



SoLO
Life
Opportunities

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Charity No. 1102297
England Company No.
5025939

POLICY AND PROCEDURE

Alcohol & Drugs

Category: staff and volunteers

Introduction

It is the policy and duty of SoLO Life Opportunities to maintain a safe, healthy and productive working environment for all employees, volunteer, members, contractors and visitors. SoLO Life Opportunities therefore prohibits, within the working environment, the illicit use, possession, sale, conveyance, distribution or manufacture of illegal drugs, intoxicants, or controlled substances in any amount. Any action would constitute gross misconduct and may lead to dismissal.

In recognition of the continued and growing problem of substance abuse in society, SoLO Life Opportunities will act to prevent and eliminate, in so far as it is reasonably possible, any such abuse which will increase the potential for ill health, accidents, absence or poor performance, or which will otherwise adversely affect SoLO Life Opportunities, its employees, volunteers or members.

This policy also recognises that for employees who smoke, whilst this does not necessarily adversely affect their performance, the requirement to have breaks away from their job to enable them to smoke will impact and, therefore, will need to be managed to ensure that others are not unfairly affected.

Whilst it is the intention of this policy to assist those with substance abuse problems it does not constitute a waiver of management's responsibility to maintain discipline and a safe working environment or to respond to poor work performance, misconduct or unsatisfactory levels of absence. Therefore, support programmes for employees with drug or alcohol problems can run concurrently with the disciplinary procedure.

The confidential nature of any records of employees with alcohol or drug related problems will be strictly preserved, however the organisation retains the right to report any suspected or confirmed criminal offences committed by individuals to the appropriate authorities.

Scope

This policy applies to all people working or volunteering on SoLO Life Opportunities premises, projects, or events including temporary staff and external contract personnel, and to all visitors.

It covers any mood altering substances including legal substances such as tobacco, alcohol, prescription drugs, tobacco substitutes, stimulants as well as illegal substances.

Aims

- To state clearly our position on alcohol, drugs, smoking and nicotine products.
- To seek to ensure safe and capable working practice in relation to mood altering substances and in line with the Health and Safety at Work Act 1974, The Transport and Works Act 1992 and The Misuse of Drugs Act 1971.
- To ensure that the law in relation to drugs is observed by employees and volunteers during working hours.
- To seek to ensure a learning environment which covers every level of the organisation.
- To encourage employees or volunteers who are experiencing mood altering substance abuse to seek appropriate assistance at the earliest opportunity and to ensure the availability of appropriate professional advice.
- To support SoLO staff to live healthily and look after themselves.

Policy Statement

SoLO Life Opportunities requires all employees and volunteers to arrive at work free from the effects of alcohol and drugs.

The consumption of alcohol on company premises is prohibited with the exception of social functions where the CEO has granted approval in advance. In such circumstances, there should be an equal availability of non-alcoholic drinks, and consumption should be moderate, in line with health guidance (The government advises that people should not regularly drink

more than 14 units per week, spread evenly over the week. This is the same for men and women and is equivalent to 6 175ml glasses of wine or 6 pints of 4% beer per week.) Employees consuming alcohol must not return to duty while under the influence of alcohol. As a general principle, SoLO Life Opportunities does not encourage the consumption of any alcohol during the working day.

Staff or volunteers, when working directly with our members; driving a vehicle or taking responsibility for a SoLO activity (either in-house or external) are prohibited from consuming alcohol. In respect to staff or volunteers, in the course of their work with SoLO, who are working directly with our members, driving a vehicle or taking responsibility for a SoLO activity (whether that is in-house or external) the consumption of alcohol is prohibited.

No employee or volunteer shall be in possession of drugs while at work or misuse drugs while on duty. However, SoLO Life Opportunities recognises the controlled use and possession of medicines for personal use as an exception. Where there is suspicion that an employee or volunteer has broken the law, management will normally inform the police.

Although illegal use of drugs will not be condoned, in most cases an employee or volunteer with an alcohol or drug misuse problem will be encouraged to seek help, advice and treatment. SoLO Life Opportunities may provide access to confidential and voluntary counselling and support. SoLO Life Opportunities recognises the possibility of relapse. If this occurs, the same procedures of support will be offered to the employee at management discretion depending on the circumstances.

In compliance with the law in the UK, workers or volunteers may not smoke in any public buildings or vehicles used to transport our members. SoLO also discourages smoking to be within the public eye or in front of our members as this could cause reputational damage or encourage others into unhealthy lifestyles. Workers employed for more than 6 hours are entitled to a 20 minute unpaid break and enable them to smoke in designated areas that will be identified by their line managers.

Whilst there remains some doubt over the safety of passive smoking in relation to e-cigarettes, SoLO will apply the same ruling as to normal cigarettes.

It is the responsibility of managers and supervisors to enforce this policy. To assist with this, they will receive specific guidelines and training outlining procedures for early recognition, discipline, grievance and referral.

Infringements of this policy will be dealt with under agreed disciplinary procedures.

Management Referral (for paid employees)

If during the course of the attendance management or disciplinary procedure, alcohol or drug related abuse is believed to be a factor, the employee will be given the offer of referral for assessment and treatment.

It is the duty of any manager or project leader who has a reasonable belief that an employee is under the influence of alcohol or drugs to remove that employee from the workplace. If necessary, (s)he may seek the opinion of another manager or project leader. At all times, the safety of our members must be paramount. (S)he must then advise the CEO of the action taken at the earliest opportunity. Disciplinary action may still be taken and the disciplinary policy will be used to govern this. The employee can also be referred to for medical help and support during this process.

Definitions

For the purpose of this policy, the following definitions apply:

Alcohol misuse: Alcohol misuse means drinking excessively – more than the lower-risk limits of alcohol consumption. Not regularly drinking more than 14 units of alcohol a week spread over at least 3 days. (NHS choices website)

Drug: Under the Misuse of Drugs Act 1971, illegal drugs are placed into one of 3 classes - A, B or C. This is broadly based on the harms they cause either to the user or to society when they are misused.

The class into which a drug is placed affects the maximum penalty for an offence involving the drug. For example, Class A drugs attract the most severe penalty as they are considered likely to cause the most serious harm. Drugs controlled under the Misuse of Drugs Act are illegal to have, produce, give away or sell.

- Class A drugs include: heroin (diamorphine), cocaine (including crack), methadone, ecstasy (MDMA), LSD, and magic mushrooms.
- Class B includes: amphetamines, barbiturates, codeine, cannabis, cathinones (including mephedrone) and synthetic cannabinoids.
- Class C includes: benzodiazepines (tranquillisers), GHB/GBL, ketamine, anabolic steroids and benzyloperazines (BZP).

Not all drugs are illegal, but that doesn't mean they aren't harmful. For example, tobacco and alcohol can seriously damage your health. And recently new 'legal highs' have been developed to mimic the effects of illegal drugs like cocaine and ecstasy but are structurally different enough to avoid being classified as illegal substances under the Misuse of Drugs Act. However, they can still have dangerous side effects.

Under the influence: the term applied to a person who has ingested alcohol or drugs to render them incapable of discretion and sound judgement. (the law dictionary)

Smoking: "smoking" refers to smoking tobacco or anything which contains tobacco, or smoking any other substance, and (b) smoking includes being in possession of lit tobacco or of anything lit which contains tobacco, or being in possession of any other lit substance in a form in which it could be smoked. (Health Act 2006)

Signs to Look Out For

Typical examples of possible substance abuse include:

- Smell of alcohol on breath
- Lack of co-ordination
- Increased absenteeism, particularly multiple short spells
- Deterioration in work performance
- Repeated accidents or mistakes
- Deterioration in relationships at work, timekeeping and appearance
- Sudden mood changes
- Unusual irritability or aggression
- Abnormal fluctuations in energy and concentration
- Unexplained over-excitability or withdrawal
- Erratic behaviour
- Dishonesty and theft

Self Referral

It may be difficult for employees or volunteers to accept that they have a drink or drug problem. Employees or volunteers who recognise that they have an alcohol or drug problem will be encouraged to seek help from their doctor or counsellor or from another agency suggested by their GP. In such cases, employees will be treated as any other employee with an illness and will be entitled to sick leave. However, SoLO Life Opportunities may ask for confirmation that treatment or counselling appointments are being kept whilst on sick leave.

If the cause of the abuse appears to have risen from a situation in the workplace, SoLO Life Opportunities accepts a particular responsibility to investigate and resolve the problem.

The employee will normally return to their normal job after successful treatment.

Legislation to be aware of

- **Health and Safety at Work Act 1974 - section 2** - places a duty on an employer to ensure, as far as is reasonably practicable, the health, safety and welfare at work of their employees.
- **Management of Health and Safety at Work Regulations 1999** - places a duty on an employer to assess the risks to the health and safety of employees. This means an employer can be prosecuted if they knowingly allow an employee to continue working while under the influence of alcohol or drugs and their behaviour places the employee themselves or others at risk.
- **Misuse of Drugs Act 1971** - makes it an offence for someone to knowingly permit the production, supply or use of controlled drugs on their premises except in specified circumstances (for example drugs prescribed by a doctor).

Although not applicable to all workplaces, these two Acts also put obligations on employers and workers:

- **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.
- **Transport and Works Act 1992** - makes it a criminal offence for certain workers to be unfit through drugs and/or drink while working on railways, tramways and other guided transport systems.