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# Alcohol, Drugs and Substance Misuse Policy

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## Alcohol, drugs and substance misuse policy

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### Introduction

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1.0 North Yorkshire County Council recognised the increase in alcohol, drug and substance related problems in society. It is prudent, therefore, to have an established policy and procedures available to guide management and employees should workplace problems emerge.

1.1 Addressing problems relating to alcohol, drug and substance misuse directly benefits the individual concerned whose health and continued employment may both be at risk. In addition, the County Council benefits from increased efficiency, productivity and the retention of valued, experienced staff.

1.2 Even low levels of alcohol consumption, inside or outside working hours (e.g. at lunchtimes) can impair an individual's job performance. The misuse of drugs and other substances can have a similar effect. Even where there is no immediate risk of an accident, people's ability to concentrate may be reduced so that they are less able to do their job effectively. As the levels of consumption or misuse increase, so the risk to health increases with physical and intellectual ability declining. Long term effects can range from an inability to concentrate to physical and psychological collapse.

1.3 The consumption of alcohol during the hours of duty may create an adverse image of the Council and its employees and should therefore be discouraged. Whilst the amount of alcohol consumed may be small, the adverse impression upon others may be long lasting. Officers whose duties involve face to face meetings with the public, clients or other offices should bear this point in mind.

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### Definitions

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2.0 For the purposes of this Policy, alcohol misuse is defined as:-

Any drinking, either intermittent or continuous, which interferes with an individual's health, work capabilities or conduct, or which affects the work performance and/or safety of others.

2.1 Drug and substance misuse refers to:-

- The use of illegal drugs.
- The accidental or intentional misuse of prescribed medication.
- The abuse of substances, e.g. solvents, which are harmful to, or have the potential to harm the individual, or, through an individual's actions, to harm other people.

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### Policy statement

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3.0 The County Council recognises that alcohol, drug and substance misuse are primarily health related problems requiring specialist help and that such problems can affect all levels of the workforce irrespective of profession, grade or status.

3.1 It is the intention of the County Council that management and staff be committed to ensuring that staff who may be experiencing problems can affect all levels of the workforce irrespective of profession, grade or status.

3.2 In addition, the intention of this policy is to:-

- Encourage employees who believe or suspect that they have problems related to alcohol, drug or substance misuse to seek specialist help voluntarily and will be advised where this may be obtained.
- Ensure that any employee who has come to the attention of Management as having such a problem will have the opportunity to discuss the problem and be offered assistance;
- Promote a non-hostile, non-judgmental environment within the workplace to encourage individuals with such problems to seek and accept help in the knowledge that both Management and work colleagues are committed to providing assistance;
- Ensure confidentiality. Any communication from the Occupational Health Nurse to Management will be restricted to comment on how the problem affects work, whether or not a recovery programme has been accepted and its likely duration. All information recorded on personal health records or arising from consultation between an employee and the Occupational Health Nurse is strictly private and confidential. The informed written consent of the individual is required before such information can be divulged to any other person.
- Assist in the early identification of individuals experiencing problems resulting from alcohol, drug or substance misuse;
- Prevent alcohol misuse problems arising through the promotion of 'sensible' drinking and development of good practices;
- Outline the objectives, nature and benefits of this approach which is subject of regular evaluation.

3.3 The focus of this policy is on impaired performance and/or behavioural problems within the workplace. Additionally, as alcohol, drug or substance misuse may interfere with an employee's health and job performance, and may also cause harm to colleagues, clients, the public and the County Council as a whole, this provides a legitimate basis for management intervention.

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#### Capability

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4.0 Application of the County Council's Capability Procedure may be a constructive way of emphasising the seriousness of the problem, where it affects work performance, whilst giving the individual opportunities for improvement with timescales acceptable to management.

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#### Discipline

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5.0 It is accepted that some directorates may have set their own policies regarding the consumption of alcohol because of a need to set particular standards for employees who are engaged in certain posts or tasks (e.g. driving). It is not intended that this Policy should overrule such directorate policies and, in cases of breaches of discipline it may be appropriate to implement the terms of the County Council's disciplinary.

5.1 However, managers will be required to determine the circumstances of each case and decide whether action should be taken distinct from, or in tandem with, the terms of this Policy and the Guidance Notes of Managers.

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## **GUIDANCE FOR MANAGERS**

### **1.0 Introduction**

- 1.1 Whilst each individual has a responsibility for his/her own health, it is often a work colleague or manager who is best placed to identify developing problems. The workplace is, therefore, a legitimate point at which to offer guidance and/or assistance to those faced with alcohol, drug or substance misuse problems. Everyone has a role to play in assisting those who may be experiencing such problems and it is essential that these problems are not covered up. No-one should feel guilty about bringing the matter to the attention of management as the aim is to achieve the individual's recovery.
- 1.2 For the policy to be effective, training is required at all levels of management in the operation of the procedures.

### **2.0 Indicators**

- 2.1 The following characteristics, especially when occurring in combination, **MAY** be indicative of an alcohol, drug or substance related problem. However, it should be noted that these characteristics **ARE NOT** confined to such problems and caution should be exercised in their interpretation. The Occupational Health Nurse is available to offer help and advice as required.

#### **2.2 (a) Absenteeism**

- Multiple instances of unauthorised leave
- Excessive sickness absence
- Frequent absences occurring on the same day, eg Mondays and/or Fridays
- Excessive lateness, eg Monday mornings, or returning from lunch
- Leaving work early
- Unusual and increasingly improbable reasons for absence
- Frequent unscheduled short-term absence, with or without explanation
- Unusually high absenteeism rates for diarrhoea, colds, flu, gastritis, etc.

#### **(b) High Accident Rate**

- Frequent accidents at work
- Accidents elsewhere, eg at home, travelling to work.

#### **(c) Difficulty in Concentration**

- Work requires greater effort

- Tasks take longer than normal to complete.

**(d) Confusion**

- Difficulty in recalling instructions, details, etc
- Increasing difficulty in dealing with complex assignments
- Difficulty in identifying/recalling own mistakes.

**(e) Spasmodic Work Patterns**

- Alternating periods of high and low productivity
- Increasing general unreliability and unpredictability
- Repeated unnecessary absences from post
- Frequent trips to the toilet, etc
- Extended tea/coffee breaks.

**(f) Reporting to Work**

- Reporting to work in an obviously inebriated condition, or apparently under the influence of drugs or other substances
- Smelling of alcohol
- Hand tremors
- Deterioration in personal hygiene/appearance.

**(g) Deterioration in Job Efficiency**

- Missed deadlines
- Mistakes due to inattention/poor judgement
- Poor decision making
- Implausible excuses for poor work performance.

**(h) Deterioration of Interpersonal Skills**

- Overreaction to real or imagined criticism
- Unreasonable resentments
- Irritability
- Complaints from colleagues
- Avoidance of supervisors, colleagues or other staff.

**3.0 Procedures**

- 3.1 Employees who, for any reason, may be experiencing problems resulting from the use of alcohol, drugs or other substances, should be offered the opportunity to obtain specialist help. Should an employee be found to have such a problem, then management is committed to offer every assistance in accordance with the provisions of this policy.

3.2 An appropriate course of action may be as follows:

**1. Identification**

- (a) An employee may recognise a problem and choose to seek help of his or her own volition. Should this be the case, then the individual should seek specialist help as soon as possible. The Occupational Health Nurse, staff associations and Trade Unions are available to assist if requested.
- (b) An individual's colleagues or manager may identify signs of developing problems, deteriorating work performance or behaviour. If this should occur, it should be brought to the attention of the appropriate manager. The manager will then arrange to interview the employee in private. At this stage, the Occupational Health Nurse, staff associations and Trade Unions are available to provide advice and assistance if required.
- (c) When an employee is visibly under the influence of alcohol, drugs or other substances at work, the manager should ensure that the employee is escorted home safely, and that arrangements are made to interview him or her on the next working day.

**2. Interview**

The employee should be interviewed by the relevant manager and:

- (a) be informed of the facts observed and advised of the possible consequences of continuing the present behaviour
- (b) be offered help to avoid these consequences.

The interview should be confined to aspects of work performance and/or behaviour unless there is clear evidence of alcohol, drug or substance misuse or if the employee raises the matter. The employee has the right to be accompanied by a Trades Union representative or friend if they so wish.

**3. Offer of Help**

During the interview the manager should state that the employee appears to have a problem which requires help and offer the opportunity of referral to the Occupational Health Nurse. Alternatively, the employee may prefer to seek help from an outside agency. Advice or assistance with these arrangements can be sought from the Occupational Health Nurse.

**4. Help Rejected**

If the employee rejects an offer of assistance, the manager should make a full assessment of the situation and decide whether it is appropriate to instigate action under the Capability or Disciplinary Procedures at this stage, or whether to allow the employee to continue at his/her place of work on the understanding that the situation

will be kept under constant review. During the interview, the manager should establish the future acceptable standard of work performance and pattern of behaviour. If at any time, the employee should fail to meet these requirements then the established Capability or Disciplinary Procedures may be implemented.

5. **Help Accepted**

If, during the course of the interview, the employee accepts referral to the Occupational Health Nurse for assessment, the manager should immediately contact the Health & Wellbeing Team to arrange an appointment. A letter of referral giving full details of the case must be sent **in confidence** to the the team to confirm the details.

6. **Problem Confirmed**

Where the Occupational Health Nurse informs the manager that the employee recognises that he/she has a problem and wishes to receive help, the Nurse will liaise with appropriate agencies to enable a recovery programme to be undertaken, either whilst the employee remains at work or during sickness absence.

7. **Recovery Programme Accepted**

If an employee accepts the programme offered or is being assisted to recover by an outside agency and declares him/herself 'fit to work' whether there has been a period of sickness absence or not, it is the statutory responsibility of the manager to ensure that the individual is actually fit to undertake the duties for which he/she was employed. It is recommended that, in such circumstances, advice is sought from the Occupational Health Nurse. At this stage, the appropriate manager should interview the employee to express support and explain management's expectations of future work performance and behaviour. Where there are doubts about the ability of the employee to fulfil the whole range of duties, consultation should take place with the relevant interested parties (Occupational Health Nurse, Personnel Section, staff associations or Trade Unions) as necessary to enable the manager concerned to reach an acceptable decision. If work problems should continue or recur at any time during the period of the recovery programme, the employee should be interviewed by the manager who will determine what action should be taken.

8. **Occupational Health Nurse Unable to Assist**

In some circumstances the Occupational Health Nurse may be unable to help the employee. For example, the Nurse may not perceive a problem for which (s)he can provide help, the employee may deny the existence of a problem or may reject the need to undertake a recovery programme. In these circumstances the Occupational Health Nurse will inform the manager that (s)he is unable to help and it will then be for the manager to assess what action, if any, should be taken in conjunction with the appropriate interested parties as detailed in previous paragraphs. Where an employee

returns to work and problems recur, the manager may instigate action within the framework of established procedures.

**9. Recovery Programme Discontinued**

If an employee should prematurely discontinue a recovery programme, the manager should arrange to interview the employee and determine what action should be taken.

It should be noted that discontinuance of a programme should not automatically result in action being taken within the Capability procedure. In the case of discontinuance of a recovery programme, it is recommended that assistance be sought from the Occupational Health Nurse, or from the Central HR Team.

**10. Alternative Working Arrangements During Recovery Programme**

Should a return to work and/or continuation at work carry with it the risk of a recurrence of the problem or of jeopardising the health and safety of staff, students or other third parties, a suitable alternative working arrangement should be provided, if available. If no suitable alternative is available, the employee should be given sickness absence. In some cases temporary or permanent redeployment may be offered.

**11. Completion of the Recovery Programme**

On the successful completion of a recovery programme, the manager should arrange to interview the employee to congratulate him/her, explain management's expectations of future work performance and behaviour and to offer continuing support.