



South East of Scotland
Transport Partnership

DRUG & ALCOHOL POLICY

DOCUMENT VERSION CONTROL

Date	Author	Version	Status	Reason for Change
	SEStran	1.0	FINAL	Policy Adopted
Oct 2017	SEStran	1.1	FINAL	Adoption of version control
Nov 2018	SEStran	1.2	FINAL	Reference to NPS

1. POLICY STATEMENT

SEStran is committed to improving the health, safety and wellbeing of its employees by introducing and promoting policies to encourage healthier lifestyles. SEStran recognises that substance misuse, which includes the misuse of alcohol and drugs, is primarily a matter of health and social concern. However, when problems relating to these issues arise in the workplace, SEStran as an employer must have strategies in place to deal with them and, where appropriate, offer help and support to employees.

2. INTRODUCTION

Legislation such as the Health and Safety at Work Act 1974 places a duty of care on SEStran to ensure the health, safety and welfare of all employees. This includes the need to address the issue of substance misuse in order to protect employees, their colleagues, and members of the public.

The aim of this policy is to have a positive and constructive approach to dealing with the misuse of alcohol and drugs in the workplace, encouraging identification of alcohol and drug related problems and offering support to employees who may be vulnerable.

Consumption of alcohol or the use of drugs can impair performance at work, increasing the likelihood of accidents or mistakes which may endanger colleagues or members of the public. In addition to the health and safety risks, substance misuse can result in absence, conduct or performance problems, impacting on attendance, timekeeping, behaviour and standard of work and the public image of SEStran.

Where substance misuse has been identified, either by the individual themselves or by a manager, SEStran recognises the need to support employees through a range of support options, whilst ensuring appropriate standards of attendance, conduct and performance are maintained.

3. SCOPE AND DEFINITION

For the purposes of this policy, substance misuse is defined as any alcohol or drug use, either intermittent or continual, which interferes with an employee's health and welfare, social interaction at work, conduct or work capability.

Within this Policy, the term 'drugs' will include:

- Any illegal drugs (Class A, B, and C)
 - Any prescription drugs which have been prescribed for another person
 - Any over-the counter remedy or prescription drug taken in excess of the stated dose
 - Any substances or solvents including lighter gas refills, aerosols, glues, paint thinners, and correcting fluids, with the exception of usage by employees in the normal work context where appropriate risk assessments are in place
- New Psychoactive substances (NPS), sometimes known as legal highs.

The Drug and Alcohol Policy will apply equally to all employees, including

temporary and casual employees.

4. USE OF ALCOHOL OR DRUGS

Employees reporting for work have a responsibility to be fit, capable and presentable to undertake their duties. If an employee is known to have or is believed to have consumed alcohol or drugs at any time during the working day, or is believed to be under the influence of alcohol or drugs at any time during the working day, the employee will normally be suspended from duty with pay for the remainder of that working day, and taken home if required. The matter will be discussed when the employee is in a fit state to resume work, normally the next working day.

If considered appropriate, the employee may subsequently be suspended from work to allow the matter to be formally investigated. Guidelines on suspension and investigation are contained within the SEStran's Disciplinary Policy and Code of Practice, but it should be noted that suspension does not constitute disciplinary action.

No employee is permitted to report for work, or be at work, under the influence of alcohol or drugs. Consumption of alcohol or drugs is not permitted at any time during normal working hours, including paid and unpaid breaks. However, in the case of celebrations or functions (e.g. retirements, Christmas etc), permission should be sought in advance from the Partnership Director to allow the consumption of alcohol.

Employees known to be or believed to be under the influence of alcohol or drugs at any time during the working day may be subject to disciplinary action, given the potential impact on health and safety, work performance and SEStran's public image. All circumstances will be taken into consideration, but it should be noted that the matter may constitute gross misconduct.

Employees who, at any time at work or during the working day:

- take drugs or are suspected or known to be under the influence of drugs
- are believed to be buying or selling drugs
- are in possession of unlawful drugs
- are suspected or known to have driven a vehicle or operated plant or equipment under the influence of alcohol

may be subject to disciplinary action which may be considered as gross misconduct. In addition to possible disciplinary action, employees may also be subject to criminal proceedings if it has been considered appropriate to involve the police.

5. PRESCRIBED/OVER THE COUNTER MEDICATION

Employees should seek advice from their GP or Pharmacist, as appropriate, on whether any prescribed or over the counter medication may affect their ability to undertake their work duties and, if an employee is likely to suffer possible side effects from the medication, they should discuss this with their line manager. In such circumstances, advice should be sought from Occupational Health, where appropriate, to assess the employee's ability to undertake the full range of their duties whilst taking the prescribed medication.

6. RESPONSE TO USE OF ALCOHOL OR DRUGS

Use of alcohol or drugs may be identified by the employee themselves, by a manager, or as a result of a formal disciplinary, capability or absence process. Once use of alcohol or drugs has been identified, the next step depends on whether or not the employee has an alcohol or drug related problem.

In certain circumstances, an employee may have an allergic or adverse reaction to prescribed or over-the-counter medication which could affect how they perform at work. Such circumstances will not be considered under this policy.

If an employee attributes misconduct or capability problems to alcohol or drug dependency during a disciplinary, capability or absence meeting/hearing, that any formal action may be postponed, pending referral for assessment and/or treatment. Alternatively, discipline/capability/absence procedures and support (i.e. referral to a counselling agency) may run in tandem. It should be noted that formal disciplinary action may still be taken even where an employee indicates an alcohol or drug problem may exist. In all cases, an employee raising an alcohol or drug problem will be referred to Occupational Health. If an employee rejects the offer of referral for assessment and/or treatment or fails to adhere to support mechanisms put in place, the formal procedures shall continue.

6.1. WHERE AN ALCOHOL OR DRUG RELATED PROBLEM IS IDENTIFIED

Employees who volunteer themselves or are identified by their Manager as having problems which may be related to alcohol or drugs will be treated sympathetically and in confidence. The employee should be encouraged to seek help by accessing support and assistance available from the Occupational Health Service, Human Resources, their GP or other agencies including:

- Counselling and Support Service for Alcohol and Drugs (CSSAD)
- Alcoholics Anonymous
- Community Addiction Team
- Signpost Forth Valley
- Employee Counselling Service

Employees may attend these agencies either through self-referral or referral by a manager or other representative of SEStran. Where the employee is referred by a manager, the manager will be kept informed of progress via Occupational Health reports.

When an employee attends a recommended programme requiring absence from work, the co-operation of the manager is essential to assist the employee's recovery. Managers should therefore make every effort to permit time off with pay during the working day to attend for counselling and/or treatment.

Leave of absence to attend counselling during normal working hours will be authorised by the employee's Manager and payment made within the appropriate Conditions of Service (e.g. sick pay, special leave). Referral will not normally affect the employee's current job role unless they are unfit to fulfil their duties, there is an issue relating to safety, or if their duties conflict with the long-term resolution of the drug or alcohol problem.

Where an employee acknowledges he/she has an alcohol or drug-related problem, the offer to seek help and treatment is made on the understanding that:

- If the treatment necessitates long-term absence from work, employees will produce medical certificates to cover the period(s) of absence.
- If the employee is absent from work to undergo treatment or has been removed from certain duties for the duration of the treatment, on return or on completion of treatment, he/she will return to the same or equivalent job.

As drug and alcohol dependence can be a relapsing illness, employees' progress will be monitored by the Occupational Health Service in liaison with Managers assessing work performance and attendance.

If, following return to employment during or after treatment, work performance or conduct is again affected as a result of alcohol or drug related problems, each case will be considered on its own merits and, if appropriate, a further opportunity for assistance and treatment will be offered. In this respect, advice will be sought from the Occupational Health Service.

A programme of support/treatment does not, however, supersede the requirement for all employees to be free from the influence of alcohol or drugs on arrival at work and not to consume alcohol or drugs at any time during the working day, including paid and unpaid breaks.

If, on completion of treatment, the employee's standard of work performance or conduct remains unsatisfactory, or if it is satisfactory throughout the period of treatment only to lapse very soon thereafter, the employee will be subject to SEStran's Disciplinary or Capability Procedures.

6.2. WHERE SUPPORT IS REFUSED

Employees:

- who deny that alcohol or drug misuse is the cause of their problems
- who decline to accept the offer of referral for assessment and treatment
- who discontinue a course of treatment before its satisfactory completion
- whose level of work performance continues to be unsatisfactory after undergoing treatment

may be subject to SEStran's Disciplinary Policy and Code of Practice, or Capability Procedures, as appropriate.

6.3. NO ALCOHOL PROBLEM

An employee who is not considered to have an alcohol or drug-related problem, but who is found to be under the influence of alcohol or drugs or has consumed alcohol or drugs at any time during the working day, will be dealt with in accordance with SEStran's Disciplinary Policy and Code of Practice.

7. SUPPORT FOR MANAGERS

As misuse of alcohol or drugs may affect an employee's work performance, managers are responsible for enforcing this policy. Training is therefore available to assist managers in how to recognise these problems and how to implement the policy. An ongoing programme of workshops is available to managers and employees to raise awareness of the risks associated with alcohol consumption and risks associated with the misuse of drugs.

8. REVIEW

The Business Manager will undertake a review of this policy annually.