

Kingston & Richmond CCGs

ALCOHOL AND SUBSTANCE MISUSE POLICY

HR Policy:	Alcohol and substance misuse
Date Issued:	01/09/16
Date to be reviewed:	Periodically or if statutory changes are required

Policy Title:	Alcohol and substance misuse policy	
Supersedes:	-	
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1. POLICY STATEMENT

- 1.1 Kingston & Richmond Clinical Commissioning Groups (CCGs) are committed to promoting the wellbeing of all their employees, and recognise that alcohol and substance misuse not only affects health but also attendance, work performance and relationships with colleagues.
- 1.2 The purpose of this policy is to provide managers with guidance for managing the effects of alcohol and substance misuse by employees. All such matters must be handled by managers with sensitivity and in confidence, with any information being released to other parties on a "need to know" basis only.
- 1.3 Occupational health will be involved at all times and other relevant parties (for example HR, GPs, social services, Alcoholics Anonymous etc.) where appropriate.
- 1.4 Useful contacts can be found at Appendix 1.

2. PRINCIPLES

- 2.1 This policy applies to all employees and any interim or contract staff whilst they are working for Kingston & Richmond CCGs.

- 2.2 The misuse of any substance in the context of this policy is defined as:

'Behaviours resulting from the misuse of alcohol, drugs and other substances which harm or have the potential to harm the individual (either physically or mentally) and, through the individual's actions, other people and the environment.'

- 2.3 The misuse of any substance may result in the following effects: -

- lateness and absenteeism;
- loss of productivity and poor performance;
- health and safety concerns;
- unacceptable behaviour or poor conduct;
- adverse effects on team morale and morale of colleagues;
- adverse effects on the CCGs' image and reputation.

This list is not exhaustive.

- 2.4 No alcohol should be brought into or consumed on the CCGs' premises.
- 2.5 The consumption of alcohol or use of any substance, that may impede an employee's working capability, is prohibited. Drinking alcohol during lunch breaks is strongly discouraged.
- 2.6 All employees are individually responsible for taking all reasonable precautions to ensure their fitness for work. Managers may, however, periodically wish to remind employees of their individual responsibility for this.
- 2.7 Support will be provided to all line managers in the implementation and application of this policy

3. EQUALITY

- 3.1 In applying this policy, Kingston & Richmond CCGs will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or

belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

4. MONITORING & REVIEW

- 4.1 The policy and procedure will be reviewed periodically by human resources in conjunction with the senior management team. Where review is necessary due to legislative change, this will happen immediately.
- 4.2 The implementation of this policy will be audited on an annual basis by the HR and OD team.

PART 2

1. PROCEDURE AND INVESTIGATION

- 1.1 Alcohol and substance misuse can affect the performance of staff in several ways and it may not be appropriate to deal with every situation in the same way. There may be an immediate situation requiring resolution or an ongoing performance issue to be managed. For example: an incident may occur as a result of a member of staff being under the influence of alcohol, drugs or other substances; a pattern of regular absences may emerge or a complaint may be received about a member of staff which indicates there may be a substance misuse problem; performance may gradually deteriorate over a period of time.
- 1.2 All employees must be fit to commence their duties and must remain so throughout their working day. If an employee is unfit or becomes unfit, in the managers' opinion, because of alcohol or substance misuse, they will not be allowed to commence work or will be sent home to recover. On return to work they will be subject to a return to work interview which may, according to the circumstances, result in disciplinary action being instigated. (Please refer to the [CCGs' disciplinary policy](#)).
- 1.3 Some acts of misconduct while under the influence of any substance may be so serious that they must be considered as acts of gross misconduct rendering the employee liable to dismissal. (Please refer to the [CCGs' disciplinary policy](#)). This could include assault, behaving indecently, causing malicious damage to property or endangering the health and safety of themselves, colleagues or other persons.
- 1.4 Misconduct will also include being found to be illegally in possession of, the supply of, or taking of a controlled or uncontrolled drug at work or outside of work if that has a bearing on their suitability to continue in post.
- 1.5 Employees who have an alcohol or substance misuse problem, or who suspect they may have a problem, are encouraged to seek help either by discussing the matter confidentially with their immediate manager, or an external agency (see appendix 1), occupational health, human resources or their GP.
- 1.6 Staff can also make a confidential [self-referral](#) to occupational health for help and support. Clinical details and advice to staff are kept in the strictest confidence and occupational health only divulge details with written agreement from the member of staff, except in cases where there may be a serious risk to that person, patients, other staff or the public. Requests for assistance will be treated in strict confidence and will no way affect the employee's job security, benefits etc. Information will only be released to third parties on a "need to know" basis.
- 1.7 Managers or colleagues who suspect an employee of having a substance misuse problem should discuss their concerns with the CCG's human resources adviser or director of corporate affairs, before approaching the individual.
- 1.8 As with any problem affecting ability to work, initial action must be taken by the line manager. It is important to identify any problem as soon as possible so help can be made available. It would not normally be necessary to suspend an employee pending investigation, unless there could be a risk to themselves, a patient or another member of staff. Suspension (if necessary) must be carried out in accordance with the [CCGs' disciplinary policy](#).
- 1.9 Managers, following discussion with the employee, should refer cases of suspected, or admitted substance misuse to occupational health. The consent of the member of staff should normally be obtained, but if there is a serious concern and they refuse to give their consent, the management referral should proceed.
- 1.10 Dealing in or possession of illegal substances will be reported immediately to the police and will be managed under the [CCGs' disciplinary policy](#).

- 1.11 Managers are encouraged to recognise that staff may be adversely affected by the drinking, drug taking or substance misuse of others. Information about internal and external sources of advice and support is available from the occupational health or from the human resources department.
- 1.12 The CCGs will endeavour to offer help and assistance with any employee who has a substance misuse issue, however, it is also the responsibility of the employee to accept this help and assistance to improve their condition.
- 1.13 If an alcohol or substance misuse problem is acknowledged, managers should advise the member of staff what support can be provided. Consideration may need to be given to re-allocation to other duties during and after rehabilitation, depending on the circumstances. If after help and support, the situation does not improve, the member of staff should be advised of the implications of continuing problems with their performance or behaviour or absence and the relevant CCG policy will be applied.
- 1.14 Staff may deny having a drink or substance misuse problem. If this happens, the situation should be dealt with by making clear what improvement is required in their performance, behaviour or absence, within a stated timescale and how the situation will be monitored. The member of staff should also be advised who they can approach confidentially for help and advice. Please refer to the CCGs' capability, sickness absence and disciplinary policies.
- 1.15 If, after returning to employment during or following the rehabilitation programme there is a recurrence of the substance misuse issue, each individual case will be considered on its merits at that time. A further opportunity may be given to commence an additional rehabilitation programme if appropriate, however, disciplinary action may be considered if all avenues have been exhausted and no improvement has been made. This could include dismissal.

Appendix 1 - useful contacts

Employee Assistance Programme

Tel: 0800 111 6387

Frank

Tel: 0300 123 6600

Text: 82111

Web: www.talktofrank.com

Action on Addiction

Tel: 0300 330 0659

Web: www.actiononaddiction.org.uk

Alcoholics Anonymous

Tel: 0800 9177 650

Web: www.alcoholics-anonymous.org.uk

Samaritans

Tel: 116 123

Web: www.samaritans.org