

Tauheedul Education Trust

This policy is in line with the Vision of the Trust

Nurturing Today's Young People, Inspiring Tomorrow's Leaders

ALCOHOL AND DRUGS AT WORK POLICY



Tauheedul
Education Trust

Document Control

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1 Scope and Purpose

- 1.1 The Trust is committed to providing a safe and productive work environment and to promoting the health, safety and well-being of its employees. The Alcohol and Drugs Policy is designed to ensure that employees are aware of the risks associated with alcohol/drug misuse and the consequences of their actions.
- 1.2 The inappropriate use of alcohol or drugs can damage the health and well-being of employees and have far-reaching effects on their personal and working lives. At work, alcohol or drug misuse can result in reduced levels of attendance, sub-standard work performance and increased health and safety risks not only for the individual concerned but also for others, for example colleagues, pupils, parents and contractors. Furthermore, the effects of alcohol or drug misuse are likely to be detrimental to the Trust or an individual establishment's reputation.
- 1.3 Drug and alcohol misuse should become a matter of concern to the Head of Establishment and/or the Trust when misuse interferes with an individual's work capacity, conduct, health or attendance.
- 1.4 This policy covers the use and misuse of intoxicating substances, which include alcohol, solvents, legal and illegal drugs, prescription and over-the-counter medicines and other substances that could adversely affect work performance and/or health and safety.
- 1.5 The purpose of this policy is to:
 - 1.5.1 promote awareness and prevent alcohol and drug addiction;
 - 1.5.2 identify and provide help and support to those with an alcohol or drug related problem;
 - 1.5.3 encourage a sensible approach to the consumption of alcohol;
 - 1.5.4 provide clear guidelines on the consumption of alcohol at work including off site activities;
 - 1.5.5 safeguard employees, pupils and visitors from the hazards of alcohol and drug abuse;
 - 1.5.6 provide appropriate support and advice;
 - 1.5.7 engender a climate that encourages openness and honesty (within the boundaries of strict personal confidentiality and legal requirements) and that gives employees, the Head of Establishment and the Trust confidence to deal with substance misuse problems by following a clear procedure.
- 1.6 The Trust will, where appropriate to do so, adopt a constructive and supportive approach when dealing with employees who may be experiencing drug or alcohol dependency/addiction. This means that employees seeking assistance for a substance misuse problem will not have their employment terminated simply because of their dependence/addiction. The Trust encourages early disclosure of any problems or issues and this early disclosure will allow the parties the best opportunity to address concerns in a supportive way.
- 1.7 This policy does not form part of any employee's contract of employment and it may be amended by the Trust at any time after consultation with our recognised Trade Unions.
- 1.8 In this policy references to personnel/bodies are to the personnel/bodies present within the establishment at which the particular member of staff reviewing the policy is engaged.

2 Who is Responsible for the Policy?

- 2.1 The Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The Trust has delegated day-to-day responsibility for operating the policy to the Local Governing Body, Trust Central Team and Head of each establishment.
- 2.2 The Local Governing Body and Senior Leadership Team at each establishment has a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.
- 2.1 The Chief Executive of the Trust will be responsible for administering the policy in relation to the Head of Establishment (where the policy is applied to the Head of Establishment, all references to Head of Establishment should be replaced with Chief Executive of the Trust).
- 2.2 The Board of Trustees will be responsible for administering the policy in relation to the Chief Executive of the Trust (where the policy is applied to the Chief Executive of the Trust, all references to Head of Establishment should be replaced with Board of Trustees).

3 Who is Covered by this Policy?

- 3.1 This policy covers all employees at all levels and grades including senior managers, employees, trainees, part-time and fixed term employees (referred to as employees in this policy).

4 Definitions

- 4.1 **Drug Misuse** - The use of illegal drugs and the misuse, whether deliberate or unintentional, of prescribed drugs and substances such as solvents. Drug misuse can harm the misuser both physically and mentally and, through the misuser's actions, other people.
- 4.2 **Alcohol Abuse** - A level of consumption which affects an employee's ability to carry out their duties.
- 4.3 The simultaneous use of alcohol and drugs is particularly dangerous.

5 Code of Conduct

- 5.1 Employees must not engage in conduct outside work which could seriously damage the reputation and standing of the Trust, an individual establishment or the employee's own reputation or the reputation of other members of the Trust or community.

6 Searches

- 6.1 The Trust reserves the right to conduct searches for alcohol or drugs, including, but not limited to, searches of classrooms/offices, staff desks, lockers, filing cabinets and desks. This will also include packages that are sent to any Trust property or are otherwise on Trust property.
- 6.2 Any alcohol or illegal drugs found as a result of a search will be confiscated and action may be taken under the Disciplinary Policy.

7 Drug screening

- 7.1 In cases where there is reasonable cause to suspect that an individual's performance is impaired as the result of drug misuse, the employee may be required to submit to an immediate drug screening test.

- 7.2 Any such drug screening would be conducted by an external provider. Arrangements will be discussed with affected employees should such screening be required by the Trust.

8 Employee Responsibilities in Managing Alcohol and Drug Misuse

- 8.1 All employees are expected to ensure that their personal consumption of alcohol or use of prescribed drugs does not interfere with their ability to perform their duties safely and competently. Being under the influence of drink and/or drugs while at work may lead to suspension from employment while a disciplinary investigation takes place.
- 8.2 Any employee suffering from drug or alcohol dependency should declare such dependency, and the Head of Establishment will subsequently consider whether it is appropriate to provide reasonable assistance, treating absences for treatment and/or rehabilitation as any other sickness absence.
- 8.3 The employee may be liable to normal disciplinary/capability procedures if they fail to accept help or continue with treatment or should any of the circumstances referred to within Section 13 apply.
- 8.4 Intoxicating substances such as alcohol may remain in the system for some time and even small amounts can impair performance and jeopardise safety. Employees are responsible for allowing sufficient time for the intoxicating substance to leave their system before reporting for work, this can apply to reporting for work the next day.

9 Consumption of Alcohol and/or Drugs during the Working Day

- 9.1 **Alcohol** - To ensure the safety of all children and staff, all Trust employees including those who have direct or indirect contact with children are forbidden from consuming alcohol at any time during the working day, including breaks. Any breach of this condition is likely to be investigated under the Trust's Disciplinary Policy. There may be special rules in respect of any school trips which require an overnight stay and any special rules will be notified to employees at the time.
- 9.2 **Illegal Drugs** - The use of illegal drugs or the misuse of other drugs is forbidden at any time and if alleged is likely to be investigated under the Trust's Disciplinary Policy.
- 9.3 **Prescribed Drugs** - Exceptions apply to drugs prescribed for the individual or over-the-counter medicines used for their intended purpose (in accordance with the instructions given by the prescriber, pharmacist or manufacturer) and where the safety of the individual or others with whom they come into contact is not compromised. Employees must notify the Head of Establishment or the relevant designated person should they be prescribed medication or plan to take medication that may cause side effects and impair their ability to undertake their duties safely and effectively. In such cases, the employee may need to have reasonable adjustments made to enable them to continue working or be certified sick as appropriate.

10 Possession or Dealing in Drugs

- 10.1 Possession or dealing in drugs at work should be reported immediately to the LADO (Local Authority Designated Officer) and police. The following action must be taken:
- 10.1.1 inform the Head of Establishment;

- 10.1.2 do not alert the employee of the intention to call the police and do not send them home;
- 10.1.3 contact the LADO;
- 10.1.4 contact the police;
- 10.1.5 wait for further instruction from the LADO and police.

11 Driving Bans Related to Alcohol or Drugs

- 11.1 Where employees who are required to drive as part of their conditions of employment are disqualified from driving as a result of an alcohol or drugs related offence, the Head of Establishment may consider redeployment, if appropriate within the particular establishment. If redeployment within the establishment is not an option, then the employees continuing employment may be at risk. Consideration should be taken to the possibility of the employee bringing the Trust or the individual establishment into disrepute, which may then require an investigation under the Trust's Disciplinary Policy.

12 Procedure

- 12.1 An employee who appears to be under the influence of drugs and/or alcohol while at work:
 - 12.1.1 The Health and Safety Executive guidance states that if an employer knowingly allows an employee under the influence of excess alcohol or drugs to continue working and thereby placing the employee or others at risk, the employer could be prosecuted. Therefore, where suspected consumption of alcohol or drugs is judged to affect work performance or conduct, the Head of Establishment or designated person will need to take immediate action.
 - 12.1.2 Send the employee home so that they and others are removed from potential risks. Consideration should be taken to their ability to return home safely, e.g. for them not to drive themselves home.
 - 12.1.3 Consider whether it is appropriate to initiate a disciplinary investigation under the Trust's Disciplinary Policy.
- 12.2 An employee who appears to have a drug and/or alcohol problem. Employees who are identified as possibly experiencing alcohol/drug related problems (see Appendix 1 for examples), whether by observation, poor performance, conduct or by their own voluntary admission, may in appropriate instances be given the following assistance:
 - 12.2.1 If the Head of Establishment has concerns that an employee may have a drug or alcohol problem, he/she may first arrange an informal meeting to discuss his/her concerns with that employee. The employee may be accompanied by a trade union representative or a work colleague and no one else.
 - 12.2.2 During the initial meeting, the Head of Establishment should suggest to the employee that support is provided by way of a referral to Occupational Health. The employee should be made aware that his/her co-operation is required during the referral process in order for Occupational Health to be able to provide full support and advice. See the Trust's Sickness Absence Policy for further guidance in this respect.

- 12.2.3 The Head of Establishment should make it clear to the employee that any necessary time off will be granted for treatment/support in accordance with the Non-Holiday Leave (Including Time Off for Dependants Rights) Policy.
- 12.2.4 The employee should return, as far as possible, to their normal duties during and after treatment. This will depend on their ability to perform those duties or on the consequent risk of relapse due to a return to those duties. If a return to normal duties is not considered to be appropriate, redeployment or other suitable options may be considered by the Head of Establishment.
- 12.3 For the avoidance of doubt, however, all employees should be aware that nothing in this policy will prevent the Trust's right to deal with conduct or performance issues arising from the misuse of alcohol or drugs under the Trust's Disciplinary or Capability Policy as appropriate.

13 When to Apply the Disciplinary/Capability Procedure

- 13.1 The Trust will, where appropriate to do so, adopt a constructive and supportive approach when dealing with employees who may be experiencing drug or alcohol dependency/addiction. This means that employees seeking assistance for a substance misuse problem will not have their employment terminated simply because of their dependence/addiction.
- 13.2 Notwithstanding the above, there will be circumstances where breaches of the policy, whether dependency-related or not, will be treated as a disciplinary and/or capability matter and may in some cases result in the summary dismissal of the employee. Examples of issues that will be subject to disciplinary action, including the possibility of dismissal, are:
 - 13.2.1 working under the influence of alcohol or drugs;
 - 13.2.2 incapacity through alcohol or being under the influence of illegal drugs;
 - 13.2.3 being convicted of any criminal offence connected with alcohol or drugs, regardless of whether the offence took place inside or outside the workplace;
 - 13.2.4 reasonable suspicion of activities, such as possession, consumption, dealing/trafficking, selling, storage of controlled drugs, either on work premises or engaging in such activities outside of work.
- 13.3 This list is not exclusive or exhaustive. Disciplinary/capability action will in all cases be proportionate to the circumstances of the breach of this policy.

14 Monitoring, Evaluation and Review

- 14.1 The policy will be promoted and implemented throughout all Trust establishments.
- 14.2 The Trust will monitor the operation and effectiveness of arrangements referred to in this policy at each Trust establishment.
- 14.3 The Trust will review this policy every two years in consultation with each Trust establishment.

Appendix 1: Signs of Alcohol and Drug Abuse

Listed below are examples of the kind of symptoms which someone with an alcohol or drugs related problem may present. **Not all these symptoms will appear in every instance and it is possible that some of these symptoms may not be connected with alcohol or drugs** in which case signs which give cause for concern should be addressed appropriately.

1 Absenteeism/Irregular attendance

- 1.1 Multiple instances of unauthorised leave
- 1.2 Frequent Monday or Friday absences
- 1.3 Unusually high absenteeism (e.g. for colds, flu, gastritis and general malaise)

2 Reporting for work

- 2.1 Excessive lateness, for example on a Monday morning or returning from lunch
- 2.2 Smelling of alcohol
- 2.3 Unkempt appearance/lack of hygiene

3 Absenteeism whilst at work

- 3.1 Repeated absences from the post, more often than necessary
- 3.2 Frequent trips to the toilet
- 3.3 Overlong tea/coffee breaks
- 3.4 Leaving work early

4 Lack of concentration and confusion

- 4.1 Work requires greater effort
- 4.2 Jobs take an unreasonable time to complete
- 4.3 Difficulty in recalling instructions and details
- 4.4 Increasing difficulty in handling complex assignments
- 4.5 Difficulty in recalling errors

5 Spasmodic work patterns and deteriorating performance

- 5.1 Alternate periods of high and low productivity
- 5.2 Increasing general unreliability and unpredictability
- 5.3 Missed deadlines
- 5.4 Mistakes due to inattentiveness or poor judgement
- 5.5 Complaints from colleagues about behaviour
- 5.6 Attempts to borrow money from colleagues
- 5.7 Avoidance of manager or colleagues