



School Drug and Alcohol Misuse in the Workplace Policy

School	Ysgol Cybi
Date policy approved and adopted by Governing Body	1/2/24
Review frequency	Every 3 years
Next review date	Spring term 2027
Head teacher	Owain Lemin Roberts
Chair of Governors	Colin Bell

1.0 INTRODUCTION

1.1 This policy has been introduced in order to highlight the importance the School and Authority places on people's health and welfare at work. This is achieved by signposting staff to external support networks which are professionally trained to deal with problems in relation to alcohol/drug abuse. The policy relates to all school staff managed by the Governing Body

2.0 POLICY STATEMENT

2.1 The policy aims to promote awareness of the effects of alcohol and drug abuse on the workplace and to ensure that the School continues to safeguard the health and safety of the workforce, in addition to every other individual who uses the School's buildings and services.

2.2 The Governing Body aims to ensure that Drug and Alcohol misuse by its employees does not impair on the School and Authority's work and is committed to ensuring a safe, healthy, and productive working environment and to minimising problems arising from the misuse of drugs and alcohol at work.

2.3 The Governing Body prohibits staff from drinking alcohol or using or misusing illegal drugs, or being under the influence during contracted hours, whilst at their normal identified place of work, on the Council's property at any time and also whilst undertaking duties or training outside normal working hours, immediately before work or during breaks.

2.4 The Governing Body recognises that employees dealing with a dependency will need support and assistance. This policy aims to ensure that those who are dependent on alcohol or illegal or other substances and those with alcohol and substance misuse related problems, will be treated sympathetically, fairly, and consistently and they will be encouraged to seek help and assistance. However, if the employee is unwilling to seek medical assistance or there is no improvement in their attendance, performance or conduct once any support is underway, disciplinary action may follow.

2.5 For the purpose of this document the following definitions shall apply:

- A drug is a substance (not food) which, when introduced into the body creates a change in perception and/ or mood and/ or in how the body functions" Workplace Health Promotion (1999).
- The term 'drug' shall refer to: illegal use of substances, e.g. alcohol or solvents legally available medicines; prescribed medicines; illegally possessed or used prescribed medicines e.g. tranquilizers, opiates; illegally produced, possessed, used or supplied substances e.g. cannabis, LSD.
- "Under the influence" -
 - the presence of drugs or alcohol for which there is no legitimate medical need for either their use or quantity of their use, or
 - the presence of alcohol in the body as detected by a breath test (The presence of more than 35 micrograms in 100 millilitres of breath will be considered gross misconduct)

2.6 Problems relating to alcohol and drugs can fall into 2 categories:

- Presenting yourself for work under the influence of drugs or alcohol.
- Ongoing dependency on alcohol or drugs that interferes with work. This should be considered as a health issue and treated in the appropriate way

2.7 The purpose of this policy is:

- to ensure that all employees are aware of the procedures
- to ensure that all employees are aware of the assistance available with regard to drug/ alcohol abuse
- to ensure as far as possible, that employee's use of drugs/alcohol does not affect safety and productivity in the workplace.

2.8 Employees taking drugs or using alcohol excessively become answerable to The Governing Body when that interferes with:

- attendance
- work performance
- the safety of others

2.9 The Isle of Anglesey County Council will test for drugs and/or alcohol on a “for cause” basis i.e. when a Headteacher/Line manager, in consultation with Human Resources, if appropriate, suspects that there is misuse that affects the health and safety and/or performance in the workplace.

2.10 The Governing Body aims to positively support its staff through:

- Promoting healthy lifestyles.
- Intervention when drugs or alcohol are misused.
- Minimise harm and prevent the misuse of drugs/ alcohol.
- The provision of education and information on drug and alcohol use and misuse.

2.11. Drug or alcohol prevention is seen as a whole workplace issue and each staff member, at whatever level, has a part to play. Any member of staff who requires help and support to address a personal drug or alcohol problem should receive it with the aim of helping that member of staff to continue perform their professional duties.

Any individual who suffers from alcohol and or drug dependency will receive the same support as any other individual with a health condition.

3.0 LEGAL OBLIGATIONS

3.1 The Health and Safety at Work Act, 1974, Section 2 imposes a duty on an employer to ensure: "...the provision and maintenance of a working environment for its employees that is, so far as is reasonably practicable, safe, without risk to health, and adequate as regards facilities and arrangements for their welfare at work".

3.2 Employees also have a duty of care, as stated under Section 7 of the Act, to take reasonable care for both their own and others health and to cooperate with the employer on such related issues.

3.3 Under the Misuse of Drugs Act 1971 it is an offence to allow prohibited drugs to be used, kept and supplied on one's premises and to ignore any such occurrences. The Authority may be required to disclose any such offences to the NW Police Authority.

3.4 According to the Transport & Works Act 1992 it is an offence to be unfit through drinking or drugs to work on transport systems.

3.5 The **Psychoactive Substances Act 2016**, introduced on May 26th 2016, makes drugs formally known as 'legal highs' illegal.

3.6 Any symptoms arising from the misuse of drug/alcohol which may be defined as 'disability' in accordance with the Equality Act 2010 will be treated in accordance with the Act.

4.0 PROCEDURES TO FOLLOW

This policy aims to ensure that those employees who suffer from drug/alcohol misuse or related problems receive the appropriate support and encouragement to seek help and treatment. If, on the other hand, an individual refuses to seek medical advice and the problems persist the school's disciplinary procedure will apply.

4.1 The following characteristics may indicate an alcohol or drug related problem, however, they should not be viewed as a complete list and the symptoms can relate to other problems:

- Absenteeism
- Frequent sick leave, especially Friday and/ or Mondays
- Carelessness/ increased injuries/ accidents at work
- Irritability, depression, confusion, mood swings, aggression, lethargy
- Difficulty in concentrating, unable to remember instructions
- Reduced work performance
- Consistently late from lunch
- Suspicious reasons for absence
- Physical signs i.e. smelling of alcohol, unkempt appearance, lack of hygiene, slurred speech

4.2 The Governing Body acknowledges that drug/ alcohol abuse can happen to people at all levels within the workplace and is regarded by the Authority as a health problem. Support and guidance are available to all individuals through contacting the following:

- Headteacher/Line manager
- Union representative,
- Human Resources,
- Occupational Health service.
- (See also Directory of local services - Refer to Appendix 1 attached)

4.3 If it is known or suspected that an individual suffers from a drug or alcohol problem they will be advised to seek medical advice, or guidance from their GP or by self-referral to Occupational Health on 01286 679746/ 01248 752510. However, if this advice is ignored, and as a result work performance continues to be affected/unsatisfactory, they could be dealt with in accordance with the disciplinary procedure which may result in demotion, transfer to another area or termination of employment.

4.4 Details of an addiction shall not be placed on an individual's personal record except in the case where the employee refuses support and medical advice and, hence, the disciplinary procedure has been applied.

5.0 ROLES AND RESPONSIBILITIES

5.1 All **individuals** within the school have a role to play in ensuring the prevention of drug/ alcohol misuse.

5.2 HEADTEACHERS/MANAGERS

Headteachers/Managers will need to differentiate between misconduct because of excessive drinking/ taking drugs on a specific occasion and serious dependency on alcohol or drugs and will follow the appropriate procedure. They should also;

- be familiar with and make others aware of the policy context
- be aware of the effects/ signs of alcohol or drug abuse
- intervene as soon as there is a sign of a problem
- refer employees for assistance and support
- carry out 'risk assessments' on employees duties in order to highlight and eliminate any factors which may contribute to such abuse
- take steps to protect individuals and others where an individual informs them that they are taking medication which could affect their ability to do their work effectively.
- Be aware that possession of illegal drugs in accordance with the Misuse of Drugs Act 1971 including legal highs, using them or supplying them within the workplace is strictly forbidden and any such case should be reported to the Police.

When there is sufficient evidence to suspect an individual's incapacity for work, or a risk to health and safety, due to being under the influence of alcohol or drugs, Headteachers/Managers must contact Mon Diagnostics to facilitate "for cause" alcohol and/or drug testing of the individual if appropriate.

5.3 EMPLOYEES

- Employees should not present themselves for work whilst under the influence of alcohol or drugs where their performance or ability to undertake their duties at work safely and competently has been affected in any way.
- Should make themselves familiar with the policy and procedures with regard to alcohol and drugs testing.
- Should seek advice with any personal alcohol/ drug abuse issues either through their own GP, Specialist or via self-referral to Occupational Health.
- inform their Headteacher/Line manager about any concerns they have about work colleagues and alcohol/drug abuse
- should not use any alcohol/ drugs **prior to** work hours which may impair their ability to undertake any of their duties, including where the individual needs to use a vehicle during working hours on official School/Council business.
- All are responsible for ensuring that there are no after-effects of alcohol or drugs on their body when presenting themselves ready for work (bearing in mind that alcohol and drugs remain in the body for a period and that a small amount can affect

- opinions, performance and it can endanger safety)
- Be aware that drinking alcohol or taking any illegal drugs **during work hours**, or during overtime or additional hours and on School/Council property whilst using School/Council vehicles and / or on official School/Council business at an independent location will be treated as a serious issue and will invoke the Disciplinary Policy and may result in dismissal. This includes staff who have responsibility for the health and safety of Children and/ or Vulnerable Adults when away from their normal place of work, or outside normal working hours. E.g. School trips, day trips, overnight stop overs.
- Be aware that possession of illegal drugs in accordance with the Misuse of Drugs Act 1971 including legal highs, using them or supplying them within the workplace is strictly forbidden and any such case should be reported to the Police and the matter will be dealt with under the School's Disciplinary Policy as gross misconduct which may result in dismissal.
- Ensure that they inform their Headteacher/Line manager immediately if they have been prescribed drugs which could affect their work.

5.4.HUMAN RESOURCES

- to provide guidance to Headteachers/Managers.
- to refer employees for help if needed – by referral to Occupational Health, Medra, Education Support and signposting to support agencies.
- to advise and liaise with Headteachers/Managers on implementing the policy and disciplinary procedure if appropriate

5.5 TRADE UNIONS

- to advise members of their rights and responsibilities with reference to the policy
- assist with the development of the policy
- represent the rights and needs of the employees

6.0 PROCEDURE TO FOLLOW WHEN SUBSTANCE ABUSE IS SUSPECTED

6.1 Employees who are aware they have an alcohol or drug addiction are asked to seek advice promptly. When a work colleague is suspected of having a problem it is the responsibility of the concerned individual/colleague to report this to the Headteacher/Manager, Human Resources or the Health and Safety Team.

6.2 If a Headteacher/Manager has sufficient reason to suspect misuse of alcohol / drugs, for example if they have cause to believe an employee has attended for work under the influence of alcohol / drugs, then they should contact HR for advice and then arrange "for cause" testing through Mon Diagnostics. (Please refer to the 'Guidance on dealing with an employee who may be 'under the influence').

6.3 Every effort shall be made to deal with such situations in confidence and with sympathy. However, the school cannot tolerate illegal activities and, in such circumstances, the disciplinary procedure will apply.

7.0 CAPABILITY

7.1 If a Headteacher identifies capability related issues concerning absenteeism, accident levels, work performance or behaviour, or any other observations and alcohol or substance misuse is suspected, then they will meet with the employee to discuss the reasons for this. It is in the employees best interests to be honest about the reasons at an early stage so that support can be offered at the earliest opportunity.

7.2 Every effort should be made to deal with the situation sympathetically and in confidence. If substance or alcohol misuse is suspected, or if the employee has confided that they have an alcohol or drug addiction, then the employee should be advised to seek immediate advice and guidance from their general medical practitioner, the Authority's Occupational Health Adviser and/or one of the voluntary agencies (see Appendix 1).

7.3 The matter should be dealt with in accordance with Informal Performance Management procedures in the first instance. A programme of support should be agreed with the employee, which should include recommendations from the Occupational Health Adviser, where appropriate. The support programme should be produced with reference to the Capability Policy and may involve any of the following possible actions (this is not an exhaustive list):

- Reduction in hours for an agreed period;
- Arranging for counselling through the Occupational Health Department
- Arranging consultation and/or counselling through CAIS Ltd or any of the other specialist organisations
- Additional training or retraining;
- Review of standards of work required and set timescales for meeting these standards
- Agree to review progress on a regular basis and monitor and feedback progress

7.4 Consideration should be given to conducting a risk assessment of the post to ensure that all health and safety implications have been addressed. The Headteacher should liaise with the Council's Health & Safety Unit in this regard.

7.5 If medical grounds for incapability are established, there may be a case for termination of employment on grounds of ill-health. In which case reference should be made to the School Absence Management Policy and advice on the procedure is available from Human Resources.

8 CONDUCT

8.1 Whilst this policy aims to be supportive and separate remedial action from disciplinary action, it is not always possible to achieve this. In certain circumstances, disciplinary action will arise as a direct, or indirect, consequence of alcohol or drug abuse. Use of the Disciplinary Policy will be appropriate in all cases relating to alcohol and drug abuse when:

- it affects the safety of other persons
- its symptoms negatively impact other persons
- an individual is suspected of:

- (i) being under the influence of alcohol or drugs whilst on duty
- (ii) possessing/supplying/offering to supply controlled drugs

- the problem interferes with the employee's ability to carry out their duties effectively
- an individual is suspected of or found to be under the influence whilst on duty
- an individual is suspected of supplying, possessing or offering controlled drugs
- the employee has rejected the schools offer of support or has not made efforts to overcome their dependency with the support of the School/Authority.

If an investigation is undertaken by the school against an employee as a result of drug/alcohol abuse, they may be suspended (if appropriate), with full pay, until a satisfactory outcome is reached.

It will be regarded as a case of gross misconduct if an employee is found to be under the influence of drugs/ alcohol whilst on duty. Likewise, any individual suspected of supplying and/ or offering controlled drugs on the School/Authority's premises will be suspended, on full pay, pending an investigation.

9 DRUG AND ALCOHOL TESTING

- 9.1 The term 'drug and alcohol testing' refers to the analysis of biological material to detect drugs or their metabolites in the body. For alcohol, breath tests are most common. For drug testing, urine tests are most common in the UK, but saliva, sweat and hair can be tested.
- 9.2 To assist in the implementation of this policy, an established testing/screening procedure to detect unauthorised substances in the body will be carried out in the following circumstances.
 - 'For Cause' Testing
 - Follow up screening as a responsible employer

'For Cause' Testing

- 9.3 'For Cause' testing means where there is a need to test an employee for alcohol and/or drugs due to there being grounds to suspect that the employee is unfit to carry out their duties and/or poses a threat to health and safety due to alcohol and/or drugs.
- 9.4 Testing will take place, for example, if:
 - An employee is involved in an accident or serious incident or near miss
 - Headteacher or manager believes an employee's actions or behavior gives reasonable grounds to suspect that they are under the influence of alcohol and/or drugs
 - Discovery of alcohol and/or drugs at a work location
 - Signs of current intoxication
 - Information provided by a source to suggest an employee is at work under the influence of alcohol or substance misuse

This is not an exhaustive list.

All employees will be subject to testing if any of the above apply.

Follow up screening as a responsible employer

- 9.5 Where an employee has a positive test result, this will normally result in disciplinary action. Where an individual remains in employment, they will be required to agree a support programme which will also include follow-up screening.

10.0 IMPLEMENTATION

10.1 This policy will take effect after adoption by the Governing Body.

10.2 Copies of this policy are available for both staff and elected members of the Governing Body from the Human Resources Team. Alternatively, electronically or via the Authority's Intranet site – Monitor.

APPENDIX 1

USEFUL CONTACTS:

Internal		
Occupational Health Unit	01286 679 746/01248 752510	occupationalhealth@ynysmon.llyw.cymru
Health and Safety Service	01248 751804	HealthAndSafetyHealthAndSafety@ynysmon.llyw.cymru
HR Unit	01248 752513/752928	
Local		
Adferiad	01492 863000	
BCUHB Substance Misuse Service	03000 853 355	BCU.smsanglesey@wales.nhs.uk
Dechrau Newydd	01492 556776	
National		
Drinkware	0300 123 1110	
Alcoholics Anonymous (AA)	0800 917 7650	help@aamail.org
Samaritans	116 123	
NSPCC	0808 800 5000	
Childline	0800 1111 (18 or under)	
DAN 24/7	0808 808 2234 Text DAN to 81066	
Alcohol Change UK	020 3907 8480	

