Transform Trust Misuse of Drugs and Alcohol Policy

Policy Number	Author	Publication Date	Review Cycle
311	Chief People Officer	September 2024	Bi-annual – no change autumn 2026 review

1.0 Misuse of Alcohol and Drugs

Transform is committed to working with its colleagues to support their general health and wellbeing whilst at work. It will provide an environment where they can obtain support, help and guidance in relation to problems arising from alcohol, drugs and substance misuse. As a responsible employer, Transform Trust recognises the need for a constructive and preventative strategy designed to encourage early identification of alcohol- and drug-related problems among employees. We are also firmly committed to encouraging the type of open dialogue that is required between an employee and their line manager.

The objective of this policy is to advise schools on the misuse of alcohol, drugs and other substances and to provide a framework for support. This will include information on:

The responsibility of employees:

- Health education
- Support options
- Disciplinary considerations

This policy is not intended for use in the event of excessive indulgence on random occasions that affect conduct and performance or contravene safety standards. In such instances the Trust Disciplinary Procedure will apply.

This policy applies to Transform Trust staff. This policy is currently draft and is subject to consultation through Transform Trust Joint Consultative Committee (JCC). Therefore, changes and additions are possible to this version of the policy. The policy will be reviewed each September.

The responsibility of employees

The Health and Safety at Work Act 1974 sets out duties placed on the employee regarding their responsibility for their own health and safety and the health and safety of those who may be affected by their acts or omissions.

Employees should be aware that being under the influence of alcohol, drugs or other substances which is having an impact on performance or safety may be viewed as a disciplinary offence and may constitute gross misconduct. However, any consideration of disciplinary action would be based on evidence which clearly identifies the behaviour is not as a result of some other influence such as medication side-effects. Employees must therefore ensure that they are not under the influence of alcohol or drugs during work hours.

Employees who know or suspect that they have an alcohol, drug or substance misuse problem are encouraged to seek help and treatment as early as possible .and can do so without the need to go through their line manager should they wish to preserve anonymity. Wherever possible, details shared and discussed should remain confidential and headteacher's are asked to consider how this can be best managed in school.

Employer's Responsibilities

Under the Health and Safety at Work Act 1974, the school must ensure that so far as is reasonably practicable, the health and safety and welfare of its colleagues is protected.

Where it is suspected that an employee has an issue with alcohol, drugs or other substances, the Headteacher must take steps to help towards resolving it. This should include an encouragement to seek help as early as possible.

Health Education

The Trust is committed to raising employees' awareness of the dangers of alcohol, drugs and substance misuse. Identified above Appendix 1 in this policy are agencies and websites that support with issues in relation to these matters. The Trust fully supports and encourages employees with alcohol, drugs and substance misuse problems to seek appropriate help and can offer support via the employee assistance programme or referral to Occupational Health.

Alcohol, Drugs and Other Substance Misuse

Employees who work with plant, machinery or equipment, or who drive as part of their duties have a particular responsibility, under health and safety and road traffic legislation, to ensure that they are not affected by alcohol whilst carrying out those duties.

Employees should ensure that they do not use alcohol, drugs or other substances that may impair the performance of their duties immediately before and during working hours.

Prescription drugs are those prescribed by a registered medical practitioner or other health professional and being used by the individual to whom they were prescribed.

If an employee is, or will be, taking prescribed drugs which they believe may affect their performance, or the health and safety of themselves or others they must inform their Headteacher, who will share this information as necessary (with HR) on a need to know basis, while being conscious of the need to protect confidentiality. Headteachers must also inform their Chair of Governors.

If an employee is required to take prescribed drugs which may affect their performance, Headteachers may need to undertake a risk assessment to determine any potential impact on performance and to help reduce or eliminate any potential risks. Provisions may also need to be put in place to allow the employee to take their medication during working hours.

Consideration should also be given to the storage of prescribed drugs should the employee be required to take their medication during working hours. This would be agreeing a suitable location for the drugs to be stored which will not present a risk to children in the school. Therefore, access should be restricted to the employee if at all possible.

Prescription drugs/medication can be used by people to alleviate symptoms of underlying medical conditions. Special care should be taken with disabilities falling within the Equality

Act (2010). Non-prescription drugs are those drugs and other substances controlled by the Misuse of Drugs Act, together with glues, other solvents or drugs.

Support Options

The Trust recognises that alcohol, prescription drugs, non-prescription drugs and other substance addiction is primarily a health problem that should be dealt with sensitively. Employees should be offered assistance when their performance and health at work is affected. However, this is balanced by the need to ensure acceptable standards of conduct and performance by employees. With regard to prescription medication, employees will not be required to disclose details of specific medication, only possible effects that may impact on their work.

In cases where an employee is found to have an alcohol, drug or substance misuse problem the issue should essentially be managed according to the same principles as any other employee suffering from a serious illness that affects their work. Dismissal would be unlikely to be fair if the employer had failed to exhaust all other possibilities, for example counselling and support. Possible consideration of amendments to duties, working patterns (later starts) or working from home on occasion may be made where it does not impact significantly on the business.

School managers will give employees who come to its attention as possibly having an alcohol, drug or substance misuse problem the opportunity to seek treatment and counselling.

Consideration will be given to authorised time off for employees to undergo treatment/counselling. It may be that employees will need to be on sick leave during their treatment. If the employee is unfit to return to their post following that leave, or that post hinders the long- term solution to the problem, consideration will be given to possible changes to the work situation. Advice should be sought from the Trust HR advisor and the employees GP.

If after returning to work, or following a period of treatment, work performance or conduct continues to be unsatisfactory as a result of the same problem then consideration will be given to time off to undergo further treatment.

If an employee declines to seek treatment, or discontinues a course of treatment before its satisfactory completion, or completes a course of treatment and continues with an unsatisfactory level of performance or conduct they may be subject to normal disciplinary procedures. The employee will be informed that their behaviour may eventually lead to dismissal.

Disciplinary Considerations

Where an employee does not have a substance abuse problem the issue may potentially be considered as misconduct, especially where it involves an isolated incident rather than a series of minor problems. The Trust's Disciplinary Procedure indicates being under the influence of drink or drugs sufficient to affect work performance is however an example of gross misconduct.

The above will normally justify dismissal for gross misconduct for a first offence but will depend on a number of factors:

- The nature of the job and the risk factors that could ensue if the employee has been drinking alcohol for example the requirement to drive and transport children.
- That all employees have been made aware of the fact that being under the influence of drink and drugs is given as an example of gross misconduct.
- The evidence that the employee is under the influence of drink or drugs
- The explanation offered by the employee

Supplying prescription drugs to other people may be a criminal offence and could be treated as gross misconduct, which may result in dismissal for a first offence, whether or not involving an incident occurring on school property or in school time.

The supply or possession of illegal substances may be a criminal offence and could be treated as gross misconduct, which may result in dismissal for a first offence, whether or not involving an incident on school property or in school time.

Sources of Advice and Support

Nottingham

CGL- Change, Grow Live	Change, grow, live (CGL) provides adult drug and alcohol recovery services across the county in a range of community settings, making treatment more accessible.	Website https://changegrowlive.org/ Telephone: 01158 960 798
Your Health, Your Way	Nottinghamshire County Council to support Nottinghamshire residents (children, young people, adults and families) to get active, lose weight, reduce alcohol intake and quit smoking	Website https://yourhealthnotts.co.uk/ Telephone: 0115 772 251 Email: yourhealth.notts@nhs.net
Nottingham Recovery Network	Providing a single point of free support, advice and treatment to people who use alcohol and drugs in a problematic way across Nottingham City.	Website https://www.nottinghamrecoverynetwork.com/ Telephone: 0800 066 5362

Derby

Derby Drug and Alcohol Service	Provide adults a wide range of support no matter what kind of alcohol or drugs you are using. This service is run in partnership with Derbyshire Healthcare NHS Foundation Trust and Phoenix Futures	Website https://aquarius.org.uk/our-services/adult-services/derby Telephone: 0121 622 8181
Derby City Life Links	Information, advice and navigation services to help find community and digital resources that will help to achieve recovery outcomes, make independence more sustainable and support in developing individuals support networks.	Website https://derbycitylifelinks.org.uk/Email Email derbycitylifelinks@richmondfellowship.org.uk Freephone: 0800 0322202
Derbyshire Alcohol Advice Service	The single point of access for adults wanting alcohol and/or drug support in Derbyshire and for those affected by another persons' substance misuse.	Website https://daas.uk.com/ Telephone: 01246 206 514

Appendix 1

Signs of drug misuse

Physical Signs of Possible Substance Abuse and Misuse

One or more of these signs may be an indicator of possible substance abuse and misuse.

They are also indicators to other medical conditions.

- Slurred or rambling, stumbling, incoherent speech
- Drowsiness or inability to stay awake
- Poor co-ordination, staggering, disorientation
- Unsure standing, turning, moving
- Irrational or inappropriate behaviour (belligerence, violence, etc)
- Nausea
- Inflamed, glassy or droopy eyes, dilated/constricted pupils
- Hallucinations
- Mood swings, unpredictability (hyperactivity, depression, euphoria)
- Frequent sniffing or touching of the nose
- Personality changes
- Heightened reflexes
- Exaggerated confidence or glibness
- Forgetfulness
- Lack of attention
- Agitation, restlessness, anxiety and paranoia
- Runny or bleeding nose
- Aroma of alcohol or drugs
- Limited attention span, difficulty concentrating
- Hand tremors
- Violent tendencies, loss of temper or irritability
- Time distortion
- Mental confusion, bizarre thoughts, ideas or statements
- Poor personal hygiene

Conditions such as diabetes, epilepsy and other conditions including brain injuries and diseases, may give the appearance of intoxication and due care should be taken to identify and respond appropriately to employees with these conditions.

Changes in Job Performance Patterns Indicating Possible Substance Abuse and Misuse

One or more of these patterns may be an indicator of possible substance abuse and misuse. They are also indicators to other medical conditions.

- Extended absences from the job
- High accident rate
- Inability to work with others, friction in relationships
- Chronic, excessive absenteeism pattern
- Poor performance on the job (e.g. error, wasted materials) not previously seen
- Failure to complete jobs/tasks etc. in a timely manner, or within timescales previously achieved
- Difficulty concentrating
- Confusion, inability to handle jobs of increasing complexity
- Spasmodic work patterns
- Irrational personal behaviour on the job (overreaction, unusual personality change, decline in personal hygiene, etc.)
- Irregular absence pattern or one which is sudden / unusual for the person such as:
  Immediately preceding or following days off
  Coincident with weekends
- Swings in activity level – hyperactivity to sluggishness
- Inability to perform two tasks at the same time (divided attention), such as handling a discussion while physically performing a task
- Sporadic or poor workmanship or job performance
- Change in attitude – moody, resentful of criticism, always casting blame on others, sudden inability to work with others
- Chronic forgetfulness or broken promises

Contributing Evidence:

- Physical evidence (drug paraphernalia, alcohol beverage bottles, etc)
- Smell of marijuana, alcohol
- Attempts to hide or destroy evidence
- Observance of use
- Employee reaction or response to questioning

Signs of Intoxication, by Specific Drug:

Marijuana: Glassy, red eyes; loud talking and inappropriate laughter followed by sleepiness; a sweet burnt scent; loss of interest, motivation; weight gain or loss.

Alcohol: Clumsiness; difficulty walking; slurred speech; sleepiness; poor judgment; dilated pupils.

Cocaine, Crack, Meth, and Other Stimulants: Hyperactivity; euphoria; irritability; anxiety; excessive talking followed by depression or excessive sleeping at odd times; go long periods of time without eating or sleeping; dilated pupils; weight loss; dry mouth and nose.

Heroin: Needle marks; sleeping at unusual times; sweating; vomiting; coughing and sniffling; twitching; loss of appetite; contracted pupils; no response of pupils to light.

Depressants: (including barbiturates and tranquilizers) Seems drunk as if from alcohol but without the associated odour of alcohol; difficulty concentrating; clumsiness; poor judgment; slurred speech; sleepiness; and contracted pupils.

Inhalants: (Glues, aerosols, and vapors) Watery eyes; impaired vision, memory and thought; secretions from the nose or rashes around the nose and mouth; headaches and nausea; appearance of intoxication; drowsiness; poor muscle control; anxiety; irritability

Hallucinogens: Dilated pupils; bizarre and irrational behavior including paranoia, aggression, hallucinations; mood swings; detachment from people; absorption with self or other objects, slurred speech; confusion.

Appendix 2

Policy Date	Summary of Change	Contact	Version/Implementation Date	Review Date
01/09/2022	Approved as final	Rachel Hannon / Tanya Davies	01/09/2022	01/09/2023
01/09/2024	Reviewed and no changes.	Rachel Hannon	01/09/2024	01/09/2026