

# SUBSTANCE ABUSE POLICY AND PROCEDURE

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### Alternative Formats

This documentation can be made available in alternative formats such as large print, Braille, disk, audio tape or in an ethnic-minority language upon request. Requests for alternative formats can be made to the Probation Board (PBNI) using the following contact information:

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# **SUBSTANCE ABUSE POLICY**

## **1.0 Application of Policy**

Employee - An employee is any person under a current contract of employment with PBNI, including temporary and fixed term contracts.

## **2.0 Rationale for the Policy**

The Probation Board for Northern Ireland (PBNI) has a responsibility to ensure all services are delivered effectively, while at the same time maintaining and promoting the organisation's reputation and integrity.

Employers have a duty under the Health and Safety at Work (NI) Order 1978 to ensure, as far as reasonably practicable, the health, safety and welfare of its employees and others who may be affected by what they do or fail to do.

Excessive drinking or misuse of drugs over a long period can result in wide range of mental and physical health problems for individuals but less well known is the harmful effect it can have on those around them including their family, friends and work colleagues. There are also offences associated with alcohol/illegal drug use such as increase in road traffic accidents, crime and violence. The problem is serious and although individuals have responsibility for their own health, line managers also have a responsibility towards staff and are usually best placed to be able to identify developing problems and to suggest appropriate help. The workplace is therefore a good point at which to offer guidance/assistance to an employee who has a problem.

The Probation Board for Northern Ireland (PBNI) is committed to promoting the wellbeing of its staff by creating a healthy work environment. The PBNI recognises the negative impact that abuse of alcohol and drugs may have upon an individual's ability to work safely and correctly.

This negative impact can –

- Affect the health and wellbeing of individual employees.
- Result in higher rates of absence and poor work performance.
- Affect the health, wellbeing and work performance of colleagues.

The PBNI will try as far as possible to support individuals identified as having a substance abuse problem. If an employee agrees to a programme of treatment and regular monitoring of compliance with the treatment (including random testing), action under other PBNI policies and procedures may be suspended.

If the employee rejects the offer of assistance and does not undertake a treatment programme any issues relating to conduct, capability or attendance will be dealt with under the relevant policies and procedures.

### **3.0 The Overarching Aim**

This policy aims to

- provide a framework to enable instances of drug, alcohol and substance misuse to be handled in an appropriate and consistent way
- seek to identify a problem at an early stage to minimise the risks to the health and safety of the employee and potentially safeguard the health and safety of fellow employees and others
- recognise drugs and alcohol problems as medical conditions, which are potentially treatable and provide the means whereby those who have a problem can seek and be offered help in confidence
- seeks to motivate to staff who have problems to seek and accept appropriate counselling or treatment in the knowledge that both management and colleagues understand their difficulties
- provide assistance and support to employees with problems with the aim of reintegrating them back in work
- prevent accidents and impaired performance at work which may be alcohol or drug related, safeguarding the safety of staff and service users

### **4.0 Policy Objective**

The Substance Abuse Policy and Procedure seeks to establish clear guidelines to ensure that

- Employees identified as having substance abuse problems are treated fairly, sensitively and supportively with due regard to confidentiality.
- Employees who have an alcohol or drug related problem are encouraged to seek help at an early stage
- Managers understand their role and responsibilities.

### **5.0 Policy Principles**

The PBNI recognises that substance abuse is a serious issue that can negatively impact on the health and well-being of individual employees and place significant strain on working relationships. The PBNI's Substance Abuse Policy is based on the following principles:

- We will assist and support employees who approach the organisation for help in addressing problems related to substance abuse.
- We encourage employees to discuss their situation with their line manager, trade union representative or HR Business Partner.
- We encourage individuals to seek help voluntarily and provide advice on where suitable help may be obtained.
- We will treat each case on its own merits and maintain confidentiality, subject to the provisions of the law.

- Employees who have problems either with drinking or drugs need help and no stigma will be attached to anyone who has a problem.
- Early intervention is important to give a much better chance of treatment being effective.
- all obligations placed on PBNI as an employer under the Health and Safety at Work (NI) Order 1978 will be met
- If employees are unco-operative or refuse help, this action in itself will not be grounds for disciplinary action however unacceptable behaviour and poor standards of work will be dealt with through the normal Disciplinary or Performance Capability Policies and Procedures
- Staff are subject to the criminal law relating to the use or abuse of alcohol or drugs in the same way as other individuals. The buying and selling of drugs is also a criminal offence, as is driving while unfit through drink and drugs. Such matters will be dealt with under the Disciplinary Policy and Procedure.

## **6.0 Responsibilities**

This sub-section sets out the responsibilities of employees, managers, Human Resources and employee representatives under this Policy.

### **Employees**

- Should ensure they report for work and remain in a condition to perform their duties free from the effects of drugs, alcohol or any other substances
- Alcohol remains in the body long after an alcoholic drink is consumed and this must be remembered when drinking outside of working hours
- Employees taking medication should seek advice from their GP or pharmacist on any adverse impact on work performance or behaviour and advise their line manager of this.
- Employees should inform their line manager if they know or suspect that a colleague is under the influence of drugs, alcohol or other substance while engaged in PBNI activity
- All staff must advise their line manager if they are charged with and/or convicted of a drugs/drink driving offence.

### **Managers**

- Should raise and discuss suspected alcohol or substance misuse problems with the member of staff, offer support and manage the situation in accordance with the policy and procedure
- If a member of staff divulges to the manager that they have a drink/drugs misuse problem, offer support to the individual and manage the situation in accordance with the policy and procedure
- Provide information and advice to staff on drug, alcohol and substance misuse as stated in the procedure.

- Be aware of the changes in work performance, attendance and behaviour which may be associated with alcohol, drug or substance misuse related problems.
- If further deterioration occurs, or previous patterns of behaviour return, bring this to the employee's attention and manage the situation in accordance with the policy and procedure.

### **Human Resources**

- Provide advice and support to employees and managers when requested regarding the operation of the policy and procedure
- Advise and support managers when staff are suspected of being under the influence of drugs, alcohol or other substances.

### **Union Representatives**

Providing assistance, advice and support to employees regarding the operation of the policy and procedure.

## **7.0 Linkages**

This policy also links with the following

- Disciplinary Policy and Procedure
- Performance Capability Policy and Procedure
- Managing Attendance Policy and Procedure

## **8.0 Guidance**

This policy is supported by the Substance Abuse Procedure. The procedure should be read in conjunction with this document and referred to when dealing with cases involving substance abuse.

## **9.0 Review**

This policy will be reviewed four years from date of approval

Interim reviews may be promoted by feedback, and/or identified changes in practice.

## **SUBSTANCE ABUSE PROCEDURE**

### **10.0 Definition of Substance Abuse**

Substance abuse may be defined as the intermittent or continual use of alcohol or substances which causes detriment to health, social functioning or work performance, and which affects efficiency, productivity, safety, attendance, timekeeping or conduct in the workplace.

PBNI does not condone substance abuse and employees are subject to the criminal law relating to the use and abuse of alcohol or drugs in the same way as other individuals. For example, it is an offence to drive, or attempt to drive, a motor vehicle on a public road or other public place, or to be in charge of a motor vehicle when you are unfit through drink or drugs.

It is recognized that prescribed or over-the-counter medicines or drugs may cause impairment to an individual's performance at work. Individuals should seek advice from their GP or pharmacist on any medicines or drugs that they are taking. They should also inform their manager of any possible effects of their medication.

### **11.0 What is Problem Drinking, Drug/Substance Abuse?**

An alcoholic is someone who is an 'alcohol addict'. In other words, it is somebody who drinks very large amounts of alcohol *and* suffers from withdrawal symptoms when he/she stops drinking. Similarly, a drug addict suffers from withdrawal symptoms when he/she stops using the drug that his/her body has become dependent upon.

Withdrawal symptoms include the 'shakes', sweating, having fits, hallucinating and feeling frightened or depressed after stopping drinking/using drugs. Withdrawal symptoms are very unpleasant and often lead to a vicious circle of taking more alcohol or drugs to gain relief.

#### **11.1 Identifying Substance Abuse**

It is important to recognise that there is a difference between people who drink within reasonable norms and those who suffer from a condition that requires treatment.

There is no single characteristic which identifies a person with a drug, alcohol or substance abuse problem, and indeed alcohol or drugs are only two of many possible reasons for deteriorating performance or behaviour.

Some employees will seek help voluntarily but others may not do so. The following characteristics may indicate the presence of a substance related problem which can occur in combination or as a pattern over a period of time.

- reduced work performance – confusion, lack of judgement, impaired memory, difficulty in concentrating on work, fluctuating levels of productivity, increasing general unreliability and unpredictability eg missed deadlines, mistakes
- increased levels of absenteeism and poor timekeeping – instances of unauthorised leave, frequent Friday/Monday absences, requests for unplanned time off, excessive lateness, peculiar and increasingly improbable excuses for lateness and absences
- personality changes – sudden mood changes, irritability and aggression, overreaction to criticism, friction with colleagues, complaints from colleagues, avoidance of manager or colleagues
- physical signs – smelling of alcohol/substance, loss of appetite, unkempt appearance, lack of hygiene
- high accident levels – at work, driving or at home
- feeding the addiction – attempts to borrow money from colleagues, dishonesty

Whilst it should be stressed that the indicators listed are not linked to substance abuse in all situations, employees and managers should familiarise themselves with the list and be alert to *multiple or frequent instances* in their day to day work, especially if they represent a change in practice or habits. The long term effects of drugs and alcohol abuse can be both physical and psychological and will increase the likelihood of people being absent from work suffering from a range of physical and mental disorders.

### **11.2 Disability Discrimination Act (DDA)**

The definition of disability under the DDA does not include addiction to alcohol or any other substance, unless the addiction was a consequence of the administration of medically prescribed drugs or other medical treatment. Addiction is not a disability in itself so no adjustments are required. However some adverse health effects which can be caused by alcohol/drug abuse can lead to medical conditions which may constitute a clinically recognisable condition under the DDA.

### **11.3 Raising the Issue**

There may be a situation where a member of staff has, for example, attended work smelling of alcohol but no other factors for alcohol abuse have been identified. The manager may be reluctant to raise the issue with the member of staff. Smelling of alcohol does not necessarily mean the employee is under the influence of alcohol. It is important to note that whilst this can be a delicate matter it is reasonable for the manager to raise this with the employee to make them aware and to ensure they are fit to carry out their job.

If a manager has reason to believe that a member of staff has a substance abuse problem, the first step will be to meet with the employee to discuss the issue, outlining what is causing concern.

It cannot be stressed too strongly how important it is to act at the earliest opportunity. Ignoring the situation only adds to the eventual problems.

The manager should

- present the employee with their perceptions
- seek an explanation from the employee
- listen carefully and probe if necessary
- ensure the employee is aware of the PBNI Substance Abuse Policy
- respect the confidentiality of the individual concerned although total confidentiality might not be possible in all cases and should not be promised e.g. if unlawful activity has been disclosed, or it is essential to pass on information to others such as HR
- explain the substance abuse procedure and the options available and encourage the employee to seek support from specialist external agencies and/or their GP
- make the employee aware of the services of Inspire

It is appropriate to keep a record of the discussion and a copy of the record should be provided for the employee and their representative.

An employee must understand that they are expected to arrive fit to carry out their job and to be able to perform their duties safely without any limitations due to the use or effects of alcohol or drugs. Employees who are found or suspected to be under the influence of alcohol, drugs or other substances whilst at work should be removed from their duties and sent home, as PBNI has a duty of care towards the employee and others. In such cases disciplinary action may be taken. Sending the employee home does not prejudice any later disciplinary action but does give the employee the opportunity to sober up or be free from the influence of drugs and removes the potential health and safety threat to the employee and others. The HR department can provide advice and guidance to line managers or employees.

## **12.0 Managing Substance Abuse**

Where a member of staff recognises that he/she may have a dependency problem or where the cause of any deterioration in performance or behaviour has been established as being alcohol/drug related then the Substance Abuse Procedure will be invoked. Early intervention is important as there is a better chance of treatment being effective

Provision will be made for a referral to Occupational Health (OH) for advice and support on a course of treatment.. Review with Occupational Health will also take place if recommended by OH as necessary.

The employee may be granted reasonable time off from work to attend appointments related to treatment. These appointments will not be counted towards the maximum 6 appointments for medical treatment as set out under the Managing Attendance Procedure.

If on-going longer-term treatment is required or the employee is admitted to a specialist unit/rehabilitation centre, any days off will be recorded as sick absence and managed in accordance with the Managing Attendance Procedure.

The process of rehabilitation is often long and difficult and the employee will require a considerable amount of support, encouragement and patience. Ongoing support will be provided by PBNI on the basis that:

- the employee agrees to a programme of treatment, and to regular monitoring of their compliance with the treatment with their line manager and Human Resources when appropriate.
- the programme of recovery is discussed with PBNI in terms of the agency carrying out the treatment, timeframes and regular progress reports
- employees complete the programme within a reasonable time scale
- if deemed necessary, random testing may be carried out and, if absent from work, the employee will need to make themselves available for testing when required.

The arrangements will be confirmed in writing to the employee.

### **12.1 Return to work**

On resumption of duties or on a return to work following a period of treatment, every effort will be made to ensure the employee can resume their previous role. If Occupational Health has deemed the employee unsuitable or unfit to continue with this role, suitable alternative roles will be considered where reasonably possible.

### **12.2 Relapse**

Having started a course of treatment the employee will be encouraged to continue despite possible relapses. The employee will be asked to attend a meeting with their line manager and Human Resources to discuss their relapse. PBNI will consider each case on its individual merits and, if appropriate, a further opportunity to accept and cooperate with help and treatment will be offered.

Whilst sympathetic consideration will be given to further treatment under normal sick absence provisions, employees should however note that this provision cannot continue indefinitely.

### **12.3 Employee Unco-operative**

If an employee refuses help, is unco-operative, or does not accept that he/she may have a substance abuse problem they should be informed that instances of poor performance, misconduct or poor attendance will be dealt with under the relevant PBNI policies.

### **13.0 Disciplinary Action**

Substance abuse will not normally constitute grounds for disciplinary action but where the conduct is of a serious nature then action may be justified. Examples of when the Disciplinary Procedure may be invoked include

- Dealing in banned substances or illegal drugs.
- Being charged with driving whilst unfit through drink or drugs.
- Unacceptable behaviour whilst under the influence of alcohol, drugs or another substance.
- Consumption of alcohol or banned and illegal substances whilst at work.
- Deliberate or reckless disregard for personal safety and that of others in the workplace whilst under the influence of alcohol, drugs or another substance.
- Failing to attend appointments for random testing as previously agreed.

The above list is illustrative only and is not exhaustive.

### **14.0 Follow-up**

It is important that line management action continues until the problem has been fully resolved. Line managers should continually monitor the progress of individual cases.

It is essential that in all cases line managers record all actions taken. Human Resources should also be updated. Outcomes from meetings held with the line manager and/or Human Resources should be followed up in writing.

The manager should:

- closely monitor the employee's work performance, time-keeping conduct
- keep records of any poor performance, attendance or behaviour
- Ensure that the operation of TOIL/flexi-time is monitored including a check on lengthy lunchtime absences

Once it appears that the employee has fully recovered and, if appropriate, has resumed full duties the manager should keep the case under review for a period of at least two years. This will mean that it will be necessary to advise a new line manager of the circumstances of employees who have been dealt with under the Substance Abuse Policy and Procedures. It should be noted that even if a person is a 'recovering alcoholic/drug-user' this remains a life-long condition.

**External Agencies**

<b>Addiction NI</b>	<p>40 Elmwood Avenue Belfast BT9 6AZ Tel no: 028 9066 4434</p> <p>461 Falls Road Belfast BT12 6DD Tel no: 028 9033 0499</p> <p>219 Albertbridge Road Belfast BT5 4PU Tel no: 028 90731602</p>
<b>Addiction Treatment Unit (Omagh)</b>	<p>Tyrone and Fermanagh Hospital 1 Donaghanie Road Omagh BT79 0NS Tel no: 028 8283 5443 028 8283 5365</p>
<b>Alcoholics Anonymous NI</b>	<p>Unit 11 North City Business Centre 2 Duncairn Gardens BELFAST BT15 2GG Tel no: 028 9035 1222 0845 769 7555</p>
<b>Alcoholics Anonymous Family Groups</b>	<p>Al-Anon Information Centre Peace House, 224 Lisburn Road Belfast BT9 6GE Tel no: 02890 68 2368 (Helpline 10.00 am to 1.00 pm Mon - Fri; 6.00 pm to 11.00 pm Mon - Sun inclusive.)</p>
<b>Belfast Health and Social Care Trust – Range of Advice Services and telephone numbers on website</b>	<p><a href="http://www.belfasttrust.hscni.net/services">www.belfasttrust.hscni.net/services</a></p>
<b>Breakthru – Drug and Alcohol Awareness</b>	<p>18 Killymeal Road Dungannon Co. Tyrone, BT71 6LJ Tel no: 028 87753228</p> <p>Dergmoney House 41a Dublin Road Omagh BT78 1HE Tel No 07769261533 07760884887</p>
<b>Carlisle House – Alcohol and Drug Dependence</b>	<p>2-4 Henry Street Belfast BT15 2BB Tel no: 028 9032 8308</p>
<b>Cuan Mhuire</b>	<p>200 Old Dublin Road, Newry, Co. Down Tel no: 02830849010</p>

<b>Drinkline Helpline</b>	Tel no: 0300 123 1110
<b>Drugs and Alcohol NI – connection service to any alcohol or drugs related concerns</b>	<a href="http://www.drugsandalcoholni.info/contact">www.drugsandalcoholni.info/contact</a> us
<b>Dunlewey Addictions Services Centre</b>	226 Stewartstown Road Dunmurry Belfast BT17 0LB Tel no: 02890611162  247 Cavehill Road Belfast, BT15 5BS Tel no: 028 9039 2547  80 Broughshane Street Ballymena, County Antrim BT43 6ED Tel no: 02825652105
<b>The Hope Centre – Family and Community Support Services</b>	7-11 Broughshane Street Ballymena BT43 6EB Tel no: 208 2563 2726
<b>The Living Rivers Beach House – supported accommodation for those who are homeless and recovering from addiction</b>	22 Linenhall Street Ballymena BT43 5AL Tel no: 208 2565 4700
<b>Narcotics Anonymous</b>	Tel no: 07810172991
<b>National Drugs Helpline (Talk to Frank)</b>	Tel no: 0300 123 6600
<b>Northlands Centre</b>	Shepherds Way, Dungiven Road, Derry, Co. Londonderry, BT47 5GW Tel no: 028 71313232
<b>Shaftesbury Square Hospital Drugs and Alcohol Unit</b>	116/120 Great Victoria Street, Belfast, BT2 7BG Tel no: 028 9032 9808
<b>South Eastern Trust – Community Addictions Service Downpatrick</b>	Shimna House Downshire Hospital Downpatrick BT30 6RA Tel no: 028 4451 3922
<b>Inspire Counselling Service</b>	Free confidential calls 24/7 0808 800 0002