

SUBSTANCE USE AND MISUSE POLICY

Policy Statement

As a responsible employer and provider of health care services, Public Health Wales recognises the importance of promoting the highest standards of awareness, health, safety and welfare of its employees in all matters and issues relating to substance use and abuse, in and out of the workplace.

This policy is designed to help protect workers from the dangers of drug and other substance misuse and to encourage those with a drugs problem to seek help.

It also seeks to highlight the potential dangers to the health and safety of drinkers and drug misusers and their colleagues if an alcohol/drugs problem is untreated, and the importance of early identification and treatment of an alcohol problem.

The Policy directly supports deliverables within the People and OD Operational Plan and IMTP, by helping to develop a focus on staff health and well-being as a preventative approach in pursuit of a happier, healthier and fairer workforce

Policy Commitment

This policy aims to ensure that the Trust (where applicable) treats issues relating to substance use and misuse as health concerns, with an underpinning caring and supportive approach applied to those affected, in support of the belief that early intervention, combined with a proactive and consistently applied approach, is key to the successful resolution of problem situations and staff concerns (as relevant).

Staff must not drink alcohol or take drugs at work, or when on a lunch break; alcohol must not be consumed at corporate functions, whether on Public Health Wales or other premises.

All concerns will be handled confidentially.

The Policy complies with the below listed legislative instruments:

Health and Safety at Work Act 1974 - section 2 – which places a duty on an employer to ensure, as far as is reasonably practicable, the health, safety and welfare at work of their employees.

Management of Health and Safety at Work Regulations 1999 – which places a duty on an employer to assess the risks to the health and safety of employees. This means an employer can be prosecuted if they knowingly allow an employee to continue working while under the influence of alcohol or drugs and their behaviour places the employee themselves or others at risk.

Misuse of Drugs Act 1971 – which make it an offence for someone to knowingly permit the production, supply or use of controlled drugs on their premises except in specified circumstances (for example drugs prescribed by a doctor).

Further, although not applicable to all workplaces, the below Acts also put obligations on employers and workers:

Road Traffic Act 1988 – which states that any person who, when driving or attempting to drive a motor vehicle on a road or other public place, is unfit to drive through drink or drugs shall be guilty of an offence.

Transport and Works Act 1992 – which makes it a criminal offence for certain workers to be unfit through drugs and/or drink while working on railways, tramways and other guided transport systems.

Psychoactive Substances Act 2016 – which makes drugs formally known as “legal highs” illegal. There are exemptions in the Act to cover things like medical products, food, caffeine, alcohol and nicotine.

The Director of People & Organisational Development is responsible for overseeing the implementation of this policy and will provide information to the Executive Management Team in relation to issues raised in line with this policy.

Supporting Procedures and Written Control Documents

Other related documents are as listed below:

- Capability Policy
- Disciplinary Policy
- My Contribution Policy
- Sickness Absence Policy
- Smoke Free Environment Policy
- Stress Management Policy

In addition policies relating to the provision of the Trust’s Occupational Health and Employee Counselling Services are directly applicable to the Substance Use and Misuse Policy.

Scope

The policy is applicable to all current employees of the Trust and seeks to provide further guidance and clarify responsibilities of both line managers, members of the People and Organisational Development Teams, and the Trust's outsourced Occupational Health providers

Equality, Welsh Language and Health Impact Assessment

An Equality, Welsh Language and Health Impact Assessment has been completed and can be viewed on the policy webpages.

Approved by

People and Organisational Development Committee

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Group authority with to approve supporting procedures

People and Organisational Development Committee

Accountable Executive Director/Director

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Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or [Corporate Governance](#).

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1 Introduction

As an employer of people, and provider of health care services, Public Health Wales recognises the importance of promoting the highest standards of awareness, health, safety and welfare of its employees in all matters and issues relating to substance use and abuse, in and out of the workplace.

We also recognise the adverse effects of alcohol and substance misuse on the health and wellbeing of employees, and the consequential impact on service users.

Issues relating to substance use and misuse should be treated as health concerns, with an underpinning caring and supportive approach applied to those affected. Early intervention, combined with a proactive and consistently applied approach, is key to the successful resolution of concerns.

However, there may be circumstances when the use of the Disciplinary policy is identified as the correct course of action.

2 Definitions

Substance abuse covers misuse of a range of mind-altering substances and can mean taking illegal drugs, or taking medicines in a way not recommended by a GP or the manufacturer. It can have a severe impact on function, as well as physical health.

Substance abuse or misuse is formally defined as the continued misuse of any mind-altering substance that severely affects a person's physical and mental health, social situation and responsibilities.

Alcohol dependence is the most common form of substance misuse, but any drug, including heroin, cocaine, crack and cannabis, comes into this category, as does the misuse of glue and aerosols; for the purposes of this policy, prescribed drugs, image enhancing drugs e.g. steroids and legal highs are also included in the definition of substances that could adversely affect work performance and/or health and safety.

It is accepted that alcohol is a legal drug, but we accept that the use of many of the drugs referred to differ from alcohol as their use is generally not socially acceptable and is often illegal. Some drugs can more rapidly affect physical and mental health than alcohol, so in this respect, the earlier a problem with this type of substance misuse can be dealt with, the greater chance there is of rehabilitation.

However, we also accept that alcohol misuse can cause significant harm to individuals, which is reflected in the significant increase in deaths from alcohol-related causes in the UK, and that early intervention is also key for this form of substance misuse.

3 Policy Aims and Objectives

- Managers enabled to respond appropriately where substance use and misuse is impacting performance and/or service delivery, with a balance achieved between supporting employees and the need to deliver services.
- Provision of support to employees so they know where to go and what to do if they have questions, or are experiencing difficulties, or if they have concerns about colleagues.
- Underpinning approach of early intervention and supportive action wherever possible.

4 Roles and responsibilities

4.1 All

- Commitment and contribution to a healthy workplace.
- Foster a safe and supportive working environment.
- Duty of care to all colleagues and to ensure protection of clients and patients.
- Interconnectedness with other agencies and departments.

4.2 Line managers

- Awareness, responsibility and proactive engagement to ensure wellbeing of staff.
- Encouragement and support to staff to make positive lifestyle and wellbeing choices.
- Commitment to a proactive approach and intervention at an early stage where changes in performance, behaviour, absence levels or attendance patterns are identified, to establish whether alcohol or drug misuse is an underlying cause.
- Responsibility to encourage employees to seek relevant support.

- Awareness of when and how to access additional support, and a requirement to instigate other procedures where appropriate.

4.3 Employees

- Awareness of own responsibility for health and wellbeing.
- Behave in a professional and appropriate manner whilst fulfilling contract of work.
- Engage with any programmes of support put in place by management and other relevant agencies.
- Encourage colleagues to seek support and raise concerns in a timely manner.
- Responsibility to raise concerns with line manager if they are concerned colleagues need support but do not wish to seek help.

4.4 People and Organisational Development

- Development of resources to support skills development for managers, including awareness raising, symptoms to be aware of and how to handle difficult conversations.
- Support managers and employees in appropriate decision making and in accessing specialist help.
- Ongoing development of policy and provision of shared learning, best practice and case studies.

4.5 Occupational Health

- Provision of expert guidance and support, tailored to individual circumstances.
- Signposting to relevant support agencies when required.

5 Procedure

Line Manager

5.1 Recognising there is a problem

Drinking alcohol is an accepted part of social life and it can be hard for a manager to draw a line between:

- appropriate social drinking, and
- an employee who consistently drinks heavily.

Recognising the signs of drugs abuse can be more difficult. If you have a good rapport with your employees, you are more likely to pick up on:

- sudden changes in behaviour
- abnormal fluctuations in mood and energy
- deterioration in relationships with other people.

Employees with a drink or drugs problem are likely to have higher absence levels than their colleagues. You should focus on how an employee's addiction is affecting their performance and how you can get to the root of the problem.

5.2 Dealing with someone who has a drug or alcohol problem (see Appendix 2 for further detail)

When you become aware of the issue, you should:

- contact your Senior HR Adviser to make them aware of your concern and outline your initial plan for action. This may include sending employee home or identifying a safe place for them in work, if you are concerned about their immediate safety.
- keep ongoing, accurate and confidential records of instances of poor performance or other problems
- speak to your employee about your concerns in private as early as possible in the process – you may need the support of a peer or member of the People and OD team at this meeting
- concentrate on the instances of poor performance that have been identified
- ask for the reasons for poor performance and question whether it could be due to a health problem, without specifically mentioning alcohol or drugs
- if appropriate, discuss this policy and be aware of the help available inside or outside of your organisation
- agree future action
- arrange regular meetings to monitor progress and discuss any further problems if they arise.

6 Further sources of advice and information

Information can be found on the Our People page of the intranet site.

7 Implementation

The policy will be implemented across the organisation and made available to all staff, contractors, and agency workers.

8 Equality and Welsh Language

The policy aims to support staff irrespective of their language and is available in both English and Welsh.

9 Audit

The application of the policy will be monitored on an ongoing basis.

10 Distribution

All staff will be made aware of this policy upon commencement with Public Health Wales. It can be obtained on the Public Health Wales Policies Intranet page, will be publicised via the staff intranet, and will be sent to all Directorate leads for circulation.

11 Review

This policy will be periodically reviewed through consultation with employees, managers and trade union representatives, with the aim of review against aims and objectives.

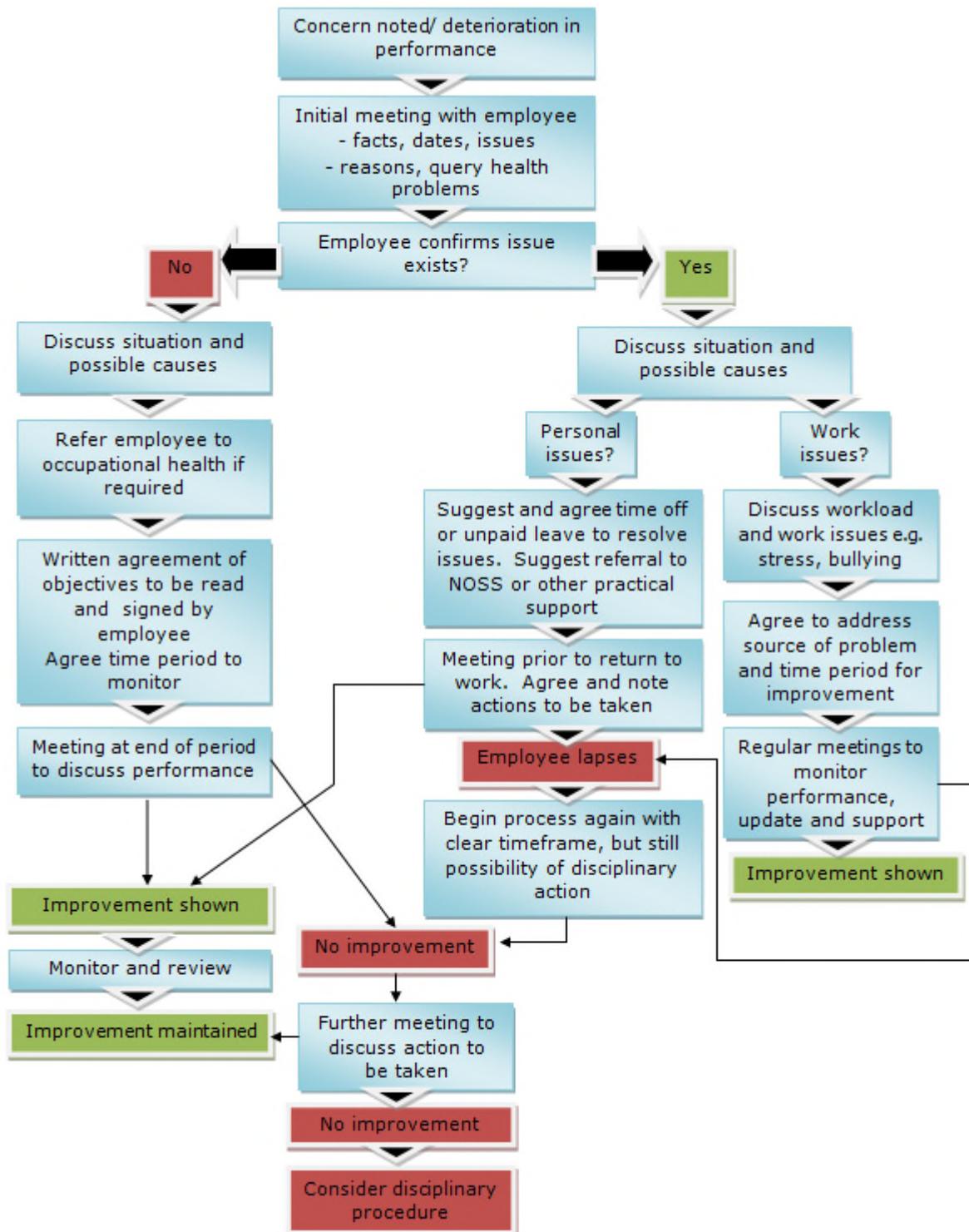
12 Appendices

12.1 Appendix 1 – What are the potential signs and symptoms?

Alcohol and drug misuse impairs judgement, concentration and co-ordination (amongst other problems). The following indicators are signs of possible alcohol or drug misuse (it's important to note that these can also be caused by other factors, such as stress, physical illness, mental health problems or the effects of prescription drugs; each case should be considered on its merits):

- repeated patterns of depression, or fatigue from sleeplessness, which last two to three days
- erratic performance
- unusual irritability or aggression
- overconfidence
- inappropriate behaviour
- sudden mood changes from extreme happiness to severe depression
- reduced response times
- a tendency to become confused
- reduced productivity
- absenteeism
- poor time-keeping
- lack of discipline
- deterioration in relationships with colleagues, customers or management
- dishonesty and theft
- financial irregularities.

12.2 Appendix 2 - Flowchart of support and other procedures



12.3 Appendix 3 Legislation to be aware of (ACAS information)

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