



Williamsburgh

HOUSING ASSOCIATION

• Limited •

Substance Misuse Policy

This policy can be made available in different languages and other formats such as Braille, large print or tape, on request.

Contents

1. Introduction
2. Aims and Objectives
3. General Principles
4. Confidentiality
5. Roles and Responsibilities
6. Role of Management
7. Role of the Employee
8. Role of the Counselling Service
9. Procedure : Voluntary Referral
10. Referral by Management
11. Training
12. Evaluation and Monitoring
13. Review
14. Appendix:
 - A Misuse of Drugs Act 1971

1. Introduction

Williamsburgh Housing Association recognises, as an employer, our duty of care for the wellbeing of our staff. As such, the Association has adopted a policy on substance misuse in the workplace, which aims both to protect the health and welfare of all employees and to prevent the damaging effects of substance misuse on business performance.

This policy is part of the Association's overall concern for the health, safety and welfare of staff and complies with all relevant legislation including employment law. In addition to the safety risks posed by the misuse of alcohol and drugs, there are health consequences. These include weight problems, sleep problems, cancer, liver disease, mental health problems and stroke.

In terms of relevant legislation, the Association accepts its legal obligation to protect staff from the potential risks associated with alcohol and drugs, under the Health and Safety at work Act 1974 and the Misuse of Drugs Act 1971. We also recognise that under this Act (1971), the Association may be liable if we knowingly allow our premises to be used for processing, taking, supplying or offering to supply controlled drugs. For the purposes of this policy, the term 'drug' applies to drugs controlled under the Misuse of Drugs Act 1971, prescribed drugs and over-the-counter medication and solvents.

2. Aims and Objectives

In framing this policy, the Association aims to:

- prevent or reduce the incidence of alcohol, solvent and drug related work impairment,
- reduce the personal suffering of employees affected by alcohol or drug related problems,
- create a climate which removes the tendency to conceal or deny such problems,
- alert employees to the risks associated with substance abuse,
- offer encouragement and assistance to employees with an alcohol or drug problem to seek help from appropriate agencies, and
- give management and staff concerned the confidence to deal with such problems.

3. General Principles

- (i) Employees must present for work free from the effects of alcohol or drugs during working hours. This includes returning to work from internal or external functions/celebrations. Staff/Committee members representing Williamsburgh Housing Association at functions should not act in any way which could adversely affect the Association's reputation.
- (ii) Employees using prescription/over-the-counter (OTC) drugs, which may affect their behaviour and/or work, have a responsibility to inform their manager (director). Managers will be supportive in this situation, which may mean a temporary change of duties.
- (iii) This policy applies to all employees, temporary staff, contractors, committee members and volunteers, in so far as a reasonably practicable, thereby ensuring fairness and consistency when dealing with issues.
- (iv) All employees will be made aware of this policy. It will be publicised via a number of methods, including email, bulletin, shared drive, staff handbook etc.
- (v) Employees who have an alcohol or drug related problem will be encouraged to seek help and treatment voluntarily.
- (vi) Employees who are perceived to have an alcohol or drug problem will be offered the opportunity to seek assessment, and if necessary, treatment.
- (vii) Employees agreeing to undergo treatment will be granted sick leave for this purpose.

3. General Principles Contd.

- (viii) Following treatment, the employee will be able to return to the same job unless it is considered that resumption of duties would be inconsistent with the resolution of the employee's alcohol or drug related problem.
- (ix) Every consideration will be given to finding suitable employment for employees who, it is considered, should not resume their previous duties after treatment.
- (x) The employee's normal career or promotional progress will not be affected if treatment leads to a resolution of the problem.
- (xi) Employees who decline offers of a referral for assessment or treatment or who prematurely discontinue treatment and whose work performance continues to be unsatisfactory, will be subject to the Association's disciplinary procedure.
- (xii) In cases of relapse during or following treatment, which adversely affects performance, each case will be considered on its merits and, if appropriate, a further opportunity of assistance will be offered.
- (xiii) All employees will have the right to be accompanied at any discussion by a trade union representative or fellow employee of his/her choice.
- (xiv) Loss of licence due to a conviction for driving over the legal alcohol limit or being under the influence of drugs can have repercussions on employment. Where an employee has to drive as a requirement of his/her job, this may result in the termination of their employment.

4. Confidentiality

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

5. Roles and Responsibility

This policy applies to every member of staff equally and it is the responsibility of every employee to ensure that the policy operates effectively.

6. Role of Management

It is the responsibility of management to:

- be familiar with the policy and procedures relating to substance misuse,
- ensure that their staff/section understand the policy and their own responsibilities,
- be alert to and monitor changes in work performance, attendance, sickness and accident patterns,
- take an objective and non-judgemental approach when counselling or interviewing employees,
- refer employees for assistance when appropriate,
- identify any aspects of the working environment which could lead to substance misuse problems and, if possible, change them,
- intervene early when there are signs of problems,
- refer to the Association's disciplinary procedure where appropriate,
- be responsible for maintaining a safe and healthy workplace, and
- act promptly on information from staff.

7. Role of the Employee

It is every employee's responsibility to:

- find out about alcohol and drugs and the social, health and employment effects,
- avoid covering up or colluding with colleagues,
- urge colleagues to seek help if they have problems arising from substance misuse,
- seek help where they themselves have problems from substance misuse,
- be responsible for maintaining a safe and healthy workplace, and
- report any incidence of the problem amongst colleagues to management.

8. Role of the Counselling Service

The Counselling Service provides:

- advice and guidance on how best to help an employee who has a problem which might be related to substance misuse,
- an assessment of employees who refer themselves for help,
- a positive response to referrals from managers,
- an impartial and confidential service to employees which may include counselling, assessment and referral to another agency, and
- assistance with the identification and implementation of education and initiatives to promote knowledge of substance misuse.

9. Procedure : Voluntary Referral

Where an employee voluntarily decides to seek help, he/she will contact the Director.

The Director will see the employee as soon as possible and arrange an appointment with an approved counselling service.

10. Referral by Management

Where an employee has a capability problem, the cause of which is known or suspected to be alcohol or drug related and disciplinary measures have been applied or are indicated, the appropriate manager will interview the employee in the normal course of endeavouring to rectify work performance or difficulties.

If the manager believes that the employee could benefit from a programme of treatment for substance misuse, he/she will offer the employee a referral to an assessment/counselling service as an alternative to taking the indicated disciplinary action. If the employee rejects the offer of referral, normal disciplinary measures will be applied.

Where referral is accepted by the employee, an interview will be arranged with an appropriate assessment/counselling service, which will report back indicating the outcome of the assessment interview(s) and, if relevant, what co-operation is required to facilitate recovery.

It is emphasised that disciplinary action is only suspended pending a satisfactory outcome of assessment and treatment. If, however, the counselling service indicates that no alcohol or drug related problems exists, or should the employee cease to co-operate in any way with the counselling service, the suspended disciplinary action will be enforced. Normal disciplinary or workplace requirements will apply to anyone attending counselling services.

10. Referral by Management Contd.

It should be noted that, being under the influence of drink and drugs or in the possession of classified drugs at work, is dealt with as Gross Misconduct under the disciplinary procedure.

If the course of agreed treatment is satisfactorily concluded, the suspended disciplinary action will be dropped.

11. Training

Managers who are expected to implement and operate this policy will receive appropriate training. All staff will be trained both in the operation of this policy and alcohol and drug awareness.

All staff should be aware of the drugs that are subject to control and their categorisation which relates to their relevant harmfulness when misused – See Appendix No.1.

Staff are advised that support is available from the following agencies:

- Renfrewshire Community Health Initiative (RCHI) 01505 813349 (action on drugs),
- RCA Services 0141 887 0880 (alcohol),
- Drinkwise 0141 572 6704 (alcohol),
- Alcoholics Anonymous 0845 7697555 (24 hour helpline), and
- Know The Score 0800 587 5879 (24 hour helpline for drug users, solvent users, their families and carers).

12. Evaluation and Monitoring

Williamsburgh Housing Association seeks to adopt a positive approach towards ensuring the welfare of our employees through the provision of help, support and a safe working environment.

Having identified our aims and objectives, we will ensure the policy is being implemented effectively through the appropriate monitoring arrangements, which will include:

- the identification of drug or alcohol related incidents,
- the identification of employees with a drug or alcohol related problem,
- the referral of employees for treatment/counselling,
- the identification of successful outcomes following treatment,
- the identification of discontinued/unsuccessful treatment,
- the identification of disciplinary action/dismissals, due to impaired performance as a result of drug or alcohol misuse, and
- the provision of information and relevant training to staff and managers.

Unless the monitoring arrangements identify serious breaches of the policy, the Management Committee will be advised, at the time of the policy review, whether we are achieving our objectives or whether more effective measures require to be introduced.

13. Review

The Management Committee will have regard to this policy, as per our review schedule. As such, the policy will be considered every three years to ensure that it responds to any changing circumstances, particularly to keep up to date with the changes involved in dealing with all aspects of substance misuse.

This review will take place following the appropriate consultation with staff and their trade union representative.

14. Appendix

Misuse of Drugs Act 1971

The Act lists the drugs that are subject to control and classifies them in three categories according to their relative harmfulness when misused.

Class A : includes heroin, cocaine, ecstasy, LSD, crack, Methylamphetamine (crystal meth), amphetamines (if prepared for injection) and magic mushrooms.

Class B : includes amphetamines (speed), Pholocodine Methylphenidate (Ritalin), and cannabis.

Class C : includes Tranquilisers, some painkillers, GHB (Gamma hydroxybutyrate), and Ketamine.

The penalties for offences involving controlled drugs depend on the classification of the drug. Penalties for misuse of Class A drugs are more severe than those for Class B drugs which in turn are more severe than the penalties for Class C drugs. The Act also distinguishes, in terms of the penalties that may be imposed, between the offences of possession and drug trafficking or supplying, with the latter attracting higher penalties.

It is possible that in certain circumstances charges may be brought against an employer or an employee under either this Act or the Health and Safety at Work Act or both. It would be up to the courts to decide on the circumstances of each case.

