



Putting People 1st

Alcohol and Substance Misuse

S.01

Reviewed

27 April 2023

Date next due for review:

April 2026

This policy document can be produced in various formats, for instance, in larger print or audio-format; and it can also be translated into other languages, as appropriate.

Our equality and diversity policy statement describes our key equality commitments that we use to develop all organisational services; this includes employment services and services to tenants and other customers.

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The Scottish Housing Regulator Reg. No: HAC231; Registered Scottish Charity No: SC038237; FCA Reg. No: 2375R(S); Property Factor Reg. No: PF000151

Risk and Financial Implication

- Potential adverse impact on service delivery and reputational damage.
- Potential risk to the health, safety and wellbeing of Pineview's people.
- Potential cost for professional fees and or external support services
- Staff absence/performance costs

Linkage to Internal Management Business Plan and Regulatory Standards

- Business Plan:
Section 3: Mission, Values and Objectives
- Regulatory Standards:
Standard 5 - The RSL conducts its affairs with honesty and integrity.
- To ensure that the Association is an employer of choice

Terms of Reference

- EVH Model Policy – Reviewed June 2019
- Equalities Act 2010
- Health & Safety at Work Act 1974
- Misuse of Drugs Act 1971
- Management of Health and Safety at Work Regulations 1999
- Health Working Lives

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Introduction

This policy has been devised to assist Pineview in managing situations of alcohol and substance misuse affecting our people's ability to carry out their Pineview duties. Pineview has a duty to provide high service standards at all times and it is acknowledged that alcohol and substance misuse is likely to have an adverse effect on this.

This policy will set out Pineview's standards and expectations in relation to alcohol and substance abuse and the level of support that will be offered should such a situation arise.

This policy is part of Pineview's overall concern for the health, safety and welfare of all our people (including, but not restricted to staff, committee, contractors, volunteers, agency workers etc.) and complies with all relevant legislation including employment law at the time of writing.

Policy Aims

- Clarify Pineview's position on drinking and/or substance abuse at work whilst on duty.
- Explain Pineview's position on illegal activity concerning alcohol and substance misuse.
- Provide guidance and boundaries on appropriate assistance and support to employees being affected by alcohol or substance misuse.
- Adhere to the legal obligations of Pineview as set out under Health & Safety legislation.
- Clarify the circumstances in which disciplinary procedures will be instigated.
- Provide guidance for managers to manage alcohol and substance misuse.
- Clarify the distinction between dependent and non-dependent misuse of alcohol or substances.

Definitions

For the purposes of this policy the following definitions apply:

- **Alcohol Misuse:**
when a person drinks in a way that is harmful, or they are dependent on alcohol.
(www.nhs.uk)
- **Substance Misuse:**
Intoxication by/or regular excessive consumption of and/or dependence on psychoactive substances, leading to social, psychological, physical or legal problems. It includes problematic use of both legal and illegal drugs (including alcohol when used in combination with other substances) www.nice.org.uk

Confidentiality

Employees with alcohol or substance abuse problems who are referred for treatment, whether voluntarily or mandatory will be dealt with in the strictest confidence.

Disciplinary Procedures

In circumstances where Pineview's disciplinary procedures are instigated in relation to this policy, the outcome may include dismissal.

Legal Framework

- Health & Safety at Work Act 1974
- Misuse of Drugs Act 1971

Health and Safety

Pineview recognises its duty under the Health and Safety at Work Act 1974 to ensure as far as is reasonably practical the physical and psychological health, safety and wellbeing of all employees. If it is felt that an individual poses a risk to the health, safety or wellbeing of themselves or anyone else as a result of alcohol or substances, immediate action will be taken to remove the individual from the environment, most likely by sending the individual home, or seek emergency medical assistance. If it is not safe for the individual to make their own way home alternative travel arrangements must be made.

The use of prescribed drugs or over the counter medication that may affect a person's ability to do their job should be reported to the appropriate line manager to allow discussion to take place and measures taken to ensure the safety of those concerned. Employees are responsible for identifying side effects of medicines, both prescribed and over the counter.

All employees have a responsibility to ensure the health, safety and wellbeing of others is not put at risk. If an employee has reason to believe that a colleague is misusing alcohol or drugs they must inform their line manager immediately.

Illegal Activity

Pineview respects an individual's right to a private life, however Pineview works within the community with a purpose of improving the lives of those who live there. As a result Pineview will not tolerate any instances of illegal activity concerning drugs or substances. Any employee found to be involved or connected to illegal activity will be managed under Pineview's disciplinary procedure which may result in dismissal.

Drinking at Work

The consumption of alcohol at work is not normally permitted. However, at special limited events (such as a festival lunch event), where the employee is not driving and only with the approval of the Governing Body alcohol **may** be permitted. Anyone wishing to consume alcohol at such events must have permission through the Director in advance. Additionally, anyone consuming alcohol on such occasions require to ensure that they do not exceed a level where they may become intoxicated and be classed as “drunk”, and if asked to cease drinking alcohol they must do so immediately.

Driving at Work

Drinking alcohol or taking substances can affect people in different ways. As a result, Pineview takes the view that the only safe level of alcohol is no alcohol. Should an employee drink alcohol or take a substance (legal or illegal) which impairs their ability to drive and then undertake any occupational driving this will be deemed as breach of conduct and will be dealt with under our disciplinary procedure. This will also be reported to the Police.

Before any driving at work takes place, a dynamic risk assessment should be conducted. This should be completed by the driver and should include any alcohol or substance consumption. This is particularly relevant ‘the morning after the night before’. If an employee is in any doubt as to whether they are safe to drive they should not do so.

If an employee suspects another staff member has consumed alcohol or substances or they have reason to believe the person may not be safe to drive, they have a responsibility to report this immediately to a manager. The manager will deal with the situation appropriately which will include informing the Police. Should malicious allegations be made this will be treated very seriously and will be subject to formal disciplinary action.

Managing Alcohol Misuse

Pineview will manage alcohol misuse depending on its nature. Alcohol misuse will be dealt with under the following categories:

- 1) Alcohol overindulgence
- 2) Alcohol dependence

Where concern arises concerning alcohol overindulgence that results in socially unacceptable or dangerous behaviour but which is not related to a physical or psychological dependence, this will be treated as a conduct issue and will be dealt with under the organisation’s disciplinary procedures.

Where concern arises regarding alcohol dependency and interferes with an employee's ability to carry out their duties, this will initially be considered as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, programme not completed or no dependence is diagnosed Pineview will instigate the disciplinary procedure.

Managing Substance Misuse

Legal Substances

Where an issue arises regarding overindulgence in legally obtained substances which results in socially unacceptable or dangerous behaviour. This also relates to prescription medication, whether required short or long term. Such situations will be treated as a conduct issue and will be dealt with under the organisations disciplinary procedures.

Where an issue arises concerning legal substance dependency which has been obtained legally and interferes with an employee's work, this will initially be managed as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, programme completed or no dependence is diagnosed Pineview will instigate the disciplinary procedure.

Illegal Substance Misuse Whilst on Duty

Pineview will not tolerate the consumption or possession of illegal substances in any circumstances. This will always be considered to represent gross misconduct.

Illegally Obtained Legal Substances Whilst on Duty

Pineview will not tolerate illegal activity concerning legal substances. Any employee who is suspected of being involved in any such activity will be dealt with in accordance with Pineview's disciplinary procedures.

General Illegal Activity

Any employee suspected to be involved in illegal activity concerning substances will also be reported the police.

Police Involvement

In circumstances where the police are involved in an investigation concerning any employee, Pineview will continue with their own investigation and act on this accordingly regardless.

Managing Dependency Problems

In circumstances where an employee is suspected of having an alcohol or legal substance dependency Pineview will provide reasonable support. In the first instance the line manager will have a meeting with the employee and make a management referral to the Employee Counselling Service (or other employee support organisation). The manager will then have follow up meetings on an appropriate and regular timescale to determine the progress the individual is making.

Where there are performance issues relating to the dependence appropriate performance plans will be put in place in accordance with Pineview's under performance procedures as detailed in the disciplinary procedures. Where the improvement is not adequate or support via the Employee Counselling Service (or other employee support organisation) is not adhered to, normal disciplinary procedures will be instigated which may result in dismissal.

Review and Consultation and Training

This policy will be subject to formal review every three (3) years or sooner if required. As part of the review process all staff will be consulted for their input and reminded of the adverse effects of alcohol and drugs.

Between reviews further reminders will be provided, and more training will take place as required. Managers will undertake training to ensure effective implementation of the Policy (last completed 04/12/2019).

Supporting Agencies

- **Glasgow Council on Alcohol**

Tel: 0141 353 1800

web: www.glasgowcouncilonalcohol.org

7th Floor Newton House, 457 Sauchiehall Street, Glasgow, G2 3LG

- **Employee Counselling Service - Rowan**

9:00am – 4:00pm Monday to Friday

Tel: 01738 562005

Web: www.rowan-consultancy.co.uk

- **UK National Drugs helpline (Talk to Frank)– Confidential Drugs Advice**

24hr helpline

Tel: 0300 123 6600

www.talktofrank.com/emergency-help

- **Turning Point Scotland**

Tel: 0800 652 3757

<https://www.turningpointscotland.com/>

- **Your Support Your Way Glasgow**

<https://www.yoursupportglasgow.org/homepage>