

# ALCOHOL AND DRUG MISUSE POLICY

## OF

# WINNS SECURITY SERVICES LIMITED

### 1 INTRODUCTION

- 1.1 Under the Health and Safety at Work etc Act 1974 ("the Act"), all employers have a general duty to ensure the health, safety and welfare of their employees and other persons using company premises. The Act also places a general duty on employees to take reasonable care of their own health and safety and of any other persons who may be affected by their acts or omissions whilst at work. Alcohol and drug misuse affects performance, conduct and relationships at work and at home. Employees who develop alcohol or drug-related problems cause harm to themselves and to others.
- 1.2 The company aims to ensure a working environment free from the inappropriate use of alcohol and drugs where employees are able to carry out their duties in a safe and efficient manner without impairment. This policy is designed to prevent and treat problems created in the workplace by inappropriate alcohol consumption and drug usage. This policy applies to all employees within the company and to all agents, contractors, consultants and any other individual working for, or on behalf of, the company.

### 2 POLICY AIMS

- To safeguard employees and others from the hazards of alcohol and drug abuse.
- To encourage employees who suspect or know that they have an alcohol or a drug problem to seek help at an early stage.
- To provide help and support to those with an alcohol- or a drug-related problem.

### 3 DEFINITIONS

- 3.1 Alcohol abuse is defined as a level of drinking which persistently affects an employee's work. This is regarded as an illness.
- 3.2 Drug abuse is defined as the taking of an illicit or other chemical substance into the body in an un-prescribed manner. For the purposes of this policy the term "drug" includes:
- 3.2.1 substances covered by the Misuse of Drugs Act 1971 (referred to as "controlled drugs");
  - 3.2.2 prescribed and over-the-counter drugs;
  - 3.2.3 solvents and any other substances.

#### **4 DISCIPLINARY RULES**

- 4.1 Employees must not consume alcohol **at all** during working hours, including during meal-breaks, or before work whenever work performance will be adversely affected.
- 4.2 Employees must not use drugs during working hours or before work whenever work performance will be adversely affected. Employees who are prescribed by their doctor drugs that may affect their ability to work should inform their manager.
- 4.3 Possessing, using or supplying controlled drugs at work is prohibited. The company is obliged to comply with the Misuse of Drugs Act and notify the police if any such activity (including reasonable suspicion of it) takes place on company premises.
- 4.4 Any breaches of this policy will be dealt with under the company's disciplinary procedure. While the recognised disciplinary procedures are appropriate to deal with the irresponsible and deliberate misuse of alcohol or drugs, the company accepts that in some cases an employee may have a health problem as a result of dependence on alcohol or drugs. If the employee and the company accept that the alcohol- or drug-related problem may be resolved through appropriate specialist treatment, the procedures detailed in clause 7 will be followed.

#### **5 MEDICAL EXAMINATION**

- 5.1 If the company has reason to believe that an employee's work performance or conduct has been impaired through drug or alcohol abuse, the company will immediately invoke its disciplinary procedure which may result in the employee's dismissal. In investigating the incident, the employee may be required to undergo a medical examination to determine the cause of the problem.
- 5.2 If, after a medical examination, an employee is found to have no underlying drug or alcohol problem, the company will continue to deal with the matter under its disciplinary procedure.
- 5.3 If, after a medical examination, it is confirmed that the employee has an alcohol- or a drug-related problem, or the employee admits to having such a problem, the company reserves the right to suspend the employee from work on full pay to allow the company to decide whether to deal with the matter under the terms of the disciplinary procedure or to require the employee to undergo treatment and rehabilitation pursuant to clause 7.

#### **6 TESTING**

Following any incident where there is a suspicion that drugs and/or alcohol may have been a contributory factor, the company reserves the right to have tests carried out on employees. Where testing takes place the individual will be expected to sign a written consent to be tested. Failure to give consent, or refusal to supply a urine sample, will be considered to be a breach of these rules and may lead to disciplinary action being taken.

## 7 REFERRAL PROCEDURES

The company will promote an environment in which those with alcohol- or drug-related problems are encouraged to obtain guidance and advice. Names and addresses of specialist agencies are available, in confidence, from JOHN DOWLER - GENERAL MANAGER,. Referral to specialist agencies will always be with the agreement of the employee with the alcohol or drug problem and self-referral may be the most effective way of addressing the problem.

### 7.1 SELF-REFERRAL

7.1.1 Employees who believe that they have an alcohol or a drug problem are encouraged to seek specialist advice. Specialist advice is available from an employee's GP or local agencies. An employee may also discuss the matter with their manager in complete confidence. In appropriate cases, the manager will arrange for the employee to see a doctor, counsellor or some other professionally qualified person.

7.1.2 Any time off required for treatment will fall within the sick leave arrangements.

### 7.2 COMPANY REFERRAL

7.2.1 An employee's manager may identify an employee as having poor health, attendance and work performance which may be due to a drug- or an alcohol-related problem (signs of drug and/or alcohol dependency are outlined in the Schedule). In these circumstances, the manager should arrange to discuss this with the employee concerned. The purpose of the discussion is to raise with the employee problems in his or her work performance.

7.2.2 While it is appropriate for the manager to raise questions about performance in the context of the employee's use of alcohol or drugs, the employee has an absolute right to refuse to discuss the matter. If the employee does not wish the matter to be considered under this policy, it will be dealt with under the normal disciplinary procedures.

7.2.3 If the employee accepts that there may be aspects of his or her work performance that are alcohol- or drug-related, the manager will offer assistance. Normally the matter will be passed to JOHN DOWLER - GENERAL MANAGER, for further action and in particular to contact the specialist agencies, but if the employee chooses, or if it appears to the manager more appropriate for them to take the lead, this will be acceptable.

7.2.4 Any employee who, as a result of company referral, is required to undertake a course of treatment that requires absence from work will be deemed to be absent from work on ill-health grounds. It may be recommended that relocation to a different area of work may enable the employee to remain at work.

### 7.3 REFERRAL OUTCOMES

- 7.3.1 Employees referred under these procedures accept and are accepted by the company as having had performance problems because of the misuse of alcohol or drugs. Any disciplinary action that might have been pending as a result of alcohol- or drug-related problems will be held in abeyance pending the outcome of the referral programme. If, as a result of the referral programme, the employee is able to sustain a return to working at an acceptable level of performance, references to pending disciplinary action will be deleted. The period of sustained evidence of a successful outcome of the referral programme will normally be two years.
- 7.3.2 Employees who embark on, but refuse to follow, the referral programme will be dealt with under the normal disciplinary procedure.
- 7.3.3 Employees who return to working at an acceptable standard but whose performance again deteriorates as a result of alcohol- or drug-related problems may, if appropriate, be given further opportunities under the referral procedures. It should be noted, however, that the opportunities to deal with problems created by alcohol or drug misuse under the referral procedures will not be unlimited. If an employee appears incapable of dealing with the problem, the company may/will take steps to terminate the employment on the grounds of capability and/or conduct.

## 8 ORGANISATIONAL RESPONSIBILITY

- 8.1 Managers undertake to promote this policy and ensure its effective implementation. They should be alert to the signs of misuse of alcohol and drugs and deal with individual cases in accordance with this policy.
- 8.2 All employees are expected to take personal responsibility for their own alcohol consumption and/or drug use and to co-operate with management in assisting colleagues who have an alcohol or drug use problem.
- 8.3 The Company will periodically review this policy to ensure that it is being adhered to.

## **SCHEDULE**

### **Common signs of alcohol or drug dependence**

#### **Absenteeism\Irregular Attendance**

- multiple instances of unauthorised leave
- frequent Monday or Friday absences
- improbable reasons for absences
- unusually high absenteeism, e.g for colds, flu, gastritis and general malaise

#### **Reporting for work**

- excessive lateness, for example on Monday mornings or returning from lunch
- arriving at work under the influence of alcohol or drugs
- smelling of alcohol
- unkempt appearance/lack of hygiene

#### **Absenteeism whilst at work**

- repeated absences from the post, more often than reasonably necessary
- frequent trips to the cloakroom
- overlong tea\coffee breaks
- incapacity due to the influence of alcohol or drugs
- leaving work early

#### **Lack of concentration and confusion**

- work requires greater effort
- jobs take an unreasonable time to complete
- difficulty in recalling instructions and details
- increasing difficulty in handling complex assignments
- difficulty in recalling errors

#### **Spasmodic work patterns and deteriorating performance**

- alternate periods of high and low productivity
- increasing general unreliability and unpredictability
- missed deadlines
- mistakes due to inattention or poor judgment
- complaints about performance
- improbable excuses for poor performance

#### **Poor employee relations**

- over-reaction to real or imagined criticism
- unreasonable resentment
- irritability
- complaints from colleagues about behaviour
- attempts to borrow money from colleagues
- avoidance of manager or colleagues