

Alcohol and Drugs Policy and Procedures

Introduction

George Watson's College is fully committed to providing a safe and productive working environment for all its employees, pupils and visitors, and to supporting improved health and wellbeing for its staff, wherever possible.

Our school understands its responsibilities as a considerate and responsible employer, and recognises the potential issues that can be associated with alcohol and drug problems and misuse, including increased sickness absence, reduced work performance, accidents, and other potential implications for health and safety at work.

The School has therefore developed this policy and associated appendices to comply with relevant legislation, clarify expectations relating to alcohol and drugs at work, confirm our strategy and actions in relation to dealing with any misuse, and explain how staff who may be experiencing alcohol and/or drugs problems or dependency can access support.

Policy Aims

The Alcohol and Drugs Policy aims to:

- help protect employees and others by raising awareness of the problems of drug and alcohol misuse, including the risks and potential harm to health associated with the use of intoxicating substances
- create a climate that encourages employees who may be misusing drugs or alcohol to come forward and seek help
- set out the rules regarding the use of any intoxicating substances so that employees are aware of the likely consequences for their employment of misusing them
- provide a framework to enable instances of misuse by employees to be handled in an appropriate, fair and consistent manner
- ensure that employees' use of either drugs or alcohol does not impair the safe and efficient running of the school, or result in risks to the health and safety of themselves, other employees, pupils, the general public or any other person connected to the school
- comply with all relevant legislation in this area (i.e. as noted in this policy)
- achieve a balance between supporting employees who come forward with a problem and the overriding need to preserve the health, safety and welfare of employees and others with whom they come into contact, the school's reputation and the delivery of high-quality, effective services.

Scope

The Alcohol and Drugs Policy and associated Procedures apply to all teaching and support staff employed by George Watson's College.

The school 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.

Definitions

For the purposes of this policy and its appendices, alcohol, drugs and substance use is considered to cover:

- any drinking, drug taking (including illegal and controlled drugs, prescription and over-the-counter medicines) or use of other harmful substances (including solvents and so-called "legal highs")
- either on an intermittent or continuous basis
- which adversely impacts the user either mentally or physically, and
- which impairs their work capability and performance, adversely affects their own health and safety or that of others, social functioning, or general conduct in the workplace.

Data Protection

When managing an employee's absences, behaviour, or performance, or any other employee issues relating to alcohol and/or drugs in the workplace (e.g. accidents) the School processes personal data collected in accordance with its Data Protection Policy. Data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of managing such absences and other relevant and associated processes.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the School's Data Protection Policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the School's disciplinary procedure.

Relevant Legislation

The following legislation is relevant in relation to the School's Alcohol and Drugs Policy:

- Health and Safety at Work (etc) Act 1974
- The Management of Health and Safety at Work regulations 1999
- Misuse of Drugs Act 1971
- Road Safety Act 2006
- Road Traffic Act 1991 (as well as subsequent amendments and associated regulations)

Other Relevant Policies

- Capability Policy
- Code of Conduct for Staff and Volunteers
- Disciplinary Policy
- Health and Safety Policy
- Health and Wellbeing Policy
- Sickness Absence Management Policy

Effective Date

The Alcohol and Drugs Policy and associated procedures are effective from **November 2022**.

Approval and Review

The Head of Human Resources is the owner of this policy.

The Alcohol and Drugs Policy has been approved by the Staff Committee of the Governing Council, following endorsement by the Principal's Leadership Team and ICE Committee.

In line with the agreed schedule, the School will review the Alcohol and Drugs Policy at least every two years, or as soon as practicable after any change of relevant legislation, to ensure that the policy and associated procedures continue to comply with current employment legislation and to meet the School's operational needs.

Date of next review: Summer 2024

Appendices

Appendix 1 - Roles and responsibilities

Appendix 2 - Procedures for managing alcohol and drugs at work

Appendix 3 - Recognising signs of alcohol/drug misuse

Appendix 4 - Sources of support, guidance, and advice

Appendix 1

Roles and Responsibilities

Employees of George Watson's College (and all others in scope of this policy):

- are required to familiarise themselves with this policy and associated procedures and comply with their requirements
- are expected to be courteous and professional to those with whom they come into contact at all times, including colleagues, pupils, and parents, and as such, must always attend work and remain in a fit and safe condition to undertake their role, and not be under the influence of alcohol or drugs. (This also includes any time when an employee is “on call”)
- must not consume alcohol or drugs at any time while at work, including during rest or meal breaks spent at or away from school premises, other than taking prescribed medication or over-the-counter remedies or reasonable drinking at authorised school events (please see Appendix 2 for more information)
- must notify their line manager if they are prescribed medication or are required to take over-the-counter medicines that may cause side effects and impair their ability to undertake their duties safely and effectively. (*NB: Employees are not obliged to disclose the actual medical condition being treated, nor the medication – simply any impact/side effects in relation to safe working*)
- are not permitted to possess, store, trade or sell illegal or controlled drugs on school premises or bring the organisation into disrepute by engaging in such activities outside of work. (The only exception regarding the possession of controlled drugs would be where an employee has a valid prescription, or is otherwise lawfully in possession of them, for example, when managing a confiscation situation)
- are strongly encouraged to voluntarily disclose concerns about their own alcohol or drug consumption or dependencies so that the School can offer them any appropriate support in the workplace
- are encouraged to seek professional help, as well as the School's support, if they have concerns regarding their alcohol or drug consumption
- are expected to cooperate with any support and assistance provided by, or required by, the School to address an alcohol or drug misuse problem
- 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 Head of Department/line manager, their own Head of Department/line manager, or Human Resources.

Heads of Department/Line Managers are required to:

- be aware of the signs of alcohol and substance misuse and the potential effects on performance, attendance and health of employees in their team (refer to Appendix 3 for additional information)
- ensure the health, safety and welfare of all employees and others with whom they come into contact
- ensure that staff understand the policy and procedures, and that they are aware of the rules and potential consequences regarding the use of alcohol, drugs and other intoxicating substances
- 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 all employees in their team as part of the normal management relationship
- investigate with an employee, at an early stage and with sensitivity, where changes in their performance, behaviour, sickness levels, attendance patterns are identified to establish the underlying cause and determine whether alcohol or drug misuse is an issue
- provide any agreed support and assistance in school (where appropriate and for a reasonable period) to an employee in their team with an identified alcohol or drugs problem to help their recovery
- instigate and progress disciplinary procedures where it is found to be the appropriate course of action

- acknowledge the limits of the manager's role. They are not expected to diagnose, counsel or treat staff with a problem themselves, just help the employee access any necessary support and manage them at work.

Where a manager is aware, or suspects, that an employee is misusing alcohol, drugs or other intoxicating substances they are strongly advised to seek advice from Human Resources on the approach to be adopted at the earliest opportunity. Such matters will be treated confidentially as far as is legitimately and legally possible. (e.g. it may be necessary in order to provide effective support for information to be shared with others, including Occupational Health, the Police, other support agencies).

Human Resources:

- will provide general HR advice and guidance to line managers and staff in relation to any alcohol, drugs or other substance misuse queries or concerns
- will provide tailored HR advice in relation to individual cases of alcohol, drugs or other substance misuse or concerns
- will liaise with the School's Occupational Health provider or other appropriate agencies and external support providers, as required, to help organise and/or support any employee's referral, treatment or recovery
- will ensure that all employees are fully aware of the sources of help and support that are available to them, including the Employee Assistance Programme
- support Heads of Department, line managers and/or senior staff at meetings, formal hearings or appeals in relation to addressing sickness absence management, disciplinary, capability and/or underperformance issues
- support line managers and/or senior staff to confirm in writing the various outcomes of possible processes, as required (i.e. confirmation of written warnings, termination of employment).

Appendix 2

Procedures for managing alcohol and drugs at work

The Health and Safety at Work etc Act 1974 places a duty of care on the school to ensure the health, safety and welfare of all its employees. The Health and Safety at Work Act also places a duty of care on all employees to consider their own health and safety and that of their colleagues. This duty includes the need to address issues of alcohol and drug misuse in order to protect our employees, their colleagues, pupils and members of the public.

The aim of this policy and specifically these associated procedures is to provide a positive and constructive approach to dealing with the misuse of alcohol and drugs and their effects in the workplace, by encouraging early identification of alcohol and drug related problems and offering support to employees through a range of options, whilst also ensuring appropriate standards of attendance, conduct and performance are always maintained.

The School does not generally consider it appropriate to interfere in an employee's personal life, unless it impacts on their work or the reputation of the school; the following procedures therefore relate to employment.

Section 1: Alcohol, Drugs and Intoxicating Substances in school

Staff and others in the scope of the Policy must ensure that they are always fit to carry out their duties safely and effectively, free from the effects of alcohol, drugs or other intoxicating substances in school and all other relevant working environments (e.g. at external meetings and on school trips).

The consumption or use of alcohol, drugs or any other intoxicating substances is **forbidden** during working hours, subject only to the **TWO** exceptions specifically detailed below:

Medicines taken in line with a valid prescription or dosage instructions

Employees are allowed to take prescribed medicines for health conditions and over the counter remedies (i.e. headache tablets, hay fever remedies, cough medicines, etc) as necessary at work and in line with the recommended and correct dosage.

However, many over-the-counter medical remedies and prescription drugs can have side effects which can impair an individual's performance and ability to carry out their work in a safe manner. Employees have a responsibility to check with their GP or pharmacist whether any prescription or over the counter medication they are taking has the potential to cause any such impairments and should inform their line manager accordingly. The manager must then adjust the employee's duties to ensure the safety of the employee and others. (For example, the employee should not drive or operate machinery if they are taking medication which may cause drowsiness).

Alcohol is served at work-related events

Occasionally, and always with the express permission of either the Principal or a relevant PLT member, alcohol may be served at social events, e.g. the Annual Staff Dinner, S6 Leavers' Ball etc. On such occasions, employees are expected to drink responsibly and behave professionally at all times. Members of staff must not drink at times when they have direct responsibility for pupils.

Non-alcoholic drinks will always also be made available .

Section 2: Immediate management of staff under the influence of alcohol or drugs

Alcohol, drugs or substance related issues will normally fall into one of two distinct categories:

- **Conduct related issues:** e.g. an overindulgence in alcohol, or the use of drugs and/or substances, which results in unacceptable or even dangerous behaviour at work. (This may possibly be a one-off situation).
- **On-going Health related issues:** e.g. when an employee's usage of alcohol, drugs or substances repeatedly interferes with their health and/or ability to do their work.

In either case, any breach of this policy may be deemed to be of a serious nature and a potential act of gross misconduct, and as such, may result in action being taken, up to and including dismissal, as detailed in the School's Disciplinary Policy. Examples of issues that will normally be subject to disciplinary action are:

- deliberate disregard for personal safety and that of others associated with the use of intoxicating substances
- unacceptable or abusive 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.

(NB: This list is not exhaustive)

Where an employee is suspected of having consumed alcohol, drugs or other substances that affect work performance or result in unacceptable behaviour, the line manager/Head of Department or other appropriate senior manager/PLT member will need to take **immediate action**.

Where there is a reasonable belief that an employee is at work under the influence of alcohol, drugs or substances, the following process should be followed:

- Immediately remove the employee from the work area and any potential risks. Speak to the employee to determine if they have consumed any alcohol, drug or any other substance
- If it is suspected that the employee is under the influence of alcohol, drugs or any other substance, then you should inform them that you suspect that they are under the influence and as a result you are removing them from their work and sending them home with immediate effect
- If the employee is to be sent home, then consideration should be given to their ability to return home safely. If necessary, they should be accompanied home to ensure their safety
- Record what happened, including any eye witness statements that can confirm the employee is/was under the influence of alcohol, drugs or other substances
- Discuss with Human Resources and, in consultation, investigate the matter as soon as possible in accordance with the School's disciplinary procedure, including speaking with the employee when they are fit to return to work
- Consideration should be given to suspending the employee as appropriate and if the circumstances warrant it. No employee should be suspended without prior consultation with Human Resources.

However, if it is subsequently established that the employee is not under the influence and there are no other concerns, then they should return to work, but the line manager should ensure that the employee is closely monitored (i.e. either by themselves or other relevant supervisor/colleague) in case their condition deteriorates or medical attention is required.

If the manager/PLT member has cause to suspect criminal activity or failure to meet necessary professional standards (e.g. teaching) related to the alcohol, drugs, or other substance misuse, they must seek advice from Human Resources on reporting these suspicions to the police or the General Teaching Council for Scotland (GTCS).

If the employee discloses that they have an on-going alcohol or drug problem and is willing to seek and accept help, the employee will be appropriately supported and managed (as noted in Section 4). If the fact-finding investigation confirms there may be a disciplinary case to answer and where an alcohol or drug problem is disclosed, disciplinary action may be suspended while the employee seeks professional help. However, where misuse of alcohol or drugs involves gross misconduct, disciplinary action will not normally be suspended.

No part of this policy will override the School's Code of Conduct for Employees or any employment-related professional code of conduct.

Section 3: Disclosing or identifying a drugs or alcohol problem

The School would always strongly encourage employees to come forward themselves and to seek help as soon as possible if they think that they have a drug or alcohol misuse or dependency problem. If they recognise that they have a problem, they can speak to their line manager, a senior manager, or Human Resources, **in confidence**, and

the school will endeavour to provide as much support to the employee as possible, including encouraging them to seek the most appropriate professional advice and/or treatment.

Although an alcohol or drugs problem may be voluntarily disclosed by an employee themselves, it could also be identified by their line manager/Head of Department, other manager, Human Resources, or a concerned work colleague. In these situations, a meeting should be arranged with the employee as soon as possible to discuss these concerns. The manager should give examples of when the employee's attendance, behaviour and/or performance has been a cause for concern and sensitively ask if these are due to an underlying problem with alcohol or drugs. This meeting may be the point where a drug or alcohol misuse or dependency problem is confirmed.

Alternatively, an alcohol or drugs problem may be disclosed or identified in the course of a formal disciplinary, performance management, or sickness absence process.

Section 4: Managing an alcohol or drug related problem in the workplace

When employees have volunteered information about a dependency themselves, or problems related to alcohol or drugs have been identified and confirmed (e.g. in a medical fit note or following discussion with their line manager), the individual and situation will always be treated as sensitively and confidentially as possible. However, depending on the circumstances, it may be necessary to involve other key personnel (e.g. Human Resources, nominated work colleagues) as appropriate.

Irrespective of how the School becomes aware of an employee's alcohol or drugs problem, once it has been disclosed or identified, decisions on any subsequent support, actions or management of the situation will always be taken based on an examination of all the circumstances of the individual case. Depending on the situation, possible support may include making a referral to the School's Occupational Health provider, completing an individual risk assessment (particularly if the employee's role involves dealing with pupils, or safety critical duties such as driving, clinical duties, operating machinery etc), or guiding the employee towards the most appropriate external sources of support, counselling or treatment. However, action may also involve the employee being managed through the School's Disciplinary, Capability Management, or Sickness Absence Management processes.

Referral for counselling or treatment will not normally affect the employee's current job role unless it is considered that they are unfit to fulfil their contractual duties, there is an issue relating to their own or others' health and safety, or if their current duties conflict with the long-term resolution of their drug or alcohol problem. The School will always be as supportive as possible of employees who have taken steps to address an alcohol or drugs problem (e.g. by agreeing to some reasonable time off with pay during the working day to attend counselling and/or treatment, altering their work duties for a specified period of time etc). A programme of support/treatment does not remove the requirement for employees to be able to competently undertake the contractual duties of their post free from the adverse effects of alcohol or drugs.

Depending on the individual circumstances, if an employee attributes either misconduct or performance problems to alcohol or drug dependency during a Disciplinary, Capability Management, or Sickness Absence Management meeting, formal action may be put on hold pending a referral for assessment and/or an appropriate programme of treatment, or the management procedures and professional support may run concurrently. However, in situations where gross misconduct is alleged, or has been established by an initial fact-finding investigation, the admission of an alcohol or drug dependency during the Disciplinary process will not normally result in formal action being suspended.

Where a misuse or dependency issue is strongly suspected, but the employee either denies that their alcohol or drug use is the cause of their problems or they decline to accept the School's offers of support (e.g. an Occupational Health assessment or time to attend a programme of treatment), it will be made clear to the employee that the School will have to manage their attendance, performance or behaviour without the additional support and/or understanding available through this policy, and that this could result in action being taken as a result of these procedures up to and including dismissal.

Further guidance on any aspect of supporting employees to manage their drug or alcohol problem, the day-to-day management of staff, or the formal processes which may be required is always available from the Human Resources Team.

Section 5: Code of Conduct for Staff and Volunteers

In certain circumstances, a dependency on, or misuse of, alcohol or drugs may result in behaviour which is considered to be criminal in nature and/or lead to an employee being arrested, charged with, or convicted of a crime (e.g. breach of the peace, drink driving, criminal damage, assault, etc).

As previously noted, no part of this policy or associated procedures will override the School's Code of Conduct for Employees and Volunteers or any employment-related professional code of conduct. Employees are therefore reminded of the reporting obligations they have in relation to criminal charges and convictions set out in the Code of Conduct, and the possible consequences of not following those required reporting procedures.

Appendix 3

Recognising signs of alcohol, drugs and substance misuse

To help individuals, line managers/Heads of Department, and work colleagues, various agencies (including the Health and Safety Executive) offer information about some of the signs to look out for which may **potentially** indicate that a person is experiencing problems with alcohol, drugs or other substance abuse.

The following signs, especially in combinations, may indicate that a person has an on-going alcohol or drug-related problem:

- absenteeism, including persistent short term absences, excessive sickness levels, instances of unauthorised absences (with or without explanations), frequent Friday/Monday absences, etc
- poor time keeping, such as leaving work early, lateness at the start of the working day or returning from lunch/breaks
- reduced work performance, including work requiring increased effort, standard tasks taking longer to complete, problems remembering instructions, increased mistakes
- abnormal fluctuations in concentration and energy
- deterioration in general physical appearance and wellbeing, lack of concern about appearance/personal hygiene
- physical signs of being intoxicated, including slurred speech, smelling of alcohol, stumbling or having difficulty maintaining balance, etc
- other physical signs, including lethargy, headaches, weight loss/gain due to affected appetite, sweating without physical exertion, disrupted sleep/insomnia, etc
- increased accidents at work or elsewhere (e.g. at home, when driving)
- sudden mood swings, unusual irritability, withdrawn behaviour or aggression.

However, please be aware that some of these signs can be caused by a number of other health conditions or work related factors (e.g. stress, capability related issues, etc), and so they should be regarded only as indications that an employee **may** be misusing alcohol or drugs.

Appendix 4

Sources of support, guidance and advice

There are many sources of help, support and information if you are concerned about your own use and experiences of alcohol, drugs and other substances. We have gathered some of these resources and their contact details here for your information.

NHS Scotland <https://www.nhsinform.scot/healthy-living/alcohol/help-and-support>

Drinkline is the UK national alcohol helpline. If you are worried about your own or someone else's drinking you can call this free helpline in complete confidence. **Call 0300 123 1110** (weekdays 9.00am to 8.00pm, weekends 11.00am to 4.00pm). You can also call **Drinkline Scotland** on 0800 731 4314 or use their online Drinkchat function (weekdays 9.00am to 2.00pm).

Drinkaware: <https://www.drinkaware.co.uk/>

Alcohol Focus Scotland: <https://www.alcohol-focus-scotland.org.uk/>

Alcoholics Anonymous: <https://www.alcoholics-anonymous.org.uk/>

Alcoholics Anonymous National Helpline: 0800 917 7650 (live chat function also available via the website)

Know the Score is a website provided by the Scottish Government offering very comprehensive advice, guidance, support and resources relating to drug use and misuse in Scotland. The website offers a live chat facility, telephone helpline, links to local support agencies and information on what to do in an emergency situation.

<https://knowthescore.info/>

Know the Score Drugs Helpline: 0333 230 9468 (weekdays 9.00am to 9.00pm, weekends 10.00am to 4.00pm)

Talk to FRANK is a UK national website that provides a huge range of information about all kinds of drugs, alcohol, substances and "legal highs". Like **Know the Score**, FRANK offers information about what to do in an emergency situation, and links to other sources of help and advice. <https://www.talktofrank.com/>

Helpline: 0300 123 6600

Narcotics Anonymous: <https://ukna.org/>

Narcotics Anonymous National Helpline: 0300 999 1212 (10.00am - midnight)