



ALCOHOL, SUBSTANCE & SMOKING POLICY



CHANGES

November 2011: Policy Implemented

October 2015: Smoking and smoking of electronic devices added to policy and definition of misuse clarified.

October 2017: Local amendment following advice from LA Early Years concerning New Psychoactive Substances.

If you have any questions regarding this policy, please contact your HR Adviser.

This model policy has been written with maintained status in mind. If this model is to be adopted by schools with Trust, Foundation or Voluntary Aided status reference to the “Local Authority” need to be replaced with the “Governing Body” Controlled.

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1 PURPOSE

To set out how to deal with instances of alcohol and drugs misuse at work.

2 POLICY STATEMENT

Plymouth Nursery Schools Federation: Ham Drive Nursery School and Day Care and Plym Bridge Nursery School and Day Care is committed to the promotion of good health amongst its employees. However, it recognises that there are health risks, performance, and legal issues associated with drug, alcohol and other substance misuse. The policy sets out how the school will deal with instances of misuse.

3 SCOPE

The policy applies to all employees at the school. The guidelines in the policy will be applied to all employees equally.

4 A DEFINITION OF 'MISUSE'

The policy refers to misuse of substances, which continually, repeatedly, or intermittently adversely affect the employee's work performance, their health and safety, and/or the health and safety of colleagues/others in the workplace. For the purpose of this policy, drug *misuse* refers to the intentional taking of an illegal substance, the use of a legally held drug for purposes for which it was not intended, or intentionally using that drug in excessive quantities.

Whilst not practical to give a comprehensive list of substances open to misuse in this policy, those most commonly misused would be alcohol, drugs, (both prescription and illegal and to include new psychoactive substances (which were formally known as legal highs) which are capable of producing a psychoactive effect in the person who consumes them. The Psychoactive Substances Act 2016 makes drugs formally known as legal highs illegal) and solvents.

The policy may also be considered useful guidance for dealing with issues such as eating disorders and self-harm.

5 AIMS

The policy aims:

- To raise the awareness of employees about the effects and risks of misuse of alcohol, drugs and other substances.
- To make informal and formal assistance and support easily available for employees with misuse problems.
- To offer support to Headteachers and Governors, and provide clear and comprehensive guidelines for their action when dealing with issues which arise from the misuse of alcohol, drugs or other substances when these affect the working environment.
- To ensure that the school fulfils its legal obligations.

6 INTRODUCTION

The misuse of alcohol, drugs and other substances can have a serious consequence in the work place, especially when this misuse impairs the professional ability of employees, some of whom may have others in their care.

The school has an obligation to ensure that its employees fully understand:

- What behaviour is deemed to be unacceptable in the work place e.g. arriving at work under the influence of alcohol or drugs or going to a meeting, or meeting students, parents etc. whilst smelling of alcohol.
- Possession of illegal drugs at work.
- The availability of help, support and advice if needed, and how to access this.
- How issues will be dealt with by the school
- How this policy relates to otherschool policies and procedures, e.g. managing attendance, disciplinary etc., and when these will be applied.

7 GENERAL POINTS TO NOTE ABOUT THE POLICY

Consumption of Alcohol/Drugs

Employees should be aware that they have a personal responsibility to ensure that they are fit for work.

An employee who is unfit to carry out their duties because of the effects of alcohol/drugs/other substances will be subject to disciplinary action.

In view of health and safety and other legal implications, employees should avoid drinking alcohol before starting work, and during working hours.

It is a criminal offence to drive/attempt to drive whilst under the influence of drugs or alcohol.

Some employees may also have codes of conduct defined by their professional organisations, and these should be followed in addition to guidance contained in this policy.

Consumption of Alcohol during working hours/drinking of alcohol on school premises

The consumption of alcohol is generally not permitted during working or duty hours whether or not this is on school premises.

There may be occasions, at the discretion of the Headteacher, when the strictly limited consumption of alcohol is approved during working hours e.g. a leaving party for a colleague.

Lunchtime Drinking

The occasional limited consumption of alcohol during lunch breaks is recognised. Employees must ensure they are fit to carry out their duties upon return to work.

Alcohol on Premises

It is recognised that on occasions there may be reasons why unopened containers of alcohol will be on school premises e.g., purchasing a bottle of wine at lunchtime for accompanying a meal at home later that evening, raffle prizes in a draw, gifts for colleagues.

It will not therefore be a disciplinary offence for an employee to have alcohol on school premises although it must be stored in a secure area.

Criminal Activity

The police will be informed in all cases where there is evidence to suggest that contravention of the law has occurred in the workplace.

If, as a result of the police being informed, criminal charges are made against the employee, the outcome of this will normally be considered before proceeding further with disciplinary action.

Confidentiality

The names of employees, who inform the school of suspected drug or alcohol misuse/misuse at work, will be kept confidential.

Asking for help is sometimes the first step in admitting that there is a problem. There is however a fine balance between maintaining total confidentiality, and dealing practically with work place alcohol, drugs and other substances misuse.

On some occasions it may be necessary to involve others in the discussion about how employees remain in the work place whilst support, treatment etc. are on-going. Employees will always be consulted about this and will be supported and encouraged to discuss issues with the relevant people.

Every effort will be made to assist those seeking advice, assistance or treatment to remain in work.

Employees should always use existing internal procedures initially to report instances of the above.

8 RECOGNITION

Literature about alcohol/drugs or other substance misuse is available from the occupational health service. Headteachers and employees may wish to contact OH direct regarding signs of alcohol/drug misuse

Drugs and alcohol affect the brain and body in many ways. This can influence a person's behaviour and performance at work, even if the misuse takes place outside of the workplace.

It should be noted however, that certain signs may be caused by other factors such as stress or a medical disorder.

9 SEEKING HELP FOR YOURSELF

General Information

Employees worried about the effect of alcohol/drugs/other substances on their health and/or working life have several options open to them if they wish to seek help.

Every effort will be made to assist those seeking advice, assistance or treatment to remain in work.

Employees will be granted appropriate time off, without pay, for treatment and counselling etc. Absence will be treated in accordance with existing sickness procedures as in the managing attendance relating to sickness absence policy, or other leave as appropriate.

External Help

For those who do not wish to seek help in the work place a list of external agencies is available direct from occupational health

Internal Help

Employees may seek internal advice and assistance from

- Their Headteacher.
- Occupational Health.
- A schools HR Adviser.
- Employees may also wish to seek advice/help from their Trade Union or professional association.

From Your Headteacher

If you are an employee seeking help because your working life is affected by alcohol, drugs or other substances you can contact your Headteacher for advice and assistance.

Your enquiries will be kept confidential, but it may be that reference will need to be made to other services e.g. occupational health service. This is because they have professional expertise in dealing with these issues. This will not happen without your knowledge.

You will also receive details of the external help available.

In order that occupational health has background information Headteachers or managers will complete an occupational health referral form when referring employees. This information will be identified as 'medical in confidence'.

From a Schools HR Adviser

Schools HR Advisers can provide information about internal and external help and support.

Enquiries will be kept confidential, but if work related issues arise, it may be that the relevant Headteacher will need to be involved e.g. in discussion about how work is structured, leave and time off arrangements. This will not happen without your knowledge.

10 COLLEAGUES WORRIED ABOUT ANOTHER EMPLOYEE

Introduction

Employees may be concerned about the consequences at work of a colleague's suspected or known misuse of alcohol, drugs or other substances.

Each employee has a responsibility for their own health and safety and that of others at work. If another employee's actions or behaviour compromise health and safety, this should be brought to the attention of their Headteacher, or schools HR Adviser.

In extreme cases, where there is obvious danger to self or others, e.g. a colleague is driving or operating machinery under the influence of alcohol, this must be brought to the attention of the Headteacher so that immediate action can be taken to prevent breaches of health and safety or injury, or damage etc., occurring.

Expressing Concern

Employees with concerns about colleagues are encouraged to talk to the individual. This should be done in a private, confidential and non-judgmental way as this is a very difficult area, and great care must be taken to avoid causing distress or offence to colleagues.

Employees may prefer to outline the reasons for their concern to their Headteacher. The occupational health service can also offer help and support to employees worried about a colleague.

The identity of those disclosing information in this way will remain anonymous unless agreed between all parties.

11 HEADTEACHER BECOMING AWARE THERE IS A PROBLEM

Introduction

There are several ways in which Headteachers can become aware that an employee may have a drug or alcohol misuse problem; e.g. confidential information from another employee, a request for help from the individual concerned, observation by the manager, complaint from a customer.

Headteachers have a duty of care towards those for whom they are responsible at work. This includes safeguarding the health and safety of those in the workplace, as well as supporting employees at work.

If approached by an employee requesting help

- Explain this policy and procedure, and the possible consequences if work is affected.
- Never ignore a potential risk to health and safety e.g., if an employee seeks help in dealing with their drug addiction problem and their job involves driving duties. You may need to consider, in consultation with your schools HR Adviser and occupational health

the temporary reallocation of duties, or even suspension from work until further medical or other expert advice can be obtained.

- Advise the employee to contact the occupational health service, or the schools HR Adviser as soon as possible, helping to arrange the appointment if necessary. This ensures that confidential professional and medical advice can be given.
- If you do advise an employee to contact the occupational health service, you must complete an occupational health referral form. This will ensure that the occupational health service have some details about the circumstances of the referral.
- Make a note of the conversation and the advice you have given. Date and sign it. Keep this confidential.
- If you have any concerns that health and safety may be breached, or that a criminal offence may occur, you must take action. You should consult with your schools HR Adviser in the first instance.

Review

After 2 weeks speak with the employee to ensure that contact with the occupational health service or schools HR Adviser has been made.

If this contact has not been made, speak with the employee to find out why not. If the employee does not wish to use the internal help available, they should be reminded of where to get external help. Keep a confidential written note of the conversation. Date and sign the note.

Work Performance Affected

If an employee's work performance is affected, the procedure contained in the schools Capability policy should be followed.

Under the managing attendance policy reviews are generated by various triggers when sick leave is taken. Those with alcohol/drug misuse problems may also come to notice under this policy.

If there are no immediate health and safety concerns this should be dealt with as a performance issue initially. Further action will be dictated by the seriousness of the issue and the outcome of any meeting to discuss performance.

NB. Remember confidentiality if another employee has expressed concerns/provided information.

12 EMPLOYEES UNDER THE INFLUENCE OF ALCOHOL/DRUGS/OTHER SUBSTANCES

It is a disciplinary offence for an employee to be unfit for work because of the influence of alcohol, drugs or other substances.

Any employee who becomes aware that another employee is under the influence of alcohol, drugs/other substances, must inform the Headteacher or Senior Manager immediately. The Headteacher/Senior Manager should then seek support and advice from their schools HR Adviser, or another senior member of staff.

The following steps should be considered:

- Obtain medical attention/advice if necessary e.g. if there is any doubt that the person is ill, rather than under the influence of alcohol/drugs.
- The employee should be sent home, or assisted home if necessary.
- A full investigation will always be carried out.
- Information can be obtained from others e.g. witnesses.

Headteachers should never attempt to formally interview someone who is obviously under the influence of alcohol/drugs or other substances. Written records of the incident must be made as soon as possible afterwards.

There may be occasions, where because of the serious nature of the incident, e.g. if gross misconduct, suspension from work (with pay) is considered. This action should not be taken without the advice of the schools HR Adviser. If disciplinary action is necessary, this will be in accordance with the school's disciplinary procedure.

If an accident at work has occurred managers should ensure this has been properly reported in line with health and safety advice. Headteachers have an obligation to take action when employees are not fit for work, and must never ignore the situation.

13 SMOKING

The Health and Safety at Work Act 1974 places a duty on employers to provide a safe working environment, without risks to health. In accordance with current legislation, the school is a non-smoking environment and this applies to all without exception.

14 SMOKING OF ELECTRONIC DEVICES

The school has a responsibility to protect the indoor and outdoor air quality, contributing to the well-being of all children, employees, visitors and volunteers. As a result, vaping is prohibited in all areas within the school grounds, including the playgrounds, without exception. This includes the use of e-cigarettes, e-cigars, e-hookahs and e-pipes*. The recharging of such electronic devices should not be done on school premises. The long term health effects of using E-cigarettes is still unknown and **PLYMOUTH NURSERY SCHOOLS FEDERATION: HAM DRIVE NURSERY SCHOOL AND DAY CARE AND PLYM BRIDGE NURSERY SCHOOL AND DAY CARE** are committed to supporting the health and well-being of all those on the school premises.

Please visit <http://www.nhs.uk/smokefree> for help and guidance on how to stop smoking.

*This list is not exhaustive

I can confirm that the governors of **PLYMOUTH NURSERY SCHOOLS FEDERATION: HAM DRIVE NURSERY SCHOOL AND DAY CARE AND PLYM BRIDGE NURSERY SCHOOL AND DAY CARE** have adopted this policy as their own.

Signed: Chair of Governors

Date: 18th November 2020

Policy review schedule: 3 yearly.

This policy will next be reviewed: November 2023.