

THE SCHOOL OF ORIENTAL AND AFRICAN STUDIES

Alcohol and Substance Misuse Policy

1. Purpose

This policy sets out the School's position with regard to drugs and alcohol within the workplace and the approach the School will take when the consumption of drugs or alcohol affects an employee's performance at work. The School respects the privacy of individuals, particularly in health matters, where their conduct or performance at work is not affected. The School must, however, be concerned where health or behaviour impairs the conduct, safety or work performance of employees, and it recognises that the misuse of alcohol or drugs may be a cause of such impairment.

2. Scope

2.1 This policy applies to all School employees.

2.2 The School is committed to ensuring the health and safety of all its employees and will take action to secure their wellbeing and general welfare.

3. Policy

This policy sets out to:

- Comply with all relevant legislation and common law duties
- Promote a healthy and safe environment for all School employees, offering support to those with an alcohol or drug problem
- Ensure that the image and reputation of the School are maintained

4. Definition of Alcohol or Substance Misuse

4.1 Alcohol misuse is a level of drinking alcohol which affects an individual's work or behaviour in the workplace.

4.2 For the purposes of this policy, substance misuse refers to the taking of drugs or a controlled substance, either intermittently or continuously which interferes with an individual's health, work capabilities or conduct, or which affects the work performance and/or safety of themselves and others.

4.3 Drugs include any substance (other than alcohol) that produces physical, mental, emotional or behavioural change in the user. The sale, possession or consumption of such drugs is illegal. This term includes prescription drugs where such prescription drugs have not been prescribed for the person possessing or using such drugs and/or such prescription drugs are not taken in accordance with a physician's direction.

4.4 Controlled substances include all chemical substances or drugs listed in any controlled substances acts or regulations applicable under the law.

5. Principles

- 5.1 Medical advice, treatment and monitoring will be offered the School's Occupational Health provider in the strictest confidence and with the informed consent of the employee. Details of a confidential nature will normally only be discussed with the employee's own General Practitioner, other medical specialist or their line manager with the prior agreement of the individual.
- 5.2 The School will ensure that managers are able to deal with problems quickly and effectively by following the associated procedure.
- 5.3 Whilst alcohol or drug abuse does not excuse poor work performance or misconduct it may be treated as a mitigating factor, and disciplinary procedures may be suspended whilst the opportunity is taken to identify potential alcohol or drug-related problems and, if necessary, to seek treatment.

6. Identification of Alcohol and/or Substance Misuse

- 6.1 The School encourages any employee who suspects they have an alcohol and/or substance misuse problem to seek assistance voluntarily.
- 6.2 In the event of an employee not seeking voluntary assistance, an alcohol and/or substance misuse problem might also be identified by either:
 - A manager, including concerns being raised by another employee
 - Occupational Health
- 6.3 Every attempt should be made to help an employee who is suspected of having an alcohol and/or substance misuse problem. This should be treated sensitively and in strictest confidence. Please see point 6 in the Alcohol and Substance Misuse Procedure for further information on providing support.

7. Alcohol and Drugs at Work

- 7.1 The School encourages those who consume alcohol to do so sensibly and responsibly. It is recognised that alcohol may be available at some School-related events (whether held on the School campus or not), such as parties, entertaining visitors, or other work related events. However, employees must be fit for work when conducting duties and are always expected to maintain and be responsible for their own standards of behaviour.
- 7.2 Because of the impact on health and safety and the impression that will be conveyed to others, the School has certain expectations about the consumption of alcohol in the workplace. Employees are expected not to undertake their work duties while under the influence of alcohol or drugs. In this context, employees are expected to exercise their judgement about the appropriateness of consuming alcohol in a work break.
- 7.3 The School does not condone the possession or misuse of drugs which constitutes an offence at law. The School recognises its responsibility to comply with the law and, in particular, to co-operate with the appropriate external agencies in any action required to ensure that no criminal activity takes place on campus or otherwise to enforce the law.

- 7.4 Although this is a combined policy on alcohol and drugs, the situation regarding drugs will be distinguished from that of alcohol, where appropriate, to comply with the different legal position on the possession and supply of drugs. There is also the issue that potential problems do not solely arise from the use of prohibited and other controlled drugs. Certain prescribed drugs can cause difficulties with performance at work and can themselves create dependency problems and care in their use is essential.
- 7.5 Drug problems amongst employees arise most often from the possession, use, supply, manufacture or theft of prohibited and illegal drugs or the misuse of legally prescribed drugs or other substances such as solvents during the hours of their employment. 'Off duty' drug-taking incidents may be relevant if they affect job performance.
- 7.6 If, arising from an alcohol or drugs related problem, an employee acts in such a way as to endanger him/herself and/or others, the School will take prompt action as required to prevent injury, damage or other serious risk. In this situation the member of staff's problem will be taken into account but it will not automatically exonerate the person concerned from the consequences of his/her unsatisfactory performance or serious misconduct.

8. Policy Review

This policy will be reviewed by HR Directorate on a regular basis to ensure it remains compliant with any employment legislation revisions and good employment practice. The School's recognised trade unions will be consulted on any proposed changes.

9. Relevant Legislation

This policy complies with relevant legislation including:

- Misuse of Drugs Act 1971
- Health and Safety at Work Act 1974
- Access to Medical Records Act 1988
- Data Protection Act 1998
- Human Rights Act 1998
- Corporate Manslaughter Act 2007
- Equality Act 2010
- Health and Safety Executive Guidelines

10. Other Relevant School Policies/Documents

- Alcohol and Substance Misuse Procedure
- Disciplinary Policies (various)
- Managing Sickness Absence Policy (draft)
- Special Leave Policy...
- Occupational Health Referral Form

11. Equality and Diversity

- 11.1 The procedures outlined here should be carried out with due regard to any diversity issues which may have affected either the original situation or the current process. The School's Diversity Adviser and diversity specialists within the Human Resources Directorate are available to support colleagues in this area.
- 11.2 Where a diversity issue (e.g. a disability including chronic physical or mental health conditions) has been disclosed to the School, whether prior to the situation which triggered this process or during the process, the line manager co-ordinating the process is responsible for checking with the employee to determine their needs and for making the appropriate arrangements.
- 11.3 Employees who have not previously disclosed a diversity issue which may be relevant to this process are encouraged to do so, as early as possible, so that it can be taken into account.

12. Approval

This Policy was agreed with the School recognised trade unions, UCU and UNISON, on 10 June 2011.

**HR Directorate
SOAS
June 2011**