

Drug and Alcohol Policy

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Version Control History

Version Number	Date of Change	Summary of Revisions Made
1.1	July 2017	A new definition has been added: New psychoactive substances (NPS): are drugs that are designed to replicate the effects of other illegal substances. People may refer to these drugs as "legal highs", but all psychoactive substances are now either under the control of the Misuse of Drugs Act 971 or subject to the Psychoactive Substances Act 2016 (PS Act). In the Legislation section: Psychoactive Substances Act 2016 has been added.
1.2	December 2018	Role change to Quality Manager and other job titles to adhere to new structure.
1.3	April 2020	Change of footer to reflect version status, change of owner, lead author, lead editor and next review date.
1.4	September 2021	Revision of whole policy
1.5	March 2024	Revised policy. Amendments throughout to provide clarity. Footer updated to remove 'Owner'

Title: Drugs and Alcohol Policy
Version/Status: 1.5/Final
Approved By/Date: HSC/March 2024
Issue Date: 22/03/2024

Lead Author: Head of HR&OD
Lead Editor: Health, Safety & Wellbeing Adviser
EQIA Approval Date: 08/03/2024

Drugs and Alcohol Policy

1 Introduction

UHI Perth recognises the adverse effects of alcohol and substance misuse on the health and wellbeing of employees and students and the consequential impact on service users.

UHI Perth will consider what reasonable support and assistance it may be appropriate to provide to employees who suffer from alcohol and substance misuse addiction (drugs and solvents), whilst recognising that in certain situations it may be necessary to consider taking appropriate action under the Staff Disciplinary or Capability policy. Referral will also be made, where appropriate, to Occupational Health and other sources of help/assistance.

The possession or distribution of illicit substances is illegal and will be reported to the police.

This policy does not apply where behaviour or performance is unacceptable and related to drink or drugs but there is no perceived underlying addiction. In such cases the normal performance management policies will apply.

2 Purpose

The purpose of this policy is to:

- Ensure that there is clarity for employees and line managers on how UHI Perth will deal with employees with substance misuse or alcohol problems in the interests of health, safety and welfare, in order to maintain acceptable standards of behaviour and/or work performance as well as signposting to support options.
- To emphasise amongst all employees, that specific instances of alcohol and/or substance misuse may be a disciplinary matter up to and including gross misconduct.

UHI Perth is required so far as is reasonably practicable under the Health and Safety at Work etc Act 1974 to ensure the health, safety and welfare of its employees, students and others affected by its activities. This policy sets out UHI Perth's position with regard to alcohol and drugs within the workplace and the approach it will take when the consumption of these affects an individual's performance, conduct, behaviour or impacts on safety at work.

3 Scope

This policy applies to all employees, agency and casual workers, contractors, volunteers, and others working or representing on UHI Perth's behalf during their working hours, including undertaking activities on behalf of UHI Perth or attending UHI Perth related events outwith working hours.

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Where employees of UHI Perth work off-site or on projects with, or for, external organisations UHI Perth requires them to comply with that organisation's own policies relating to alcohol and drugs in addition to this policy.

What employees do in their private lives is generally outside the scope of this policy unless it affects their work and interferes with the legitimate work-related activities of other employees.

4 Definitions

Alcohol/ Substance Addiction: for the purposes of this policy, can be categorised into 3 main areas:

- Inappropriate use, which may be sporadic but aggravates an existing condition.
- Habitual use, where the individual becomes psychologically dependent on the substance to the extent that the desire for these effects become a dominant concern in their lives.
- Excessive use, which can lead to physical dependence and mental illness, or anti-social behaviour.

Drugs: The term 'drugs' has been used in this policy to include all drugs and substances, legal or illegal and prescription medication which adversely affect behaviour or performance. The term illegal drugs refer to substances classified as illegal under the Misuse of Drugs Act 1971. There are 3 [categories of drugs](#):

Prescribed Medicine: Some prescribed/over the counter medicines may cause impairment to an individual's performance at work. Individuals should seek advice from their GP or pharmacist on any medicines they are taking; if appropriate, they should be encouraged to discuss any problems their line manager to ensure that they are aware of any possible side effects of their medication prior to commencing work. Managers if required can refer an employee to the Occupational Health provider of UHI Perth in the normal way.

New Psychoactive Substances (NPS): New Psychoactive Substances (NPS) mimic the effects of traditional drugs that are controlled under the Misuse of Drugs Act 1971 and the Psychoactive Substances Act 2016. These substances, together with other substances used as intoxicants (for example, nitrous oxide), are often referred to as 'legal highs'. The chemicals in the substances are often neither legal nor safe for human consumption.

Psychoactive substances cause:

- hallucinations
- drowsiness
- changes in alertness
- changes in perception of time and space

- changes in mood or empathy with others

Food, alcohol, nicotine, caffeine, medicine and illegal drugs do not count as psychoactive substances.

Alcohol Misuse: The drinking of intoxicating liquor whereby an individual's ability to perform their duties is impaired, their attendance at work is interfered with, and/or they endanger the safety of others or they exhibit physical, mental, emotional or behavioural changes.

Consumption of Alcohol whilst at work: Alcohol is not permitted to be drunk on Campus unless at an approved event.

Approved Event: An approved event is an official UHI Perth event where attendance is part of an extension of professional duties.

Drugs Misuse: The taking of drugs, including the use and abuse of other substances whereby an individual's ability to perform their duties is impaired, their attendance at work is interfered with, they endanger the safety of others, or they exhibit physical, mental, emotional or behavioural changes.

4 Key Principles

- All employees and others that are covered by the scope of the policy will be treated consistently and fairly.
- The rules on alcohol and drugs will be strictly enforced.
- All matters concerning alcohol and drugs will be treated as confidential.
- Employees with an illness related to alcohol or drugs are encouraged to disclose this at the earliest opportunity to ensure support and help with treatment.
- Those who disclose/admit to having a problem with alcohol or drugs shall be fully supported by UHI Perth on the condition they adhere to this and other relevant UHI Perth policies. Agreed support may be during working time.
- There will be no detrimental effect on job or promotion prospects for employees who are being supported under this policy.
- Employees will take great care when organising/planning events where alcohol will be available to respect the views of anyone who does not drink or does not wish to drink either for religious beliefs or personal reasons/beliefs and ensure that non-alcoholic drinks are available.
- UHI Perth will increase awareness of the impact of alcohol and drugs in Scotland and specifically in the workplace.
- Possession of or dealing in illegal drugs on UHI Perth premises will, without exception be reported to the police and dealt with as gross misconduct.
- Cases of relapse will be reviewed on an individual basis.

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5 Responsibilities

Employees have a responsibility to ensure that they are capable of carrying out their duties efficiently and safely. The consumption of alcohol and/or the misuse of substances can impair performance, judgment and concentration. It can endanger the safety or care of students and employees. It can also affect the confidence of students and employee alike and damage the reputation of UHI Perth.

UHI Perth will take all reasonable steps to prevent employees and contractors carrying out work related activities if they are considered to be unfit/unsafe to undertake the work as a result of alcohol consumption or substance misuse.

Managers are responsible for setting standards of behaviour, performance and taking appropriate action where an issue arises.

The organisational structure for the implementation and management of UHI Perth's statutory health and safety duties are described in detail in the Health and Safety Policy.

Specific duties and guidance relating to this policy are detailed below.

5.1 Head of HR and Organisational Development

It is the responsibility of the Head of HR and Organisational Development to review and update this policy and ensure an EQIA is carried out on this policy.

5.2 Managers

Where an employee is reasonably suspected of being under the influence of alcohol, prescribed medication, drugs (legal or illegal) or other substances which it is reasonably believed could be prejudicial to their ability to perform their duties, then this will generally result in the employee being sent home pending the outcome of an investigation. This includes abuse of prescribed medication.

Where it is believed that the situation is inadvertent (eg not being aware of the side effects of prescribed medication) then the employee may be asked to change their duties/study on a temporary basis, where necessary Occupational Health may be involved. This will depend on the circumstances, including risks to employee and student safety. If a change in duties is not practicable then the employee may be sent home on medical grounds.

Where someone is suspected of having consumed alcohol or being under the influence of drugs/other substances and they have driven to work then they will be advised to take alternative means of transport to get home. Should they refuse to do so, then the police may be informed of these concerns.

Managers should be aware of their responsibility to seek to identify and alleviate contributing factors in the workplace. Managers should be alerted to and intervene where there are signs of alcohol or substance misuse related

problems. Managers are expected to encourage and assist in the rehabilitation of the individual back into the workforce and also to monitor performance.

Reasonable absence from work to receive treatment for a recognised condition will be regarded as sickness absence, provided there is co-operation from the employee and provided the employee adheres to the rules governing the sickness absence procedure. It is the responsibility of all managers to:

- To ensure the setting of appropriate standards.
- To be familiar with the policy and procedures.
- To help inform the workforce of the policy.
- To be alert to and monitor changes in work performance and attendance, sudden changes in behaviour, abnormal fluctuations in mood and energy, deterioration in relationships with other people and sickness and accident patterns.
- To help the employee at work and assist with rehabilitation.
- To encourage employees to seek help voluntarily.
- To use disciplinary/capability measures only when appropriate to do so.
- To identify any aspects of the work situation which could be contributing to alcohol/substance misuse and change them if appropriate.
- To intervene early where there are signs of problems.
- To consider the adoption of a Recovery and Return to Work Agreement.
- To ensure confidentiality

5.3 **Head of Estates**

The Head of Estates will ensure:

- That this policy is brought to the attention of any contractors he/she engages to conduct UHI Perth business.

5.4 **Human Resources**

Human resources will:

- Support managers to refer employee to the UHI Perth Occupational Health Provider when necessary.
- In conjunction with managers provide individuals with support and adjustment to their role to facilitate recovery, as far as reasonably practicable, following advice from Occupational health and in accordance with relevant procedures.
- Make available information on the harmful effects associated with alcohol and drug abuse.
- Offer Alcohol and Drugs Training for employees.
- Advise and support managers on the appropriateness, or otherwise of disciplinary and other proceedings when required.

5.5 **Occupational Health Provider**

The UHI Perth Occupational Health Provider will:

Assess employees referred to them under this Policy or the Managing Sickness Absence Procedures or other relevant procedures on their fitness for work and answer questions asked by management

5.6 **Health, Safety and Wellbeing Advisor**

The Health, Safety and Wellbeing Advisor will:

- In conjunction with Human Resources make available information on the harmful effects associated with alcohol and drug abuse and ensure appropriate training is developed and delivered to the employees.

5.7 **All UHI Perth Employees**

- Shall familiarise themselves and comply with this policy.
- Are responsible for ensuring their own behaviour and work performance remain appropriate whilst engaged in UHI Perth activities and are not affected by alcohol or drug misuse.
- Must present for work free from the effects of alcohol or drugs.
- Must not bring onto or use illegal or unlicensed drugs on UHI Perth premises under any circumstances.
- Must not bring alcohol onto UHI Perth premises unless it is in a sealed container and remains in the sealed container* until they have left UHI Perth premises eg raffle prizes, gift for colleague, consumption at home etc therefore it will not be a disciplinary offence to have alcohol in a sealed container on UHI Perth premises.
- The drinking of alcohol is only allowed in permitted areas, for example, private accommodation, permitted events and only in compliance with this Policy.
- Who suspect, or know, that they have an alcohol or drug-related problem should seek professional help at an early stage to avoid the problem becoming worse.
- Who suspect a colleague is under the influence of alcohol or drugs are required to inform their line manager or another senior colleague. If their line manager is suspected a more senior manager or Human Resources should be informed.
- Must take great care when organising/planning events where alcohol will be available to respect the views of anyone who does not drink or does not wish to drink either for religious beliefs or personal reasons/beliefs and ensure that non-alcoholic drinks are available.
- Must not drink alcohol on UHI Perth property unless it is at an approved UHI Perth event. Consideration must be given as to what activities you will then undertake on campus after the event, and you must not drink alcohol if you are then going to be responsible or in control of machinery or an UHI Perth vehicle
- Must take care to drink sensibly at any UHI Perth event when alcohol is available and not become intoxicated.
- If you intend to drink alcohol at an event and are unfit to drive ie be in contravention of Section 5 of the Road Traffic Act 1988** you must make suitable arrangements to get to your place of residence.

- Must advise their line manager, a member of the management team and/or Human Resources immediately of any side effect of prescription drugs/over the counter drugs which may affect work performance or the health and safety of themselves or others eg drowsiness.
- * There will be exceptions ie if alcohol is used in hospitality as an ingredient in a recipe or as part of a cooking procedure.
- ** A person who, when driving or attempting to drive on a road or other public place, is unfit to drive through drink or drugs is guilty of an offence.

5.8 Contractors and their Employees

- People working with or on behalf of UHI Perth are also required to comply with this Policy and must ensure that they or their employees do not work in or on behalf of UHI Perth under the influence of alcohol or drugs.
- Must not bring onto or use illegal or unlicensed drugs on UHI Perth premises under any circumstances.
- Must not bring alcohol onto UHI Perth premises unless it is in a sealed container and remains in the sealed container until they have left UHI Perth premises.

6 Linked Policies/Related Documents

Health and Safety Policy
 Driving for Work Policy
 Staff Disciplinary Procedure
 Capability Procedure
 Sickness Absence Procedure
 HSE Drug Misuse at Work (INDG91)
 HSE Don't Mix It – a guide for employers on alcohol at work (INDG 240)

7 Relevant Legislation

Health and Safety at Work etc Act 1974
 Management of Health and Safety at Work Regulations 1999
 Misuse of Drugs Act 1971
 Road Traffic Act 1988
 Medicines Act 1968
 Psychoactive Substances Act 2016