



TOLLCROSS
housing association

Alcohol, Drug & Substance Misuse Policy & Procedures

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| Prepared By | Anne Wilson, Corporate Services Director |
| Policy Created | // |
| Date of Last Review | 25 th February 2019 |
| Date of Current Review | 9 th May 2022 |
| Date of Next Review | May 2025 |
| Reviewed By | Audit & Business Sub-Committee |

| CORPORATE FIT | |
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| Internal Management Plan | ✓ |
| Risk Register | ✓ |
| Business Plan | NA |
| Regulatory Standards | NA |
| Equalities Strategy | ✓ |
| Legislation | ✓ |

On request, the Association will provide translations of all our documents, policies and procedures in various languages and other formats such as computer disc, tape, large print, Braille etc. and these can be obtained by contacting the Association's offices.

1. Introduction

This policy has been devised to assist Tollcross Housing Association in the management of alcohol and substance misuse problems affecting the working environment. Tollcross Housing Association 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.

This policy will set out Tollcross Housing Association's standards and expectations in relation to alcohol and substance abuse and the level of support that will be required when problems arise.

2. Policy Aims

- Clarify Tollcross Housing Association's position on drinking and/or substance abuse at work.
- Explain Tollcross Housing Association's position on illegal activity concerning drugs and/or alcohol.
- Provide guidance and boundaries on appropriate assistance and support to employees with issues relating to alcohol or substance misuse.
- Adhere to the legal obligations of Tollcross Housing Association as set out under Health & Safety legislation.
- Clarify the circumstances in which disciplinary procedures will be instigated.
- Provide guidance for managers to manage alcohol and substance misuse issues.
- Clarify the distinction between dependent and non-dependent misuse of alcohol or substances.

3. Definitions

For the purposes of this policy the following definitions apply:

- **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)
- **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)

4. Confidentiality

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

5. Disciplinary Procedures

In circumstances where Tollcross Housing Association's disciplinary procedures are instigated in relation to this policy, the outcome may include dismissal.

6. Legal Framework

- Health & Safety at Work Act 1974
- Misuse of Drugs Act 1971

7. Health and Safety

Tollcross Housing Association 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.

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 a senior member of staff, e.g. Manager, Director or Chief Executive immediately.

8. Equalities

- 8 2.1.1 An Equality Impact Assessment (EIA) has been carried out when preparing this policy. In line with good practice the completed EIA will be published alongside the Policy.
- 9 2.1.2 Where there is a need for follow-up action, the tasks and timeframe for achieving them shall be noted in the Equality and Human Rights Action Plan to ensure they are addressed.
- 10 2.1.3 We do not see this policy as having any direct impact upon the protected characteristics contained within the Equality Act 2010.

9. Illegal Activity

Tollcross Housing Association respects an individual's right to a private life, however we work within the community with a purpose of improving the lives of those who live there. As a result the Association 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 Tollcross Housing Association's disciplinary procedure which will likely result in dismissal.

10. Drinking at Work

The consumption of alcohol 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.

11. Driving at Work

Drinking alcohol can affect people in different ways. As a result, Tollcross Housing Association 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.

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.

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 senior member of staff. Should malicious allegations be made this will be treated very seriously and will be subject to formal disciplinary action.

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

12. Managing Alcohol Misuse

Tollcross Housing Association will manage alcohol misuse depending on its nature. Alcohol misuse will be dealt with under the following categories:

12.1 Legal substances

Where an issue arises concerning the recreational use or overindulgence 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 Association's disciplinary procedures.

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 the Association will instigate the disciplinary procedure.

12.2 Illegal substance misuse

Tollcross Housing Association will not tolerate the consumption or possession of illegal drugs in any circumstances. This will always be considered to represent gross misconduct.

12.3 Illegally obtained legal substances

Tollcross Housing Association 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 Tollcross Housing Association's disciplinary procedures as gross misconduct.

13. General Illegal Activity

Any employee suspected to be involved in illegal activity concerning substances will also be reported to the police.

14. Police Involvement

In circumstances where the police are involved in an investigation concerning any employee, Tollcross Housing Association will continue with their own investigation and act on this accordingly regardless.

15. Managing Dependency Problems

In circumstances where an employee is suspected of having an alcohol or legal substance dependency the Association will provide reasonable support. In the first instance s a senior member of staff will have a meeting with the employee and make a management referral to counselling (via Rowan Consulting or other employee support service). The senior member of staff will then have follow up meetings on an appropriate and regular timescale to determine the progress the individual is making.

Where there are performance issues relating to the dependence, appropriate performance plans will be put in place in accordance with Tollcross Housing Association's under performance procedures as detailed in the disciplinary procedures. Where the improvement is not adequate or support via the Counselling Service (or other employee support service) is not adhered to, normal disciplinary procedures will be instigated which may result in dismissal.

16. General Data Protection Regulations

The Association will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection and Data Retention Policies. Information regarding how your data will be used and the basis for processing your data is provided in Tollcross Housing Association's employee transparency statement.

17. Review of Policy

This policy will be reviewed every 3 years or sooner as determined by Management Committee or in line with legislative updates.

SUPPORTING AGENCIES

- **Glasgow Council on Alcohol**
Tel: 0141 353 1800
web: www.glasgowcouncilonalcohol.org
14 North Claremont Street, Glasgow, G3 7LE
- **National Drugs Helpline**
Tel: 0800 77 66 00 (Freephone number)