

Drug & Alcohol Policy

VERSION: JULY 2020

1. POLICY

- 1.1 The Diocese recognises that alcohol and drug abuse related problems are an area of health and social concern. We also recognise that an individual with such problems needs help and support from their employer.
- 1.2 We also recognise that alcohol and drug abuse problems can have a detrimental effect on work performance and behaviour. We have a responsibility to our employees and customers to ensure that this risk is minimised.
- 1.3 Accordingly, our Diocese policy involves two approaches
 - a) Providing reasonable assistance to the individual with an alcohol or drug abuse problem who is willing to cooperate in treatment for that problem.
 - b) Disciplinary rules, enforced through disciplinary procedures, where use of alcohol or drugs (other than on prescription) affects performance or behaviour at work, and where either:
 - an alcohol or drug abuse problem does not exist, or
 - where treatment is not possible or has not succeeded.
- 1.4 This policy covers alcohol and controlled substances and volatile substance abuse. Controlled substances include illegal drugs and legal drugs used in excess or for non-medical purposes. Volatile substances include solvents and glue.
- 1.5 We will endeavour to keep confidential the examination, counselling or treatment of an individual under the Policy, insofar as it is practicable.
- 1.6 We do not have the internal resources to provide or arrange treatment or other forms of specialist assistance. These services will be provided by GPs, hospitals and other agencies. Through this policy we will seek both to assist the individual in obtaining such specialist help, and to protect their employment.

2. ASSISTANCE FOR EMPLOYEES

2.1 We will, where possible, provide the following assistance to an individual:

- a) Helping the employee to recognise the nature of the problem, through referral to a qualified diagnostic or counselling service.
- b) Support during a period of treatment. This may include a period of sick leave or approved other leave, continuation in post or transfer to other work, depending upon what is appropriate in terms of the individuals' condition and the needs of the Diocese.
- c) The opportunity to remain or return to work following the completion of a course of treatment, as far as is practicable, in either the employees' own post or an alternative post.

2.2 Our assistance will depend upon the following conditions being met:

- a) The Diocese Approved Doctor's diagnoses of an alcohol or drug abuse related problem.
- b) The individual recognising that they are suffering from an alcohol or drug abuse problem and being prepared to co-operate fully in referral and treatment from appropriate sources.

2.3 We must recognise the following limits to the assistance we can provide:

- a) Where an individual fails to cooperate in referral or treatment arrangements, no special assistance will be given and any failure in work performance and behaviour will be dealt with through the Disciplinary Procedure.
- b) If the process of referral and treatment is completed but is not successful, and failure in work performance or behaviour occurs, these will be dealt with through the Disciplinary Procedure.
- c) An employee's continuation in their post or an alternative post during or after treatment will depend upon the needs of the Diocese at that time.

3. DISCIPLINARY ACTION

3.1 In line with our disciplinary procedure, it is Diocese policy that staff shall not, during working hours, whilst on Diocese business (whether on Diocese premises or not) or when using Diocese vehicles:

- a) Attend work and/or carry out duties under the influence of alcohol, drugs or volatile substances.
- b) Consume alcohol (except when authorised by a senior manager), drugs or volatile substances whilst on duty (other than where prescribed or approval has been given).
- c) Sell, purchase, possess or supply drugs or volatile substances.
- d) Drive Diocese vehicles or private vehicles on Diocese business whilst under the influence of alcohol, drugs or volatile substances.

3.2 Diocese business shall, for the purposes of this policy, include attending conferences, business meetings, Diocese and parish functions.

- 3.3 If an employee supplies drugs during or outside employment they may face summary dismissal for gross misconduct under the Diocese's disciplinary procedure regardless of any sentence imposed by the Courts.
- 3.4 Breach of these rules will normally result in summary dismissal, and only in exceptional cases will either notice or the reduced disciplinary action of a final written warning be applied.
- 3.5 Where a breach of these rules occurs, but it is established that an alcohol or drug abuse-related problem exists, and the individual is willing to co-operate in referral for treatment, we will suspend application of the Disciplinary Procedure and provide assistance as described above. Individuals who do not comply with the treatment suggested or continue to abuse alcohol or drugs will be subjected to the application of the Disciplinary Policy.

4. PROCEDURES FOR SUPPORTING INDIVIDUALS WITH DRUG AND ALCOHOL ISSUES

- 4.1 The procedures define management responsibilities and provide guidelines on:
 - a) Where assistance to an employee should be provided and the nature of and limits to such assistance.
 - b) The application of the Diocese's Disciplinary Procedure.
- 4.2 Through the Approved Diocese Doctor we will provide advice and support to managers on whether an alcohol or drug-related problem exists. The doctor will be able to advise on treatments and to monitor the employee's progress. The doctor will also make recommendations as to whether it is appropriate for the member of staff to continue to work or restart work, and whether any special arrangements are required.
- 4.3 This does not include directly providing treatment or specialist help which is the responsibility of GPs, hospitals and other agencies working in the field. The Diocese Approved Doctor, in close liaison with these persons and agencies, will assist staff referred in the following ways:
 - a) through counselling, encourage them to come to a better understanding of their problem and the benefits of seeking treatment or help;
 - b) provide advice and direction regarding obtaining treatment and specialist help;
 - c) assist in continuing at or achieving a return to work.
- 4.4 Alcohol or drug abuse related problems can come to the notice of management through:
 - a) Failures in work performance or behaviour necessitating use of the Disciplinary Procedure. In such situations the procedure described above should be followed.
 - b) Other means, where an individual seeks or agrees to accept assistance on a voluntary basis. In such situations, the procedures described above should be followed.

5. SITUATIONS WHERE USE OF THE DISCIPLINARY PROCEDURE IS APPROPRIATE

- 5.1 Abuse of alcohol or drugs can affect performance and behaviour at work, either through serious misconduct at work (where there is a direct and demonstrable breach of the disciplinary rules regarding alcohol or drug abuse at work), or where there is a falling off of standards of work performance or behaviour, and abuse of alcohol or drugs is a possible cause.
- 5.2 Where there is a concern over the an employee's conduct or performance, the immediate line manager is responsible for addressing this with the member of staff: initially through informal

discussion. Where disciplinary investigations and interviews are required, the manager will be supported as appropriate by the HR team based at Bishop's House, Hove.

- 5.3 In interviews the possible existence of an alcohol or drug abuse problem should be explored. The line manager is not required to diagnose the existence of an alcohol or drug abuse problem, merely to assess whether such abuse is a possible factor.

6. DIAGNOSING AN ALCOHOL OR DRUG ABUSE PROBLEM

- 6.1 Should the interviews lead to the conclusion that an alcohol or drug abuse problem might exist and the individual accepts referral, the manager should refer the matter to the Diocese Approved Doctor, who will be responsible for establishing whether or not a diagnosis of alcoholism or drug dependence can be made.
- 6.2 Disciplinary action should be suspended until diagnostic advice is obtained. Where appropriate, suspension arrangements in the Disciplinary Procedure should be followed.
- 6.3 If the interview fails to lead to the conclusion that an alcohol or drug abuse problem exists, or the individual rejects, or fails to co-operate in a referral, disciplinary action should be continued, where and as the situation justifies.

7. TREATMENT ARRANGEMENTS

- 7.1 If a positive diagnosis of an alcohol or drug abuse problem is made, and the employee agrees to co-operate in treatment, treatment arrangements should commence as soon as possible.
- 7.2 Where necessary, the Diocese Approved Doctor will advise the individual regarding treatment and will be responsible for monitoring progress with treatment and advising the manager concerned.
- 7.3 This advice should be available at least monthly following commencement of treatment and thereafter as appropriate.

(Disciplinary action should be discontinued unless the individual fails to co-operate in the treatment arranged). Should a diagnosis of alcoholism or drug dependence not be confirmed or should the individual refuse to co-operate in treatment, disciplinary action can be continued.

- 7.4 The Diocese Approved Doctor will advise on whether a situation has been reached where there is a lack of progress with treatment or lack of co-operation by the individual.

Managers must review the facts and consider whether or not there needs to be a return to the use of Disciplinary Procedures.

- 7.5 Where medical certificates are submitted, sick leave should be given in accordance with the Diocese sickness and absence policy. Should the employee continue to be fit for work during the period of treatment, they should be permitted to continue in their post or alternative work unless such an arrangement would have an adverse effect on Diocese services. In such circumstances, annual or unpaid leave should be approved or, exceptionally, suspension arranged.
- 7.6 If an employee has been off work during the period of treatment, before returning to duty, they will be seen by the Diocese Approved Doctor who will advise management whether they are able to return to their own post or to alternative work, and whether any special supervision or other arrangements are required.

- 7.7 Every effort should be made to comply with the advice provided by the Diocese Approved Doctor. If it is not reasonably practicable to do so, and as a result, the individual is not able to resume duty, employment may be terminated on the grounds of incapacity (ill health).
- 7.8 If the individual is again involved in disciplinary situations resulting from alcohol or drug abuse-related problems, a second referral to the Diocese Approved Doctor and suspension of the disciplinary procedure may be appropriate. If they advise positively on the possibilities of further treatment or help and the willingness of the individual to co-operate, the disciplinary procedure may be suspended again to permit treatment and help to be undertaken. This second referral will not apply if the further disciplinary problems involve serious misconduct. Third and subsequent referrals are not permissible.

8. DRUG AND ALCOHOL CONCERNS UNRELATED TO DISCIPLINARY ISSUES

- 8.1 There may be situations where the possible existence of alcohol or drug abuse problems affecting an employee comes to a manager's attention, although there is, or has been, no discernible effect on work performance or behaviour. This could arise if an employee confides in their manager about an alcohol or drug abuse problem, or a manager could see a need to approach a member of staff after observing possible "indicators" of an alcohol or drug abuse problem for example:
- a lateness and absence pattern,
 - information provided by the member of staff's colleagues,
 - impaired performance, bouts of anxiety and depression, tremors, impaired concentration, memory lapses or a deterioration in personal standards and dress.
- 8.2 In such situations, we want staff to feel they could seek help from us (in complete confidence) without worry that their job security would be in jeopardy. Accordingly if managers should be faced with a situation of this type they should:
- seek the advice of the HR department at Bishop's House, Hove, regarding how the matter could be dealt with;
 - support the member of staff and, if appropriate, arrange for the individual to consult the Diocese Approved Doctor.

As in the procedure described above, the Diocese Approved Doctor will play a facilitating role (i.e.) seeking to establish whether a problem exists, advising and directing the individual towards appropriate forms of treatment and help.

- 8.3 These steps cannot be taken without the cooperation of the individual. If they do not wish to co-operate, no further action should be taken.

Should an employee take up the opportunity of assistance on this voluntary basis there should be no further formal involvement of management in terms of action or the right to learn of progress with treatment unless the individual wants involvement as a means of assisting progress with treatment.

Use of the disciplinary procedures and/or the application of the approach described above would only be appropriate if subsequently, the individual is involved in a breach of disciplinary rules.

- 8.4 Should the problems of the individual develop to an extent that their continuation in post or employment become impossible, it may be necessary to identify alternative work or arrange for termination, on the same basis as the Diocese operates for staff with problems of incapacity due to ill health.

The following Diocese policies are also available for further reference:

- Sickness & Absence Policy
- Disciplinary Policy

9. CONTACTING THE HR DEPARTMENT

The Diocese works with an external HR adviser for support on employment issues. HR support is provided through the Chief Operating Officer via coo@abdiocese.org.uk.

Approval

This policy was approved by the Diocesan Board of Trustees on:
The next review is due by:

8 July 2020
31 July 2022