

## Alcohol & Substance Misuse Policy

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### What is in this policy?

This Policy for Managing Alcohol and Substance Misuse and sets out how University Hospitals Bristol and Weston NHS Foundation Trust (the Trust) will manage substance (alcohol and drug) misuse by its employees and contractors in order to meet its health and safety duties.

<b>Document Change Control</b>				
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Nov 2007	1.0	Director of Workforce & OD	Major / Minor	First draft
Nov 2012	2.0	Director of Workforce & OD	Minor	Scheduled Review
Jan 2015	3.0	Director of Workforce & OD	Minor	Scheduled Review
May 2017	4.0	Head of Employee Relations	Minor	Scheduled Review. Changes to formatting and template only.
Feb 2019	5.0	Head of Employee Relations	Minor	Scheduled Review. Changes to formatting and template only.

<b>Sign off Process and Dates</b>	
<b>Groups consulted</b>	<b>Date agreed</b>
HR Policy Group	28/07/2019
Joint Union Committee	01/08/2019
Policy Assurance Group	01/08/2019
Senior Partnership Forum	17/09/2019

- **Stakeholder Group** can include any group that has been consulted over the content or requirement for this policy.
- **Steering Group** can include any meeting of professionals who has been involved in agreeing specific content relating to this policy.
- **Other Groups** include any meetings consulted over this policy.
- **Policy Assurance Group** must agree this document before it is sent to the **Approval Authority** for final sign off before upload to the DMS.

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## 1. Introduction

- 1.1 University Hospitals Bristol NHS Foundation Trust (UH Bristol) recognises its responsibilities with regards to the health and welfare of its employees and patients. Inappropriate use of alcohol or other substances can damage the health and well-being of employees and have far reaching effects on their personal and professional lives.
- 1.2 UH Bristol is committed to providing a safe and healthy working environment. It recognises that this can be put at risk by members of staff who misuse alcohol and other substances to such an extent that it affects their health, work performance, conduct and compromises patient, visitor or staff safety.
- 1.3 Employees of UH Bristol should not present themselves for work if they are unfit through the consumption of alcohol and/or other substances.
- 1.4 Employees found in possession of, or illegally dealing in drugs at work, will be reported immediately to the police.
- 1.5 The Trust will adopt a constructive and supportive approach when dealing with employees who may be experiencing an alcohol or substance misuse issue. This means that an employee seeking assistance for an alcohol or substance misuse issue will not have their employment terminated simply because of their dependence/addiction. If however, performance, attendance or conduct is affected, or continues to be affected then the relevant policy should be followed.

## 2. Purpose

- 2.1 This policy is designed to promote the good health of all Trust employees, to help protect staff from the dangers of alcohol and substance misuse and to encourage those with a problem to seek help.
- 2.2 The policy aims to ensure that all staff employed within the UH Bristol are aware of their responsibilities in relation to the misuse of alcohol and other substances in the workplace, and the measures that will be taken by the Trust if a member of staff is found to be misusing alcohol and/or other substances.
- 2.3 Nothing within this policy prevents the Trust from taking action under the Trust Staff Conduct and Disciplinary policy at any time, where warranted by the circumstances.
- 2.4 The purpose of this policy is to safeguard the health and safety of patients, staff and visitors and to:
  - Clearly set out the implications and consequences of alcohol and substance misuse in the workplace.
  - Clearly set out responsibilities of individuals and managers, and set out procedures for managing issues related to alcohol and substance misuse.
  - Promote the health and wellbeing of members of staff arising from alcohol and substance misuse.

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- Give guidance to managers on how to deal with members of staff who are misusing alcohol or other substances and provide a framework for consistent handling of cases involving alcohol and substance misuse.
- Encourage responsibility/knowledge in the area of alcohol and substance use/misuse through education and welfare.
- Meet the obligations of the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999.

### **3. Scope**

This policy relates to All employees of the Trust, as well as workers on substantive, temporary/fixed-term, secondment, honorary, and Temporary Staffing Bureau contracts, volunteers, agency and contract staff, those on clinical placements/attachments and on work experience.

### **4. Definitions**

#### **4.1 *Alcohol & Substance misuse***

The inappropriate use of substances, which include alcohol, solvents, legal and illegal drugs, prescription and over the counter medicines and other substances that could adversely affect work performance and/or health and safety.

#### **4.2 *Occupational Health***

The Trust's provider of Occupational Health services, including health assessments and liaison with other health providers such as GPs and counsellors, is referred to throughout this policy as OH.

### **5. Duties, Roles and Responsibilities**

#### **5.1 *General Managers and Clinical Leads Responsibilities***

General Managers and Clinical leads are responsible for the implementation of the policy. They will ensure that employees are made aware that it is not acceptable to be impaired by alcohol and/or substances during the conduct of their duties and of the ways in which breaches will be handled.

#### **5.2 *Individual Responsibilities***

- (a) Employees must accept responsibility for their own actions.
- (b) Employees have a responsibility to ensure that they report to work and remain in a condition to perform their duties free from the effects of alcohol or other substances, whether on Trust premises or at external locations.
- (c) Alcohol remains in the blood long after alcoholic drink is consumed and this must be remembered when drinking outside of work, including the previous evening. In some circumstances this could lead to an employee reporting for duty still under the influence of alcohol as a result of consumption the night before. Employees

- must not smell of alcohol whilst at work. It is the responsibility of the employee to ensure that they report to work free from effects of previous alcohol consumption.
- (d) Employees who are on-call must also ensure they do not drink any alcohol or take any prohibited substances what so ever during the on-call period as they may be required to work.
  - (e) The consumption of alcohol and prohibited substances whilst working is strictly forbidden and this is inclusive of consumption during rest breaks, lunch/meal breaks that occur when on duty and applies to all employees. Employees who do so will be dealt with in line with the Trust's Disciplinary Procedure and may lead to dismissal. It may also include the notification of any relevant professional body for those employees who are professionally registered.
  - (f) Employees who are taking prescribed medication should take advice from their prescriber that the drug will not affect their performance in their role. Employees should inform their manager of any prescribed drug that has side effects that may impact on their ability to carry out their work safely so that a risk assessment can be carried out to determine whether it is appropriate to remain in the workplace. The same advice should be sought from a pharmacist if medication is being purchased without prescription. Further information can be sought from OH.
  - (g) Employees must inform their manager if they are investigated, cautioned, charged or convicted of any criminal charge in relation to the misuse of alcohol and/or prohibited substances, in line with the Trust's Staff Conduct Policy and Transport and Driving at Work Policy. It will be for the line manager in liaison with Employee Services to determine if any further action is required under the disciplinary procedure. If employees fail to inform the line manager of any investigation, caution or charge and this becomes apparent on DBS checks then this should also be subject to the disciplinary procedure.
  - (h) Employees are encouraged to seek appropriate help if they have any alcohol or substance misuse issues and should also seek support from their line manager and OH.
  - (i) It is strictly forbidden for any member of staff to use drugs prescribed for patients. This will be regarded as theft or fraud and will be dealt with in line with the Trust's disciplinary process and/or by criminal investigation and may lead to dismissal or further criminal or civil sanctions. It may also include the notification of any relevant professional body for those employees who are professionally registered.
  - (j) Staff should encourage colleagues to seek help if they have a problem with drug, alcohol or substance misuse.
  - (k) In the interest of health and safety, employees who are concerned that another employee has an issue with regards to alcohol or substance misuse should raise this with an appropriate manager.

### 5.3 *Line Manager Responsibilities*

- (a) Managers should be aware of the need for confidentiality when dealing with instances of alcohol or substance misuse.
- (b) Managers should ensure that all employees are aware of this policy.
- (c) If a manager believes that patient safety or a member of staff's performance or attendance is being adversely affected by the use of alcohol or substance misuse, or it is seen that a member of staff is drinking alcohol or taking prohibited drugs, they should intervene at the earliest stage; advice should be sought and this could include suspension of the employee from duties.
- (d) Where a pattern of behaviour causes concern, managers should have an informal discussion with the employee, documenting that an informal conversation has taken place and what advice/support has been offered to the employee. This discussion can enable the employee to open up about any underlying issues that are causing them to misuse alcohol and/or substances, and for the manager to demonstrate their support. The manager should then refer the employee to OH with the employee's consent and contact Employee Services for further advice.
- (e) If a manager suspects that there is a personal issue that is affecting the employee and causing them to misuse alcohol and/or substances, they are encouraged to contact Employee Services and Safeguarding if further advice is required.

### 5.4 *Occupational Health (OH) Service Responsibilities*

- (a) OH will advise managers and assist members of staff dealing with alcohol or substance misuse issues.
- (b) Employees who are referred by a manager to OH in relation to an alcohol or substance misuse concern will be assessed by means of a standard referral to an OH doctor or nurse. The employee may be requested to undergo tests to allow the OH professional to assess if alcohol or substance misuse is a concern and if so the severity of the problem.
- (c) If alcohol or substance misuse is a concern, OH will advise the employee of sources of help and recommend the employee seeks further advice. Usually this will be by directing the employee to their GP and giving details of other local services the employee can access directly. With consent, OH will communicate with the GP and others involved in the employees care as required.
- (d) If the employee has been referred to OH for advice relating to suspension OH will assess the case and report to management as to whether they believe suspension is appropriate on medical grounds.
- (e) In some cases OH will recommend a programme of random testing for drugs and/or prohibited substances to enable the employee to demonstrate that they have overcome the problem, and reassure management that the problem is under control. In such cases, the manager must agree to accept responsibility for receiving

outcome reports from this programme and take appropriate action where alcohol and/or drugs are detected.

- (f) With appropriate consent from the employee, OH will advise the referring manager of the employee's fitness for work. In broad terms this will be the advice given to the employee and what adjustments at work may assist the employee to overcome the alcohol or substance abuse. OH will arrange to follow up with the employee as appropriate to the individual circumstances, and continue to advise management of the employee's fitness to work.

## **5.5 *Employee Services Responsibilities***

Employee Services will offer support and advice to managers and employees in dealing with issues relating to alcohol or substance misuse along with OH guidance. Employee Services cannot provide professional advice about dealing with alcohol or substance misuse.

## **6. Procedure**

### **6.1 *Steps to take***

- (a) The member of staff should be approached by their manager and offered the opportunity to discuss the concerns. The member of staff should be asked if they are experiencing any difficulties and given the opportunity to state how they are feeling. The informal conversation should also be documented. People who misuse alcohol or substances may deny that they have a problem. Managers should be aware of this and should not accuse the individual of having a problem if they do not have objective evidence.
- (b) If there is no immediate concern for health, safety and welfare, find a suitable time and place to meet with the member of staff.
- (c) If it is determined that there is an alcohol or substance misuse problem the employee should be referred to OH, ensuring confidentiality of information at all times. OH will discuss the problem with the individual and refer them to the appropriate agencies for further support.
- (d) If the employee accepts help/treatment, appropriate leave options should be considered to enable them to attend treatment sessions if they occur in work time.
- (e) If the employee denies there is an alcohol or substance misuse issue, an OH referral should still be offered. However if the employee declines offers of support and work performance continues to be affected then the Trust's Disciplinary Policy or Supporting Performance Policy should be followed as appropriate.
- (f) Regular reviews should occur between the manager and the employee, with OH support. An Employee Services representative may be present at review meetings and the employee has the right to be accompanied by a colleague or trade union representative.
- (g) If the employee appears to be under the influence of alcohol or other substances it is the responsibility of the manager to ensure safe service delivery by removing the employee from the workplace. A referral to OH should be made. OH will then

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review the employee as explained in 5.4(d) above. The OH advice line is open from 09:00 – 17:00. If it is the case that they are not contactable due to an incident occurring outside of normal office hours, the employee will be sent home for their shift and the manager will need to fill out the Risk Assessment form which can be found in Appendix 1. The manager may need to complete the Risk Assessment form if OH does not have the appropriate member of staff available. The manager should then contact Employee Services the following day or as soon as possible.

- (h) However if it is the case that the employee refuses to attend the OH appointment or is behaving in a way which causes concern, the employee may be suspended under the Trust's Disciplinary policy.

## 6.2 *Disciplinary Action*

- (a) The Trust will adopt a constructive and supportive approach when dealing with employees who may be experiencing an alcohol or substance misuse issue. This means that an employee seeking assistance for an alcohol or substance misuse issue will not have their employment terminated simply because of their dependence/addiction. If however, performance, attendance or conduct is affected, or continues to be affected then the relevant policy should be followed.
- (b) Alcohol and substance misuse may also become a disciplinary matter if a member of staff:
- Endangers life
  - Causes distress or adversely affects wellbeing of others
  - Damages property
  - Interferes with the working of the Trust
  - Refuses to co-operate with a reasonable management instruction or Trust procedures.
  - Commits misconduct or gross misconduct
  - Reports for work clearly under the influence of alcohol and/or other substances
  - Contravenes Trust Policies or professional/clinical codes as per their regulatory body.

This list is not definitive and there may be other reasons relating to alcohol or substance misuse that could lead to disciplinary action.

- (c) Disciplinary action taken could result in dismissal and may also include the notification of any relevant professional body for those employees who are professionally registered. Suspension or loss of professional registration due to alcohol or substance misuse could result in dismissal.
- (d) Any member of staff whose duties involve driving Trust vehicles or travelling on Trust business, who is reported by the police, cautioned, charged, license temporarily or permanently taken away or convicted of a drink driving or substance

related offence will be dealt with under the Trust's Disciplinary Procedure which may lead to dismissal. Please also refer to the Trust's Transport Policy.

### **6.3 *Alcohol/Prohibited Substance screening***

- (a) Screening for alcohol and/or prohibited substances will not form part of the Trust recruitment process. However, in some cases OH will recommend a programme of random testing for alcohol and/or prohibited substances to enable the employee to demonstrate they have overcome the problem, and reassure management that the problem is under control. In such cases the manager is expected to be responsible for receiving outcome reports from this programme and taking appropriate action where alcohol and/or prohibited substances are detected.
- (b) All Trust drivers should be aware of the Road Traffic Act 1988 specifically concerning prescribed drugs and the set safe limits when driving. The Trust reserves the right to carry out random breath tests on any person that drives a vehicle on Trust business (see section 5.5 of the Transport and Driving at Work Policy).

## **7. References**

[Disciplinary Policy](#)

[Staff Conduct Policy](#)

[Maintaining High Professional Standards](#)

[Transport Policy](#)

## 8. Appendix A – Risk Assessment & Support Services

### SUBSTANCE & ALCOHOL MISUSE Risk Assessment – IN CONFIDENCE

**Name:**

**Title:**

**Place of Work:**

**Line Manager:**

Description of Risk/Concerns:
Do you suspect misuse of: Alcohol <input type="checkbox"/> Substance <input type="checkbox"/> Alcohol & Substance <input type="checkbox"/>
Why do you suspect misuse of:.....
Has an incident/accident/near miss/dangerous occurrence taken place that has reinforced any concerns for the wellbeing of this employee? Yes/No (If yes, please ensure an incident report form is completed)
Has this happened before? Yes/No
Has the employee admitted to there being a problem?
What are the employee's duties/role within the department?
Please indicate what type(s) of equipment they use whilst at work.
Do they require a high level of concentration to perform their role?

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Is the employee's presence in the workplace putting the health and safety of themselves or others at risk? Yes/No

If yes why?

**SEEK ADVICE FROM HUMAN RESOURCES in respect of intended course of action:**

What action has been taken and why?

Monitoring and Review

Risk Assessment carried out by:.....

Date:.....

**Alcoholics Anonymous**

Helpline: 0845 769 7555. Website: [www.alcoholics-anonymous.org.uk](http://www.alcoholics-anonymous.org.uk)

**Drink Aware**

Helpline: 0800 917 8282. Website: [www.drinkaware.co.uk](http://www.drinkaware.co.uk)

**Narcotics Anonymous**

Helpline: 0300 999 1212. Website: [www.ukna.org](http://www.ukna.org)

**Talk to Frank**

Helpline: 0800 776 600. Website: [www.talktofrank.com](http://www.talktofrank.com)

**Adfam**

Helpline: 020 7553 7640. Website: <http://www.adfam.org.uk/>

**Bristol Drugs Project**

Website: <http://www.bdp.org.uk/>

**Addiction Recovery Agency**

Website: <http://www.addictionrecovery.org.uk/>

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## 9. Appendix B – Monitoring Table for this Policy

Objective	Evidence	Method	Frequency	Responsible	Committee
To ensure policy remains fit for purpose	Feedback from managers, Staffside, and other stakeholders; data relating to dismissals relations to alcohol or substance misuse	Policy review	36 months	Head of Employee Relations	Policy Group and Trust Partnership Forum

## 10. Appendix C – Dissemination, Implementation and Training Plan

The following table sets out the dissemination, implementation and training provisions associated with this Policy.

Plan Elements	Plan Details
<b>The Dissemination Lead is:</b>	Head of Employee Relations
<b>Is this document: A – replacing the same titled, expired policy, B – replacing an alternative policy, C – a new policy:</b>	A
<b>If answer above is B: Alternative documentation this policy will replace (if applicable):</b>	N/A
<b>This document is to be disseminated to:</b>	All staff
<b>Method of dissemination:</b>	HR web, Newsbeat
<b>Is Training required:</b>	No
<b>The Training Lead is:</b>	N/A

Additional Comments
N/A

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## 11. Appendix D – Equality Impact Assessment (EIA) Screening Tool

Further information and guidance about Equality Impact Assessments is available here:

<http://nww.avon.nhs.uk/dms/download.aspx?did=17833>

Query	Response
What is the <b>main purpose</b> of the document?	This policy is designed to promote the good health of all Trust employees, to help protect staff from the dangers of alcohol and substance misuse and to encourage those with a problem to seek help.
Who is the target audience of the document? Who is it likely to impact on? (Please tick all that apply.)	Add <input checked="" type="checkbox"/> or <input checked="" type="checkbox"/> <b>Staff</b> <input checked="" type="checkbox"/> <b>Patients</b> <input checked="" type="checkbox"/> <b>Visitors</b> <input checked="" type="checkbox"/> <b>Carers</b> <input checked="" type="checkbox"/> <b>Others</b> <input checked="" type="checkbox"/>

Could the document have a significant <b>negative</b> impact on equality in relation to each of these characteristics?	YES	NO	Please explain why, and what evidence supports this assessment in relation to your response.
<b>Age</b> (including younger and older people)		No	
<b>Disability</b> (including physical and sensory impairments, learning disabilities, mental health)		No	
<b>Gender reassignment</b>		No	
<b>Pregnancy and maternity</b>		No	
<b>Race</b> (includes ethnicity as well as gypsy travelers)		No	
<b>Religion and belief</b> (includes non-belief)		No	
<b>Sex</b> (male and female)		No	
<b>Sexual Orientation</b> (lesbian, gay, bisexual, other)		No	
<b>Groups at risk of stigma</b> or social exclusion (e.g. offenders, homeless people)		No	
<b>Human Rights</b> (particularly rights to privacy, dignity, liberty and non-degrading treatment)		No	

Will the document create any problems or barriers to any community or group? NO

Will any group be excluded because of this document? NO

Will the document result in discrimination against any group? NO

If the answer to any of these questions is YES, you must complete a full Equality Impact Assessment.

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Could the document have a significant positive impact on inclusion by reducing inequalities?	YES	NO	If yes, please explain why, and what evidence supports this assessment.
Will it promote equal opportunities for people from all groups?		No	
Will it help to get rid of discrimination?		No	
Will it help to get rid of harassment?		No	
Will it promote good relations between people from all groups?		No	
Will it promote and protect human rights?		No	

On the basis of the information/evidence so far, do you believe that the document will have a positive or negative impact on equality? (Please rate by circling the level of impact, below.)

Positive impact				Negative Impact		
Significant	Some	Very Little	NONE	Very Little	Some	Significant

Is a full equality impact assessment required? NO

Date assessment completed: 28 February 2019

Person completing the assessment: XXXXXXXXXX

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