

## ***Alcohol and Substance Misuse (Staff)***

### **1 Introduction**

- 1.1** As a responsible employer, the Heart of Mercia Multi-Academy Trust (HoM) recognises the need for a constructive and preventative strategy designed to encourage early identification of alcohol and drug related problems among employees.

This policy forms part of the Trusts overall commitment to safety, good employee relations and the promotion of health at work.

- 1.2** The inappropriate use of alcohol or drugs can damage the health and wellbeing of employees and have far-reaching effects on their personal and working lives.

- 1.3** At work, alcohol or drug misuse can result in reduced levels of attendance, sub-standard work performance and increased health and safety risks not only for the individual concerned but also for others, for example work colleagues, students, members of the public, and contractors. Furthermore, the effects of alcohol or drug misuse are likely to be detrimental to the Trust and its academies reputation and image and its ability to deliver high-quality education to our pupils/students.

### **2 Aims and Objectives**

- 2.1** This policy aims to:
- Raise staff awareness of the risks and potential harm to health associated with the use of intoxicating substances.
  - Set out the rules regarding the use of intoxicating substances so that employees are aware of the likely consequences for their employment of misusing them.
  - Create a climate that encourages employees who may be misusing drugs or alcohol to come forward and seek help.
  - Provide a framework to enable instances of substance misuse by employees to be handled in an appropriate, fair, and consistent manner.
  - Achieve a balance between supporting employees who come forward with a problem.
    - the health, safety and welfare of employees and others with whom they come into contact.
    - The Trust and its academies' reputation(s).
    - the delivery of high-quality education to students.

### **3 Scope**

- 3.1** This policy covers the use and misuse of intoxicating substances, which include alcohol, solvents, legal and illegal drugs, prescription, and over-the-counter medicines and other substances that could adversely affect work performance and/or health and safety.

**3.2** This procedure applies to all employees (teaching and support staff) employed by the Heart of Mercia Multi Academy Trust who either have a permanent contract of employment or are fixed-term employees. It does not apply to employees subject to probation who are subject to separate procedures.

**3.3** The Heart of Mercia Multi Academy Trust also expects agency and casual workers, contractors, volunteers, and others working on its behalf to comply with this policy. Failure to do so is likely to result in the working arrangements being terminated.

## 4 Responsibilities

**4.1** The Heart of Mercia Multi Academy Trust is responsible for maintaining fair, consistent, and objective procedures for matters relating to the inappropriate use of alcohol or drugs.

**The Chief Executive** has overall responsibility for ensuring that these obligations are fulfilled. The Chief Executive delegates the day-to-day fulfilment of this duty to the Principals/Heads of the each HoM academy.

**4.2** The **Academy Principal/Head** has overall responsibility for the internal organisation, control, and management of their academy.

**4.3** The **members of the SLT** (senior leadership team) of the academy of the Trust have responsibility for the internal organisation, control, and management of their area of responsibility.

**4.4** **Managers in HoM academies** are required to:

- Be aware of the signs of alcohol and substance misuse and the effects on performance, attendance, and health of employees.
- Ensure the health, safety and welfare of employees and others with whom they come into contact.
- Ensure that staff understand the policy and are aware of the rules and consequences regarding the use of alcohol, drugs, and other intoxicating substances.
- Seek advice from the HR team on the approach to be adopted if the manager is aware of or suspects that an employee is misusing intoxicating substances.
- Treat such matters confidentially as far as is legitimately and legally possible. For example, it may be necessary in order to provide effective support for information to be shared with others, for example occupational health.
- Ensure that staff are aware of the support that is available to them should they have a problem.
- Monitor the performance, behaviour, and attendance of employees as part of the normal supervisory relationship.

- Intervene at an early stage where changes in performance, behaviour, sickness levels, attendance patterns are identified to establish whether alcohol or drug misuse is an underlying cause.
- Provide support and assistance, where appropriate and for a reasonable period, to staff who are dependent upon intoxicating substances to help their recovery.
- Instigate disciplinary measures where appropriate to do so under the HoM Staff Code of Conduct and the HoM Staff Disciplinary Policy.

#### 4.5 Employee responsibilities:

- To familiarise themselves with this policy and comply with its provisions.
- To present a professional, courteous, and efficient image to those with whom they come into contact at work. They therefore have a personal responsibility to adopt a responsible attitude towards drinking and taking prescribed and over-the-counter drugs.
- Employees are not permitted to possess, store, trade or sell controlled drugs on Trust premises or bring the Trust or its academies into disrepute by engaging in such activities outside of work.
- Employees are strongly encouraged to seek help if they have concerns regarding their alcohol or drug consumption. It is recommended that they approach either their GP, or their line manager in the first instance so that the academy of the Trust can arrange for the provision of appropriate support to help speedy rehabilitation, for example referral to the occupational health service, medical professionals, professional drug/alcohol treatment agencies.
- Employees are expected to co-operate with any support and assistance provided by the Trust and its academies to address an alcohol or drug misuse problem.
- Employees should not, even with the best of motives, 'cover up' for, or collude with, a colleague with an alcohol or drug-related problem but instead should encourage the individual to seek help.
- Where the individual concerned does not wish to come forward to seek help, and their colleague(s) genuinely suspect that the individual may be misusing drugs or alcohol, they have a responsibility to raise their concerns with the employee's line manager.

#### 4.6 At work:

- 4.6.1** Employees must report for work, and remain throughout the working day, in a fit and safe condition to undertake their duties and not be under the influence of alcohol or drugs.
- 4.6.2** Employees must notify their manager immediately should they be prescribed medication or plan to take over-the-counter medicines that may cause side effects that impair their ability to undertake their duties safely and effectively. This is particularly important if they occupy a post where it is not only their own personal safety but those of others that could be jeopardised.
- 4.6.3** Similarly, employees who experience side effects as a result of taking prescribed or over-the-counter medicines that impair their ability to perform their duties safely and satisfactorily must notify their line manager immediately.
- 4.6.4** Employees are not obliged to disclose the actual medical condition being treated nor the

medication – simply the impact/side effects.

- 4.6.5** Staff accompanying school or college trips must not consume alcohol.
- 4.7** Outside working hours: Intoxicating substances such as alcohol may remain in the system for some time and even small amounts can impair performance and jeopardise safety. Employees are personally responsible for allowing sufficient time for the intoxicating substance to leave their system before reporting for work.
- 4.8** Treatment: Paid sick leave for agreed treatment will be provided by the academy of the Trust.

## 5 Breaches of this policy

- 5.1** The Heart of Mercia Multi Academy Trust will adopt a constructive and supportive approach when dealing with employees who may be experiencing drug or alcohol dependency/addiction.
- 5.2** This means that employees seeking assistance for a substance misuse problem will not have their employment terminated simply because of their dependence/addiction.
- 5.3** However, if performance, attendance, or behaviour is unacceptable despite any support and assistance that can be offered, ultimately dismissal may be unavoidable.
- 5.4** Notwithstanding the above, there will be circumstances where breaches of the policy, whether dependency-related or not, will be treated as a disciplinary matter and may result in the summary dismissal of the employee. Examples of issues that will be subject to disciplinary action under the HoM Staff Disciplinary Policy, including the possibility of dismissal, are:
- deliberate disregard for personal safety and that of others associated with the use of intoxicating substances.
  - serious unacceptable behaviour in the workplace associated with the use of intoxicating substances.
  - being found incapable of performing normal duties satisfactorily and safely as a result of consuming alcohol or taking drugs.
  - possession, consumption, dealing/trafficking, selling, storage of illegal drugs either on work premises or engaging in such activities outside of work.
  - being disqualified from driving as a result of alcohol or drug-related offences (Employees required under their contract of employment to drive a vehicle).
  - making malicious or vexatious allegations that a colleague is misusing intoxicating substances.

This list is illustrative only and should not be regarded as exclusive or exhaustive. Any disciplinary action will be in all cases proportionate to the circumstances of the breach of the policy.

- 5.5** Where evidence warrants, Heart of Mercia Multi Academy Trust will inform the police of illegal drug use or any activity or behaviour over which there are concerns as to its legality. For example, it would be necessary to report criminal behaviour associated with alcohol abuse such as having a drink-driving accident in a work vehicle.

## 6 Equality Impact

The Trust's responsibilities towards promoting equality, diversity and inclusion have been considered when drafting this policy.

Date authored	Date agreed	LGBs	MAT Board	Review date	Comments
12/12/23	March 2024	Summer 2024	April 2024	March 2025	