



Thinking Schools Academy Trust
“Transforming Life Chances”

Substance Misuse Policy

This policy was adopted on	September 2017
The policy is to be reviewed on	September 2021

1.0 Introduction

- 1.1 This Policy provides a constructive and preventative strategy to encourage early identification of alcohol and drug misuse relation problems among employees. It aims to help and support employees who are experiencing problems as a result of alcohol or drug misuse and to assist those who demonstrate determination to deal with their problem and who cooperate fully with the relevant specialist agency. The desire to support an individual must also be balanced with the requirements of the organisation to comply with its duty of care to all employees and students.
- 1.2 This policy is concerned primarily with the effects of alcohol and drug misuse on conduct at work or on job performance and career prospects of employees. Alcohol and drug misuse can lead to such problems as:
- A reduced performance at work;
 - Poor judgement;
 - Accidents;
 - Late start/early end to the working day;
 - Absenteeism.
- 1.3 The Policy aims to encourage and support staff with alcohol or drugs related problems to seek help at an early stage. To provide managers with guidelines to assist them in managing alcohol/drug related problems. To refer staff to appropriate agencies for help. To restore health and effectiveness in the workplace. To retain staff.
- 1.4 This policy extends to alcohol, illicit drugs, prescription drugs and “over the counter” medication which may be misused. Volatile substances, such as solvents, are also included.

2.0 Adoption arrangements and dates

This procedure was adopted by the Board of Directors of The Thinking Schools Academy Trust on 1st September 2017 and supersedes any previous Substance misuse Policy and Procedure.

This policy will be reviewed by the Board of Directors every 4 years or earlier if there is a need.

3.0 Policy Statement

- 3.1 The school recognises that alcohol and drug related problems are primarily health and social concerns and staff with such problems require help and treatment.
- 3.2 Alcohol or drug problems are defined as any drinking or taking of drugs, either intermittent or continual, which interferes with an employees’ work performance in the areas of efficiency, productivity, safety or attendance at work.
- 3.3 This policy does not apply to employees who commit breaches of disciplinary rules because of over-indulgence in alcohol or the use of drugs on random occasions. While there will be an investigation of the circumstances of such offences, action may be taken under the Disciplinary Procedure.

- 3.4 Managers attention is drawn to the Substance Misuse Guidance for Managers, “The Legal Perspective” which clearly outlines the school’s general duty under the Management of Health and Safety at Work Regulations 1999.
- 3.5 Employees are required to take reasonable care of themselves and others who could be affected by what they do at work. Employees who are permitted to drink alcohol at lunchtime or other times during their working day should observe the conduct requirements under the Trusts Code of Conduct. Staff are expected not to act in anyway that is unethical and/or brings the school or its employees into disrepute.
- 3.6 Where an Employee is taking prescription drugs or over the counter preparations which could affect performance and/or create a safety risk, they should inform their Headteacher/Principal or line manager. This will enable them to arrange for the appropriate facilities for the Employee such as a private room and/or facilities for the storing of medicines. This will also minimise the risk of misunderstandings or assumptions being made about the employee’s personal circumstances.
- 3.7 Where an Employee is invited to attend a meeting to discuss alcohol or drug related problems affecting conduct at work or work performance, they will have the right to be accompanied by a trade union representative or work colleague.
- 3.8 Where an Employee has sought professional help and where there is evidence that they are making an effort to deal with their alcohol or drug problems, they should be granted a reasonable amount of sick leave to undergo treatment.
- 3.9 Where an Employee accepts the opportunity to receive help, but their conduct or work performance reverts to the problem level, they will have the new situation considered on it merits. If appropriate, a further opportunity to accept and cooperate with help and treatment may be offered unless Occupational Health have advised that the Employee will not be fit to return to work in the foreseeable future.
- 3.10 At all stages of the procedure, the Employee should be encouraged to access the occupational health and confidential counselling services.
- 3.11 It is strongly recommended that managers seek the advice from the Trusts HR advisors in dealing with these procedures.
- 3.12 All employees to whom this policy applies should be provided with or have access to this policy.

4 Confidentiality

- 4.1 All discussions with an Employee in connection with this policy and procedures will be treated in a confidential manner. However, absolute confidentiality cannot be guaranteed in the following circumstances:
- There is a potential risk of harm to self or others;
 - A criminal offence has occurred or may occur;
 - There has been a breach of any of the school’s regulations.

- 4.2 If any of the above occur the manager must take appropriate action including informing the relevant authorities. The consent of the individual should be sought, however, if this is not forthcoming, such disclosure shall be made with the knowledge of the Employee involved.

5 Procedures

5.1 Voluntary referral

5.1.1 Where an Employee acknowledges that they have a problem with alcohol or drugs they may approach their Headteacher/Principal for advice. The Employee should arrange to have an informal meeting with the Headteacher/Principal to discuss their concerns. At this meeting the Employee should be given encouragement and advised of the options available. See the guidance notes for managers (appendix one for advice on conducting this informal meeting).

5.1.2 Suggested options for support may include:

- Confidential counseling;
- Directing the Employee to seek treatment from their GP;
- Seeking assessment through a specialist agency;
- Seeking a referral to Occupational Health.

5.2 Management referral

5.2.1 Where a Headteacher/Principal may have a concern that an employee's alcohol or drug misuse is affecting conduct at work or work performance they should arrange to meet the employee, to discuss their concerns. The Headteacher/Principal should seek the advice of the Trusts HR advisors before the meeting.

5.2.2 When discussing the problem with the Employee the desire to assist the Employee should be uppermost in the mind of the Headteacher/Principal. It is important that accusations are not made, but details of concerns should be clearly stated and openly discussed.

5.2.3 Where the Employee acknowledges the problem, advice on options for support, as detailed under voluntary referral, should apply.

5.2.4 Where the problem is denied, the Employee should be reminded of the standards expected and agree a time-scale for improvement. They should be advised that, if behaviour which gave rise to the concern is repeated, appropriate management action will be taken.

5.2.5 The Headteacher/Principal should keep a note of the meeting and agreed actions, copied to the employee, for future reference purposes. The Headteacher/Principal will then monitor the employee's progress, and at the end of the agreed time-scale, meet with the Employee to provide them with feedback on their performance.

5.2.6 In many circumstances, and particularly if problems are detected early, support can be provided without the need for absence from work. In other cases absence for treatment/rehabilitation may be necessary.

5.3 Absence from work

5.3.1 Absence from work under this policy may be on any of the following grounds:

- Sickness absence, certified by a medical practitioner;
- Precautionary suspension on medical grounds;
- Disciplinary suspension on grounds of conduct;
- Unauthorised absence, in which case salary will not be paid; following a letter advising of this.

- 5.3.2 Headteacher/Principals considering any of the three latter actions should speak to the Trusts HR advisors in the first instance.
- 5.3.3 During periods of absence employees are required to adhere to any contact requirements as prescribed by their Headteacher/Principal.
- 5.3.4 Employees are also expected to make use of the support services available and should be actively seeking and co-operating with help and treatment.

6.4 **Return to work**

- 6.4.1 Where an Employee has been absent due to medical reasons the Headteacher/Principal/ may require confirmation from Occupational Health as to the employee's fitness to resume duties. Further guidance on return to work can be found in the Trust Absence Management Policy.
- 6.4.2 An Employee returning to work may need ongoing support and treatment, e.g. ongoing counselling sessions, prescribed medication which is dispensed daily from a local pharmacy etc. The Employee should attempt to arrange appointments outside work hours, or, if not possible, their absence from work should be only the minimum time required for the appointment. The Headteacher/Principal should attempt to provide the flexibility within the employees work schedule to accommodate such absences.
- 6.4.3 The Employee will be monitored on their return to work and if there is a relapse, the manager, with the advice from the Trust HR advisors, will consider the new situation on its merits and a further opportunity to seek and cooperate with help may be offered.
- 6.4.4 Where an Employee persistently:
- Refuses to acknowledge that there is a problem affecting work;
 - Refuses the opportunity to receive help; or
 - Discontinues a course of treatment with no legitimate reason, and the problem continues;
- The matter will be considered under the Disciplinary Procedure at the formal stage.

7 **Raising awareness and Guidance**

- 7.1 Guidance notes in the Substance Misuse Guidance for Managers assist the Headteacher/Principal to:
- Understand some key points about drug and misuse and why these can be dealt with in a similar manner;
 - Promote the early identification of alcohol/substance misuse – what are the signs?
 - Understand out legal obligations
 - Understand the various types of illegal substance that exist
 - Offer support and manage the procedure
 - Be aware of the range of assistance offered by external agencies.

Confidential Counselling Service for TSAT Employees

A confidential counselling service is available for all Employees across the Trust provided by **Workplace Wellness**. The service offers information, advice and support 24 hours a day, 7 days a week. This includes a telephone support line, access to advice and information, coaching and counselling where appropriate. To access the service please use the contact details below:

Free phone from UK landline:

T: 0800 1116 387

From abroad:

T: +44 845 330 5132

Text phone users dial: 18001 followed by 0800 1116 387

Or you can access the online services via www.my-eap.com/login, username: TSATwell

For Management Support: 0800 1116 385

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We're here to make the ride smoother