

Title	Alcohol and Substance Misuse and Gambling Policy
Purpose	<p>This policy has been written to assist Maryhill Housing (MH) in the management of alcohol, substance and gambling related issues affecting the working environment. Maryhill Housing has a duty to provide high standards of customer care at all times and it is acknowledged that alcohol, substance and gambling related issues are likely to have an adverse effect on this.</p> <p>This policy will set out Maryhill Housing's standards and expectations in relation to this and the level of support that will be available when problems arise.</p>
Scope	<p>This policy applies to all employees, workers, agency workers and volunteers at Maryhill Housing.</p> <p>MH recognises that alcohol, substance and gambling related problems are areas of health and social concern and can have an adverse effect on employment. Health issues caused by the misuse of alcohol and drugs include weight problems, sleep problems, cancer, liver disease, mental health problems and stroke.</p> <p>Any employee who has an alcohol, drug or gambling problem is encouraged to seek help and guidance at an early stage on how to deal with such a problem. MH is committed to arranging advice and counselling, where possible, for any employee with such a problem. It is MH's policy to preserve employment for those employees who co-operate with a recommended programme of recovery.</p> <p>Any decision to grant special leave, changes of duty etc. lies ultimately with the relevant Director and will be in accordance with MH's policies.</p>
Definitions	<p>For the purposes of this policy the following definitions apply:</p> <p>Alcohol Abuse: where a person feels that they are unable to function without alcohol, and the consumption of alcohol becomes an important, or sometimes the most important, factor in their life. (www.nhs.co.uk)</p> <p>Substance Abuse: Intoxication by, or regular excessive consumption, of and/or dependence on psychoactive substances, leading to social, psychological, physical or legal problems. It includes problematic use of both legal and illegal drugs (including 'legal highs', solvents, over the counter medication, and alcohol, when used in combination with other substances). (www.nice.org.uk)</p> <p>Gambling addiction: where the person experiences an urge to continuously gamble despite harmful negative consequences or the desire to stop.</p>
Policy Statement	<p>Policy Aims</p> <p>This policy aims to:</p> <ul style="list-style-type: none"> • Clarify Maryhill Housing's position on drinking and/or substance abuse and gambling related issues at work

- Explain Maryhill Housing’s position on illegal activity concerning gambling, drugs and/or alcohol
- Provide guidance and boundaries on appropriate assistance and support to employees with issues relating to alcohol, substance and gambling related issues
- Adhere to the legal obligations of Maryhill Housing as set out under Health & Safety legislation
- Clarify the circumstances in which disciplinary procedures will be instigated.
- Provide guidance for managers to manage alcohol and substance misuse and gambling related issues
- Clarify the distinction between dependent and non-dependent misuse of alcohol or substances.

Confidentiality

Employees with alcohol or substance abuse problems who are referred for treatment, whether voluntarily or mandatory will be dealt with in the strictest confidence.

The confidential nature of any records of employees with alcohol, drugs or gambling related problems will be strictly preserved. Information relating to managerial and disciplinary referrals on the employee’s progress on a recovery programme will be forwarded by any relevant external agency to Human Resources on a regular basis.

In the case of a disciplinary referral, the referring manager is also informed of the employee’s progress. Any enquiries about an employee’s progress can only be made to Human Resources or the designated person.

General Data Protection Regulations

MH will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection policy. Information regarding how your data will be used and the basis for processing your data is provided in MH’s employee privacy notice.

Training

Education on the harmful effects of alcohol, drugs and gambling addiction and the benefits and means of identification of those suffering from alcohol, drug and gambling addiction will be made available to employees.

In respect of alcohol and drugs misuse, MH may take the following action:

- alert employees to the risks associated with alcohol/drug misuse and promote progressive change of attitude regarding their use;
- make employees aware that professional and sympathetic help is available;
- reduce the tendency of collusion and covering up of alcohol/drug misuse by fellow employees/supervisors/managers.

Disciplinary Procedures

In circumstances where the MH’s disciplinary procedures are instigated in

relation to this policy, the outcome may include dismissal.

Legal Framework

- Health & Safety at Work Act 1974
- Misuse of Drugs Act 1971
- Psychoactive Substances Bill 2016

Health and Safety

Maryhill Housing recognises its duty under the Health and Safety at Work Act 1974 to ensure as far as is reasonably practical the physical and psychological health and safety of all employees. If it is felt that an individual poses a risk to the health and safety of themselves or anyone else as a result of alcohol or substance misuse or gambling related issues, immediate action will be taken to remove the individual from the workplace, most likely by sending the individual home. If it is not safe for the individual to make their own way home, alternative travel arrangements must be made.

All employees have a responsibility to ensure the health and safety of others is not put at risk. If an employee has reason to believe that a colleague is misusing alcohol or drugs they must inform their line manager immediately.

Employees using prescription drugs or any over the counter medication which they could reasonably expect would affect their ability to carry out their work duties must let their line manager know so that appropriate support can be provided (e.g. a temporary change of duties if someone is unable to drive etc). Managers must treat any such disclosure with appropriate confidentiality.

Driving at Work

If any employee is in any doubt about whether they are safe to drive due to consumption of alcohol, or any other reason, they should not it.

Should an employee be over the alcohol limit for driving in Scotland and then undertake any occupational driving, this will be deemed as a breach of conduct and will be dealt with under our Disciplinary Policy.

If an employee suspects another staff member is under the influence of alcohol, they have a responsibility to report this immediately to a manager. Should malicious allegations be made, this will be treated very seriously and will be subject to formal disciplinary action.

Alternatively, a call can be made directly to the police.

Use of machinery, COSHH, working at heights

Those working with machinery, at heights and where COSHH regulations apply are particularly at risk when they or their colleagues are under the influence of legal or illegal substances.

If any employee is in any doubt about whether they are safe to operate machinery or use substances subject to COSHH due to consumption of

alcohol or any other substances, or any other reason, they should not it.

Illegal Activity

Maryhill Housing respects an individual's right to a private life, however MH works within the community with a purpose of improving the lives of those who live there. As a result, Maryhill Housing will not tolerate any instances of illegal activity concerning drugs, substances or gambling. Any employee found to be involved or connected to illegal activity will be managed under Maryhill Housing's disciplinary procedure which may result in dismissal.

Under the Misuse of Drugs Act (1971), managers of MH are liable if they knowingly allow MH premises to be used for the processing, taking, supplying or offering to supply controlled drugs.

Drinking at Work

The consumption of alcohol at Maryhill Housing events is not permitted. Employees attending external functions on behalf of Maryhill Housing (for example conferences, awards dinners) may drink alcohol in moderation. Employees representing MH at functions should not act in any way that could affect the reputation of the organisation. Alcohol must not be consumed at external functions if employees are returning to work.

Managing Alcohol Misuse

Maryhill Housing will manage alcohol misuse depending on its nature. Alcohol misuse will be dealt with under the following categories:

- 1) Alcohol overindulgence
- 2) Alcohol dependence

Where an issue arises concerning alcohol overindulgence that results in socially unacceptable or dangerous behaviour but which is not related to a physical or psychological dependence, this will be treated as a conduct issue and will be dealt with under the organisation's disciplinary procedures. For the avoidance of doubt, being under the influence of alcohol or illegal drugs at work is considered gross misconduct.

Where an issue arises concerning alcohol dependency and interferes with an employee's work, this will initially be considered as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, a programme is not completed or no dependence is diagnosed, MH will instigate the disciplinary procedure.

Managing Substance Misuse

Legal Substances

Where an issue arises concerning the recreational use or overindulgence in legally obtained legal substances which results in socially unacceptable or dangerous behaviour, this will be treated as a conduct issue and will be dealt with under the organisation's disciplinary procedures.

Where an issue arises concerning legal substance dependency which has been obtained legally and interferes with an employee's work, this will initially be managed as an ill-health issue and managed in accordance with the appropriate procedures.

However, where there is no improvement, support is not accepted, a programme is not completed or no dependence is diagnosed, MH will instigate the disciplinary procedure.

Illegal Substance Misuse

MH will not tolerate the consumption or possession of illegal drugs in any circumstances. This will always be considered to represent gross misconduct.

Illegally Obtained Legal Substances

MH will not tolerate illegal activity concerning legal substances. Any employee who is suspected of being involved in any such activity will be dealt with in accordance with Maryhill Housing's disciplinary procedures as gross misconduct.

General Illegal Activity

Any employee suspected to be involved in illegal activity concerning substances or gambling will be reported the police.

Police Involvement

In circumstances where the police are involved in an investigation concerning any employee, Maryhill Housing will continue with their own investigation, and act on this accordingly, regardless.

Managing Dependency Problems

In circumstances where an employee is suspected of having an alcohol, legal or illegal substance or legal gambling dependency MH will provide reasonable support during work time. In the first instance the line manager will have a meeting with the employee and make a management referral to the employee counselling service (or other employee support organisation). The manager will then have follow up meetings on an appropriate and regular timescale to determine the progress the individual is making. Sickness allowance will be payable for absences caused by alcohol or substance misuse in line with sections A4 and A5 of the Terms and Conditions of Employment.

Where there are performance issues relating to the dependence, appropriate performance plans will be put in place in accordance with MH's under-performance procedures as detailed in the disciplinary procedures. Where the improvement is not adequate or where support via the employee counselling service (or other employee support organisation) is not adhered to, normal disciplinary procedures will be instigated which may result in dismissal.

Referral to a support agency for a dependency issue will not be taken into consideration for any future job or promotion prospects.

Relapse

	<p>MH acknowledges that relapse is common with alcohol and drug problems. Employees will normally be supported through two relapses after treatment. Subsequent relapses will be reviewed on a case-by-case basis, taking into account the needs of the department affected and the business needs of the organisation. Employees should be aware that the disciplinary route might be followed after subsequent relapses.</p> <p>Supporting Agencies</p> <p>MH notes the support that can be provided by the following agencies:</p> <ul style="list-style-type: none"> • Glasgow Council on Alcohol 0808 802 9000 www.glasgowcouncilonalcohol.org • FRANK (Drug misuse) 0300 123 6600 www.talktofrank.com • Gamblers Anonymous Scotland 0370 050 8881 www.gascotland.org
Approval	Senior Management Team 7 September 2018
Policy Owner	Carol Bain, HR Manager
Review	This policy will be reviewed every 3 years and/or updated in line with changes in legislation.