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| <b>Ref Number: UHB 171</b><br><b>Version Number: 4</b>  | <b>Date of Next Review: 18 January 2026</b><br><b>Previous Trust Reference Number: T/172</b>   |
| <h2>Management of Alcohol, Drugs and Substance Misuse at Work Procedure</h2>  |  |
| <p><b>Introduction &amp; Aim</b></p> <p>The UHB expects all members of staff to adopt the highest standards of performance and conduct. Consumption of alcohol, drugs and other intoxicating substances can adversely affect an individual's use of skill and judgement which may detrimentally affect their performance within the workplace.</p> <p>The UHB has an obligation as a provider of health care to minimise risks, dangers and complaints concerning the standards of health, conduct and capability of its workforce, in the context of alcohol and substance misuse.</p> <p>The UHB recognises that alcohol, drug and substance misuse are health issues, which it will aim to address in a supportive and non-punitive way.</p> |  |
| <p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• To provide managers and staff with guidance on recognising where there may be a problem related to alcohol, drugs and/or other substances</li> <li>• To provide employees and their managers with information to enable them to support and manage staff who are identified or suspected of having a problem related to alcohol, drugs and/or other substances</li> </ul>   |  |
| <p><b>Scope</b></p> <p>This process applies to all staff under a contract of employment including individuals registered with the Temporary Staffing Department, locum personnel, and those on honorary contracts.</p> <p>In those instances when a member of staff has a family member who has a problem with alcohol, drugs or other substances, it may be appropriate to refer to the Special Leave Policy.</p>  |  |
| <b>Equality Health Impact Assessment</b>  | This procedure sits under the umbrella of the Employee Health and Wellbeing Policy which has been Equality Impact assessed.  |
| <b>Documents to read alongside this procedure</b>   | Managing Attendance at Work Policy<br>Special Leave Policy<br>Disciplinary Policy<br>Capability Policy<br>Employee Health & Wellbeing Policy<br>Upholding Professional Standards Policy<br>Professional Registration Procedure |
| <b>Accountable Executive or Clinical Board Director</b>   | Executive Director of People & Culture   |

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**DISCLAIMER**

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the [Governance Directorate](#).

| <b>Summary of reviews/amendments</b> |                             |                       |  |
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| <b>Version Number</b>                | <b>Date Review Approved</b> | <b>Date Published</b> | <b>Summary of Amendments</b>   |
| 1                                    | 29.01.13                    | 20.03.13              | Reformatted in UHB style<br>Supercedes Trust policy ref no. 326  |
| 2                                    |                             |                       | Rolled forward – equality statement updated to reflected outcome of EQIA   |
| 3                                    | 15.11.2018                  | 15.03.2019            | <ul style="list-style-type: none"> <li>• Reformatted in UHB style.</li> <li>• Reformatted and written as a Procedure. It was previously a Policy</li> <li>• Renamed to Management of Alcohol, Drugs and Substance Misuse at Work Procedure”</li> <li>• Emphasis on the employee seeking support from their GP</li> <li>• Section 1.0 hyperlink to intranet page “Your health and wellbeing”</li> <li>• Section 1.1 hyperlink to “Drink Aware”</li> <li>• Section 1.2 reference to legal highs</li> <li>• Section 1.3 Staff duty of care to inform their manager</li> <li>• Section 2.3 refers to seeking advice from WOD, where a person is deemed to be unfit to carry out their duties and the individual driving home</li> <li>• Section 2.4 has been added</li> <li>• Appendix 2 – Flowchart simplified</li> </ul> |
| 3a                                   | 23.09.2021                  | 09.11.2021            | Accountable Executive updated to Executive Director of People and Culture<br><br>Rolled forward for 1 years with no further changes  |

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| 4 | 18.01.2023 | <ul style="list-style-type: none"> <li>• Included responsibilities under procedure for employees, management, trade unions, people services team, occupational health and EWS</li> <li>• More specific guidance on what to do if a member of staff is suspected of being under the influence of alcohol or substances in work and required to go home</li> <li>• Section 6: support provided to employee updated to specify temporary redeployments/ alternative duties.</li> <li>• Section 7: introduced that it is reasonable for managers to request reassurance an employee is safe to return to work (i.e. from medical support or Occupational Health)</li> <li>• Removed paragraph in previous Section 1.1, relating to alcohol consumption at corporate functions on site, as alcohol should not be consumed on UHB site in any occasion</li> <li>• Appendix 1, 2 &amp; 3 previously section 1.1, 1.2, 1.3, 2.0 &amp; 2.1</li> <li>• Appendix 4 – flowchart simplified</li> </ul> |
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| 1.0 | <b>Responsibilities</b>  |
|     | <p><b>Employee are responsible for</b></p> <ul style="list-style-type: none"> <li>• adopting the highest standards of performance and conduct and being aware of the potentially detrimental effects of alcohol, drugs and intoxicating substances</li> <li>• their own health and wellbeing, in relation to alcohol and substance misuse and are required to take all reasonable opportunities to improve their relationship with alcohol and/or substances, including engaging with medical and wellbeing support</li> <li>• not reporting or endeavour to report, for duty under the influence of, or smelling of alcohol, illegal drugs or any other substances.</li> <li>• not consuming alcoholic drinks, at any time during their working day. This includes all breaks during the working day whether paid or unpaid. It also applies to off-site retirement/leaving functions which may take place during the employee's working day.</li> <li>• informing managers where prescribed medication may have an adverse side effects, and/or discuss any problems with the Occupational Health Dept, and only attend work when safe and fit to do so.</li> <li>• paying due consideration to their professional and personal accountability in circumstances relating to alcohol and substance use</li> </ul> |

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**Management are responsible for**

- 'knowing their employee', so should be alert and aware of behaviour or indicators that suggest alcohol or substance misuse
- ensuring their employees are aware of the range of health and wellbeing support available to them, in and out of the workplace
- to act quickly if they have reason to suspect alcohol or substance misuse in the workplace, and make decisions to safeguard employees, colleagues and patients
- taking a proactive and sympathetic approach in supporting their employees with alcohol or substance misuse

**Trade Union are responsible for**

- supporting the individual member and organisation in relation to alcohol and substance misuse
- providing their members with advice on all aspects of this procedure and other relevant policies/ procedures
- ensuring an appropriate trade union representative is in attendance, at relevant levels of the procedure, should their member wish to be accompanied and to ensure that meetings can occur in a timely manner

**People Services Team are responsible for**

- providing specialist advice and support for employee's experiencing alcohol or substance misuse
- working with managers and trade union representatives to achieve a consistent and fair application of the policy
- developing a positive working environment and foster a culture of support for staff

**Occupational Health Team & Employee Wellbeing Service are responsible for**

- providing confidential support and guidance to employees regarding their alcohol or substance misuse and signpost employees to the full range of services available for support and assistance

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|     | <ul style="list-style-type: none"> <li>providing advice to managers regarding the impact of an employee's alcohol or substance misuse on their fitness to work, advise on reasonable/ tailored adjustments</li> </ul>   |
| 2.0 | <b>Problem identified and disclosed by the employee</b>   |
|     | <p>If employees feel they have a potential alcohol, drug or substance misuse problem, they are actively encouraged to seek help and advice under this procedure voluntarily, i.e. before the problem is identified in the workplace.</p> <p>Employees do not need to wait to be advised by their line manager before seeking help for any problem. An individual may recognise themselves that they have a problem before it comes to the attention of their line manager. In this situation employees are actively encouraged to seek help from their GP and/or Occupational Health Department voluntarily.</p> <p>If an employee voluntarily discloses to their manager they are experiencing an alcohol or substance problem, managers should recognise the employee's honesty and take a proactive approach in supporting them. More guidance on the support that can be provided to employees, can be found in section 4.0.</p> <p>However, if there is an ongoing pattern of alcohol or substance misuse, managers may need to take advice from the People Services Team to understand the employee's ability to remain in their role, and whether the UHBs Disciplinary Policy, Capability Policy or All Wales Managing Attendance at Work Policy need to be followed.</p> |
| 2.1 | <b>Employee identified or suspected as being under the influence of alcohol or substances within the workplace</b>  |
|     | <p>Where a manager reasonably suspects an alcohol or substance misuse problem through general observation, they are obliged to explore the matter further, as quickly as possible.</p> <p>Colleagues also have a responsibility to raise concerns to their manager, as quickly as possible, if they reasonably suspect their colleague is under the influence of alcohol or other substances, through general observation within the workplace.</p> <p>The line manager should discuss their concerns with the employee, honestly and sympathetically, and in privacy while understanding that these symptoms may also have some other cause.</p> <p>Following this discussion, managers may be required to make the decision to send an employee home, if they suspect they're under the influence of alcohol or substances within the workplace. Managers should arrange for the safe</p>   |

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|     | <p>transport for the employee to go home, which may involve a taxi or chosen family or friend. The remainder of this shift should be recorded as medical suspension.</p> <p>Managers should arrange further communication with the employee, firstly to understand they are safe and free from harm. If a manager feels the employee is unsafe, they may be required to contact the employee's next of kin or emergency services. Further communication may be necessary to understand the employee's likelihood of return to work (and in what capacity that will be), or whether the employee reports as sick or even takes a period of emergency annual leave.</p> <p>Line Managers should raise this issue with their Seniors, People Services Team and Safeguarding Team, to understand the approach to be taken in managing such incidents.</p> <p>In some instances, employees will not have direct contact with their line manager on a day to day basis. However, where an employee has concerns about a fellow colleague, these should be shared with their relevant manager at the earliest opportunity and the above actions followed, where appropriate.</p> <p>Appendix D provides a flow chart, which may be applicable to follow, if an employee is suspected of being under the influence of drugs or alcohol in the workplace.</p> <p>An employee is entitled to be accompanied by his/her staff organisation/trade union representative at any time during this process. However, where urgent decisions are to be made in the interest of patient or colleague safety, these will need to be done at the earliest convenience, and may be without a Trade Union Representative.</p> |
| 2.2 | <b>Employees who dispute alcohol or substance misuse</b>  |
|     | <p>There may be symptoms displayed by the individual that may have some cause other than a substance misuse problem. In such circumstances the employee may wish to seek further advice from their GP and the Line Manager may consider a referral to Occupational Health, which may necessitate further investigation.</p> <p>It is important for managers to understand that admittance or disclosure of alcohol or substance misuse, will be difficult for the employee to process and discuss. Conversations should take place in a sympathetic and supportive manner. However, if relevant support is declined and management still have reason to believe there is an alcohol or substance reliance, they should contact the People Services Team, to understand the next appropriate steps in managing the employee.</p>   |

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| <b>3.0</b> | <p style="text-align: center;"><b>Support for employees with an alcohol or substance problem</b></p> <p><b>Occupational Health</b></p> <p>The offer of help will normally commence with referral to the Occupational Health Department. The Occupational Health Department will offer support and advice to the employee and where appropriate suggest referral to another agency including the independent counselling service which is available through the UHB for all employees.</p> <p>Employees who wish to voluntarily seek help for a substance misuse problem, are encouraged to contact the Occupational Health Department directly. In cases of self-referral, the Occupational Health Department will not normally provide medical advice or assessment to a line manager unless given express permission by the employee.</p> <p><b>Employee Wellbeing Services</b></p> <p>The employee wellbeing service offers an initial Resource Appointment which is an opportunity for employees to come and talk about any issue or situation, home or work-related. The aim of the Resource Appointment is to give you the resources to work through your issues. After a Resource appointment you may be given a number of resources to work on, referred to a more appropriate service, offered Guided Self Help (CBT interventions), or offered up to 6 sessions of brief focused counselling.</p> <p>A contact number for the Employee Wellbeing Service, along with information about current external support agencies in the local area can be found on the Staff Information pages on the UHB website (add link).</p> <p><b>External Agencies</b></p> <p>Employees should be encouraged by their Manager to seek help and advice from their General Practitioner. In some circumstances it may be more appropriate or more acceptable for the employee to directly contact an external agency for support and assistance. Managers can request from the chosen agency, written confirmation of the employee's acceptance and continued attendance for treatment.</p> <p><b>Reasonable time off for appointments relating to alcohol and substance misuse support</b></p> <p>If the employee is well enough to attend work, only requiring release from duty for treatment, reasonable paid leave will be granted. If the employee is unable to attend or return to work during the course of their treatment, then such leave will</p> |
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|     | <p>be treated as sick leave. Managers should agree with employees what is considered reasonable time off.</p> <p><b>Temporary redeployment or alternative duties</b></p> <p>In the interest of patient, colleague and employee safety and support, it may be appropriate to temporarily redeploy an employee from their substantive post or amend their duties, while receiving support in relation to their alcohol or substance misuse.</p> <p>Managers should ensure there is sufficient support available to employees in these temporary redeployments, and create a plan for continued communication and reviews. Temporary redeployment is usually for the maximum of 3 months; however, consideration will be given to the timescales of these supportive adjustments on an individual basis. Occupational Health and the People Services Team should be approached for guidance, if such temporary measures are required on a longer-term or permanent basis.</p> |
| 4.0 | <b>Returning to the workplace</b>  |
|     | <p>Manager's may require reassurance their employee is safe to be in the workplace and it is reasonable for them to request this from relevant medical/ support experts, this may include Occupational Health.</p> <p>If an employee has taken a period of sick leave following identification of an alcohol or substance misuse problem, the employee will be able to return to the same post unless this would be inconsistent with the long-term resolution of the employee's alcohol or substance misuse problem. When a return to the same post is not advisable, consideration will be given to whether temporary redeployment, amended duties or supervised practice is appropriate. Further guidance on this should be gained from the Occupational Health Department.</p>   |
| 5.0 | <b>Problem identified through matters of a disciplinary nature</b>   |
|     | <p>This procedure has been developed to help identify early problems of substance misuse, and provide appropriate help and support to employees before their problems lead to breaches of disciplinary rules.</p> <p>It may become apparent employees have a problem with alcohol or substance misuse through matters of a disciplinary nature. Employees who may have a alcohol or substance misuse problem cannot be excused from complying with accepted standards of conduct, and health and safety and need to be aware, where a serious offence is committed, they will be subject to the UHB's Disciplinary Policy. This does not preclude the possibility of evidence of an alcohol or substance misuse problem being offered in mitigation at a disciplinary hearing.</p>   |

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|     | Employees with an alcohol or substance misuse problem who are subject to the UHB's Disciplinary Policy will continue to be offered help through the Management of Alcohol, Drugs and Substance Misuse at Work Procedure   |
| 6.0 | <b>Theft of medication/ drugs</b>   |
|     | Staff found stealing drugs from the workplace will be reported immediately to the police, and also to the Counter Fraud Dept. Managers should gain further advice from the People Services Department in relation to potentially managing theft through the UHBs Disciplinary Policy.   |
| 7.0 | <b>Employees with a professional registration with a regulatory body</b>  |
|     | Where an employee holds a professional registration with a regulatory body and is recognised as having a substance misuse problem, the appropriate Senior Manager will decide if the employee should be reported to their professional registering body. If the employee is reported, the UHB will follow the relevant professional registering body's mechanism for notification in such circumstances.  |
| 8.0 | <b>Loss of qualifications due to alcohol or substance consumption</b>   |
|     | In situations where an employee's misuse of alcohol, drugs or other substances, leads to the loss of qualifications required for their job, employment may be terminated or where appropriate, redeployment may be sought.<br><br>Loss of qualifications includes qualifications which an individual requires to practise as a health professional, as well as those which are an essential requirement for the job as detailed on their Job Description, e.g. driving licence. |

## Appendix A – Definitions & Descriptions

### Alcohol:

Alcohol is a drug, which in excess, affects concentration, coordination and, thus work performance.

The misuse of alcohol interferes with employees' health and wellbeing and may also cause harm to colleagues, patients and quality of service provided. Drinking even small amounts of alcohol before carrying out work that is 'safety critical' will increase the risk of an accident. It can also affect those driving to work following alcohol consumption during the previous evening, as the individual employee may have blood alcohol levels in excess of the legal limit and may be unfit to drive and for work.

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Information on personal drinking limits, for staff drinking alcohol outside work, is available via <http://www.drinkaware.co.uk/>

### Drugs and other Substances:

Drug and other substance misuse, refers to the use of illegal drugs and the misuse, whether deliberate or unintentional, of other drugs including substances such as solvents. It also applies to the misuse/dependence on prescribed or over the counter medication.

In the context of work, not only does it damage the user's health, but it can affect the UHB through:

- safety concerns for patients and/or staff
- loss of productivity and poor performance
- lateness and absenteeism
- effect on team morale and employee relations
- bad behaviour or poor discipline
- adverse effects on the UHB's image and public relations

### Prescribed Medication:

Prescribed medications are pharmaceutical drugs that legally require a medical prescription to be dispensed.

## **Appendix 2 – Potential signs of an alcohol or substance consumption and misuse**

Substance misuse may come to the attention of a line manager in several ways, and all Managers should be alert to the possibility within their staff group.

The following is a list of some of the possible manifestations of somebody under the influence of or with a reliance of alcohol, drug or other substances misuse problem;

### **Work Performance Indicators**

- Poor decision making
- Absences from post, perhaps more than normally required
- Overlong breaks
- Decrease in concentration- jobs take longer, require greater effort
- Difficulty in recalling instructions and detail
- Decline in quality and quantity of work, effort cannot be sustained
- Increase in errors of judgement
- Increased fatigue

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- Loss of interest in work
- General unreliability and unpredictability
- Improbable excuses for poor performance
- Poor relationships with colleagues
- Over reaction to real or imagined criticism
- Unreasonable resentments
- Irritability
- Complaints from fellow workers
- Borrowing money from colleagues
- Avoidance of line manager and/or colleagues

Substance misuse may come to the attention of a line manager in several ways, and all Managers should be alert to the possibility within their staff group.

Any substance misuse can cause severe problems, not only for the individual and his/her family, but also for fellow employees and patients.

The following is a list of some of the possible manifestations of somebody with an alcohol, drug or other substances misuse problem;

#### **Work Performance Indicators**

- Poor decision making
- Absences from post, perhaps more than normally required
- Overlong breaks
- Decrease in concentration- jobs take longer, require greater effort
- Difficulty in recalling instructions and detail
- Decline in quality and quantity of work, effort cannot be sustained
- Increase in errors of judgement
- Increased fatigue
- Loss of interest in work
- General unreliability and unpredictability
- Improbable excuses for poor performance
- Poor relationships with colleagues
- Over reaction to real or imagined criticism
- Unreasonable resentments
- Irritability
- Complaints from fellow workers
- Borrowing money from colleagues
- Avoidance of line manager and/or colleagues

#### **Individual behaviour**

- Reporting to work smelling of alcohol
- Increasingly unkempt appearance
- Decline in personal hygiene

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- Non Attendance
- Unusually high sickness levels
- Multiple instances of unauthorised weekends or days off
- Excessive lateness
- Leaving early
- Unauthorised breaks
- Unexplained absences from duty

### **Accidents**

- Increase in accident rate in work
- Accidental injury while not in work

Line Managers should fully understand however that the symptoms displayed by the individual may have some cause other than a substance misuse problem.

## **APPENDIX C - THE LEGAL POSITION**

1. The UHB has a duty under the Health and Safety at Work etc. Act 1974 (HSW Act) to ensure, as far as is reasonably practicable, the health, safety and welfare at work of all employees.
2. There is also a duty under the Management of Health and Safety at Work Regulations 1999, to assess the risks to the health and safety of employees. The UHB is concerned that the good health of all staff, working efficiency, and safety are maintained and that the UHB's public image is not damaged by incidents related to alcohol or substance misuse.
3. The Road Traffic Act 1988 states that any person who, when driving or attempting to drive a motor vehicle on a road or other public place, is unfit to drive through drink or drugs shall be guilty of an offence. An offence is also committed if a person unfit through drink or drugs is in charge of a motor vehicle in the same circumstances.
4. It is an offence under the Misuse of Drugs Act 1971 for any person knowingly to permit the production, supply or use of controlled substances on their premises except in specified circumstances (e.g. when they have been prescribed by a doctor or registered healthcare professional).

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## APPENDIX D – SUGGESTED COURSE OF ACTION

