



Exeter College

Drugs, alcohol and substance abuse policy

1. Introduction

Prescribed drugs play a crucial role in treating certain medical conditions. The College recognises that moderate consumption of alcohol is also not likely to cause harm and is often an important part of social life. However, the taking of illegal drugs, high levels of alcohol consumption, and/or substance abuse (which includes, solvents and other substances) can lead to accidents, increased levels of absence and reduced productivity.

This policy is not contractual, but is intended to clarify our position and to help and protect workers from the effects of drugs, alcohol and substance abuse.

2. Scope of this policy

This policy applies to all employees and workers, irrespective of status. All employees are engaged on the basis that they will provide the College with their best endeavours at all times. As judgement and the ability to make decisions are essential elements of all jobs at all levels, and as drugs, alcohol and other substances affect judgement and the ability to make decisions, it is important that no category of worker is excluded from this policy.

3. Aims of this policy

The College aims to provide a working environment that is safe, that minimises any risks to health and that makes adequate arrangements for employees' welfare whilst they are at work. The use or abuse of drugs, alcohol and/or certain substances, by any workers, may put themselves or others at risk and/or result in harm and/or injury to themselves or others.

This policy therefore aims to clarify our rules relating to the use of drugs, alcohol and substances; to reduce the likelihood of impairment at work; to raise awareness of the impact of use of drugs, alcohol and substances, of how this can be recognised and what support is available; and to clarify at what point we regard drugs, alcohol or substance use as a disciplinary matter rather than a health problem.

4. Legal considerations

The following pieces of legislation apply to this policy:

- the Misuse of Drugs Act 1971
- the Health and Safety at Work etc Act 1974 (with regard to the employer's duty to ensure, where practicable, the health and safety at work of its employees and the employees' duty to take reasonable care for their own safety and that of others who may be affected by their acts or omissions)
- the Data Protection Act 1998 - (in terms of employee monitoring and health screening)
- the Drug Driving (Specified Limits) (England and Wales) Regulations 2014

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5. Definitions

"Alcohol" means any ethyl-alcohol containing product which, if consumed, has the capacity to induce intoxication.

"Drugs or substance abuse" means any substance capable of causing intoxication. This includes all controlled drugs contained in the Misuse of Drugs Act 1971 and specifically includes:

- cannabis (marijuana)
- opiates (including heroin)
- cocaine
- any prescription drugs (including amphetamines and barbiturates) which are not obtained and used in a legally issued medical prescription, and any over-the-counter medicine or substance which is deliberately misused so as to impair the individual.

The "workplace" includes all land, property, car parks, buildings, structures, installations, lockers, toolboxes, vehicles or equipment owned, leased or used by the College for the conduct of its business.

6. Responsibilities

In applying this policy we recognise our responsibilities by:

- placing the highest importance on the health, safety and welfare of all employees and workers in the conduct of our business;
- accepting the legal and moral obligation to provide and maintain a safe and healthy workplace;
- providing a commitment to (as far as is practicable) support employees who require help and rehabilitation for health problems and to ensure that those who place their trust in us by admitting to a drugs, alcohol or substance abuse problem are treated with sensitivity and confidentiality;
- providing information about the harmful effects of drugs, alcohol and substance abuse to promote preventative action.

Employees and workers must however take personal responsibility for their own health and actions insofar as they affect the health and safety of themselves and others who may be affected by their acts or omissions. In addition, any employee who has a concern about any of his/her colleagues should raise this with his/her Manager.

7. Information on alcohol use

The use of alcohol affects individuals in different ways and there are a number of variables (such as size and weight) that mean some people feel the effects more quickly, and to a greater degree than others, when drinking the same amount. However, the impact of alcohol (even with a relatively low intake) is likely to affect the drinker's thinking, judgement, mood, co-ordination and speed of reaction.

Increased amounts can lead to significant mood swings and violence. In tandem with this is the physical damage that excessive drinking can cause: consumption of alcohol is known to increase blood pressure and has been linked to heart disease and associated coronary problems. Heavy "binge" drinking may put a strain on the liver and other muscle functions. Once alcohol has entered the bloodstream it can only be removed by the liver. A healthy liver takes out one unit of alcohol per hour.

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It is therefore possible to be under the influence of alcohol at work even though the alcohol consumed was drunk the evening before: this applies particularly to heavy or "binge" drinkers.

A unit of alcohol is equivalent to 8gm or 10ml (1cl) of pure alcohol. Examples of 1 unit of alcohol include half a pint of beer, lager or cider (3.5% ABV); a single 25ml measure of spirit (40% ABV) or a small glass of wine (9% ABV).

As a guide, the Health and Safety Executive advise that men who regularly drink four or more units a day, and women who regularly drink three or more units a day, have an increasing risk to their health.

8. Information on the use of drugs/substance abuse

Like alcohol, drug misuse can lead to changes in behaviour which can have an impact on job performance, absenteeism and relationships with work colleagues.

The effects of illegal substances vary, including dizziness, slowing down and feelings of sleepiness, excessive thirst, being detached from reality, suffering from hallucinations etc.

The possession of certain drugs is illegal and could lead to criminal charges being brought against the user. The drugs which are subject to control come under three classifications:

- Class A: includes ecstasy (MDMA), LSD, heroin, cocaine, crack, magic mushrooms, methamphetamine (crystal meth), methadone.
- Class B: includes oral preparations of amphetamines, barbiturates, cannabis, codeine, Methylphenidate (Ritalin), synthetic cannabinoids and synthetic cathinones.
- Class C: includes, benzodiazepines (diazepam), Gamma hydroxybutyrate (GHB), Ketamine, gamma-butyrolactone (GBL), piperazines (BZP) and anabolic steroids.

9. Use of alcohol and illegal drugs while at work

The use, possession, distribution, purchase, sale, consumption or being under the influence of illegal drugs whilst at work is never permitted and will be regarded as gross misconduct. Employees and workers must not under any circumstances bring illegal drugs into the workplace or to any event attended in the course of their employment, including social functions organised by the College.

In the interests of their own and their colleagues' safety, any employee or worker believed to be under the influence of alcohol, illegal drugs or solvents will be escorted off site pending investigation. Disciplinary action will take place when the employee has had time to become sober or recover from the effects of drugs or solvents. This kind of behaviour will normally be treated as gross misconduct and result in summary dismissal.

The only circumstances where the consumption of alcohol is permitted during working hours are specialist roles which require entertaining clients, or celebratory events (such as retirement or leaving parties) that have been approved in advance by the Bursar. However, such consumption must be reasonable. In addition, Heads of Department and line managers must remember their position of responsibility and ensure that anyone consuming alcohol does not then drive or operate machinery when clearly not in a fit state to do so.

Employees and workers are also reminded that they are expected to behave appropriately at events which are organised by the College, such as training courses, seminars, Christmas parties or other such functions. While drinking alcohol is permitted in moderation, employees should ensure that they

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continue to speak and act in an appropriate manner. Intoxication is no excuse for behaviour that may constitute bullying or harassment.

The taking of illegal drugs or misuse of other substances is never condoned. This policy extends to those who work from home at any point, including those on standby or callout.

Employees should note that, with effect from 2 March 2015, a new offence of 'drug driving' has been introduced by the UK government. Employees will be guilty of this offence if they drive (or attempt to drive or be in charge of) a motor vehicle on a road or other public place **and** the levels of specified drugs in their blood exceed the levels set by legislation. It is important to note that the list of drugs includes a number of medications commonly prescribed by doctors (e.g. as treatment for depression) or which are otherwise available over the counter; it is therefore essential that employees make themselves aware of which drugs are covered by the legislation, and that they take any medication strictly in line with the instructions issued by their doctor (or other healthcare professional).

All drivers should therefore ensure that they declare to us any medication that they are taking which contains any of the listed drugs, and also keep evidence of any legally prescribed medicines with them to speed up the investigation process should they be stopped.

More information about this offence, including the specified drugs and the acceptable limits, can be found at www.gov.uk/government/collections/drug-driving

10. Identifying potential problems

Supervisors and managers play a vital role in the early identification of potential problems. They should note and document any potential concerns: if a pattern begins to appear, reasonable grounds for concern are justified and the issues should be addressed based on deterioration of job performance.

The following characteristics, especially when arising in combinations, may indicate the presence of a drug, alcohol or substance-related problem:

- Absenteeism: instances of unauthorised leave; frequent absences on Fridays and/or Mondays or immediately after pay day; leaving work early; lateness (especially on returning from lunch or unexplained absences from work site more than the job requires); frequent trips to the rest room; excessive or unusually high level of sickness absence; unusual and increasingly suspicious reasons for absence; unscheduled short-term absences, with or without explanation
- High accident level: either at work or elsewhere (i.e. driving, at home, etc)
- Work performance: deterioration in work standards; difficulty in concentration; work requires increased effort; individual tasks take more time; problems with remembering instructions; increased incidence of mistakes; poor decision making; errors of judgement; loss of interest
- Mood swings: fluctuations in mood in a single day or shift; irritability; nervousness; depression; general confusion
- Physical evidence: multiple bruises; loss of weight and gaunt appearance; injection marks on arms (drugs used intravenously); tremor and sweating hands (alcohol or sedative withdrawal); signs of intoxication (slurred speech, unsteady on feet, confused); bleary eyed (alcohol and cannabis); smell of alcohol; tiredness/exhaustion

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- Personal appearance: such as wearing long sleeves in all weathers especially in the morning to cover up injection marks; becoming less neat in dress or appearance or sometimes excessive care about dress
- Financial concerns: borrowing money from other workers
- Relationships with colleagues: deterioration in relations with fellow workers and with management; avoidance of contact with supervisor/manager.

11. Medication

From time to time employees or workers will suffer ailments or illnesses for which legally prescribed or legally available drugs are required, either to rectify the ailment itself or to relieve the symptoms.

As these drugs may also have some form of side effect, it is important that if this is likely to affect job performance in any way (e.g. drowsiness), anyone taking such medication should check with his/her doctor or pharmacist about any possible side effects and notify his or her Head of Department or line manager of this fact and the details. The aim is to protect everyone's safety and in certain cases it may be necessary to restrict some activities or move the person to other, less risky, work until fully recovered.

Employees and workers with long-term health conditions which require medication to control these are advised to inform us of what medication they take so that these details are kept on file and made available to any medical staff or first-aiders called in the event of a medical emergency or accident.

Employees should also note the information about the 'drug driving' offence, as outlined above.

12. Right of search

In order to enforce this policy, the College reserves the right to inspect and search the workplace and, with their consent, any person or personal property. This includes lockers, bags, and an individual's own vehicle(s) that are brought onto our premises. While we have no power to enforce a personal search, failure to comply will be taken into account when considering whether disciplinary action is necessary.

If we suspect that an employee's work performance or conduct has been impaired through substance abuse, we reserve the right to require the employee to undergo a medical examination to determine the cause of the problem.

13. Treatment and rehabilitation

All employees are encouraged not to cover up for colleagues with a drink or drug problem but to recognise that collusion represents a false sense of loyalty and will in the longer term damage those employees. They should therefore report any concerns in confidence to their manager, or the HR Officer.

Employees who recognise that they have a drink or drug problem, or that they are at risk of developing one, are encouraged to come forward for confidential help. They should seek an appointment, in confidence, with the HR Officer who will, with their consent make a referral to a College-approved doctor, medical practitioner or Occupational Health specialist for advice.

The College will (as far as is practicable) provide support to employees who seek help for substance abuse problems, either internally or through external agencies (where appropriate).

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Employees must recognise that it is their responsibility and in their best interests to seek help at the earliest possible stage, when treatment is more effective and before the problems affect their work sufficiently to become a disciplinary matter. Employees enrolled in a rehabilitation programme will be subject to the normal sickness absence rules.

If we believe that an employee is under the influence of either drugs, alcohol or solvents as a result of an abuse problem, the outcome of any disciplinary procedure will generally include requiring that the person seek help from one or more of the national organisations set up to advise on overcoming this.

Where an employee, having received treatment, suffers a relapse, we will consider the case on its individual merits. Medical advice may be sought in an attempt to ascertain how much more treatment/rehabilitation time is likely to be required for full recovery. At our discretion, more treatment or rehabilitation time may be given in order to help the employee to recover fully.

If, after an employee has received treatment, recovery seems unlikely, dismissal may result, but in most cases a clear warning will be given to the employee beforehand and a full medical investigation will have been undertaken.

Continuation in post or the offer of an alternative post during or after treatment will depend upon our business needs at that time.

If an employee declines the offer of referral for assessment and treatment; discontinues treatment before its satisfactory completion and continues to fall below standards required; or either disobeys an instruction given by the business with regard to rehabilitation or suffers a relapse during or following treatment, we reserve the right to withdraw our support and will deal with the matter under our disciplinary procedure.

Irrespective of the above, any employee who attends work under the influence of drugs, alcohol or substance abuse will be subject to disciplinary action and may be dismissed on grounds of gross misconduct.

14. Communication and training

This policy will be made available to all staff and will be referred to in our Employee Handbook.

Supervisors and managers will, where appropriate, be briefed in order to develop "early recognition techniques" for identifying employee misuse of alcohol, drugs or other substances and in effective interviewing and counselling skills to ensure any issues are dealt with promptly, tactfully and firmly.

15. Enforcement of this policy

Breach of this policy by any employee will be fully investigated and dealt with under our disciplinary procedure. Any other person breaching this policy will be asked to leave the College's premises. In order to meet legal obligations, the College will inform the police and any other appropriate authorities if there is reasonable suspicion that a criminal act has been committed on the College's premises.

Any employee or worker concerned about the implementation of this policy, or who has concerns for his/her health and safety, should raise these in the first instance with his/her Head of Department or line manager. If appropriate action is not taken to resolve the situation within five working days, he/she should raise the issue with another Head of Department or the Bursar.

16. Informing the police

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The supply, sale or possession of illegal drugs is a criminal offence. Please note that we will not hesitate to inform the police if we believe that such drugs are in the possession of an employee, or are being used, sold or distributed by our employees and/or on our premises. Employees involved in such activities will be liable for summary dismissal for gross misconduct.

17. Implementation, monitoring and review of this policy

The Governing Body of the College has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation and additionally whenever there are relevant changes in legislation or to our working practices.

Any queries or comments about this policy should be addressed to the HR Officer.

18. Related policies

We also have the following related policies:

- Data Protection policy
- Disciplinary policy
- Health and Safety policy
- Sickness Absence reporting and sick pay policy

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