



ALCOHOL and SUBSTANCE MISUSE Policy

HR.03 – October 2022

Policy Number	HR03			
Document Owner	L Haemmerle			
Review Frequency	3 year			
Reviewed by	Management Committee			
Date Approved	5 th October 2022			
Next Review Due	October 2025			
Version Number	07			
Consultation Required	Yes		No	✓
Equalities Impact Assessment	Yes		No	✓
Added to Website	Yes	✓	No	

SSHC Reference	
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Related Documents

- **Disciplinary Policy HR01**
- **Code of Conduct for Staff HR13**
- **Attendance Policy HR11**

Translation Statement

If you have any difficulties reading this information or need further help understanding our processes please contact us. We can make this document available in a variety of formats. All you need to do is let us know what you need and we will try to assist.

Compliance

This policy has been drafted to ensure that it complies with current legislation and industry good practice.

Equality & Diversity

Fyne Homes is committed to providing services which embrace diversity and which promote equality of opportunity. As an employer we are also committed to equality and diversity within our workforce. Our goal is to ensure that these commitments, reinforced by our Values, are embedded in our day-to-day working practices.

Openness & Confidentiality

Fyne Homes believes that its members, tenants and other interested parties should have access to information on how it conducts itself. This means that unless information requested is considered commercially sensitive or personally confidential it will be made available on request.

Data Protection

Fyne Homes recognises the importance of data protection legislation, including the General Data Protection Regulation, in protecting the rights of individuals in relation to personal information that we may handle and use about them, whether on computer or in paper format. We will ensure that our practices in the handling and use of personal information during the processes and procedures outlined in this policy comply fully with data protection legislation. More information is available from our Data Protection Officer.

1. Introduction

- 1.1. This policy has been devised to assist Fyne Homes in the management of alcohol and substance misuse problems affecting the working environment. Fyne Homes has a duty to provide high standards of customer care at all times and it is acknowledged that alcohol and substance misuse is likely to have an adverse effect on this.
- 1.2. This policy will set out Fyne Homes' standards and expectations in relation to alcohol and substance abuse and the level of support that will be when problems arise.
- 1.3. All employees are required to comply with this policy.

2. Aim

- 2.1. This policy aims to;
 - 2.1.1. Clarify Fyne Homes' position on drinking and/or substance abuse at work.
 - 2.1.2. Explain Fyne Homes' position on illegal activity concerning drugs and/or alcohol
 - 2.1.3. Provide guidance and boundaries on appropriate assistance and support to employees with issues relating to alcohol or substance misuse.
 - 2.1.4. Adhere to the legal obligations of Fyne Homes' as set out under Health & Safety legislation.
 - 2.1.5. Clarify the circumstances in which disciplinary procedures will be instigated.
 - 2.1.6. Provide guidance for managers to manage alcohol and substance misuse issues.
 - 2.1.7. Clarify the distinction between dependent and non-dependent misuse of alcohol or substances.

3. Links to vision and strategic priorities

- 3.1. This policy aims to fulfil the needs of the Association's Strategic Priorities, in particular: Meeting the needs and aspirations of our customers and respecting our customers, staff and committee and approaching our business and activities with openness and integrity.

4. Legal framework

- 4.1. Health & Safety at Work Act 1974
- 4.2. Misuse of Drugs Act 1971
- 4.3. Health and Safety - Fyne Homes recognises its duty under the Health and Safety at Work Act 1974 to ensure as far as is reasonably practical the physical and psychological health and safety of all employees. If it is felt that an individual poses a risk to the health and safety of themselves or anyone else as a result of alcohol or substances, immediate action will be taken to remove the individual from the environment, most likely by sending the individual home. If it is not safe for the individual to make their own way home alternative travel arrangements must be made.
- 4.4. All employees have a responsibility to ensure the health and safety of others is not put at risk. If an employee has reason to believe that a colleague is misusing alcohol or drugs they must inform their line manager immediately.
- 4.5. Fyne Homes strongly discourages employees from drinking alcohol or taking drugs prior to reporting to work. Employees must not turn up for work under the influence of alcohol or drugs under any circumstances.
- 4.6. Illegal Activity - Fyne Homes respects an individual's right to a private life, however Fyne Homes works within the community with a purpose of improving the lives of those who live there. As a result Fyne Homes will not tolerate any instances of illegal activity concerning drugs or substances. Any employee found to be involved or connected to illegal activity will be managed under Fyne Homes' disciplinary procedure which will likely result in dismissal.

5. Confidentiality

- 5.1. Employees with alcohol or substance abuse problems who are referred for treatment, whether voluntarily or mandatory will be dealt with in the strictest confidence

6. Managing and Reporting

- 6.1. Any issues raised under this policy will be formally monitored by Human Resources. Reporting will fall under standard absence reporting to Staffing Committee and Management Committee with confidentiality maintained.

7. Definitions

- 7.1. For the purposes of this policy the following definitions apply:

- 7.1.1. Alcohol Abuse: where a person feels that they are unable to function without alcohol, and the consumption of alcohol becomes an important, or sometimes the most important, factor in their life. (www.nhs.co.uk)
- 7.1.2. Substance Abuse: Intoxication by/or regular excessive consumption of and/or dependence on psychoactive substances, leading to social, psychological, physical or legal problems. It includes problematic use of both legal and illegal drugs (including alcohol when used in combination with other substances) www.nice.org.uk

8. Drinking at Work

- 8.1. The consumption of alcohol or drugs at work is not normally permitted. However, at special events, where the employee is not driving and only with the approval of the Governing Body alcohol may be permitted.

9. Driving at Work

- 9.1 Drinking alcohol or taking drugs can affect people in different ways. As a result, Fyne Homes takes the view that the only safe level of alcohol is no alcohol. Should an employee drink alcohol and then undertake any occupational driving this will be deemed as breach of conduct and will be dealt with under our Disciplinary Policy.

9.2 Before any driving at work takes place a risk assessment should be conducted. This should be completed by the driver and should include any alcohol intake. This is particularly relevant 'the morning after the night before'. If an employee is in any doubt as to whether they are safe to drive they should not do it.

9.3 If an employee suspects another staff member has consumed alcohol or they have reason to believe the person may not be safe to drive the morning after, they have a responsibility to report this immediately to a manager. Should malicious allegations be made this will be treated very seriously and will be subject to formal disciplinary action.

9.4 Alternatively, a call can be made directly to the police.

10. Managing Alcohol Misuse

10.1 Fyne Homes will manage alcohol misuse depending on its nature. Alcohol misuse will be dealt with under the following categories:

10.1.1 Alcohol overindulgence

10.1.2 Alcohol dependence

10.2 Where an issue arises concerning alcohol overindulgence that results in socially unacceptable or dangerous behaviour but which is not related to a physical or psychological dependence. This will be treated as a conduct issue and will be dealt with under the organisation's disciplinary procedures.

10.3 Where an issue arises concerning alcohol dependency and interferes with an employee's work, this will initially be considered as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, programme not completed or no dependence is diagnosed Fyne Homes will instigate the disciplinary procedure.

11. Managing Substance Misuse

11.1 Legal Substances

11.1.1 Where an issue arises concerning the recreational use or over indulgence in legally obtained substances which results in socially unacceptable or dangerous behaviour. This will be treated as a conduct issue and will be dealt with under the organisations disciplinary procedures.

11.1.2 Where an issue arises concerning legal substance dependency which has been obtained legally and interferes with an employee's work, this will initially be managed as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, programme completed or no dependence is diagnosed Fyne Homes will instigate the disciplinary procedure.

11.1.3 This policy does not stop employees from using prescribed medication, over-the-counter medication or herbal remedies. However, medication such as tranquilisers, sleeping pills, pain-killers, decongestants, cough suppressants, antihistamines and anti-depressants can make people feel drowsy and make affect work performance or the safety of themselves or others.

11.1.4 If an employee is taking any medication they should;

- Check possible side effects with their doctor or pharmacist and
- Let their manager know, in confidence, they are taking medication and the possible side effects. Their manager will, if necessary make alternative arrangements for them for the duration of the treatment.

11.2 Illegal Substance Misuse

11.2.1 Fyne Homes will not tolerate the consumption or possession of illegal drugs in any circumstances. This will always be considered to represent gross misconduct.

11.3 Illegally Obtained Legal Substances

11.3.1 Fyne Homes will not tolerate illegal activity concerning legal substances. Any employee who is suspected of being involved in any such activity will be dealt with in accordance with Fyne Homes' disciplinary procedures as gross misconduct.

12. Assistance

12.1 If an employee comes forward voluntarily and seeks help for an alcohol or drug problem they will be given help and support by Fyne Homes. If an

employee thinks they have a problem and may be violating this policy as a result, Fyne Homes strongly encourages them to come forward and seek help. Fyne Homes will be sympathetic and ensure the employee gets the help and support they need which may include direction to external specialists. If an employee volunteers information to Fyne Homes that they have an alcohol or drug problem they will be treated with dignity at all times.

- 12.2 Fyne Homes recognises that employees may continue to struggle with alcohol or drug dependency even after they have sought and are receiving assistance. Fyne Homes will make every effort to provide ongoing support to employees.

13. General Illegal Activity

- 13.1 Any employee suspected to be involved in illegal activity concerning substances will also be reported to the police without exception.

14. Police Involvement

- 14.1 In circumstances where the police are involved in an investigation concerning any employee, Fyne Homes will continue with their own investigation and act on this accordingly regardless.

15. Managing Dependency Problems

- 15.1 In circumstances where an employee is suspected of having an alcohol or legal substance dependency Fyne Homes will provide reasonable support. In the first instance the line manager will have a meeting with the employee and make a management referral to the Employee Counselling Service (or other employee support organisation). The manager will then have follow up meetings on an appropriate and regular timescale to determine the progress the individual is making.
- 15.2 Where there are performance issues relating to the dependence appropriate performance plans will be put in place in accordance with Fyne Homes' under performance procedures as detailed in the disciplinary procedures. Where the improvement is not adequate or support via the Employee Counselling Service (or other employee support organisation) is not adhered to, normal disciplinary procedures will be instigated which may result in dismissal.

16. Absence

16.1 If employees are absent from work due to their attendance for treatment in relation to alcohol or drug abuse, that absence will be treated as normal sickness absence.

17. Disciplinary Procedures

17.1 In circumstances where Fyne Homes' disciplinary procedures are instigated in relation to this policy, the outcome may include dismissal.

18. Reviewing process

18.1 This policy will be reviewed in line with the respective current Fyne Homes' policies, and/or where a change in legislation arises.

18.2 If there is a procedural delay in the policy revision then the relative legislation in force at the time will prevail.

Version number	Revision Date	Part of doc revised	Reason for revision	Approved by
6	July 2019	ALL	Change title to Alcohol and Substance Misuse Policy Updated policy principles and support mechanisms. Plus standard compliance statements.	Man Comm
7	October 2022	ALL	Scheduled review – minimal adjustments	Man Comm