



Misuse of Alcohol or Drugs Policy

The Office of the Police and Crime Commissioner (OPCC) is committed to the principles of equality and diversity. No member of the public or member of staff, volunteer or job applicant shall be discriminated against on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.

Introduction

1. The purpose of the policy is to provide for and protect public safety, protect our staff from the health risks associated with impairment caused by alcohol or drug misuse, and to ensure the organisational efficiency of the OPCC. The underlying principle is to prevent or treat alcohol or drug misuse and provide support and treatment for members of staff who have a self-declared alcohol or drug misuse problem. Specifically the OPCC aims to: -
 - Preserve and enhance the health, safety and welfare of all staff in matters relating to alcohol or drug misuse
 - Provide advice, assistance and guidance to staff affected by alcohol or drug misuse
 - Provide advice, assistance and guidance to Line Managers confronted by problems associated with alcohol or drug misuse by colleagues
2. Alcohol or drug related problems at work can result in increased health and safety risks not only for the individual concerned but also for others including work colleagues. These problems can also impact on work performance and increase instances of absence. As a result, the effects of alcohol or drug related problems can affect our ability to deliver high quality performance and service.
3. As an employer the OPCC takes responsibility for:
 - Offering support for individuals with an alcohol or drug misuse problem who acknowledge this, self-declare their problem and are prepared to undertake a rehabilitation regime
 - Defining action to be taken in respect of those who have, or who are suspected of having an alcohol or drug misuse problem
4. The OPCC wishes to emphasise the duty of care owed to staff and to demonstrate a desire to enhance public confidence in the service provided.

5. Alcohol or drug misuse can lead to impairment of judgement. It is recognised that alcohol or drug misuse is a health problem and that prevention is better than cure. However an isolated incident can have serious consequences, including loss of life.
6. The Health and Safety at Work Act 1974, clearly states that it is the responsibility not only of the employer but also the employee to protect themselves and others who may be affected by their actions. It is potentially a criminal offence to put others at risk by negligent acts or omissions.
7. Advice, education and training to prevent and to tackle alcohol or drug misuse is important. Increased staff awareness of the effects of alcohol and drugs and an understanding of likely symptoms of misuse will support prevention.
8. The OPCC will provide support and treatment for those individuals who self-declare an alcohol or drug problem.
9. Every case will be dealt with on its specific merits and will always involve a risk assessment to minimise the risk to the safety of our staff and the public.

RESPONSIBILITIES AND EXPECTATIONS

Responsibilities of Individuals

10. Staff who have an alcohol or drug misuse problem have a clear personal responsibility to acknowledge their condition and seek assistance.
11. Staff with alcohol or drug misuse problems should be encouraged to identify themselves, and should be assisted in seeking treatment.
12. Individuals have responsibilities towards themselves and their colleagues under Section 7 of the Health and Safety at Work Act 1974. This Act makes it the duty of every member of staff to take reasonable care of the health and safety of themselves and any other person who may be affected by their acts or omissions at work.
13. Once a problem is identified, staff are expected to co-operate with an agreed rehabilitation regime. Failure to co-operate may be dealt with under the misconduct, capability and/or unsatisfactory performance procedures.

Responsibilities of Colleagues

14. If a member of staff has reason to suspect that a colleague may be suffering from an alcohol or drug misuse problem they could try to persuade the individual to seek specialist advice and assistance. If this is not appropriate or if the individual will not seek help then the colleague should discuss the matter with their manager.

Responsibilities of Line Managers

15. Supervisors and managers are required to take action in relation to individuals about whom there is concern relating to alcohol or drug misuse.
16. If a member of staff admits to having an alcohol or drug misuse problem they must be advised of the help available to them. However well intended, it is inappropriate and could have serious consequences for a line manager to fail to act when a fellow member

of staff's work, performance or behaviour may be suffering as a result of alcohol or drug misuse.

17. Line Managers should refer to the Guidance Notes in the Appendix to this policy.

Workplace Testing

18. Workplace testing is testing for the presence of alcohol or drugs in the body, following an established procedure. Tests can only be requested by trained managers and only with the consent of the member of staff involved. A test can only be requested under one of the following circumstances:

- If an immediate workplace issue or incident occurs, where a trained manager has reasonable suspicion that alcohol or drugs could be the cause
- Where there is evidence suggesting that alcohol or drugs could have been taken
- Where there are visible signs that the member of staff could be under the influence of alcohol or drugs; or
- Immediately following a workplace incident where serious harm may have occurred as a result of human action or inaction, in order to establish if alcohol or drugs could have been a contributory factor

19. Line Managers should receive training on alcohol and drug misuse. Workplace testing can only be requested by managers who have undertaken training.

Appendix - Alcohol and Substance Misuse Policy Guidance Notes for Managers

These notes are supplemental to the Alcohol and Drug Misuse Policy. The guidance notes are to help managers identify anyone who may be misusing alcohol or drugs and give advice on how to deal with them.

The OPCC recognises regular substance misuse to be an illness and that the person requires treatment to help him or her to recover.

It is important that any person requiring help is identified at an early stage and encouraged to seek appropriate help, advice and treatment.

Identifying a Possible Problem

If an individual's work performance and/or conduct at work give cause for concern, the manager should follow the Disciplinary Policy and/or Capability Policy as appropriate.

Any discussions under either of these policies should be confined to work or behavioural issues unless there is clear evidence of a substance misuse problem, or the individual raises the matter her/himself.

If the individual admits to having a substance abuse problem they should be offered the opportunity of a referral to Occupational Health therapists.

There may be a need to adjust working hours to fit around appointments and treatment programmes.

Where an individual is unable to work or suitable working conditions are not available during treatment, the absence will be counted as normal sick leave. Where possible, medical certificates should be produced with the proviso that the cause may be vague due to the fairly wide circulation of these certificates.

If, after admitting to an alcohol or drug misuse problem, the individual refuses to undergo a treatment programme disciplinary, or further disciplinary, action may be taken.

Where the individual fails to successfully complete the recommended treatment, the manager will then need to consider further action in accordance with the Disciplinary and/or Capability Procedure.