

### 1. Introduction

The term 'drug' has been used in this policy to include all drugs and substances, legal or illegal, which could adversely affect behaviour or performance which can lead to an increased risk of accidents and/or injuries occurring in the workplace. This policy covers both the use and misuse of alcohol and drugs.

This policy is to ensure the safety of all employees, workers, students and visitors by having clear rules in place regarding the use, consumption and possession of alcohol and drugs in the workplace and to support those who have reported a problem with alcohol or drug misuse.

This policy sets out the university's position with regard to alcohol and drugs within the workplace and the approach it will take when their use can affect an individual's performance, conduct, behaviour or impacts on safety at work.

### 2. Principles

- All employees will be treated with consistency and fairly in line with this policy;
- Employees who advise the university that they have an issue with alcohol or drugs will be offered support by the university;
- Employees with an underlying medical condition associated with alcohol or drugs are encouraged to disclose this at the earliest opportunity to enable the University to support them;
- All matters concerning such disclosures will be treated in a sensitive and confidential manner.

### 3. Scope

- This policy applies to all employees and workers etc during their working hours, when undertaking activities on behalf of the university or attending university-related events;
- Issues with absence or a long term alcohol or drug related condition will be managed in accordance with the university's sickness absence policy and procedure;
- Where concerns arise due to performance whilst at work, it may be more appropriate, depending on the issue(s) to follow the university's Capability Policy and Procedure;
- Misconduct in relation to alcohol and/or drugs will be dealt with in relation to the university's disciplinary policy and procedure.

### 4. Responsibilities

*Employees:*

- Should familiarise themselves with this policy;
- Are responsible for ensuring their own behaviour and work performance remain appropriate whilst engaged in university activities and are not affected by alcohol or drug use or misuse;
- Must not bring or use illegal or unlicensed drugs on university premises under any circumstances;

- Must not bring alcohol onto university premises unless it is in a sealed container and remains in the sealed container until they have left the university premises. The drinking of alcohol is only allowed in permitted areas, for example, the Students Union, Arts Centre, residential accommodation on campus, permitted events and only in compliance with this policy;
- Who suspect, or know, that they have an alcohol or drug-related issue should seek professional help at the earliest opportunity to avoid the issue becoming worse;
- Who suspect a colleague may be under the influence of alcohol or drugs are encouraged to inform their line manager or another senior colleague. If their line manager is suspected a more senior manager, Occupational Health or HR should be informed.
- Employees who are taking medicines that may impair their performance can also independently initiate the above and ask to discuss and or seek advice from the Occupational Health Adviser concerning the potential impact of such medications and whether any temporarily adjustment to their activities is required to ensure duties are compatible with their treatment. All such requests should be made through the HR Department or their line manager.

*Managers should:*

- Ensure that their staff are aware of this policy and the support available to them;
- Ensure that employees are aware of the services offered by the university's Employee Assistance programme and regularly communicate the services offered;
- Ensure compliance with this policy;
- Undertake a risk assessment to identify work/locations/tasks with the potential for high risk of accident or injury and implement control measures where possible to remove or minimise such risks from alcohol or drugs use or misuse;
- Refer any concerns regarding the use or misuse of drugs or alcohol to the HR Department or university's Occupational Health Adviser;
- Support employees with adjustments to their role to facilitate recovery, as far as reasonably practical, following receipt of such recommendations from Occupational Health and Human Resources and in accordance with the Managing Sickness Absence Policy and Procedure or the Capability Policy and Procedure;
- Instigate the disciplinary procedure to deal with matters of misconduct in relation to drug/alcohol use or misuse in the workplace.

*The Occupational Health Adviser will:*

- Provide support and information on the harmful effects associated with alcohol and drug abuse to individuals through health promotion activities;
- Provide advice to managers on the early recognition of individuals misusing alcohol or drugs;
- Assess individuals referred to them under this policy, through the Managing Sickness Absence Policy and Procedure or the Disciplinary Policy and Procedure on their fitness for work;

- Provide advice on the rehabilitation of staff before, during and after treatment for an alcohol or drug issue and provide ongoing support to assist them manage their progress and recovery.

## **5. Managing employees with drug or alcohol related issues**

Employees who are identified as possibly experiencing alcohol/drug/controlled substance related issues, whether by observation, poor performance or conduct will be offered the following assistance under the appropriate policy framework:

- Initial discussion to examine the possible causes of the perceived deterioration in work performance or conduct. This will be carried out with the employee's line manager, who may be accompanied by a representative from HR and the employee may be accompanied by a work place colleague or trade union representative if they so wish;
- The offer of support, advice and referral to the University's Occupational Health Adviser which will be made via the Human Resources Department, on the clear understanding that an employee wishes to receive such assistance. Confidentiality will be maintained at all times as far as reasonably possible;
- Employees who are taking medicines that may impair their performance can also independently initiate the above and ask to discuss and or seek advice from the Occupational Health Adviser concerning the potential impact of such medications and whether any temporarily adjustment to their activities is required to ensure duties are compatible with their treatment. All such requests should be made through the HR Department or their line manager;
- The university may distinguish between employees for whom drug, alcohol or controlled substance misuse is an ongoing problem and those who have been involved in misconduct where drugs or alcohol have been a factor;
- The university will report to the Police all incidences involving the supply or taking of illegal drugs on the premises as required by the Misuse of Drugs Act 1971. In these circumstances, the University will reserve the right to decide whether or not the Disciplinary Procedure will be instigated or proceed during or following any subsequent Police investigation.

## **6. Support for Employees**

- Individuals suffering from alcohol or drug misuse are not ordinarily classed as disabled, although physical or mental conditions arising from drug or alcohol misuse may be classed as a disability. The university will seek to make any reasonable adjustments as outlined in the Managing Sickness Absence Policy and Procedure and with our commitments under the Disability symbol (<http://www.aber.ac.uk/en/equality/two-ticks/>);
- Additional resources such as counselling, support and factsheets are available to all employees via the university's Employee Assistance Programme;
- In addition, and on advice from our Occupational Health Adviser, it may be necessary to further support the employee during a programme of treatment. Where this is the case, regular review meetings will be held between the manager and the employee to assess progress under the appropriate policy framework. Again HR and a work colleague or trade union representative may also attend the meeting;

- Any time off for treatment/support will be considered in accordance with the University's Managing Sickness Absence Policy and Procedure;
- The university will ideally seek to retain the employee in their current post completing normal duties during and after such treatment, unless the university determines, based on advice from occupational health that the effects of the alcohol, drug or controlled substance misuse problem may render the employee unfit or unsuitable to continue in the same job. Where the same job cannot be maintained every consideration will be given to finding suitable alternative employment through the university's Redeployment Policy and Procedure (<https://www.aber.ac.uk/en/hr/employment-information/redeployment/>);
- Where support or assistance is declined by an employee, or if medical assessment by the university's Occupational Health Adviser indicates that no alcohol or drugs/controlled substance related problems are relevant to the concerns raised, then any disciplinary, absence or capability proceedings will resume;
- Disciplinary proceedings may also resume if an employee declines an offer of referral, or discontinues a course of treatment (as advised by Occupational Health) before it is completed.

## **7. Other Relevant Legislation & Documentation**

At any time during the implementation of the Drug and Alcohol Policy it may be appropriate to refer to the following legislation and/or university policies or procedures:

- Health and Safety at Work Act 1974
- The Transport and Works Act 1992
- The Misuse of Drugs Act 1971
- Equality Act 2010
- Annual leave Policy
- Managing Sickness Absence Policy and Procedure
- Sick pay entitlement
- Capability Policy and Procedure
- Disciplinary Policy and Procedure

## **8. Equality Impact Assessment**

The University is committed to embedding the Strategic Equality Plan into its policies, procedures and practices. This policy has been equality impact assessed in accordance with this framework.

## **9. Policy Review**

This policy will be reviewed every 2 years. Employees are invited to comment on this policy and suggest ways in which it might be improved by contacting the Human Resources Department via email on [consultation@aber.ac.uk](mailto:consultation@aber.ac.uk).