may have a substance misuse problem.
- Access Employee Assistance Programme or Occupational Health or other specialised services where appropriate with the support of the SSSC.

7.4 Human Resources

Shall refer staff for support and assistance in appropriate cases and advise on the appropriateness or otherwise of recourse to the disciplinary procedure once all support processes have been exhausted.

Shall provide advice and guidance, to the SSSC, in undertaking the measures needed to comply with the requirements of this policy.

8. Effects of alcohol and drugs whilst driving

8.1 Drink and drug driving limit in Scotland

Drink driving - the drink driving limit varies between England, Wales and Scotland. From 5 December 2014, the alcohol limit for drivers in Scotland is 50 milligrams of alcohol in every 100 milligrams of blood. This is in line with other European laws to reduce the number of road incidents and to save lives. You can't judge whether you are over or under the legal limit without a breathalyser or blood test. The safest things to do is avoid alcohol altogether before driving.

Drug driving - with effect from 21 October 2019 drug driving limits will be introduced in Scotland. There will be a zero tolerance approach to eight drugs most associated with illegal use and the drugs with medical uses will have limits based on impairment.

The drugs which will have a zero tolerance limit are:

- Benzoylecgonine
- Cocaine
- Delta-9-tetrahydrocannabinol (cannabis and cannabinol)
- Ketamine
- Lysergic acid diethylamide (LSD)
- Methylamphetamine
- Methylenedioxymethamphetamine (MDMA – ecstasy)
- 6-monoacetylmorphine (6-MAM – heroin and diamorphine)

The drugs with medical uses which will have limits based on impairment are:

- Clonazepam
- Diazepam
- Flunitrazepam
- Lorazepam
- Methadone
- Morphine
- Oxazepam
- Temazepam

9. Process

- 9.1 Should a manager suspect an alcohol or drug related problem, factual information should be gathered relating to the employee's general conduct, behaviour or pattern of work. The situation should be approached with tact and sensitivity and the employee informed that any admission will be treated with respect, support and confidentiality.
- 9.2 In the interests of safety, an employee, who is considered to be under the influence of alcohol or drugs, may be suspended on a precautionary basis to remove them from the workplace. The employee should be sent from the workplace and asked to report to a senior manager usually the next working day. Precautionary suspension is not disciplinary action and implies no judgement or censure.
- 9.3 In such cases the employee should be strongly cautioned not to drive and, where necessary, arrangements should be made for the employee to be transported home or collected by a friend or relative.

10. Referral for Assessment

10.1 Voluntary Referral

An employee who suspects or knows that they have an alcohol or drug related problem is encouraged to seek specialist help through a voluntary referral or by consulting their own general practitioner. The employee can approach their Line Manager or Human Resources for information, advice and support in obtaining specialist help or utilise the Employee Assistance Programme.

10.2 Management Referral

An employee who is identified through observation as misusing alcohol or drugs will be given the opportunity to seek a diagnosis and specialist help. In consultation with Human Resources the employee will be referred to an appropriate agency.

Progress will be monitored on a routine basis to ensure the employee is fully participating in the recommended treatment / rehabilitation programme.

10.3 **Safeguard**

Encouragement to seek and accept help; and/or treatment from a specialist agency is on the understanding that:

- The employee will be granted time off or leave to undergo a course of treatment. Leave of absence required for a residential course of treatment, will be treated as sick leave and the terms of the sick leave/pay provisions will apply.
- Following a period of treatment the employee will be able to return/continue with the same job, unless it is decided that the effects of the employee's alcohol or drug related problem renders them unfit or unsuitable to resume that job, or where resumption of the job would be inconsistent with the long term resolution of the employee's alcohol or drug related problem, in which case suitable alternative employment will be sought.
- The confidential nature of all personal records will be strictly preserved.

The SSSC encourage their employees who suspect or know that they have an alcohol or drug misuse related problem to seek help from Human Resources, their line manager, the Employee Assistance Programme or appropriate specialist agency. Where an employee is subject to formal proceedings, these will be held in abeyance where an alcohol or drug misuse problem is a factor, on condition that the employee involved follows a suitable and agreed course of action.

10.4 **Management Referral during Formal Proceedings**

Formal proceedings, for the purposes of this policy, are any which are instigated in accordance with the SSSC's approved Human Resource Policies and Procedures for e.g.

- Disciplinary Procedure
- Grievance Procedure
- Maximising Attendance Policy

The following approach will apply to such procedures:

If an alcohol or drug related problem emerges as a possible factor during formal proceedings, referral to the Occupational Health Service may be pursued as an alternative to formal action. If however the employee refuses to accept referral for medical examination or discontinues a course of treatment, formal proceedings will continue.

Following assessment, the appropriate formal procedure will be resumed:

- If the assessment shows no dependency problem then the appropriate formal procedure will be concluded.

- If the assessment shows an alcohol dependency problem, then this may be used as mitigating circumstances in any resulting formal action.
- If the employee subsequently fails to follow or co-operate with referral conditions, the SSSC reserve the right to review the formal action taken.

If any further allegation of misconduct is raised against an employee during or following a period of referral, each case will be considered on its own merits under the SSSC's formal procedures.

11. Education

11.1 In terms of this policy the SSSC will:

- Aim to promote a healthy lifestyle amongst employees.
- Provide all employees with alcohol and drugs misuse training in line with the Healthy Working Lives strategy. It is important employees familiarise themselves with this policy during their induction.
- Make advice and guidance available to employees of the risks associated with excessive consumption of alcohol and drug misuse.
- Offer the services of an Employee Assistance Programme offering information and support to employees and their immediate families.

11.2 Managers

To ensure the effective implementation of the Policy, the SSSC will offer support and guidance to Managers to:

- Raise awareness of the nature of alcohol and drug misuse as it affects the workplace.
- Raise awareness of how to recognise and respond to early signs of alcohol and drug misuse.
- Ensure that managers can determine early recognition of problems, understand the use and implementation of support mechanisms, referral mechanisms and disciplinary procedures.
- Provide line managers with separate training, focusing on how to recognise signs and symptoms. Guidance to support this policy is also available for managers.

12. Other Related Policies and Procedures

- Safe Driving Guidance
- Health and Safety Policy
- Supporting Resilience Policy
- Code of Conduct

- Maximising Attendance Policy
- Discipline Policy
- Grievance Procedure

13. Monitoring and Review

Responsibility for monitoring the application for this policy will rest with Human Resources. We will review this policy every three years with amendments made as appropriate in consultation with the Partnership Forum.

APPENDIX 1

The SSSC recognise the importance of identifying substance misuse problems as soon as possible. Some important signs which may, but do not necessarily, indicate substance misuse problems are:

- Employee coming forward with concerns relating to alcohol and/or drug issues.
- Frequent lateness and/or repeated brief periods of self-certified absence particularly related to weekends, holidays or after pay days.
- Poor performance, impaired concentration and memory.
- Frequent submission of medical certificates for gastro-enteritis, dyspepsia, nervous debility etc.
- Accidents either on or off the job.
- Smelling of alcohol or appearing to be under the influence of alcohol and/or drugs during working hours.
- Mood changes, irritability, lethargy.
- Deterioration in relationship with fellow employees, borrowing money.
- Hand tremors, slurred speech, facial flushing, poor personal hygiene.
- Stress related problems.
- Issues highlighted via the Complaints Procedure.

APPENDIX 2: Useful information for support

Your Doctor, local General Practitioner

Alcoholics Anonymous

Helpline: 0845 769 7555 (24 hours)

Alcohol Concern

Telephone: 020 7264 0510

Email: contact@alcoholconcern.org.uk

Website: www.alcoholconcern.org.uk

Ask Frank

Telephone: 0800 77 66 00 (free confidential advice 24 hours a day)

www.talktofrank.com

Don't risk it (Scottish Government)

Website: www.donriskit.info

DrinkSmarter

Unit calculator

Website: www.drinksarter.org/handy-tools/unit-calculator

Drug Misuse Information Scotland

Website: www.drugmisuse.isdscotland.org

Employee Assistance Programme, SSSC employer support

Telephone: 0800 587 5670

Website: www.sg.helpeap.com

Health Scotland

Website: www.healthscotland.com

Libra – Woman and Alcohol Services

4 Norton Park

Edinburgh

EH7 5RU

Telephone: 0131 661 0111

NHS Choices

Website: www.nhs.uk/LiveWell/Drugs/Pages/Drugshome.aspx

The Samaritans

Telephone: 08457 90 90 90

Website: www.samaritans.org/how-we-can-help-you