



Substance Misuse Policy September 2022

Approved by the Trust Board: 26 September 2022

SUBSTANCE MISUSE POLICY

1 ABOUT THIS POLICY

- 1.1 Derby Diocesan Academy Trust ("the Trust", "DDAT") is committed to providing a safe, healthy and productive working environment, and an environment that is safe for its pupils. This includes ensuring that all staff are fit to carry out their jobs safely and effectively in an environment which is free from alcohol and drug misuse.
- 1.2 This policy is not intended to apply to "one-off" incidents or offences caused by alcohol or drug misuse at or outside work where there is no evidence of an ongoing problem, which may damage the Trust's reputation, and which are likely to be dealt with under DDAT's Disciplinary Procedure.
- 1.3 The Trust will not accept staff arriving at work under the influence of alcohol or drugs, and/or whose ability to work is impaired in any way by reason of the consumption of alcohol or drugs, or who consume alcohol or take drugs (other than prescription or over the counter medication, as directed) at any school premises.
- 1.4 This policy covers all employees, officers, consultants, contractors, volunteers, casual workers and agency workers, working for the Trust.
- 1.5 This policy does not form part of any employee's contract of employment and DDAT may amend it at any time following consultation with recognised Trade Unions. It has been implemented following consultation with all recognised Trade Unions.

2 IDENTIFYING A PROBLEM

- 2.1 If you have concerns that a colleague's behaviour may be related to being under the influence of a substance you should encourage them to seek assistance through their manager or the Human Resources ("HR") team. If they will not seek help themselves, you should draw the matter to the attention of your manager. You should not attempt to cover up for a colleague whose work or behaviour is suffering as a result of an alcohol or drug-related problem. Please also refer to section 5 of this policy.
- 2.2 If you believe that you have an alcohol or drug-related problem, you should seek specialist advice and support as soon as possible. You should speak to your line manager or the HR team who can offer you access to appropriate professional support. The earlier this is reported, the earlier support can be accessed.

3 ALCOHOL AND DRUGS AT WORK

- 3.1 Alcohol and drugs can lead to reduced levels of attendance, reduced efficiency and performance, impaired judgement and decision-making and increased health and safety risks for you, pupils at DDAT's schools and other people. Irresponsible behaviour or the commission of offences resulting from the use of alcohol or drugs cause safeguarding concerns and could potentially damage the Trust's reputation.

- 3.2 You are expected to arrive at work fit to carry out your job and to be able to perform your duties safely without any limitations due to the use or after-effects of alcohol or drugs. In this policy drug use includes the use of controlled drugs, psychoactive (or mind-altering) substances formerly known as "legal highs", and the misuse of prescribed or over-the-counter medication.
- 3.3 We expect you to demonstrate responsible behaviour at work, work-related functions and work-related social events and to act in a way that will not have a detrimental effect on your ability to carry out your duties or on our reputation. You should not drink alcohol during the normal working day, at lunchtime, at other official breaks and at official work-based meetings and events where this could affect your ability to remain professional and/or fit for work at the relevant times. Drinking alcohol while at work or working under the influence of alcohol may be considered serious misconduct and may be dealt with under DDAT's Disciplinary Procedure.
- 3.4 You must comply with drink-driving laws and drug-driving laws at all times. Conviction for drink-driving or drug-driving offence may harm the Trust's reputation and, if your job requires you to drive, you may be unable to continue to do your job. Committing a drink-driving or drug-driving offence may lead to action under DDAT's Disciplinary Procedure and could result in dismissal.
- 3.5 If you are prescribed medication, you must seek advice from your GP or pharmacist about the possible effect on your ability to carry out your job safely and whether your duties should be modified, or you should be temporarily reassigned to a different role. If so, you must tell the HR team without delay.

4 SEARCHES

- 4.1 The Trust reserves the right to conduct searches for alcohol or drugs on Trust premises, including, but not limited to, searches of lockers, filing cabinets and desks, bags, clothing and packages. A Search may include a body search (pat down) by a senior member of staff of the same sex in the presence of a witness.
- 4.2 Any alcohol or illegal/recreational drugs found as a result of a search will be confiscated and action may be taken under DDAT's Disciplinary Procedure.

5 MANAGING SUSPECTED SUBSTANCE MISUSE

- 5.1 Where a manager considers that a deterioration in work performance and/or changes in patterns of behaviour may be due to alcohol or drug misuse they should seek advice and assistance from the HR team.
- 5.2 If you arrive at work and a manager reasonably believes you are under the influence of alcohol or drugs, they shall immediately contact the HR team in order that you can be taken to the first aid room/private room away from pupils and an investigation can be undertaken to gather more information.
- 5.3 If your manager has reason to believe that you are suffering the effects of alcohol or drugs misuse, they will invite you to an investigatory interview to which you will have

the right to be accompanied. The purpose of the interview is to:

- 5.3.1 discuss the reason for the investigation and seek your views on, for example, the deterioration of your work performance and/or behaviour; and
 - 5.3.2 where appropriate, offer to refer you to Occupational Health for medical and/or specialist advice.
- 5.4 If at any point you agree to be referred to Occupational Health, the HR team will request an urgent appointment and prepare a letter of referral, a copy of which will be provided to you.
- 5.5 Occupational Health may ask for your consent to approach your GP for advice. A report will be sent to your manager (and/or the HR team) who will then reassess the reasons for their investigatory meeting with you and decide on the way forward.
- 5.6 If, as the result of the meeting or investigation, your manager continues to believe that you are suffering the effects of alcohol or drugs misuse and you refuse an offer of referral to Occupational Health or appropriate treatment providers the matter may be dealt with under DDAT's Disciplinary Procedure.

6 PROVIDING SUPPORT

- 6.1 Alcohol and drug-related problems may develop for a variety of reasons and over a considerable period of time. The Trust is committed, in so far as possible and in accordance with its safeguarding duties and duty of care to pupils and all staff, to treating these problems in a similar way to other health issues. The Trust will provide support where possible with a view to maintain/or facilitate a return to full duties. This may include:
- 6.1.1 Referral to appropriate treatment providers, where necessary in conjunction with your GP.
 - 6.1.2 Time off work to attend treatment where treatment cannot be arranged around work commitments.
 - 6.1.3 Adjusting your duties or other support as recommended by Occupational Health (reasonable adjustments) during treatment and for an agreed period thereafter, subject to operational requirements and feasibility.
 - 6.1.4 Referral to a mental health first aider either in school or via the Central Team
 - 6.1.5 Signposting to Education Support website: [Education Support, supporting teachers and education staff](#).
 - 6.1.6 Signposting to wellbeing support through the absence insurance policy e.g. Schools Advisory Service.

- 6.2 If you do not finish a programme of treatment, or your recovery and return to work does not go as planned, the HR team will meet with you to decide what further action if any should be taken.

7 CONFIDENTIALITY

- 7.1 The Trust aims to ensure that the confidentiality of any member of staff experiencing alcohol or drug-related problems is maintained appropriately. However, it needs to be recognised that, in supporting staff, acting in the best interests of its pupils, and acting in accordance with its statutory safeguarding obligations, some degree of information sharing is likely to be necessary. As such, nothing in this policy will prevent the Trust from complying with its statutory obligations, nor will it prevent the Trust making any disclosures required in accordance with its Safeguarding Policy and/or Keeping Children Safe in Education guidance.
- 7.2 If you seek help with an alcohol or drug-related problem directly from the HR Team and you wish to keep matters confidential from your manager and colleagues, this will be respected unless there is reason to believe that this could put you, your colleagues, the school's pupils or anyone else at risk or carries some other material risk for the Trust. In those circumstances the HR Team will encourage you to inform your manager and/or the Headteacher and will give you sufficient time to do so (where possible) before discussing the matter with them.

8 PERFORMANCE AND DISCIPLINARY ISSUES

- 8.1 The Trust recognises that there is a difference between an on-going dependency issue, which will usually be dealt with under DDAT's Capability Policy, and "one-off" incidents or offences caused by alcohol or drug misuse at or outside work where there is no evidence of an ongoing problem, which are likely to be dealt with under DDAT's Disciplinary Procedure.
- 8.2 If you agree to undertake appropriate treatment and/or rehabilitation for an acknowledged alcohol or drug-related problem, the Trust may decide to suspend any ongoing disciplinary action against you for related misconduct or poor performance, pending the outcome of the treatment.
- 8.3 The Trust's intention is to support all staff with alcohol or drug-related problems to regain good health. Depending on the progress made on the course of treatment, any disciplinary action may be suspended for a specified period, discontinued or restarted at any time as the Trust sees fit.