



TyneCoastCollege

MANAGEMENT OF ALCOHOL OR SUBSTANCE RELATED INCIDENTS POLICY

- We will consider any request for this policy to be made available in an alternative format or language. Please note that the College may charge for this service. Please contact: Executive Director of HR
- We review our policies regularly to update them and to ensure that they are accessible and fair to all. We welcome suggestions for improving the accessibility or fairness of this policy.
- All our policies are subject to equality impact assessments. We are always keen to hear from anyone who wishes to contribute to these impact assessments. Please contact: Executive Director of HR

Approved by:	Version:	Issue Date:	Review Date:	Contact Person:
CMT/JCC/F&R	v.9	April 2022	April 2025	Executive Director of HR

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1. Introduction

- 1.1 This Policy is a positive response to research and statistical evidence that suggests up to 14 million working days are lost each year as a result of alcohol, and a further report by the Royal College of Physicians claiming that drug addiction has risen fourfold in the last 10 years. The Government and Tyne Coast College are concerned with alcohol and substance abuse in the community as a whole, and in this respect the College wishes to address any such issues within the organisation in a caring and supportive manner
- 1.2 The College is committed to promoting the health safety and welfare of all its employees, ensuring that employees use of either drugs, alcohol or other substances will not impair the safe and efficient running of the College, or result in risks of health and safety of themselves, other employees, service users and the general public. The Health and Safety at Work Act 1974 places a general duty on employers to ensure the Health, Safety and Welfare of employees through:
- A safe place to work
 - Safe systems of work
 - Adequate supervision

2. Policy Statement

- 2.1 The aim of this Policy is to emphasise that employees with alcohol, drug or substance abuse problems will be viewed sympathetically, treated fairly, offered support and advice, will have the opportunity to attend treatment sessions and will retain confidentiality within the limits of what is reasonably practicable and within the law. Encouragement and support from the College will be available irrespective of whether the problem has begun to affect the individuals work performance.
- 2.2 The College recognises that abuse can be treated given the full cooperation of the individual. We will recognise and treat abuse as an illness, whilst retaining the right to invoke informal / formal disciplinary action should any employee be found to be:
- Under the influence of, or;
 - Incapable of performing work to a satisfactory standard

Due to alcohol, (non-medical related) drugs or other substances.

- 2.3 The possession, use, distribution or sale of drugs (for non medical purposes) or solvents on the College's premises or at work is strictly prohibited. If you are prescribed drugs by your doctor which may affect

your ability to perform your duties you should discuss the problem immediately with your line manager.

- 2.4 The Misuse of Drugs Act (1971) makes it an offence to possess, supply, offer to supply or produce controlled drugs without authorisation. The College reserves the right to inform police of any suspicion it may have with regard to the use of controlled drugs by any of its employees on the premises.
- 2.5 The term 'substance' refers to the misuse and abuse, or an addiction to alcohol, drugs and solvents:
- Misuse / Abuse – Drinking excessively but not psychologically or physically dependent. Taking illegal drugs or misuse of prescribed drugs.
 - Addiction – Consistent misuse of alcohol or substances, dependent upon - either physically or psychologically

3. Scope of Policy

This Policy is applicable to all staff employed by Tyne Coast College irrespective of position, length of service or student / learner contact. This policy is to protect employees and student / learners from harm or offence that may result should they come into contact with any person working on College premises who is under the influence of alcohol or substances.

In respect to contractors/agency workers or any other person working on College premises please see section 7.2.

4. Objectives of Policy

- 4.1 The College recognises and distinguishes between the two types of users:
- **DEPENDENT USERS** – Where dependency on alcohol or substances interferes with attendance or performance at work. The College recognises that dependency can be treated given the full cooperation of the individual and in this respect such cases would firstly be seen as an illness / health issue and treated as sickness. However, failure to seek help or continue with treatment may result in disciplinary action.
 - **NON – DEPENDENT USERS** – Incidences of over-indulgence, which are not related to physical or psychological dependence. This type of behaviour will be investigated as a disciplinary matter under the heading of 'Gross Misconduct' (as defined in the

disciplinary procedure) and may lead to an employee being summarily dismissed without notice.

- 4.2 The College aims to raise awareness of the detrimental health effects of alcohol and substance abuse through training and improved education. Information and publicity about alcohol and substance abuse is available from HR and the Occupational Health Department.
- 4.3 The College aims to improve the efficiency of the support it can give to individuals in an effort to restore health and performance to an acceptable level.
- 4.4 The College has contracted additional support from our Occupational Health Provider for the Management of Alcohol and Substance related issues. This service can only be accessed through consultation with HR in the first instance.

Staff can be certain that any issues will be dealt with sensitively and confidentially.

- 4.5 The College encourages individuals to seek professional help via their line manager/Human Resources who will arrange an appointment with Occupational Health. The College will support by:
 - Allowing reasonable time off to attend appointments
 - Guaranteeing that all matters will be treated as confidential within the realms of what is reasonably practicable and within the law
 - Confirming that all absence for treatment will be paid

Early intervention will help the individual to achieve a full recovery.

- 4.6 Occupational Health will help to counsel employees where there has been deterioration in work performance and encourage those who may have an alcohol / substance use problem to seek help at the earliest stage.
- 4.7 The College via Occupational Health will agree an individual rehabilitation programme for those who have been absent for treatment and who are able to integrate back into the workplace
- 4.8 The College encourages any employee who is taking prescribed drugs, which may affect their performance, to discuss this with their manager in order to avoid any misinterpretation of behaviour, and arrange through the HR Department a referral to Occupational Health for advice.
- 4.9 The College reminds employees that the onus is on them to recognise the problem and seek help – early help and counselling can be crucial to a full recovery. Employees should encourage colleagues who are

known to have problems to seek support and should avoid covering up for or colluding with colleagues who are using drugs or substances.

- 4.10 The College wishes to ensure that its image and reputation are maintained at all times.

5. Alcohol and Substances at Work

- 5.1 The College recognises that the majority of employees are highly committed and disciplined. However, there may be a small minority who believe they can report for duty whilst unfit through alcohol or substance use.
- 5.2 To comply with the College Policy, employees **must not** drink alcohol whilst on duty, nor must they report back to work after a recognised break under the influence of alcohol. Employees must not use substances during working hours (unless there is a medical reason which has been verified by Occupational Health).
- 5.3 No employee may consume alcohol before his/her working hours to the extent that it is considered that their performance is impaired, they act improperly or irresponsibly or they potentially or actually put their own or others health or safety at risk. In such circumstances he/she will be suspended from duty in line with section 7 of this policy.
- 5.4 The College have identified that alcohol and substance use may affect individuals at work through:
- Absenteeism : Increased sickness levels, lateness, frequent visits to cloakroom
 - Higher accident rate: Disregard of own or others safety
 - Low standards of performance: Poor judgement, bad decisions, complaints from colleagues or students / learners
 - Poor relationships at work: Irritability, temper, distress, physical or verbal abuse
 - Appearance: Neglect to appearance and hygiene

All of this may lead to the deterioration in the standards provided to students / learners.

6. Responsibilities:

6.1 **Managers**

- Have a general duty to provide 'Adequate Supervision' in order to comply with the Health & Safety at Work Act (1974)

- Should seek help and advice immediately from Human Resources if they suspect any employee of having either an alcohol or substance use problem. At this juncture, the Manager will be asked to explain why they believe the individual is under the influence of alcohol and to be able to give specific examples i.e. Student / learner complaints, irrational behaviour, slurring of words, co-ordination problems, etc. A checklist is attached at Appendix 3 to assist Managers in making a judgement regarding this.
- Are responsible for undertaking a full investigation into any suspicion of alcohol or substance use. Care must be taken when assessing symptoms, as they can be similar to those attributed with known medical complaints such as diabetes, epilepsy or a stroke. Advice may be sought from Occupational Health via HR.
- Will be provided with information and support to recognise early signs of alcohol and substance abuse in order to take appropriate action. (Appendix 2)

6.2 Employees

- Have a statutory obligation to take reasonable care for their own health and safety and that of others who may be affected by their actions or omissions at work (Health & Safety at Work 1974)
- If any employee or third party suffers injury as a result of a College employee, being under the influence of or incapable of performing duties due to alcohol or substance use, criminal prosecution may arise for both the employee and the College
- Must understand that his / her continued employment depends on his/her ability to maintain an acceptable level of performance at work. Failure to do so may result in disciplinary action
- Are responsible for recognising their own problems related to alcohol and substance use and seeking advice and help from their Line Manager/HR
- Are responsible for adherence to the Policy and for reporting any breach of Policy
- Should be aware of the National Guidelines for recommended safe drinking limits for alcohol consumption: 1 to 2 units for females and 2 to 3 units for males **per day. 1 unit = half pint beer/lager/cider, a single spirit measure or 1 small glass of wine or sherry. This is a guide and the ABV levels of the drink should also be considered e.g. average ABV for lager is 4% and Wine is 12%.**
- As a 'general guide' not taking into account: height, weight, sex, food consumed it takes 1 hour per unit of alcohol consumed AFTER the LAST drink to remove alcohol from the system i.e. last drink 11pm, 6 halves of lager drunk = 6 units, will not be out of system until at least 5am. THIS IS A GUIDE AND NOT INTENDED TO BE USED AS A STATEMENT OF FACT.
- Drivers must not drive under the influence of alcoholic drink, intoxicating drugs or other substances which are likely to impair judgement or the ability to react quickly and appropriately to road

conditions or circumstances. Managers will relieve the person of all driving duties with immediate effect and in consultation with the individual if they have any reasonable belief that that person is under the influence of alcohol or drugs.

- If alcohol is available for consumption on any college organised party, occasion or when staying on company business at another premises then staff must ensure they comply with the above rules and the 'work related driving policy' as they will be deemed to be 'driving for work'

6.3 Human Resources Department

- Ensure that new entrants to the organisation receive a copy of the Alcohol and Substance Policy at their pre-employment meeting with HR
- Are responsible for administering, monitoring and reviewing the Policy

6.4 Occupational Health Department

- Acts as point of contact for managers and employees seeking advice via HR
- Assist employees in rehabilitation programme
- Raise awareness of employees to alcohol and substance abuse
- Is responsible for medical reports, if and when individuals are referred to them, keeping managers up to date with progress in respect of treatment. In doing so they will consider; likely return dates, alternative duties / hours, if necessary.
- Must maintain confidentiality within the limits of what is reasonably practicable and within the law.

7. Procedure

- 7.1 Where a manager suspects (or is told) that an employee has presented themselves unfit for work due to alcohol or substances, they should, with another manager present, confront the employee, explaining that they strongly suspect they are under the influence and feel they are unsafe at work and are being sent home.

A meeting should then be arranged for the next working day with the employee to enable an open discussion of the affected performance and behaviours at work. At this meeting the employee may be accompanied by a Trade Union representative or a work colleague. If at the conclusion of the meeting the employee confides they have a dependency problem they should be referred via Human Resources to Occupational Health for support in overcoming their problem. If the employee denies any dependency problem they may still be referred to Occupational Health to seek further advice/assessment in relation to their behaviour.

- 7.2 Where a manager suspects (or is told) that a contractor/agency worker or any other person working on College premises has presented themselves unfit for work due to alcohol or substances, they should, with another manager present, confront the employee, explaining that they strongly suspect they are under the influence and feel they are unsafe at work and are being sent home.
The manager should inform HR of their decision, the manager/HR will then contact the agency/organisation and inform them of the decision to remove their worker from the College premises.
- 7.3 If an employee refuses to attend Occupational Health or participate fully with support, this may be taken into account should any disciplinary action follow as a result of the allegation/suspicion.
- 7.4 If it is suspected that the employee is in breach of the policy, it may be necessary for their own protection and the health and safety of others to suspend the individual from work whilst a further investigation is made.

8. The Recovery Programme

- 8.1 Any College employee who is diagnosed as a 'Dependent User' of alcohol or substances will be offered support to treat and overcome the addiction. Whilst employees are cooperating in a rehabilitation programme, and seen to be making progress to overcome the addiction, disciplinary action will not be invoked. However, declining to participate in treatment, or discontinuing treatment without good cause will result in disciplinary action being invoked.
- 8.2 Where the alcohol / substance problem is confirmed by occupational health and the employee, a recovery programme will be organised

During the recovery programme the employee may be required to:

- Remain in the normal workplace
- Be redeployed to a safer working environment
- Or, be absent on certified sick leave

Depending on the individual's circumstances and situation, if the individual is found to be a non-dependent user, disciplinary action will be taken.

- 8.3 Where diagnosed as dependent on alcohol or substances, the College will support the individual with:
- Allowing reasonable time off to attend appointments
 - Guaranteeing that all matters will be treated confidentially within the realms of what is practicable and within the law

- Allowing absence for treatments to be paid.
- 8.4 If any employee successfully completes a course of treatment and then subsequently relapses, the manager will decide whether to permit a further period of rehabilitation or to invoke disciplinary procedures. Managers will discuss individual cases with the HR Department in order to assess each situation on merit.
- 8.5 Employees who commit to a recovery programme will be expected to:
- Follow treatment
 - Abstain from alcohol and/or substances
 - Meet agreed work targets
 - Consent to occupational health producing progress reports in respect of the treatment, for managers.

9. Discipline

- 9.1 Formal disciplinary action may be invoked under the heading of 'Gross Misconduct' if any College employee:
- Reports for duty whilst unfit through alcohol or substances
 - Is found to be possessing, using, distributing or selling alcohol or substances at work
- 9.2 Dependent users will be supported with their medical problem as described above. However, if they decline or discontinue treatment without good cause the disciplinary process may be invoked, most likely under the heading of 'Capability'.
- 9.3 Where an employee admits to alcohol or substance problems every effort will be made to suspend current disciplinary proceedings in an endeavour to assist the employee in successful rehabilitation.

The 'Management of Alcohol or Substance Related Incidents' flowchart (Appendix 1), gives a clear guide on the approach to use in almost all cases. Please refer to HR Department if you require further clarification.

10. Complaints

Any employee who has concerns over any aspect of this policy may seek redress, through submitting a complaint verbally or in writing, following the formal grievance procedure.

11 Confidentiality

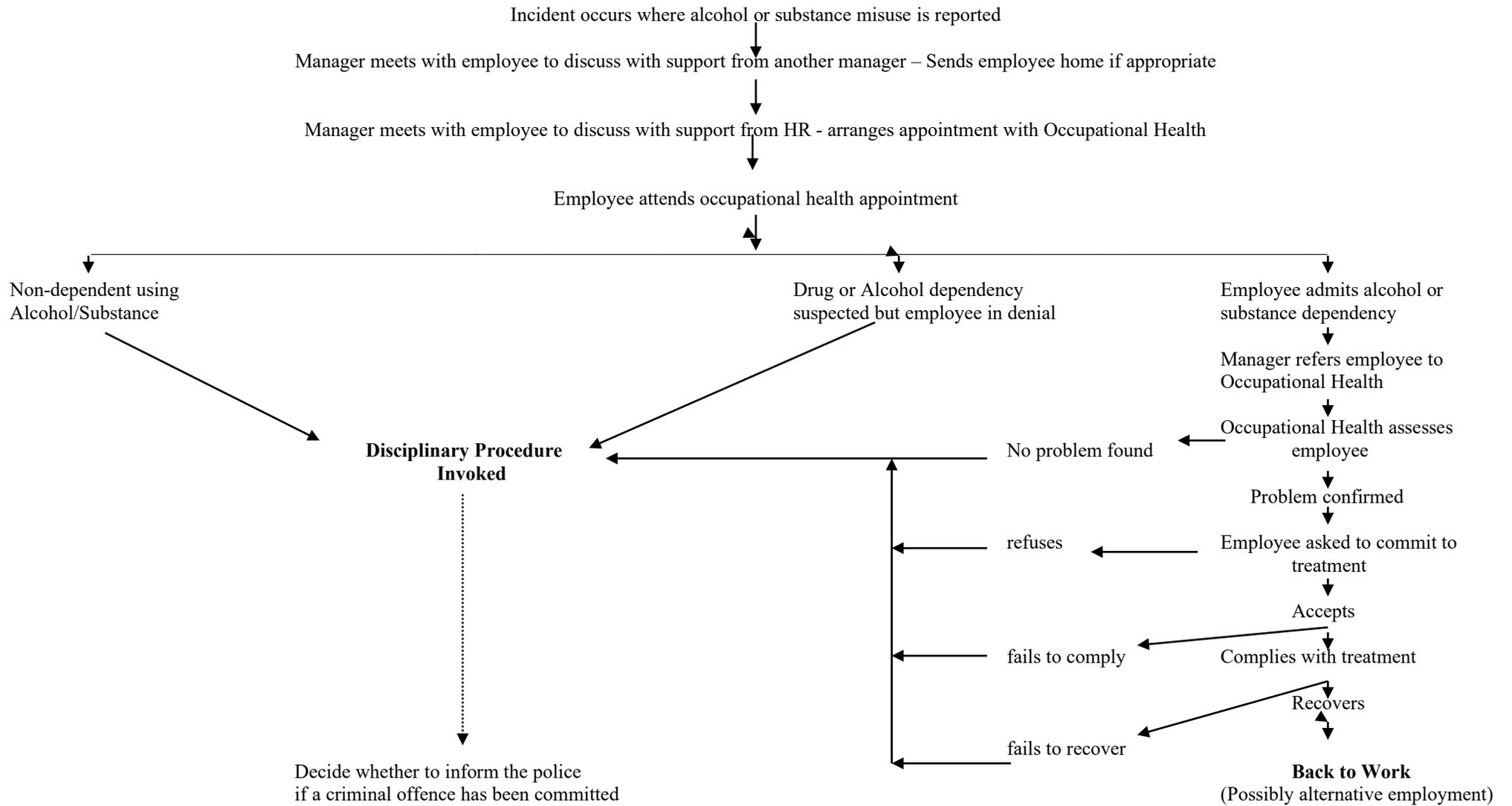
The College guarantees that all matters will be treated confidentially within the realms of practicality and the law.

12 Official Functions

As the College wishes to be seen to be setting an example, only non-alcoholic beverages will be available at all official functions held on **College premises** during working hours.

Appendix 1

Management of Alcohol or Substance Related Incidents



Appendix 2

Alcohol or substance abuse is not normally associated with isolated instances of absenteeism or poor work performance, but with a pattern of deteriorating work performance over a period of time. It is often usual to see a combination of signs rather than isolated incidences.

Some indicative signs of alcohol or substance abuse may be:

1. Evidence Of Inadequate or Deteriorating Work Performance

- Frequent lateness
- Repeated brief periods of absence for trivial or inadequate reasons and /or absence trends (particularly related to weekends)
- Impaired concentration and memory
- Accident proneness, minor accidents at work and off duty
- Improbable excuses for poor job performance
- Increasing general unreliability and unpredictability

2. Observation of Behaviour and Appearance

- Smelling of alcohol
- Under the influence of alcohol during working hours
- Mood changes, irritability, lethargy
- Deterioration in working relationships
- Borrowing money
- A combination of hand tremor, slurred speech, facial flushing, bleary eyes, poor hygiene, unkempt appearance
- Neglect to appearance and hygiene

3. Relationships with Colleagues

- Over-reaction to real or imagined criticism
- Unreasonable resentment
- Irritability
- Complaints from colleagues
- Avoidance of manager or other senior staff
- Borrowing from colleagues
- Physical or verbal abuse of colleagues

Appendix 3

Alcohol and Drug Checklist

For use by Head of School/Service for any member of staff suspected of being under the influence of drugs or alcohol whilst at work and displaying any 3 of the following symptoms

Employee Name _____

Symptom	Y / N	Additional Information
Slurring of speech		
Smelling of Alcohol		
Displaying Inappropriate behaviour		
Hand tremor		
Sweating		
Bleary eyed		
Lack of co-ordination		
Flushed face		
Other concerns		
Head of School/Service Signature:		Position:
Head of School/Service Print Name:		Date:

Occupational Health Assessment / Advice

Occupational Health Nurse Signature:
Occupational Health Nurse Print Name:
Date:

APPENDIX 4

Where to Obtain Further Help / Useful Addresses / Telephone Numbers

Drinkline – offers advice, information and support to anyone concerned about his or her own or someone else's drinking.

Free phone 0300 1231110

North East Council on Addictions – Durham Alcohol & Drug Advisory Centre

63 Albert Street, Durham.

Tel: 0191 383 0331

NHS

Alcohol & Drug Problem Service

Plummer Court, Carliol Place, Newcastle.

Tel: 0191 2061100

Alcohol Treatment Clinic & Drug Action Clinic

Abbey Gisburne Park, Gisburn

Tel: 01200 445692

Alcoholics Anonymous – wear Recovery

Tyneside / Wearside

Tel: 0800 234 6798

Narcotics Anonymous

A self-help group of men and women for whom drugs were a major problem.

Tel: 0191 2652170

NECA (South Tyneside)

Free, friendly and confidential service for substance misusers and their carers.
Telephone for advice or to make an appointment with a counsellor.

Helpline 0300 999 1212

Tyne Coast College Intranet

Turning Point

61 Marine Avenue, Whitley Bay

0191 2511725