

Reference Number: UHB 171 Version Number: 3	Date of Next Review: September 2021 Previous Trust/LHB Reference Number: T/172
Management of Alcohol, Drugs and Substance Misuse at Work Procedure	
Introduction and Aim <p>The UHB expects all members of staff to adopt the highest standards of performance and conduct. Consumption of alcohol, drugs and other intoxicating substances can adversely affect an individual's use of skill and judgement which may detrimentally affect the standard of health care provided to patients causing unacceptable levels of risk.</p> <p>The UHB has an obligation as a provider of health care to minimise risks, dangers and complaints concerning the standards of health, conduct and capability of its workforce, in the context of alcohol and substance misuse.</p> <p>This procedure does not cover the provision for alcohol and drug testing at work.</p> <p>The UHB recognises that alcohol, drug and substance misuse are health issues, which it will address in a positive, supportive and non-punitive way.</p>	
Objectives <ul style="list-style-type: none"> • To provide managers and staff with guidance on recognising where there may be a problem related to alcohol, drugs and/or other substances • To provide employees and their managers with information to enable them to support staff who are identified as having a problem related to alcohol, drugs and/or other substances 	
Scope <p>This process applies to all staff under a contract of employment including individuals registered with the Nurse Bank, locum personnel, and staff on honorary contracts.</p> <p>In those instances when a member of staff has a family member who has a problem with alcohol, drugs or other substances, it may be appropriate to refer to the Special Leave Policy.</p>	
Equality and Health Impact Assessment	This procedure sits under the umbrella of the Health and Wellbeing Policy which has been Equality Impact assessed.
Documents to read alongside this	Managing Attendance at Work Policy

Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	2 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

Procedure	Special Leave Policy
Accountable Executive or Clinical Board Director	Executive Director of Workforce and OD
Author(s)	Assistant Head of Workforce and OD / UNISON
Disclaimer <p>If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the Governance Directorate.</p>	

Summary of reviews/amendments			
Version Number	Date Review Approved	Date Published	Summary of Amendments
1	29.01.13	20.03.13	Reformatted in UHB style Supercedes Trust policy ref no. 326
2			Rolled forward – equality statement updated to reflected outcome of EQIA
3	15.11.2018	15.03.2019	<ul style="list-style-type: none"> • Reformatted in UHB style. • Reformatted and written as a Procedure. It was previously a Policy • Renamed to Management of Alcohol, Drugs and Substance Misuse at Work Procedure” • Emphasis on the employee seeking support from their GP • Section 1.0 hyperlink to intranet page “Your health and wellbeing” • Section 1.1 hyperlink to “Drink Aware” • Section 1.2 reference to legal highs • Section 1.3 Staff duty of care to inform their manager • Section 2.3 refers to seeking advice from WOD, where a person is deemed to be unfit to carry out their duties and the individual driving home • Section 2.4 has been added • Appendix 2 – Flowchart simplified

Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	3 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

CONTENTS

Section	Content	Page
1.0	General Guidelines	4
1.1	Alcohol	4
1.2	Drugs and other Substances (including legal highs)	5
1.3	Prescribed Medicines	5
2.0	Procedure – Identifying a problem	5
2.1	Possible signs of a problem	5
2.2	Problem identified by the employee	7
2.3	Problem Identified through general observation	7
2.4	Where a problem is disputed by the employee	7
2.5	Problem identified through matters of a disciplinary nature	8
2.6	Employees registered with a professional body	8
3.0	The offer of help	8
Appendices		
A	The Legal Position	11
B	Flowchart - Suggested courses of action	12

Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	4 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

1.0	General Guidelines
	<p>The UHB expects all employees to adopt the highest standards of performance and conduct. Employees should be aware of the potentially detrimental effects of alcohol, drugs and intoxicating substances.</p> <p>When using this procedure, reference should be made to the Cardiff and Vale UHB intranet page "Your Health and Wellbeing"</p>
1.1	Alcohol
	<p>Alcohol is a drug which in excess affects concentration, coordination and work performance. The misuse of alcohol interferes with employees' health and may also cause harm to colleagues and patients, as well as affecting the quality of the service as a whole. Drinking even small amounts of alcohol before carrying out work that is 'safety critical' will increase the risk of an accident. It can also affect those driving to work following alcohol consumption during the previous evening, as the individual employee may have blood alcohol levels in excess of the legal limit and may be unfit to drive and for work.</p> <p>No employee or other person under the UHB's control shall report, or endeavour to report, for duty under the influence of, or smelling of alcohol. Depending on the circumstances, which should be investigated, this may constitute a disciplinary offence under the UHB's Disciplinary Policy (see 2.5 below). Employees are expected to pay due consideration to their professional and personal accountability in these circumstances.</p> <p>Employees are not permitted to consume alcoholic drinks, at any time during their working day. This includes all breaks during the working day whether paid or unpaid. It also applies to off-site retirement/leaving functions which may take place during the employee's working day.</p> <p>The availability of alcoholic drinks at any corporate function held on UHB sites must:</p> <ol style="list-style-type: none"> 1. Be notified to, and agreed by, a nominated lead public health practitioner within the UHB public health team in advance of the event; 2. Adhere to the most up to date guidance on safe and responsible drinking from the Chief Medical Officer (Wales); 3. Ensure that messages regarding safe and responsible drinking are clearly visible to attendees, and reiterated at an appropriate point early on in the proceedings. <p>Information on personal drinking limits, for staff drinking alcohol outside work, is available via http://www.drinkaware.co.uk/</p>

Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	5 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

1.2	Drugs and other Substances
	<p>Drug and other substance misuse, refers to the use of illegal drugs and the misuse, whether deliberate or unintentional, of other drugs including substances such as solvents. It also applies to the misuse/dependence on prescribed or over the counter medication.</p> <p>In the context of work, not only does it damage the user's health, but it can affect the UHB through:</p> <ul style="list-style-type: none"> • safety concerns for patients and/or staff • loss of productivity and poor performance • lateness and absenteeism • effect on team morale and employee relations • bad behaviour or poor discipline • adverse effects on the UHB's image and public relations <p>No employee or other person under the UHB's control shall report, or endeavour to report, for duty under the influence of drugs or any other substances. Depending on the circumstances, which should be investigated, this may constitute a disciplinary offence under the UHB's Disciplinary Policy (see 2.4 below). Employees are expected to pay due consideration to their professional and personal accountability in these circumstances.</p> <p>Staff found stealing drugs from the workplace will be reported immediately to the police, and also to the Counter Fraud Dept.</p>
1.3	Prescribed Medicines
	<p>Prescribed or over-the-counter medicines might cause impairment to an employee's performance at work, or their ability to drive or operate machinery. Others such as certain form of pain relief can be opioid-based, and carry risk of dependency. Staff should seek advice from their GP or pharmacist on any medicines they are taking.</p> <p>Where medication may have an adverse effect, the staff member may have a duty of care to inform their line manager of any possible side effects of their medication, and/or discuss any problems with the Occupational Health Dept. Staff may approach the Occupational Health Service without a referral.</p>
2.0	Procedure – Identifying a problem
	<p>Research suggests that the workplace is an appropriate place to create an environment in which individuals who misuse alcohol, drugs or other substances can be encouraged to make decisions to change their behaviour. Job loss or retention can often be a prime motivating factor.</p>
2.1	Possible signs of a problem

Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	6 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

Substance misuse may come to the attention of a line manager in several ways, and all Managers should be alert to the possibility within their staff group.

Any substance misuse can cause severe problems, not only for the individual and his/her family, but also for fellow employees and patients.

The following is a list of some of the possible manifestations of somebody with an alcohol, drug or other substances misuse problem;

Work Performance Indicators

- Poor decision making
- Absences from post, perhaps more than normally required
- Overlong breaks
- Decrease in concentration- jobs take longer, require greater effort
- Difficulty in recalling instructions and detail
- Decline in quality and quantity of work, effort cannot be sustained
- Increase in errors of judgement
- Increased fatigue
- Loss of interest in work
- General unreliability and unpredictability
- Improbable excuses for poor performance
- Poor relationships with colleagues
- Over reaction to real or imagined criticism
- Unreasonable resentments
- Irritability
- Complaints from fellow workers
- Borrowing money from colleagues
- Avoidance of line manager and/or colleagues

Individual behaviour

- Reporting to work smelling of alcohol
- Increasingly unkempt appearance
- Decline in personal hygiene
- Non Attendance
- Unusually high sickness levels
- Multiple instances of unauthorised weekends or days off
- Excessive lateness
- Leaving early
- Unauthorised breaks
- Unexplained absences from duty

Accidents

- Increase in accident rate in work
- Accidental injury while not in work

Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	7 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

	Line Managers should fully understand however that the symptoms displayed by the individual may have some cause other than a substance misuse problem.
2.2	Problem identified by the employee
	<p>Employees should also be aware that they do not need to wait to be advised by their line manager before seeking help for any problem. An individual may recognise themselves that they have a problem before it comes to the attention of their line manager. In this situation employees are actively encouraged to seek help from their GP and/or Occupational Health Department voluntarily</p> <p>All employees are actively encouraged to seek help and advice under this procedure voluntarily if they feel they have a potential substance misuse problem, i.e. before the problem is identified in the workplace.</p> <p>Those employees who either voluntarily seek help or are managed under this procedure will normally be guaranteed confidentiality. However the UHB may have a duty to inform the appropriate authorities if there is evidence that suggests that the employee's substance misuse problem has involved breaking the law at work. Similarly those who are aware of an employee's impairment through substance misuse may have to take action to protect the safety of patients and others.</p>
2.3	Problem identified through General Observation
	<p>Where a line manager reasonably suspects an alcohol or substance misuse problem in an employee through general observation, they are obliged to explore the matter further. (Appendix B contains a flowchart signposting suggested courses of action)</p> <p>The line manager should discuss their concerns with the employee, honestly and sympathetically, and in privacy while understanding that these symptoms may also have some other cause. During these discussions line managers should always offer help and assistance to the employee through this procedure. At the same time the manager should remind the employee of their personal and professional responsibility in this area when reporting for duty.</p> <p>Where possible, a written record of this discussion should be made and signed by all parties to the discussion.</p> <p>In some instances, employees will not have direct contact with their line manager on a day to day basis. However, where an employee has concerns about a fellow colleague, these should be shared with their relevant manager at the earliest opportunity.</p> <p>In circumstances where a manager believes that an employee may be unfit to carry out their duties, whenever possible advice should be sought from the Workforce and OD department. Consideration may need to be given as to whether the individual is believed to be fit to drive.</p>
2.4	Where a problem is disputed by the employee
	As indicated in section 2.1, there may be symptoms displayed by the individual that

Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	8 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

	may have some cause other than a substance misuse problem. In such circumstances the employee may wish to seek further advice from their GP and the Line Manager may consider a referral to Occupational Health, which may necessitate further investigation.
2.5	Problem identified through matters of a disciplinary nature
	<p>Employees may come to notice as having a problem with substance misuse through matters of a disciplinary nature. Employees who may have a substance misuse problem cannot be excused from complying with accepted standards of conduct, and health and safety.</p> <p>This procedure has been developed to help identify early problems of substance misuse, and provide appropriate help and support to employees before their problems lead to breaches of disciplinary rules.</p> <p>However, employees need to be aware that where a serious offence is committed, they will be subject to the UHB's Disciplinary Policy. This does not preclude the possibility of evidence of a substance misuse problem being offered in mitigation at a disciplinary hearing.</p> <p>Employees with a substance misuse problem who are subject to the UHB's Disciplinary Policy will continue to be offered help through the Management of Alcohol, Drugs and Substance Misuse at Work Procedure</p> <p>An employee is entitled to be accompanied by his/her staff organisation/trade union representative at any time during this process.</p>
2.6	Employees registered with a professional body
	<p>In situations where an employee's misuse of alcohol, drugs or other substances, leads to the loss of qualifications required for their job, employment may be terminated or where appropriate, redeployment may be sought.</p> <p>Loss of qualifications includes qualifications which an individual requires to practise as a health professional, as well as those which are an essential requirement for the job as detailed on their Job Description, e.g. driving licence.</p> <p>Where an employee registered with a professional registering body, is recognised as having a substance misuse problem, the appropriate Executive Director will decide if the employee should be reported to their professional registering body. If the employee is reported, the UHB will follow the relevant professional registering body's mechanism for notification in such circumstances.</p>
3.0	The offer of help
	The offer of help will normally commence with referral to the Occupational Health Department. The Occupational Health Department will offer support and advice to the employee and where appropriate suggest referral to another agency including

Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	9 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

the independent counselling service which is available through the UHB for all employees.

In some circumstances it may be more appropriate or more acceptable for a line manager or their employee to directly contact an external agency for support and assistance. In this situation it is appropriate for the line manager to request from the chosen agency, written confirmation of the employee's acceptance and continued attendance for treatment.

Employees should also be encouraged by the UHB to seek help and advice from their General Practitioner, and the UHB will seek the support of local GP practices for services geared to the needs of hospital doctors.

Employees who wish to voluntarily seek help for a substance misuse problem, are encouraged to contact the Occupational Health Department directly, or approach the Employee Wellbeing Service. A contact number for the Employee Wellbeing Service, along with information about current external support agencies in the local area can be found on the Workforce and OD pages on the UHB Intranet.

In cases of management referral, the Occupational Health Department will provide a written assessment of the individual's fitness for duty to the line manager. Where treatment has been recommended, the Occupational Health Department will provide confirmation to the line manager of an employee's acceptance or continued attendance for treatment. Details regarding the treatment record of the individual will remain strictly confidential. In circumstances where a referral has been made and advice is still being sought, consideration may also be given to moving the employee to a temporary alternative role. This can be either to provide support to the employee or where there may be a possible adverse effect to the service. This option should only be considered following discussion with the workforce department.

In cases of self-referral, the Occupational Health Department will not normally provide medical advice or assessment to a line manager unless given express permission by the employee. Any disclosure will be made in accordance with the guidance on confidentiality issued by the General Medical Council or Nursing & Midwifery Council or other relevant professional regulatory bodies. The Occupational Health Department have a duty of care to safeguard the staff member, their colleagues and members of the public. In circumstances where it is believed to be in the best interests of either of these parties, it may be necessary to disclose information as appropriate.

The offer of help will be made with the understanding that if necessary the employee will be granted paid leave to undergo counselling or treatment. If the employee is unable to attend or return to work during the course of their treatment, then such leave will be treated as sick leave. However, if the employee is well enough to attend work, only requiring release from duty for treatment, paid leave will be granted.

Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	10 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

	<p>If an employee has taken a period of sick leave following identification of a substance misuse problem, the employee will be able to return to the same post unless this would be inconsistent with the long term resolution of the employee's substance misuse problem. When a return to the same post is not advisable, consideration will be given to redeployment if appropriate.</p>
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Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	11 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

APPENDIX A - THE LEGAL POSITION

1. The UHB has a duty under the Health and Safety at Work etc. Act 1974 (HSW Act) to ensure, as far as is reasonably practicable, the health, safety and welfare at work of all employees.
2. There is also a duty under the Management of Health and Safety at Work Regulations 1999, to assess the risks to the health and safety of employees. The UHB is concerned that the good health of all staff, working efficiency, and safety are maintained and that the UHB's public image is not damaged by incidents related to alcohol or substance misuse.
3. The Road Traffic Act 1988 states that any person who, when driving or attempting to drive a motor vehicle on a road or other public place, is unfit to drive through drink or drugs shall be guilty of an offence. An offence is also committed if a person unfit through drink or drugs is in charge of a motor vehicle in the same circumstances.
4. It is an offence under the Misuse of Drugs Act 1971 for any person knowingly to permit the production, supply or use of controlled substances on their premises except in specified circumstances (e.g. when they have been prescribed by a doctor or registered healthcare professional).

Document Title: <i>Alcohol, Drug and Substance Misuse Procedure</i>	12 of 12	Approval Date: 15 Nov 2018
Reference Number: 171		Next Review Date: 15 Nov 2021
Version Number: 3		Date of Publication: 15 Mar 2019
Approved By: EPSG		

APPENDIX B - SUGGESTED COURSES OF ACTION

