



LEEDS
BECKETT
UNIVERSITY

Alcohol and Drugs Misuse Policy and Procedure

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Policy Statement

Purpose and Core Principles

Leeds Beckett University aims to provide a healthy working environment and is committed to the health, safety, and wellbeing of all employees, students and visitors (including as required under Health and Safety legislation).

Alcohol and drug misuse can affect employees and our University in terms of health and safety, efficiency, productivity and attendance. Alcohol and drug misuse can also have a detrimental effect on colleagues, students, visitors, and on the reputation of our University.

This policy and procedure outline our University's approach in relation to employees experiencing alcohol and drug related problems that impact on work, and provide a framework for an effective and consistent management approach.

Our University encourages employees with alcohol and drug related problems to seek help voluntarily and we are committed to supporting employees through this process to overcome alcohol and drug related problems and return to effective performance in their role. However, this clearly depends on a number of factors, including how the employee responds and the seriousness of any resulting misconduct. Other staff management procedures may be necessary, including procedures relating to misconduct, poor performance or absence and ill health.

Scope

This policy and procedure apply to all employees of Leeds Beckett University.

This policy and procedure apply to all alcohol and drug misuse which impacts on work, both inside and outside of the workplace.

Responsibility

Managers are responsible for the management of employees experiencing alcohol and drug related problems that impact on work through the application of this policy and procedure. The People Team is responsible for providing advice and guidance on the application of this policy and procedure. Occupational Health is responsible for providing advice and guidance on the medical aspects of alcohol and drug misuse.

All employees are responsible for ensuring that they are in a fit state to work, and that their performance of duties and conduct are not affected by alcohol or drugs. Employees also have a duty to take reasonable care for their own safety and that of other persons who may be affected by their acts or omissions at work.

Review

The application of this policy and procedure will be monitored on an annual basis and reviewed a minimum of every three years or sooner, in light of legislative changes and organisational requirements as appropriate.

Procedure

1. Definitions

- 1.1 In relation to this policy and procedure the terms 'alcohol misuse' and 'drug misuse' are defined as follows. 'Drug misuse' is used interchangeably with 'substance misuse':

Alcohol misuse – the use of alcohol which has an adverse effect on employees' performance and/or ability to conduct themselves appropriately

Drug misuse – the use of all substances of any description, whether legally obtained or otherwise, (including prescription or 'over the counter' drugs and 'legal highs'¹), which has an adverse effect on employees' performance and/or ability to conduct themselves appropriately.

2. Alcohol and Drugs at Work

- 2.1 Employees must not drive on University business if under the influence of alcohol or drugs, including prescription medication that could cause drowsiness or loss of concentration.
- 2.2 Our University expressly prohibits the possession, supply or taking of any illegal drugs or 'legal highs' on University premises and will report to the Police all such incidents in accordance with appropriate legislation. The possession or use of illegal substances or 'legal highs' on University premises will also be dealt with in accordance with our University Disciplinary Procedure.

3. Identification of alcohol or drug misuse

- 3.1 Our University may be made aware of employee alcohol or drug misuse in a number of ways:
- 3.1.1 Individual employees may choose to seek support and/or assistance voluntarily through speaking to their manager or Occupational Health.
- 3.1.2 Managers may identify deteriorating work performance or behaviour which they believe may be related to alcohol or drug misuse.
- 3.1.3 Colleagues may identify what they believe to be obvious signs of alcohol or drug misuse and be sufficiently concerned to inform the appropriate manager or a member of the People Team.
- 3.1.4 An underlying problem of alcohol or drug misuse may come to light during the application of University procedures (including the Disciplinary Procedure and Probationary Policy and Procedure), or in the course of a return to work interview following sickness absence, or other discussions about an employee's performance or attendance at work. University procedures will not automatically be suspended on identification of potential alcohol or drug misuse.
- 3.1.5 An external individual or agency may raise with our University the issue of suspected alcohol or drug misuse by a University employee.

¹ Legal highs are substances which produce the same, or similar effects, to drugs such as cocaine and ecstasy but are not controlled under the Misuse of Drugs Act. They are sometimes called club drugs or new psychoactive substances (NPS).

3.2 Characteristics which may indicate the presence of an alcohol or drug related problem are provided in the Manager Guidance.

3.3 Where potential alcohol or drug misuse has been identified, the manager should arrange a meeting with the employee as soon as possible.

4. Dealing with potential alcohol or drug misuse which impacts on work

4.1 Dealing with an employee who either arrives or returns to work (or University related events) under the influence of alcohol or drugs

4.1.1 Employees arriving or returning to work, having consumed alcohol or drugs and who are determined by their manager to be incapable of carrying out their duties, are at risk to themselves or others, or of bringing the University into disrepute, must be interviewed immediately and advised of the seriousness of the situation.

4.1.2 Where appropriate, such employees should be sent home for the remainder of the day, using annual leave or flexi time (or agreement to make up the time), and offered appropriate assistance for them to return home safely.

4.1.3 Employees should also be encouraged to seek specialist help through their GP.

4.1.4 Arrangements should be made for a meeting at the earliest opportunity following the employee's return to work. At this meeting, consideration will be given of appropriate action, including the possibility of disciplinary action.

4.2 Meetings with employees with suspected alcohol or drug related problems

4.2.1 At the meeting, managers should bring any concerns and/or allegations regarding performance and/or conduct to the attention of the employee, and seek to identify any difficulties being experienced and support which could be provided. Employees should be given an opportunity to explain their behaviour and whether or not they feel they have a drugs, alcohol or substance dependency.

4.2.2 All employees should be informed of the seriousness of the misconduct/poor performance, given a timescale for improvement and informed of the consequences of further misconduct or poor performance. The outcome of the meeting should be confirmed in writing to the employee as soon as possible. This should include the clear expectations that have been established, consideration of any reasonable adjustments (where applicable) and a timescale for review. A referral to Occupational Health may also be appropriate.

4.2.3 The manager should meet regularly with the employee to review the situation and progress. If expectations are not met or concerns continue, then the manager may review the timescale. Where alcohol or drug misuse results in sickness absence, the Sickness Absence Management Policy and Procedure will be followed.

4.2.4 Following the review period a further meeting should be held with the employee. The key points of the discussion and any agreed outcome actions should be confirmed in writing to the employee. As appropriate, managers should continue to encourage employees to seek professional help.

4.2.5 In some cases, it will be determined to:

- Instigate our University Disciplinary Procedure (in cases of misconduct)
- Instigate our University Performance Management Procedure (in cases of continued poor performance)

In these proceedings employees can be accompanied and represented by either a full-time Trade Union officer, a Trade Union representative (who is an employee of the University), or a work colleague.

5. Leave for treatment

- 5.1 In many cases there may be no absence from work. Time off to undergo treatment (whether as an inpatient or outpatient), counselling, or attendance at self-help groups will be treated as sick leave and must be reported in accordance with our University's requirements for reporting sickness absence.

6. Confidentiality

- 6.1 Managers must maintain appropriate confidentiality and comply with data protection requirements, including in relation to the storage and/or the forwarding of any information and documentation relating to alcohol and drug misuse.

Related Policies and Documentation

Guidance for Managers on Alcohol and Drugs Misuse Policy and Procedure

Disciplinary Procedure

Managing Performance Policy and Procedure

Sickness Absence Management Policy and Procedure

Reviewed December 2019