



## Alcohol and Substance Misuse Policy

Date approved:	July 2013
Approved by:	NCG Executive
Review date:	July 2018
Responsible Manager:	Head of Human Resources
Executive Lead:	Group Director (HR and Corporate Services)
Accessible to Students:	No

### 1. Consultation

Consultation undertaken with:

- |                                |     |
|--------------------------------|-----|
| • Newcastle College            | Yes |
| • Group Services               | Yes |
| • Newcastle Sixth Form College | Yes |
| • West Lancashire College      | Yes |
| • Intraining                   | No  |
| • Rathbone                     | No  |

### 2. Applicability of Policy to Organisation

This policy applies to:

- |                                |     |
|--------------------------------|-----|
| • Newcastle College            | Yes |
| • Group Services               | Yes |
| • Newcastle Sixth Form College | Yes |
| • West Lancashire College      | Yes |
| • Intraining                   | No  |
| • Rathbone                     | No  |

### 3. Scope and Purpose of Policy

This procedure does not form part of staff contracts of employment nor does it confer any contractual rights. It applies to any member of staff employed by Newcastle College, NCG Group Services, Newcastle Sixth Form College and West Lancashire College under a Contract of Employment. This procedure does not apply to independent contractors working for NCG.

The aim is to give employees as much freedom as possible in how they deliver their work. However, in order to safeguard everyone's interest, it is necessary to have rules and a framework of policies and procedures. NCG and its Divisions aim to ensure that there will be a fair and systematic approach to the enforcement of standards of performance, conduct and attendance at work for a number of reasons:

- So that everyone is treated fairly and consistently.
- So that everyone is treated equally regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- So that if an alcohol or substance misuse situation occurs, everyone knows what to do and what will happen.

#### **4. Policy Statement**

NCG is committed to the safe and efficient delivery of its services, to promoting health and wellbeing of its employees and to the provision of a safe working environment. NCG will promote a culture where alcohol and substance misuse is discouraged.

#### **5. Equality and Diversity Statement**

In accordance with NCG procedures an equality impact assessment has been undertaken for this policy on 3 April 2013.

#### **6. Linked Policies**

Health and Safety at Work Policy  
Disciplinary Policy

#### **7. Linked Procedures**

Health and Safety at Work Procedure  
Disciplinary Procedure

#### **8. Location and Access to the Policy**

The Policy can be accessed:

- Newcastle College & Group Services Intranet – College Information: College Policies & Strategies
- West Lancashire College Intranet – Performance & Standards/HR/Policies and Procedures

If employees have no access to the Intranet, contact their Human Resources Department.

## **9. Person Responsible for the Policy**

The Head of Human Resources.

## **10. Variations**

With the Divisions of NCG to which this policy applies , the only variation relates to employees who work within the Rail Academy who are involved in the delivery of safety critical training. These employee are subject to additional drug and alcohol testing in line with the legal regulations for the Rail Industry.

Intraining and Rathbone have separate arrangements which reflect their structure

# **Alcohol and Substance Misuse Procedure**

## **Introduction**

In society the use of alcohol, solvents or other drugs may be a feature of recreational and social life for many people. However, it must be recognised that the use of any of these substances can result in impaired judgement, loss of concentration and mood changes. It can also incur a neglect of general health and wellbeing, reduce productivity and could result in accidents and threaten the safety of the working environment.

## **Scope**

This procedure covers the use of alcohol, solvents and illegal drugs which are not used for a specific medical condition. The procedure does not cover the use or misuse of substances regulated by COSHH (Control of Substances Hazardous to Health) as these are covered by specific Health and Safety procedures.

## **Definition**

NCG defines abuse as the use of alcohol, solvents or other substances without, or in disregard of, medical advice or prescription. Consequences of this could be a potential to harm the individual, other people and the environment. Such conduct could affect safety within NCG, staff relationships, and bring the College into disrepute.

## **Misconduct**

It is a criminal offence to possess, supply or produce illegal drugs, except when possession is prescribed by a medical practitioner.

Where it is found that an employee brings onto NCG premises or estate any alcohol, solvents, substance or equipment which could be used for substance abuse or consumption at work, this will be dealt with under the Disciplinary Procedure. Such actions would be regarded as an act of gross misconduct and may lead to the termination of employment.

## **Staff Responsibilities**

All members of staff are required to promote and adhere to this Policy and Procedure. All staff have a responsibility to take appropriate steps to prevent the use of controlled drugs, alcohol and abuse of solvents on NCG premises.

## **Pre-Employment Screening**

As part of the standard recruitment procedure, prospective employees are required to complete a pre-employment medical questionnaire. This is to

enable NCG to meet its duty of care obligations and identify if any reasonable adjustments are required for a candidate to perform the job.

Any offer of employment is conditional upon the individual fulfilling medical criteria for fitness to work. Dependant on the nature of the job a person is applying for, if it is safety critical, for example, responsible for making safety-critical decisions, using machinery, driving equipment or vehicles, when instances of impairment due to alcohol or substance misuse could have serious consequences for the individual, colleagues or students, further additional screening may also be required. Any decision about safety critical roles will be taken in conjunction with the Health and Safety Manager. Any role deemed safety critical will have a Safety Responsibility Statement (SRS).

### **Staff who recognise they have a problem**

Staff who recognise they have a problem will be expected to seek help from their own GP or a specialist drug agency in order to obtain treatment and rehabilitation. The employee is encouraged to seek help from NCG via their manager or the Human Resources Department. As far as possible, NCG will aim to treat substance misuse as a health issue rather than an immediate cause for disciplinary action and will assure the individual that their problem will be dealt with discreetly.

Managers may also seek medical advice from the Occupational Health provider regarding any employee who they suspect of having a substance abuse problem. Arrangements can be made via the Human Resources Department. If, following a consultation, the Occupational Health Department is of the opinion that the employee may be suffering from a substance abuse problem, arrangements would be made for the Occupational Health Adviser to invite the employee to a meeting to discuss the concerns. The Occupational Health Adviser would initially liaise with the employee's own GP with a view to arranging referral for specialist advice and/or treatment. The employee would be required to cooperate with this process.

If, during this period, the employee is absent for reasons of sickness, absence for treatment and rehabilitation, this will be regarded as normal sickness absence. Regular progress monitoring would take place with the manager and the Human Resources Department, with support from Occupational Health, and this will include further screening and testing, under appropriate conditions, for substance abuse.

### **Substance screening and testing**

Such testing may be used during the period of absence and subsequently randomly thereafter, as part of an aftercare rehabilitation programme at the discretion of HR and Occupational Health, to ensure on-going compliance with treatment. Individuals showing evidence of a reoccurring substance abuse problem following a successful return to work after a treatment programme will be subject to the disciplinary procedure.

The employee's voluntary written consent will be required for each screening procedure. Unreasonable refusal to consent to providing such a sample may result in suspension without pay for the employee.

In the event of failure to comply with or disregard medical advice relating to treatment, NCG reserves the right to withdraw support and proceed to deal with the matter under the disciplinary procedure, which could culminate in dismissal.

### **Discovery of suspected substances on NCG premises**

Where a suspected substance is found within NCG premises, Security staff should be notified without delay by the person discovering the substance.

It is important that the security staff secure the substance as soon as possible, as failure to do so could put them at risk of prosecution under the Misuse of Drugs Act.

The suspected substance will be securely retained until any investigation has been concluded. The substance will then be disposed of by either

- Informing the Police so that they can make arrangements to collect the substance
- handing it over to a registered medical or emergency medical practitioner (when an individual is suspected of overdosing)

An investigation will be undertaken to determine how the substances arrived on NCG premises.

### **Dealing with suspicion of substance abuse**

If a member of staff suspects an individual of substance misuse, they should discuss their concerns with their line manager and/or Sub Divisional, School or Service Director/Head who will seek advice from the Human Resources Department and agree a course of action. Any such discussions would be considered to be confidential

### **Individuals found in possession of drugs on NCG premises**

If a member of staff is apparently involved in substance misuse then their Sub Divisional, School or Service Director/Head should be notified as soon as possible. Human Resources should also be consulted to agree appropriate action. In view of the seriousness of such a situation, the individual will be suspended from work, pending an investigation. The local police will also be informed.

### **Staff found to be under the influence of alcohol or an illegal or banned substance**

If a member of staff is found to be under the influence of alcohol or an illegal or banned substance then their Sub Divisional, School or Service Director/Head should be notified as soon as possible. Human Resources should also be consulted to agree appropriate action.

If their condition indicates that their health and safety may be at risk, the emergency services will be contacted, if necessary. The First Aid report will be sent to the Health and Safety Manager.

In view of the seriousness of such a situation, the member of staff may be suspended from work, pending an investigation. A referral to Occupational Health will also be made.

### **Other persons found under the influence of alcohol or an illegal or banned substance**

Anyone finding an individual under the influence of any substance whilst attending work should contact security in the first instance, with the following procedures being pursued as soon as is practicable.

Security may ask the individual to leave the premises as long as this does not put them at greater risk. Additional arrangements may be made to enable the individual to leave the premises safely.

If the individual's condition indicates that their health and safety may be at risk the emergency services will be contacted, if necessary. The First Aid report will be sent to the Health and Safety Manager who will notify the appropriate Sub Divisional, School or Service Director/Head.

### **Staff found to be involved in the selling of illegal substances on NCG premises**

Anyone found to be involved in the selling of illegal substances will be referred to their Sub Divisional, School or Service Director/Head. The individual will be immediately suspended from work, pending an investigation.

NCG will inform the local police.

### **Other persons found to be involved in the selling of illegal substances on NCG premises**

Security should be informed if other persons are suspected to be involved in the selling of illegal substances on NCG premises and the Police will be informed.