

Alcohol and Drugs Policy

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The purpose of this policy is to help prevent and treat problems in the workplace caused by alcohol and drug misuse (as applied to controlled substances consumed, supplied or produced under the Misuse of Drugs Act 1971) and to encourage those with a problem to seek help.

1. Introduction

This Policy applies to all employees of Transport for the North (TfN) and is intended to deal with alcohol and drug misuse.

TfN recognises that when an employee is under the influence of alcohol and/or drugs there is an increased risk of accidents and absenteeism or of making a serious error of judgement. Such action may also affect the public perception of the integrity of TfN.

2. General Principles

It is recognised that any such misuse initially requires sympathetic help and support from TfN, and this may include the involvement of external medical advice and/or counselling.

Employees who believe they have a problem in respect of alcohol and/or drug misuse will be encouraged to voluntarily seek help and assistance by informing their Line Manager or the HR & Skills Representative. Such information will be treated in the strictest confidence.

3. Aims and Objectives

Employees who acknowledge that they have an alcohol or drugs problem and who are prepared to co-operate fully in referral to any prescribed treatment will be given appropriate support to assist them in dealing with their problem.

Employees who are found to be under the influence of alcohol or drugs and who do not admit to having a problem may be dealt with under TfN's Disciplinary Policy.

4. Responsibilities

TfN has a general duty of care under the Health and Safety at Work Act 1974 to ensure as far as is reasonably practical the health, safety and welfare of its employees. In addition, all employees have a responsibility under Section 7 of the Health and Safety at Work Act 1974, to take reasonable care of their own health and safety and that of others who may be affected by their acts or omissions at work.

Employee Responsibilities

Employees are responsible for following procedures correctly and have a duty to comply with this Policy.

This Policy places a responsibility on employees not to consume alcohol or any controlled drugs prior to, or during, the working day, including breaks, so that it impairs their ability to perform the duties and responsibilities of their post effectively. This also applies when employees are working away from their normal administrative base.

Where employees are involved in the use of machinery, drive vehicles or who attend work on third party premises whose employees are legislated under the Transport and Works Act the consumption of alcohol or controlled drugs is prohibited.

Employees are also asked to report any concerns and to co-operate at all times in order to identify alcohol and drug misuse. Any such concerns raised will be dealt with on a strictly confidential basis.

Employees may attempt to cover up or deny their problem or delay in assisting a colleague out of a misguided sense of loyalty. This may also arise from a feeling of fear or shame at their lack of self-control, and it is essential that a sensitive approach is applied when dealing with such situations.

Line Manager Responsibilities

Line Managers are responsible for ensuring compliance with this Policy and monitoring changes in behaviour, work performance and an employees' ability to attend work.

HR & Skills Representatives Responsibilities

- Ensure that this Alcohol and Drug Policy is applied fairly and consistently
- Liaise with Line Managers to facilitate meetings
- Arrange Occupational Health appointments
- Provide a confidential point of contact for employees
- Promote the awareness of the Alcohol and Drugs Policy.

5. Evening Social Function

Employees may partake of alcohol at social function or as an invited guest of external companies e.g. award functions, network events, business dinners, conferences, etc. However, at such occasions employees are expected to show responsible behaviour, consider the mode of transport after the event and limit the level of alcohol consumption. Employees also have a responsibility to make themselves familiar and comply with the TfN's Code of Conduct.

6. Employee Assistance Programme

Employees should be aware of the following advisory and counselling services which are available:

- TfN's Employee Assistance Programme is available 24 hours per day, 7 days per week - 0800 072 7072 (www.axabesupported.co.uk.com), using Transport as username and Manchester as password)
- Manchester Integrated Drug and Alcohol Service (MIDAS) - Zion Centre (Central Manchester) – 0161 226 5526
- Forward Leeds (for people with drug and alcohol problem) – 0113 887 2477
- Alcohol Concern – 020 3907 8480
- Alcoholics Anonymous Helpline – 0800 9177 650
- National Drugs Helpline – 0800 77 66 00

7. Alcohol and Drugs – Guidelines for all Managers

Employees who acknowledge that they have an alcohol or drugs problem and who are prepared to co-operate fully in referral to any prescribed treatment will be given appropriate support to assist them in dealing with their problem.

Line Manager should arrange to talk to the employee in private, giving them the opportunity to express their concerns. Line Manager should stress to the employee that the process is confidential and discuss the situation and possible causes. It should be then agreed to take steps to address the problem and, if necessary, refer to another TfN Policy for resolution.

The aim of this process is to deal with the issue in a supportive, confidential and sensitive manner in order to take steps to resolve the problem and enable the employee to resume normal working as soon as possible.

Line Manager should consider whether it is safe for the employee to remain at work and if the safety of the employee or others may be jeopardised. If the employee is instructed to go home their absence will be recorded as sickness.

Employees should be explained that the Line Manager will need to contact the HR & Skills Representative in order to refer the employee to the Occupational Health Provider as soon as possible.

The Occupational Health Advisor will meet with the employee as soon as possible to discuss appropriate treatment, possible testing and support. This process may involve discussions with the employee's Doctor who may refer the employee, where appropriate, to external specialists.

Regular review meetings will take place between the Line Manager, the Employee, Occupational Health and any external agencies, including the employee's Doctor who may be involved in the programme.

Failure to follow and complete the above support programme or to purposely impede recovery, could lead to the employee being removed from the protection given by the programme. In such instances the TfN Disciplinary Policy may be instigated.

The steps detailed within this policy do not prejudice TfN's right to refer matters to the Disciplinary Policy should an employee's conduct, whilst under the influence of alcohol or drugs within the workplace, be unacceptable.

8. Process for Line Managers

Employees who are found to be under the influence of alcohol or drugs and who do not admit to having a problem may be dealt with under the TfN Disciplinary Policy.

Where the Line Manager has a reasonable belief that an employee is under the influence of alcohol or drugs the Line Manager must contact the HR & Skills Representative for immediate advice.

Before talking to an employee, it is important that the Line Manager has some evidence of concern in respect of the employee in order to justify intervention. This could include deterioration in work performance, conduct, frequent absence, poor timekeeping, lack of care over personal appearance, mood swings, poor concentration, irritability etc.

The Line Manager will meet with the employee, in confidence, to discuss issues/concerns and fully investigate the circumstances.

In the event that the employee subsequently admits to having an alcohol or drugs problem and is willing to seek Occupational Health advice and establish a support programme the matter will be referred to HR & Skills Representative in order to reach a resolution.

In the event that the employee does not agree to seek Occupational Health advice in order to establish a support programme, the matter may be referred to the Disciplinary Policy for resolution. Dependent on the specific circumstances of the case the employee, following advice from the HR & Skills Representative, could be suspended in accordance with the TfN's Disciplinary Policy.

When considering the case through the Disciplinary Policy the safety of the employee and/or other employees is paramount as is the reputation of TfN.

It should be noted that attending work and carrying out duties whilst under the influence of alcohol or drugs may be regarded as Gross Misconduct and could lead to summary dismissal.

9. Further Advice

Further advice and guidance on the effective implementation of the procedure is available from the HR & Skills Representative.

Any employee who is dissatisfied in respect of the implementation of the Policy on Alcohol and Drug Misuse should instigate TfN's Grievance Policy.

10. Alcohol and Drug misuse and the Law

The main pieces of legislation impacting on alcohol and drug misuse in the workplace are:

- Misuse of Drugs Act 1971
- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1998
- Provision and Use of Work Equipment Regulations 1998
- Data Protection Act 1998
- Road Traffic Act 1988
- The Transport and Works Act 1992
- Common Law.

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