



Alcohol and Drug-Related Problems Policy

Human Resources

Approved at PSC 11/3/99
Approved at Full Council 25/3/99
Plain English Crystal Mark June 2004
Revised June 2007
Revised August 2009

Contents

- 1** Introduction
- 2** Definitions
- 3** Our position
- 4** Support for employees
- 5** Treatment
- 6** Relapse

1 Introduction

- 1.1 NLL recognise that alcohol - and drug-related problems are matters of health and social concern. Employees with these problems need help and treatment.
- 1.2 NLL will not accept people misusing alcohol or drugs. This policy provides practical measures to deal with alcohol and drug misuse. This applies equally to solvent misuse.
- 1.3 The Trust will try to make sure that employees who use alcohol or drugs do not affect the safe and efficient running of the organisation.
- 1.4 Using alcohol or drugs can affect an employee's performance at work. This may result in problems with employees being absent from work.

2 Definitions

- 2.1 Employees with alcohol or drug problems fall into two categories.
 - a People who misuse alcohol or drugs that are not related to a physical dependency.
 - b People who are dependent on alcohol or drugs, and this repeatedly affects their health, behaviour or work performance.

NLL will deal with point a under our disciplinary procedures.

The Trust will consider point b as a health issue.

- 2.2 The term 'drugs' in this policy refers to illegal drugs such as heroin, cocaine and cannabis. It also applies to the misuse of legally prescribed drugs such as tranquillisers or sleeping pills.

NLL may consider incidents outwith working hours that involve possessing, using or supplying drugs as a disciplinary offence. The Trust will take account of the following before considering any action.

- Safety risks
- Where the incident took place
- Our reputation
- Your behaviour in relation to your responsibilities
- Contact with vulnerable groups
- Criminal proceedings

3 Our position

- 3.1 By law, employers must maintain a safe working environment. If an employer ignores your alcohol or drug problem, NLL could be committing a criminal offence.

If you do not act responsibly, you could also be committing a criminal offence.

- 3.2 It is an offence for an employer to allow people to use, keep or supply drugs on their premises, under the Misuse of Drugs Act 1971. It is also illegal under the Act to ignore these incidents. NLL will consider you to have committed an act of gross misconduct if you do any of the following on our premises.
- Take drugs which have not been prescribed for medical reasons.
 - Are believed to be buying or selling drugs.
 - Are in possession of unlawful, unprescribed drugs.
- 3.3 It can be a criminal offence to misuse alcohol or drugs. If NLL knowingly continue to employ a person with an alcohol or drug problem, and the employee causes an accident and injures someone else, The Trust could be liable for negligence.
- 3.4 If you are known to be, or are strongly suspected of being, drunk or under the influence of drugs during working hours, you will be escorted from our premises immediately and suspended with pay. If appropriate, you should be taken home. NLL will investigate the matter when you return to work.
- 3.5 The Trust encourage employees whose repeated use of alcohol or drugs interferes with their health or work performance to get advice and treatment voluntarily. If you commit an act of gross misconduct as a result of misusing drugs or alcohol, and a programme of treatment may not be appropriate, NLL may dismiss you.
- 3.6 You are strongly discouraged from drinking alcohol during the working day or bring alcohol onto our premises. The Trust may ban our employees from drinking alcohol during the working day.

4 Support for employees

- 4.1 NLL will give you the opportunity to have an assessment if it is found that you have an alcohol- or drug-related problem. Treatment from appropriate agencies will be provided if necessary.
- 4.2 If you suspect or know that you have an alcohol or drug-related problem, you should get help and treatment voluntarily, with the support of your employer.
- 4.3 The Trust will take disciplinary action against you if you:
- deny that either alcohol or drugs are the cause of the problems;
 - refuse to accept the offer of referral for assessment and treatment;
 - stop a course of treatment before you have completed it; or
 - do not meet the standards of work needed after undergoing treatment.
- 4.4 If, during disciplinary procedures, you blame the misconduct or incapability on alcohol or drug dependency, The Trust may postpone disciplinary action. During this period, The Trust will offer you assessment or treatment (or both). If you reject the offer of support, disciplinary procedures will continue.
- 4.5 NLL will give you paid time off to go to counselling sessions if you accept the offer of a referral.
- 4.6 The Employee Counselling Service will provide reports on your progress.

5 Treatment

If you accept you have an alcohol or drug problem, The Trust will offer you help and treatment as long as you:

- a produce medical certificates to cover the period or periods of absence if you need to be absent from work to receive treatment; and
- b return to the same or equivalent job when the treatment has been completed.

NLL will consider suitable alternative employment, in line with the Redeployment Policy, if:

- a your alcohol or drug problem is not resolved; or
- b your performance is not satisfactory when you return to your original or an equivalent job.

6 Relapse

6.1 NLL will consider each case individually if your work performance or standard of behaviour suffers again as a result of alcohol- or drug-related problems.

6.2 The Trust will give you another opportunity to get help and treatment, and will get advice from our Employee Counselling Service.

6.3 NLL may dismiss you if:

- the standard of your work or behaviour is still not satisfactory; or
- your work is satisfactory throughout the period of treatment but you lapse very soon afterwards

NLL will tell you that may consider dismissing you and may ask for a medical opinion.