

UNIVERSITY OF ABERDEEN
POLICY ON DRUGS AND ALCOHOL

1 INTRODUCTION

- 1.1 The University of Aberdeen has a legal duty of care to ensure the health, safety and welfare at work of all staff, and the introduction of a drugs and alcohol policy is intended to form an integral part of that approach.
- 1.2 The primary purpose of this policy is to support staff and to ensure any problems are dealt with effectively and consistently. The University recognises that alcohol/drug dependency is an illness and will be treated in the same way as other illnesses. This policy is not intended to intrude upon the privacy of individuals, particularly in health matters where their condition does not affect conduct or performance at work. The University is however concerned where the inappropriate use of drugs or alcohol impairs; conduct, safety, work performance or has an adverse impact on colleagues/students.
- 1.3 Drugs can be defined as those controlled under the Misuse of Drugs Act 1971, which divides substances and the penalties for their possession and sale into three categories, and can include prescribed medications, over-the-counter medications and recreational drugs. Medicines that are not classified according to the Misuse of Drugs Act may be covered by the Medicines Act or new psychoactive substances (NPS) in the Psychoactive Substances Bill May 2016. 'Substance misuse' is a broader term and covers the use of illegal drugs, prescribed drugs, alcohol, new psychoactive substances and substances such as solvents.

The following legislation also impacts on the use of drugs and alcohol;

- Health and Safety at Work Act (1974)
 - Road Traffic Act (1988)
 - Management of Health and Safety at Work Regulations (1999)
- 1.4 Misuse in the context of this policy is defined as the habitual or intermittent use of alcohol, drugs or other substances which causes detriment to an individual's health, safety, work performance or social functioning.
- 1.5 Impairment is defined as an individual's inability to perform their normal work duties due to the misuse of drugs or alcohol. This includes being over the legal alcohol limit for driving in Scotland, and adverse reactions to legal or prescription drugs.
- 1.6 The University expects staff to report for work free from the adverse effects of alcohol and drugs but also seeks to adopt a supportive and sympathetic approach to any member of staff who develops problems as a result of alcohol or drug misuse. Early interventions are recognised as an effective means of dealing with potential problems.
- 1.7 Special arrangements will apply in circumstances where the University provides alcohol at special events and hospitality (see Section 9). Prescription and over-the counter drugs may be taken in accordance with medical advice and dosage guidelines (see Section 3.3)

2 SCOPE

- 2.1 This policy applies to all University employees regardless of status. The policy also applies to; contractors, casual & temporary staff including interns and volunteers.

- 2.2 It applies on all University premises including premises managed on behalf of the University by a third party. The policy also applies to those off-campus on University business or on study/research activities.
- 2.3 A zero-tolerance approach to all illegal drugs applies at all times. A zero-tolerance approach to alcohol will apply in the following circumstances;
- driving University vehicles and driving on University business
 - the operation of potentially dangerous equipment and machinery
 - laboratory operations involving potentially hazardous equipment, substances and materials
 - dealing with patients
 - any formal contact with students
 - meeting with parents
- 2.4 The University reserves the right to suspend any member of staff from work pending further investigation, if he or she is suspected of being unfit for work due to the misuse of alcohol, drugs and/or other substances.

3 RESPONSIBILITIES

Individuals

- 3.1 Individuals are expected to comply with this policy by taking personal responsibility and reporting for work free from the adverse effects of alcohol or drugs.
- 3.2 Those that suspect or know that they have a problem related to their use of alcohol or drugs are encouraged to seek help and treatment voluntarily by making a direct approach to , their Line Manager, their Head of School Section, a Human Resources Adviser the Employee Assistance Programme or their own General Practitioner. The campus trade unions can also help facilitate such support from the University.
- 3.3 There will be occasions when individuals are required to take legitimate prescription and over-the-counter drugs to relieve a temporary condition or as part of a course of treatment. Employees are responsible for checking medical advice and dose recommendations to ensure this does not impair their performance and have a responsibility to inform their line manager where this may do so.
- 3.4 Anyone who is offered illegal drugs at work should report the incident immediately to their Head of School/ Section.

Colleagues

- 3.5 Members of staff who suspect or recognise that a colleague may have an alcohol or drug related problem should encourage the individual to acknowledge their problem and to seek advice either through their General Practitioner or the agencies described above, if they feel able to do so. Colleagues are also encouraged to alert the Head of School/Administrative Section to the situation. Colleagues who are aware of the supply of illegal drugs should report the incident immediately to their Head of School/ Section.

Line Managers

- 3.6 If a line manager suspects performance has been impaired by the misuse of alcohol or drugs, they should inform the Head of School/Administrative Section immediately. If appropriate, following consultation with HR, the line manager may also suspend the individual pending further investigation.

Heads of School/ Section

- 3.7 Where the Head of School/ Section is made aware that a member of staff appears to be under the influence of drugs or alcohol at work, they should make arrangements to see the individual immediately. The Head of School/Administrative Section should treat individual cases as a health issue in the first instance, taking the opportunity to highlight their concern for the individual and advise them where support can be found. The Head of School/Administrative Section should urge the individual to seek help immediately. Where an incident involves the supply of illegal drugs this should be investigated under the terms of the University's disciplinary procedure. In such circumstances, the University reserves the right to refer the matter to the police.

Human Resources

- 3.8 Human Resources are responsible for providing support to line managers on personal cases and to review the policy regularly. Human Resources will also carry out training for managers as part of the ongoing management training programmes. Education on the impact of alcohol and drugs in the workplace is part of the Healthy Working Lives initiative and new members of staff will be informed as part of the University's induction programme.

4 SUPPORT

- 4.1 Where an individual's work performance or attendance is causing concern but has not yet reached a disciplinary stage, and it is suspected that the problem(s) may be alcohol or drug related, in the first instance individuals are encouraged to talk to their line manager or Human Resources Adviser or to seek appropriate support either from the Employee Assistance Programme or from their own (GP) or other support available. The purpose of this is for the member of staff to receive appropriate support which may prevent such problems continuing to impact on their work performance and/or attendance patterns.
- 4.2 Staff will be entitled to receive support during working time. Staff who are off sick in such circumstances will be entitled to sick pay in accordance with the terms of the University's Sickness Absence Management Procedure.

5 DISCIPLINARY PROCEDURES

- 5.1 The levels of misconduct and failure in performance which may result from alcohol or drug misuse extend over a considerable range. Where an investigation confirms there is a disciplinary case to answer, the University may consider disciplinary action. The nature and appropriateness of disciplinary action will depend on considerations such as the seriousness of the misconduct, and the nature of the work undertaken by the member of staff e.g. whether any other person has been, or could potentially have been, placed at risk by the member of staff's misuse of alcohol, drugs or substances.

Where an alcohol or drug problem is disclosed, in most cases disciplinary action will be suspended while the employee seeks professional help e.g. via Occupational Health. Note: where misuse of alcohol or drugs involves gross misconduct, disciplinary action will not be suspended.

- 5.2 Staff voluntarily disclosing that they have a problem with alcohol or drugs will be treated fairly and equitably, the same as any other employee with an illness, and in line with the University's Sickness Absence Management Procedure.
- 5.3 Where an individual refuses to accept treatment or where the risk to other students and employees is too great, the University may consider termination of employment due to ill health.

6 RETURN TO WORK

- 6.1 Individuals will be entitled to reasonable time off whilst undertaking treatment in normal hours, providing there is cooperation with professional bodies and appointments/consultations are maintained. On returning to work after a course of treatment, the individual will be permitted to return to the same job unless it is deemed, that they are unfit or unsuitable to continue in that employment (e.g. by Occupational Health, their GP, Line Manager etc). In such instances, every consideration will be given to finding suitable alternative employment within the University.
- 6.2 If after returning to work following a course of treatment, the individual's work performance again begins to suffer, the individual may be offered the opportunity to accept a further course of treatment. This will be decided at the University's discretion. When a member of staff has accepted help or treatment and the problem has been resolved, their work status and promotional prospects will not be adversely affected.

7 CONFIDENTIALITY

- 7.1 Appropriate records will be kept and treated confidentially in line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and other relevant legislation. These will include records of discussions and training received by individuals. Occupational Health records will be subject to medical confidentiality.

8 HOSPITALITY AND SPECIAL EVENTS

- 8.1 Alcohol may be provided as part of University hospitality at special events and ceremonies. In these circumstances approval will be given by the Head of School/Section. On such occasions where alcohol is available as part of University hospitality, suitable non-alcoholic alternative drinks must be available. Where possible, hospitality and special events should be organised at a time when staff will not be expected to return to their normal place of work.
- 8.2 The Students' Union operates licensed bars within the University premises and staff may be invited to use such facilities on occasions. Staff should take personal responsibility for ensuring they are fit to carry out their duties at all times and to observe the zero-tolerance approach in the circumstances outlined at paragraph 2.3 of this policy.

9 LOCAL ARRANGEMENTS

- 9.1 This policy represents the University position; however, there may be circumstances when a local arrangement is necessary to accommodate a joint working environment (e.g. with the NHS).

10 RESOURCES

- 10.1 Further information on drugs and alcohol is available from the Healthy Working Lives website:

Drugs: <http://www.healthyworkinglives.com/advice/workplace-hazards/drugs.aspx>

Alcohol:<https://www.healthyworkinglives.scot/workplace-guidance/health-improvement/Pages/alcohol.aspx>

11 IMPLEMENTATION AND REVIEW

- 11.1 This policy was approved on 9 December 2013.
Reviewed January 2020
Approved by PaRC 3 March 2020

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| Title | Policy on Drugs & Alcohol |
| Author / Creator | Gordon Robertson, Organisational Development HR |
| Owner | HR |
| Date published / approved | 09/12/2013 |
| Version | 1 2 |
| Date for Next Review | Reviewed January 2020 Next Review January 2023 |
| Audience | Staff |
| Related | None |
| Subject / Description | To support staff and to ensure any drugs and/or alcohol problems are dealt with effectively and consistently. |
| Equality Impact Assessment | Pending |
| Section | HR |
| Theme | Policy on drugs and alcohol |
| Keywords | Drugs alcohol policy wellbeing support health |