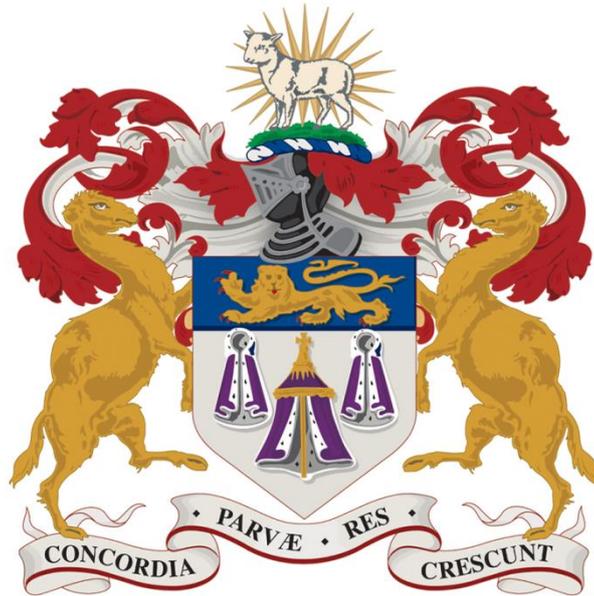


2019



**MERCHANT TAYLORS'
OXFORDSHIRE
ACADEMY TRUST**

DRUGS AND ALCOHOL POLICY



Drugs and Alcohol Policy

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Drugs and Alcohol Policy

Background

MTOAT committed to providing a safe, healthy and effective working environment for the benefit of all employees and to deliver high standards of service.

This policy applies to all employees, volunteers and agency workers. The principles of this policy also apply to staff working for *contractors of the trust, although separate employer policies may also apply.*

The trust is responsible for the health and safety of its employees and takes positive steps, wherever possible, to support their health and wellbeing in general. Employees should be aware of the personal risks associated drug and alcohol misuse, but also the risks and impact this can have on others.

Employees have a responsibility for their own health, safety and welfare during working hours and outside of working hours where the use of drugs and alcohol may affect behaviour and performance at work.

This policy should be read in conjunction with the MT Driving at Work Policy.

In this policy the term 'misuse of drugs' encompasses the supply or misuse of over-the-counter or prescription drugs as well as substance misuse e.g. glue, solvents etc. and psychoactive substances ("legal highs") as defined in the Psychoactive Substances Act 2016.

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1. Policy

The taking of illegal drugs is a criminal activity and will be treated as such by the trust. The taking of psychoactive substances is not a criminal activity however, the use of these substances is not tolerated.

The use of alcohol or drugs, whether prescribed or not, must not adversely impact on safety or the workplace, driving or work performance, compromise service provision or bring the trust into disrepute.

The consumption of alcohol while on duty or on trust premises is prohibited, with the exception of officially sanctioned work events where alcohol is provided. However, at such events, trust employees are expected to comply with the standards of behaviour set out in this policy.

Consumption of alcohol during lunch/break periods and immediately prior to commencing work is discouraged. Employees are not permitted to consume any alcohol within a public house, social club, restaurant or similar establishment while wearing their uniform / work badge, or otherwise identifiable as a trust employee.

The trust will take immediate action where employees are suspected or found to be involved in illegal activities relating to the use or supply of drugs at work. This would include contacting the Police and taking action under the trust's Disciplinary Procedure and Capability Policy.

2. Use of drugs and alcohol outside of work

If the use of drugs or alcohol outside of work is found to be affecting an employee's attendance or performance at work, then disciplinary action may be taken.

If an employee is subject to criminal investigation or proceedings in relation to the use or supply of illegal substances outside of work, the implications of this on their employment will be considered, and this may result in disciplinary action.

3. Common signs of drug or alcohol misuse

Indicators of inappropriate drug and/or alcohol use may include lateness, absenteeism, poor work and output, poor appearance and unreliability, the smell of alcohol, bad relations with colleagues, impaired speech, concentration, co-ordination, memory or judgement, and accidents.

Where managers suspect staff to be under the influence of drugs or alcohol they are required to speak to the member of staff promptly and discuss their concerns.

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Any employee unable to perform their duties as a result of alcohol or drug consumption, will be required to leave work at once. It may be necessary to provide someone to accompany an employee in extreme cases. Investigations will be undertaken to consider whether disciplinary action is necessary. While investigations are carried out the employee may be assigned to alternative work or suspended from duties.

If the consumption of drugs or alcohol results in misconduct or incompetence, formal action may be taken.

Employees in safety critical jobs such as drivers, those working with vulnerable people, children or machinery, found to be under the influence of drugs or alcohol, will be liable for formal action that may result in dismissal.

4. Management of drug or alcohol problems

Where employees are found to have problems related to drug and/or alcohol misuse, this will initially be treated as a health matter and normal benefits under sick pay provision will apply. In addition, and as far as is reasonably practicable, time off with pay will be given to support the employee to access specialist services and attend any appointments. Proof of appointments may be requested by the manager.

The *council* will take reasonable steps to support employees to access specialist services. This could include, with the employee's consent, making a referral to specialist services on their behalf. A risk assessment will be carried out and adjustments may be made to the employee's duties e.g. no driving. The responsibility for accepting treatment will remain with the individual employee.

Where this policy is not adhered to, or where employees are reluctant or refuse to accept appropriate support, or where a particular incident of misconduct occurs, use of the Disciplinary & Capability Procedure will be considered.

The trust would not normally take action affecting an employee's job for reasons of alcohol and/or drug abuse providing s/he is receiving treatment, and there is a sustained, gradual return to satisfactory work performance within a reasonable time period, and provided that this does not constitute a breach of the law.

Where retention of an employee's job during treatment would constitute such a breach, the trust will make every effort to find a suitable alternative redeployment.

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The trust will consult the employee and ask its Occupational Health provider for advice concerning the time period which should be allowed for a return to satisfactory work performance. The Occupational Health Service will regularly review the progress of employees during and after treatment.

The employee will continue to be responsible for his/her work record. If there is no improvement in work performance within a reasonable time period, the normal Disciplinary & Capability procedures will be followed.

5. Managers' responsibilities

Managers are responsible for:

- ensuring all staff are aware of this policy, their responsibilities and the risks of alcohol and drug misuse.
- setting good standards of behaviour.
- ensuring alcohol is not consumed at work; unless officially sanctioned at a work event.
- recognising the signs of drug or alcohol misuse.
- taking action promptly if they consider that an employee's behaviour or performance at work is affected by the consumption of alcohol or drugs. This may include requiring an employee to refrain from work.
- ensuring matters are dealt with sensitively and confidentiality.
- seeking advice from the HR team.
- advising staff of the sources of help available.

6. Employee's responsibilities

Employees are responsible for:

- familiarising themselves with this policy and complying with the standards expected.
- maintaining professional conduct at all times.
- avoiding the consumption of alcohol in public places while in work uniform or otherwise identifiable as a trust employee.
- ensuring their consumption of alcohol outside of work time does not affect their behaviour or performance at work.
- speaking to a manager immediately, if they suspect a colleague's work is being affected by their use of drugs or alcohol.
- seeking support and help for drug or alcohol misuse, particularly where this may be affecting behaviour or work performance.
- being aware that some drugs, including prescribed medications, can remain in the system for lengthy periods and can impact on driving, work performance and behaviour. Employees should seek medical advice from their GP and should let their manager know immediately if

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their performance at work is likely to be affected. The manager may wish to seek advice from the trust's Occupational Health Service.

7. Advice and support

If employees are concerned about a drug or alcohol problem within their workplace, whether their own situation or someone else's, they are strongly advised to seek help and advice through the appropriate channels to enable advice and practical support to be arranged.

The problem should also be discussed with their manager/supervisor, who will treat the matter in strict confidence, and may recommend the involvement of the occupational health adviser and/or an external specialist agency.

Information is available from:

FRANK (formerly the National Drugs helpline): 0300 123 6600 or email frank@talktofrank.com

Drugscope: www.drugscope.org.uk

Alcohol Concern: www.alcoholconcern.org.uk or call Drinkline on 0300 123 1110

Information is also available from **County Council** libraries and Trade Unions may also be able to offer support and advice.

See also the ACAS guides on Legal Highs <http://www.acas.org.uk/index.aspx?articleid=5572> and Dealing with someone who has an alcohol or drugs problem

<http://www.acas.org.uk/index.aspx?articleid=4387>

The trust is committed to helping staff overcome problems with alcohol and/or drugs in a sympathetic and confidential manner. However, confidentiality cannot be maintained where there is a clear danger to the individual or to others. This may also apply where a criminal act is involved or suspected.

8. Review of policy

We check our policies regularly to make sure they are up to date; the latest version can be accessed from the intranet.

If you have any questions about this policy contact the HR team.

Published: January 2019

Related Policies

Disciplinary & Capability Procedure

Dignity at Work

Health and Safety

Resolving Grievances