



## ALCOHOL AND DRUG POLICY

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**NHS GRAMPIAN  
ALCOHOL AND DRUG POLICY**

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# NHS GRAMPPIAN ALCOHOL AND DRUG POLICY

## 1 INTRODUCTION

As an organisation working in partnership with others to promote and improve health, NHS Grampian recognises the need for a policy using a constructive and preventative strategy designed to encourage early identification of alcohol and drug related problems among it's staff. It is also part of our overall commitment to safety, good employee relations and the promotion of health at work.

Alcohol and drug use frequently affects personal health and social functioning and can impair work capability. The latter can lead to absenteeism, lost time on the job, accidents, loss of training investment, waste, poor judgement and wrong decisions. In addition, it may also have a detrimental affect on colleagues, friends and family.

NHS Grampian is committed to offering guidance and early assistance to those faced with an alcohol or drug related problem with the central concern being to help any member of staff whose work performance and/or behaviour is affected.

This policy applies to all employees of NHS Grampian.

## 2 POLICY STATEMENT

NHS Grampian considers that a policy on drug and alcohol related problems is necessary to:

- prevent and reduce the frequency of alcohol, or drug, related work impairment and promote fitness for work
- reduce the personal suffering of staff with alcohol, or drug, related problems in order to promote wellbeing and
- create a culture where staff feel confident is asking for support and advise for colleagues, while providing management, staff and Trade Unions/ Professional Organisations with confidence when confronting alcohol, or drug, induced loss of capacity.

### **3 AIMS**

The aims of the policy are sixfold:

- to alert staff to the risks associated with alcohol and drugs and to promote an awareness of sensible drinking and the dangers of drug taking
- to encourage employees who suspect, or know, that they have an alcohol, or drug, related problem (or who are suspected by colleagues to have such a problem) to obtain help at an early stage
- to provide the opportunity to offer the employee referral to an appropriate agency for assessment, counselling or other forms of help, where it is suspected, or known, that there is an alcohol, or drug, related problem
- to recognise the duty of care owed by NHS Grampian and its employees, to satisfy health and safety legislation and European Union directives
- to accept that NHS Grampian has an obligation to provide information on the use of alcohol and drugs to employees and for training managers and Staff Side representatives in handling alcohol and drug workplace issues
- to accept that NHS Grampian has an obligation towards the standard of patient care and safety

### **4 SCOPE**

- 4.1 This policy and procedure applies to measures to be taken to respond to situations involving alcohol, or drugs, which impact upon the workplace.
- 4.2 Nothing in this policy and procedure is intended to override existing national agreements applying to particular categories of staff e.g. NHS Circular No 1982 (PCS) 8, which relates to Medical and Dental staff
- 4.3 NHS Grampian regards staff as it's most important asset and wishes to help any employee who has an alcohol, or drug, related problem to recover their effectiveness on a timescale agreed between the employee, the line manager and NHS Grampian's Occupational Health Service [OHS].
- 4.4 The application of the policy and procedure is limited to those instances of alcohol, or drug, related problems which affect the capability or conduct of the employee in relation to their work. The policy will also apply to employees who, because of excessive indulgence in alcohol and/or drugs on random occasions, contravene NHS Grampian's standards of safety and conduct.

- 4.5 Whilst this policy is limited to instances which affect the work capability or conduct of its employees, NHS Grampian also prohibits the consumption of alcohol during working hours and scheduled breaks. Additionally, it is unacceptable for staff at work to be under the influence of alcohol, or to demonstrate any sign of alcohol consumption e.g. staff should not carry the smell of alcohol on their breath. [See the NHS Grampian Consumption of Alcohol Policy].

## **5 GENERAL PRINCIPLES**

- 5.1 NHS Grampian recognises that alcohol and drug related problems are areas of health and social concern and will provide access to help for employees who suffer from such problems.
- 5.2 Alcohol and drug related problems are defined as any drinking, or drug taking, whether intermittent or continual, which definitely and repeatedly interferes with a person's health, social functioning and work capability or conduct.
- 5.3 Employees who suspect, or know, that they have an alcohol, or drug, related problem are encouraged to seek help and treatment voluntarily either through the procedures outlined in this policy, or through resources of the employee's own choosing, although a self-referral facility to OHS is a key part of the policy. [See Sections 7.1 and 7.2]
- 5.4 The possibility of an employee having an alcohol, or drug, related problem may be brought to light because of problems with health, work performance or behaviour, or through other signs which may lead to action under the appropriate employee conduct procedure. Where a manager identifies a possible problem and the employee acknowledges that a problem exists, NHS Grampian can provide the opportunity for assessment and counselling.
- 5.5 While NHS Grampian recognises that managers and Trade Union/ Professional Organisation representatives are not qualified to come to conclusions about whether an alcohol, or drug, related problem exists, they do have an important supportive role to play. OHS will undertake the critical role in determining whether a problem exists and what help is appropriate. Where necessary, OHS staff will seek assistance from outside agencies.
- 5.6 In all instances within paragraphs 5.3 to 5.5 above, the encouragement, or the offer of an opportunity, to seek and accept help and treatment is made on the clear understanding that:

- where necessary, the employee will be granted leave to undergo treatment and such leave will be treated as sick leave within the terms of the appropriate sick pay scheme
- where it is considered appropriate, on the advice of OHS or other specialists, formal action under the Employee Conduct Policy or, in the case of medical staff, the Calling to Account Policy, will be suspended (but see Appendix 1).
- on the resumption of his/her duties, or return to work following a period of treatment, the employee will normally be able to return to the same job. The only exceptions to this will be where the effects of the alcohol, or drug, problem renders the employee unfit, or unsuitable, to resume the same job, or where resuming the same job would be inconsistent with the long term resolution of his/her alcohol, or drug, problem.

When it is not possible for the employee to return to the same job, every consideration will be given to finding suitable alternative employment, on either a temporary or permanent basis, under the provisions of the NHS Grampian Redeployment Policy. The member of staff has the right to be accompanied by a Trade Union or Staff Side Organisation representative, a fellow member of staff, or a friend not acting in a legal capacity in any discussions about alternative employment

- having accepted help or treatment and resolved the alcohol, or drug, related problem, the employee's normal promotional prospects will not be impaired.

- 5.7 An employee whose problems are suspected to be alcohol, or drug, related and who refuses the offer of referral for diagnosis and/or help and treatment, or who discontinues a course of treatment before its satisfactory completion and whose conduct remains unsatisfactory, may be subject to action under the appropriate employee conduct procedure.
- 5.8 Where, following return to work after treatment, the employee's work performance continues to suffer as a result of alcohol, or drug, related problems, the individual circumstances of the case will be considered and, where appropriate, further help and treatment may be offered.
- 5.9 The confidential nature of any records of staff with alcohol, or drug, related problems will be strictly observed, consistent with other health related issues.

- 5.10 It is recognised that there may be occasions when colleagues, either collectively or individually, may be placed under strain during the period of treatment and rehabilitation of an employee with an alcohol, or drug, related problem. Staff support mechanisms already exist within the organisation to assist with such situations e.g. NHS Grampian's Dignity at Work Policy.
- 5.11 Staff will be advised of the policy and procedures, in particular the arrangements for self-referral.
- 5.12 Training and guidance will be given to managers and Staff Side representatives, in order to ensure that this policy and procedure is operated effectively.

## **6 WHAT IS A "DRUG"?**

For the purposes of this policy the term drug includes:

- alcohol
- substances covered by the Misuse of Drugs Act 1971
- prescribed and "over the counter" medication
- solvents and any other substances

**NOTE:** While it is acknowledged that nicotine and caffeine are also drugs, these are not included in this policy.

Inappropriate use is defined as using a substance: -

- in a way that affects an individual's ability to do his/her job effectively
- in a way that is illegal
- in a way that damages the reputation, or credibility, of NHS Grampian

## **7 PROCEDURE**

- 7.1 The identification of the need for treatment for alcohol, or drug, related problems can come as a result of an employee self-referring to OHS, or as the result of a management referral. The latter is often, but not always, as a result of conduct or capability problems (see 4.5).

- 7.2 Employees may approach OHS at any time if they are concerned about their consumption of alcohol, or drugs. As with other contacts with the OHS, all consultations will be treated in the strictest medical confidence.
- 7.3 Colleagues, managers and Trade Union/Professional Organisation representatives may seek advice informally from OHS if they need guidance regarding another's suspected alcohol, or drug, problem. These discussions will also be treated in the strictest professional confidence.
- 7.4 Any employee may seek help by either:
- contacting OHS, or other agency, directly on a voluntary basis or by contacting their line manager or an appropriate member of the HR Team. The line manager will meet with the staff member as soon as possible and arrange an appropriate appointment with OHS.
- 7.5 OHS will:
- assess the nature and extent of the problem and, if indicated, arrange a programme of help, either through the employee's GP, or an external agency
  - tell the line manager if absence from work will be necessary as part of a course of help and what co-operation is required from the work department in respect of the employee's duties and working conditions and any continuing support that may be required and
  - with the employee's consent, liaise with the employee's GP and any appropriate external agencies to encourage recovery

#### 7.6 Management Referral

The procedure for this is attached at Appendix 2. The effective operation of this procedure depends upon communication and co-operation between the employee, the manager, a Trade Union/Professional Organisation representative (if requested by the employee) and OHS.

While the process described in Appendix 2 uses the normal route of referral through the line manager, there will be situations where there will be direct referral and subsequent communication between the manager and OHS.

It is vitally important that all the agreed parties concerned are kept fully informed of progress and decide the most appropriate line of communication for each particular case. OHS will facilitate such communication with all agreed parties.

## **RELATIONSHIP BETWEEN ALCOHOL AND DRUG POLICY AND THE EMPLOYEE CONDUCT POLICY OR CALLING TO ACCOUNT POLICY**

This Policy notes, under paragraph 5.6 of General Principles, that there may be occasions where it is considered appropriate, on the advice of OHS or other specialists, for formal action under the Employee Conduct Policy or, in the case of medical staff, the Calling to Account Policy, to be suspended.

There are, however, certain circumstances where action under the Employee Conduct/ Calling to Account Policy is unlikely to be suspended, namely:

1. Where the issue is so serious (serious misconduct category) that the organisation has no option but to invoke the provisions of the Employee Conduct/ Calling to Account Policy.
2. Where an employee comes to work under the influence of alcohol and/or drugs and there is no apparent, or admitted, problem identified during investigation.
3. Where there are repeated failures, a lack of co-operation or a failure on the part of an individual to recognise that they have an alcohol and/or drug related problem.

**REFERRAL TO THE OCCUPATIONAL HEALTH SERVICE BY THE LINE MANAGER OR CLINICAL LEAD**

**An employee has a work capability problem, the cause of which is suspected, or known, to be alcohol, or drug, related. [This process can also be followed where an employee identifies that they have a problem and seeks help.]**

