



Substance Misuse Policy

This policy is applicable to: Wolds Learning Partnership (WLP)

Version 1

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Name of Responsible Committee/Individual:	Local Governing Body and Board of Trustees
Implementation Date:	May 2017
Review Date:	May 2020
Target Audience:	Staff
Reference Documents:	



Aims of the Policy

- To increase the general awareness/knowledge of employees regarding the risks associated with alcohol consumption and the misuse of drugs.
- To provide a framework for staff who are experiencing alcohol or drug related problems and to access help and support at an early stage.
- To help leaders identify individuals with alcohol/drug related problems
- To create a culture whereby all staff realise the importance of not covering up for individuals with known or suspected drug or alcohol problems.
- To provide leaders and the Governing Body with guidelines to assist them in managing alcohol/drug related problems.
- To promote a healthy safe working environment and thereby protect the welfare of all individuals (employees, pupils/students and visitors) avoiding risks associated with the use of drugs or alcohol.
- Reduce and help prevent the incidence of alcohol and drug related work impairment.

Introduction

The Wolds Learning Partnership (WLP) is committed to providing a safe and healthy working environment for its employees. A key factor in this provision is to ensure that employees do not misuse drugs, or alcohol, or are exposed to the consequences of misuse by others. The Law also imposes obligations on employers to ensure a safe system of work both under statute such as the Health and Safety at Work Act 1974, and Common Law, for example, in negligence claims. The terms of the Transport and Works Act 1992, Road Traffic Act 1988 and Misuse of Drugs Act 1971 also impose severe restrictions on organisations in their capacity as employers in relation to the use of drugs and alcohol. The Smoke Free Public Places and Work Places Regulations of the Health Act 2006 prohibits the smoking of tobacco at work. Staff must not smoke on school premises, outside the school gates or near the perimeter of the school. They must also ensure they do not smoke in front of pupils/students whilst undertaking work related activities (e.g. trips and visits). To ensure equality for all employees, there are no designated smoking breaks therefore staff choosing to smoke must do so in their normal break times (e.g. lunch break).

In order to fulfil its obligations the employer must pursue a policy which secures a healthy and safe environment for all employees, ensuring staff are aware of their own responsibilities. At the same time the employer must also take into account the employer's and employees' rights under UK employment protection legislation and relevant codes of practice.

The Wolds Learning Partnership's policy on alcohol and drug misuse is a constructive and preventative policy to encourage early identification of alcohol and drug misuse related problems among employees. It aims to help and support employees who are experiencing problems as a result of alcohol or drug misuse and to assist those who demonstrate determination to deal with their problem and who cooperate fully with the support offered to them. The desire to support an individual employee must also be balanced with the requirement of the CEO/Headteachers to comply with their duty of care to pupils/students and other members of staff.

Alcohol and drug misuse have an effect on the individual's health and wellbeing and can cause a wide range of social problems, affecting family, friends and colleagues. This policy is concerned primarily with the effects of alcohol and drug misuse on conduct at work and job performance. Alcohol and drug misuse can lead to such problems as: -

- Unhealthy role model for children.
- Reduced educational opportunities for children.
- Reduced performance in the classroom.



- Poor judgement.
- Accidents.
- Late start/early end to the working day.
- Increased absence of a short term persistent nature.

Definitions

Alcohol misuse refers to:

Any drinking, either intermittent or continuous, which interferes with an individual's health, work capabilities or conduct, or which affects the work performance and/or safety of others.

Drug and substance misuse refers to: -

- The use of any controlled drug as defined by the Misuse of Drugs Act 1971 or any statutory re-enactment.
- The accidental or intentional misuse of prescribed or 'over the counter' medication.
- The misuse of substances, e.g. solvents which can impair behaviour, judgement or job performance of the individual.
- Under the Misuse of Drugs Act drugs are classified according to their perceived danger and the different drug classifications are detailed in [Appendix A](#).

Policy Statement

The Wolds Learning Partnership recognises that alcohol and drug related problems are primarily health and social concerns and staff with such problems require help and treatment.

The policy applies to all employees at all levels, including volunteers. The policy also applies to all contractors and agency staff working on the school premises.

Certain prescription drugs and over the counter preparations can affect performance and create a safety risk. All employees should check with their doctor or pharmacist before taking any medicines which could impair their work performance or cause drowsiness. Where an employee is taking prescription drugs or over the counter preparations which could affect performance and/or create a safety risk, he/she should inform their line manager. All medication should be kept in a secure, lockable drawer or locker at all times.

No employee or other person under the WLP's control shall, in connection with any work-related activity:

- a. Report, or endeavour to report, for duty having consumed drugs or alcohol likely to render him/her unfit and/or unsafe for work.
- b. Consume or be under the influence of drugs or alcohol while on duty.
- c. Store drugs or alcohol in personal areas such as lockers and desk drawers; or attempt to sell or give drugs or alcohol to any other employee or other person on the school premises.
- d. Consume alcohol during working hours or at break times (e.g. lunch or on-call duties) or while undertaking work-related duties e.g. trips and visits (*Please refer to the Educational Visits Policy and Educational Visits Guidelines*).

There will be no consumption of alcohol on the school premises unless agreed by the Headteacher/CEO during staff or social events outside of the normal school day.

The misuse of legal drugs is prohibited, as in the use, possession, sale or distribution of illegal drugs. The following incidents are considered to be serious offences which could lead to dismissal subject to the school's Disciplinary procedure: -

- a. Possessing, using or selling illegal drugs in the workplace.



- b. Being convicted of any criminal offence connected with drugs, regardless of whether the offence took place inside or outside the workplace.

This policy will be kept under annual review to evaluate its effectiveness and all employees should have access to a copy of this agreed policy.

Confidentiality

All discussions with an employee in connection with this policy and procedure will be treated in a confidential manner. However, absolute confidentiality cannot be guaranteed in the following circumstances;

- There is a potential risk of harm to self or others.
- A criminal offence has occurred or may occur.
- There has been a breach of the WLP's rules and regulations.

If any of the above should occur the Headteacher must take appropriate action including informing the relevant authorities. The consent of the employee should be sought, however, if this is not forthcoming, such disclosure shall be made with the knowledge of the employee involved.

Procedures

Where an employee acknowledges that he/she has a problem with alcohol or drugs he/she may approach the Headteacher, their line manager or a member of SLT for advice and the employee should be given encouragement and support to facilitate access to appropriate services, eg by directing the employee to seek treatment from his/her GP.

Where the Headteacher has concerns that an employee may have a problem with alcohol or drug misuse a meeting should be arranged with the employee, informally, to discuss his/her concerns. Advice and guidance should be sought from the Human Resources provider.

When discussing the problem with the employee the desire to assist the employee should be uppermost in the mind of the Headteacher. It is important that accusations are not made, but details of concerns should be clearly stated and openly discussed. Where the employee acknowledges the problem, advice on options for support should apply.

The Headteacher will continue to hold the employee accountable for his or her performance and/or conduct, regardless of whether or not the employee has admitted an alcohol or drug related problem, however, the support the employee accesses and the resulting outcomes will also be taken into consideration.

Where an employee has concerns that another employee is suffering from alcohol or drug misuse they should raise their concerns with a member of the Senior Leadership Team.

If an employee is suspected of not being fit for work due to alcohol or drug misuse, suspension with full pay, pending an investigation may be deemed appropriate. The Headteacher should make it absolutely clear that the employee is not permitted to drive and a taxi, if necessary, should be organised to take the employee home. Following investigation the employee will be recalled to the workplace to attend an investigatory interview to establish his or her version of events as per the Disciplinary Procedure. Depending on the outcome of the investigations, disciplinary action may follow. Alternatively, if it is established through investigations that the employee has an alcohol or drug addiction advice on options for support should also apply.



Leader's Responsibilities

Leaders should seek advice from the Trust HR provider when substance misuse is suspected prior to the above steps being taken.

- Leaders should be aware of the signs of drug or alcohol misuse, the effect on performance, attendance and health, and take appropriate action, treating the employee with dignity and respect.
- Leaders are responsible for ensuring that visitors and contractors are made aware of the terms of the policy.
- Leaders are responsible for ensuring the overall safety and welfare of employees and others they come into contact with.
- Leaders should make sure that staff understand the policy and are aware of the rules and consequences regarding the use of alcohol, drugs and other intoxicating substances.
- Leaders should intervene at an early stage where changes in performance, behaviour, sickness levels, and attendance patterns are identified to establish whether alcohol or drug misuse is an underlying cause.
- Leaders should provide support and assistance, where appropriate and for a reasonable period, to staff who are dependent upon intoxicating substances to help their recovery.
- Leaders should be aware of their own limitations, seek advice, facilitate support, and monitor outcomes.

Absence from Work

During periods of absence employees are required to adhere to the procedures laid down in the Attendance at Work Policy and Procedure.

Employees are also expected to make use of the support services and should actively seek and cooperate with help and treatment.

Return to Work

Where an employee has been absent due to medical reasons the school may require confirmation via a referral through the school's health service provider as to the employee's fitness to resume duties.

An employee returning to work may need ongoing support and treatment, for example, ongoing counselling sessions and such absence should adhere to the procedures laid down in the relevant WLP policies and procedures.



Appendix A - Drug Classification

Class	Drug
A	Crack cocaine, cocaine, ecstasy (MDMA), heroin, LSD, magic mushrooms, methadone, methamphetamine (crystal meth)
B	Amphetamines, barbiturates, cannabis, codeine, methylphenidate (Ritalin), synthetic cannabinoids, synthetic cathinones (eg mephedrone, methoxetamine)
C	Anabolic steroids, benzodiazepines (diazepam), gamma hydroxybutyrate (GHB), gamma-butyrolactone (GBL), ketamine, piperazines (BZP)

*The Home Office can ban new drugs for 1 year under a 'temporary banning order' while they decide how the drugs should be classified.

Reference: <https://www.gov.uk/penalties-drug-possession-dealing>

N.B. This document is subject to change in line with current legislation