

<b>Policy Document</b>	Alcohol and Drug Misuse Policy
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## South East Wales Rivers Trust

### Alcohol and Drug Misuse Policy

#### 1.0 Introduction

1.1 The South East Wales Rivers Trust (SEWRT) is committed to the well being of its employees and to offering appropriate health support wherever possible. Our focus is always with the working lives of its employees and not their private lives or outside activities, as long as these do not i) affect their ability to undertake the duties for which they are employed, and or ii) bring SEWRT into disrepute.

1.2 **The Alcohol and Drug Misuse Policy** will assist SEWRT in complying with its legislative requirements, namely the Health and Safety at Work Act 1974, Management of Health and Safety at Work Regulations, Misuse of Drugs Act 1971, Road Traffic Act and Transport and Work Act and provide within a workplace setting a supportive and rehabilitative approach for staff with alcohol, drugs and substance related issues.

#### 2. Aims

The aim of this policy is to provide guidance on the SEWRT's expectations of employees while at work and a framework for dealing with employees whose misuse of alcohol and /or drugs impacts on their work.

#### 3. Scope

The policy is intended to apply to all employees of SEWRT.

#### 4. Definitions

For the purpose of this policy, alcohol misuse is defined as:

‘the drinking of alcohol in such a way as to impair the employee’s ability to perform his /her duties, interfere with attendance at work, or endanger the safety of others’,

and drug misuse is defined as:

'the taking of drugs by an employee in such a way that his/her ability to perform their duties is impaired, interferes with their attendance at work, or endangers the safety of others. This includes prescription drugs where such prescription drugs have not been prescribed for the person possessing or using the drugs and/or where such prescription drugs are not taken in accordance with a physician's direction.

## **5. General principles**

- 5.1 Employees are expected to behave responsibly at all times and to safeguard their own health and safety, as well as that of others around them.
- 5.2 Any employee who is concerned that they may have a dependence on alcohol or drugs is encouraged to seek help and advice from their General Practitioner.
- 5.3 Any employee who believes that a colleague has an alcohol or drug dependency problem should encourage them to seek professional help. Where it is difficult for an individual to approach a colleague as they are a more senior member of staff they may wish to speak to the SEWRT CEO or Chairperson.
- 5.4 If it is suggested that the working environment might be contributing to a dependency problem then SEWRT will investigate such claims and take all reasonable action to ameliorate such problems where they exist.
- 5.5 SEWRT will treat reasonable absences for advice and treatment for dependence on alcohol or drugs as sick leave, provided the person concerned regularly informs SEWRT of progress and genuinely attempts to overcome the dependency problem. The need for confidentiality will be respected.
- 5.6 If, because of an alcohol or drug dependency, a person's performance at work/behaviour is suffering and this would normally result in disciplinary action being taken, such action may be suspended for an appropriate period during treatment.
- 5.7 Should help be refused or treatment unreasonably discontinued by the individual or, after a reasonable interval there is no improvement in behaviour and/or work performance remains poor, disciplinary procedures will be resumed or initiated. Such procedures may result in the termination of an individual's appointment.
- 5.8 An individual can choose to be accompanied by a trade union representative or a work colleague in discussions concerning alcohol or drug dependency, in relation to work performance/behaviour. If, because of alcohol or drug dependency an employee behaves or carries out their work in such a way as to endanger themselves or others, prompt corrective action will be taken as necessary to prevent damage being done. In this situation the employee's alcohol or drug dependency will be taken into account, but it will not necessarily free the person concerned from the consequences of their conduct.

- 5.10 An individual must be aware of their responsibilities under the Road Traffic Act 1988, or subsequent legislation, to alcohol and/or drug misuse and the driving of motor vehicles.

## **6. Guidance on Behaviour at Work**

- 6.1 Employees must arrive fit for work and free from the effects of alcohol, drugs or substances. The misuse of alcohol, drugs or substances is forbidden during working hours. (Please refer to section 4 for definitions of misuse)
- 6.2 Provision of alcohol at work-related social events may be permitted by the CEO. Non-alcoholic drinks should always be available at such events and these events will be held where possible towards the end of the 'normal' working day. Employees should always be aware that they are representing SEWRT and behave in a responsible manner. The consumption of alcohol is the responsibility of the individual concerned and employees are encouraged to adopt a sensible approach to drinking in accordance with UK government recommended safe limits <http://www.drinking.nhs.uk/questions/recommended-levels/>.

Employees who are required to attend work following such events must ensure that they are fit to return to work and free from the effects of alcohol.

- 6.3 Drinking alcohol must be avoided in any situation where as a direct consequence; the safety of the individual, colleagues, students or others is put at risk. See section 7 below, for further information on 'safety-critical' roles.
- 6.4 The possession and / or supplying of illegal drugs is an offence under the Misuse of Drugs Act 1971 and it is an offence for any employer knowingly to allow its premises to be used for the use or supply of controlled drugs. Employee involvement in such activity at work will be treated as gross misconduct.

## **7. Intervention**

### **7.1 Action by an employee, who may have an alcohol, drugs or substance abuse problem being disclosed to a line manager:**

Where such an approach is made, the manager will discuss with the individual any action that the individual is taking to address the problem. This will be done in a confidential setting. The manager will suggest that the individual seeks assistance from their GP or other counselling or treatment agencies.

### **7.2 Action by a Manager:**

If a manager has reasonable grounds to believe that alcohol or drugs misuse may be adversely affecting an individual's performance, attendance or conduct, s/he should raise the issue with the individual privately, in a sympathetic and constructive manner. The manager will clearly outline to the individual the reasons for the concerns, providing examples.

Following discussion with the employee, the matter may immediately be resolved and if the manager is satisfied that there is no further reason for concern about alcohol or drugs misuse. The individual will be advised that if in future, concerns arise regarding performance, attendance or conduct, then the appropriate procedure (Disciplinary/ Sickness Absence / Capability) will be followed.

If the employee confirms that they are experiencing a problem with alcohol or drug misuse, then the manager will direct them to the support available, as above.

### **7.3 Action by work colleagues:**

It is likely that an employee with an alcohol, drugs or substance misuse problem will come to the notice of colleagues through indications of inadequate or deteriorating work performance. It is in the interest of an employee with an alcohol- or drug-related problem to be offered help as soon as possible, as prompt action carries the best hope of successful treatment.

The first approach should normally be for colleagues to encourage the employee to recognise their problem and to seek advice, either through their GP or specialist agencies.

## **8. Confidentiality**

If an individual discloses or acknowledges that they have an alcohol / drug misuse problem, then this will be treated with the same degree of confidentiality, as far as legally possible, as any other medical or psychological condition. Employees will grant the same respect for confidentiality about medical conditions for their colleagues as they would hope to enjoy themselves.

## **9. Disciplinary Action by the SEWRT**

- 9.1 SEWRT recognises that individuals with alcohol / drug dependency problems may be successfully treated. While an individual is undergoing treatment, wherever possible, SEWRT may make available the provisions of the sick pay scheme and withhold disciplinary action. However, the SEWRT's responsibilities to others and for the general performance of its functions, will occasionally give cause for an employee's case to be considered under the disciplinary procedures.
- 9.2 If an employee is known to be, or strongly suspected of misusing alcohol during working hours arrangements will be made for him/her to be immediately escorted from the SEWRT's premises and if necessary taken home. Misuse of alcohol on SEWRT premises, whether resulting from a dependency problem or not, is a serious breach of the SEWRT's disciplinary procedures and may lead to formal action being taken under those procedures.
- 9.3 An employee on SEWRT premises who takes illegal drugs or whose conduct is affected by misuse of drugs which alter mood or performance and which have



not been prescribed for him/her will, in the absence of mitigating circumstances, be committing an action of gross misconduct. The relevant disciplinary procedure will apply. This action will also apply to any employee believed to be buying or selling drugs/and or substances; unlawfully possessing drugs and/or substances; who has stolen drugs and /or substances on SEWRT premises. The Misuse of Drugs Act 1971 may also apply in the above circumstances.

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