



Drug, Alcohol & Substance Misuse Policy

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1. Introduction

- 1.1 This policy will explain the responsibilities and principles behind Hamwic Education Trust's approach to managing the misuse of illegal drugs, alcohol and other substances by employees. HET aims to ensure that it provides a safe and productive work environment that promotes the health, safety and wellbeing of staff, while safeguarding pupils. The standards of conduct expected of all employees are set out in the HET Employee Handbook and Code of Conduct.
- 1.2 For the purpose of this policy, 'HET' refers to all schools and managed services team.
- 1.3 Employers have a duty under the Health & Safety at Work Act 1974 to ensure, as far as is reasonably practicable, the health, safety and welfare of employees and others. This includes taking all reasonable steps to resolve drug (illegal, prescription or recreational), alcohol and other substance misuse related problems known within the workplace. Employees also have a duty of care to pupils and colleagues and are therefore expected to co-operate with and implement HET policies in this respect. HET's position is one of not allowing the use, possession or supply of drugs, alcohol or substances by staff whilst at work or allowing staff to continue working if they are found or if there is reason to suspect that they are under the influence of any substance or if they smell of alcohol.
- 1.4 This policy should be seen in the context of a desire to promote the general wellbeing of all employees and safety for pupils, colleagues and others. HET is committed to providing confidential support and specialist help where necessary to any employee making a disclosure regarding their misuse of substances and their intention to manage the situation more effectively. Please see section XX for more information.

2. Scope & Definitions

- 2.1 This policy is for all employees working within a HET school or establishment (which for ease of reference are referred to throughout this document as 'schools') or the HET Managed Service (MS) Team.
- 2.2 This policy applies to locum, permanent and fixed term contract employees (including apprentices) who hold a contract of employment with HET, and secondees, those on placement & volunteers (including governors.) It also applies to external contractors, agency workers, and other workers who are assigned to HET.
- 2.3 For this policy, substance misuse refers to use and misuse of intoxicating substances which include alcohol, drugs; prescription and over-the-counter medicines, novel psychoactive substances (including legal highs), solvents and other substances, either intermittently or continuously which interferes with an individual's health, work capabilities or conduct, or which affects work performance and / or safety of themselves and others

- 2.4 Under this policy, HET is clearly stating that the possession, use or supply of illegal drugs is strictly forbidden whilst on at work. The Trust will contact the Police where an employee or visitor is found to be in possession, using or supplying illegal substances whilst at work or visiting any of its premises
- 2.5 HET also prohibits the use, possession or supply whilst at work of Novel Psychoactive substances, the term given to substances that are used recreationally but are not controlled under the Misuse of Drugs Act (1971), not licenced for legal use, and not regulated as a medicine Medicines Act (1968). These are powerful drugs with long lasting effects often over 12 hours in some cases.

3. Definitions

- 'HR' in this policy, means Hamwic Education Trust HR.
- 'Manager' in this policy, is anyone as identified in the staffing structure with line management responsibilities.

4. Aims & Objectives

This policy should be seen in the context of a desire to promote the general wellbeing of all employees.

It is designed to:

- Provide a framework to enable instances of drug, alcohol and substance misuse to be handled in an appropriate and consistent way.
- Prevent accidents and impaired performance at work which may be alcohol or drug related, safeguarding the safety and welfare of staff and pupils.
- Actively promote awareness and understanding of the effects of alcohol and drug related problems within the workplace, and to emphasise the potential dangers of such misuse for both the individuals' health and work performance and to encourage those with a problem to seek help.
- Create a climate that encourages employees who may be misusing drugs or alcohol to come forward and seek help.
- Achieve a balance between supporting employees who come forward with a problem and the overriding need to preserve:
 - The health, safety and welfare of employees and others with whom they come into contact
 - The delivery of high-quality education to pupils
 - HET's reputation.

5. Roles and Responsibilities

Roles and responsibilities under this policy are defined as follows:

Staff have the following responsibilities:

- To ensure they report for work and remain in a condition to perform their duties free from the effects of drugs, alcohol or any other substances, whether on HET premises or at

external locations. - Alcohol remains in the body long after an alcoholic drink is consumed and this must be remembered when drinking outside of working hours, including the previous evening.

- Staff taking medication should seek advice on any adverse impact on work performance or behaviour, particularly regarding safety. They should also notify their line manager of any side effects which may adversely affect performance. Advice from Occupational Health can be sought if required.
- If a problem or suspected problem relating to drugs, alcohol or substance misuse has been identified the member of staff has a responsibility to seek help. It is recommended that they approach their GP, and their line manager, so that the school/HET can assist in the provision of appropriate support to help speedy rehabilitation, for example referral to the occupational health service, medical professionals, professional drug/alcohol treatment agencies, etc.
- Staff should inform their line manager if they know or suspect that a staff member (including volunteers, contractors etc.) is under the influence of drugs, alcohol or other substance whilst engaged in any HET activity.
- Not to bring illegal substances onto HET premises.

Line Managers have the following responsibilities:

- Publicise the policy and support available to staff, including through induction and after, ensuring policy compliance by reinforcing its requirements to staff.
- If a member of staff divulges to their line manager, or if a line manager suspects alcohol or substance misuse problems, the line manager should discuss this with member of staff and, where applicable refer staff to Occupational Health.
- If further deterioration occurs, or previous patterns of behaviour return, the line manager is responsible for bringing this to the member of staff's attention and arranging a further Occupational Health referral. If there is no improvement, advice should be sought from HET HR and the HET's Disciplinary procedure should be followed.
- Seek advice from the Managed Services Human Resources (HR) department where the line manager has concerns or is aware that an employee is adversely impacted due to drugs and/or alcohol.
- In the case of individuals not directly employed by HET (e.g. volunteers, those seconded etc) the line manager will be the responsible officer in determining the appropriate action.
- The line manager is responsible for ensuring the privacy and confidentiality of employee records associated with drug, alcohol and substance misuse.

6. Breaches of this policy

HET will, 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 be subjected to disciplinary procedures simply because of their dependence/addiction.

Notwithstanding the above, there may be circumstances in which breaches of the policy, whether dependency-related or not, will be treated as a disciplinary matter. Examples of issues that may be subject to disciplinary action are:

- Deliberate disregard for personal safety and that of others associated with the use of intoxicating substances.
- Serious unacceptable behaviour in the workplace associated with the use of intoxicating substances.
- Being found incapable of performing normal duties satisfactorily and safely because of consuming alcohol or taking drugs, whether or not this is as a result of dependency.
- Possession, consumption, dealing/trafficking, selling, storage of illegal drugs either on work premises or engaging in such activities outside of work.
- Being disqualified from driving as a result of alcohol- or drug-related offences (if employees are required under their contract of employment to drive a vehicle).
- Making malicious or vexatious allegations that a colleague is misusing intoxicating substances.

This list is illustrative only and should not be regarded as exclusive or exhaustive. Any disciplinary action will be in all cases proportionate to the circumstances of the breach of the policy.

Where evidence warrants, HET will inform the police of illegal drug use or any activity or behaviour over which there are concerns as to its legality.

7. Support for Employees have drug, alcohol or substance misuse problems

HET recognises that drug and alcohol dependency is a health problem that requires special treatment and help. It also recognises that early identification is more likely to lead to successful treatment. HET is therefore committed to supporting those staff that seek help with drug, alcohol and substance misuse problems and will maintain the strictest confidentiality when dealing with individuals, within the limits of what is practical and written within the law.

Employees seeking help will be supported in their treatment and every effort will be made to assist them to return to good health and efficiency as part of their rehabilitation.

Help can be obtained through HET HR, the Employee Assistance Programme, Occupational Health or via an external agency. There are a range of support services available for employees and these include:

- Occupational Health – The line manager or HET HR can seek advice and support from the Occupational Health and refer individuals for further assessment.
- GP - The employees' GP can refer them onto local specialist substance misuse treatment and / or counselling services.
- Specialist substance misuse treatment agencies.
- Private sector substance misuse counselling and treatment agencies. These agencies should be officially registered with CQC and can offer assessment and treatment support.
- Self-help groups – Organisations that provide peer-led group and individual support.
- The HET Employee Assistance Programme – details can be found in the Employee Handbook, HET Intranet or from line managers.
- Alcohol and Substance Misuse support agencies:
 - o National Drugs Helpline
 - o Southampton Alcohol Service
 - o Portsmouth Recovery Hub
 - o Alcoholics Anonymous
 - o Drink line

o Drugs helpline

8. Testing

It is not the policy of the Trust to undertake drug or alcohol testing on employees and if required by law, testing will be co-ordinated by the Police

9. Relevant Legislation

The following legislation is relevant to this policy:

- The Employment Act 2002 (Dispute Resolutions) Regulations 2004
- Misuse of Drugs Act 1971
- Health & Safety at Work Act 1974
- Management of Health & Safety at Work Regulations 1999
- Data Protection Legislation
- Human Rights Act 1998 (Article 8)
- Road Traffic Act 1988
- Transport and Work Act 1992
- Equality Act 2010
- Medicines Act (1968)

10. Links to other policies and documents:

- HET Disciplinary Policy
- HET Guidance on Visitor Code of Conduct
- HET Health & Safety Policy
- HET Safeguarding Policy
- HET Staff Handbook & Code of Conduct

Version	Updates	Approved Date