

Harlow Council Drugs, Alcohol, Substance Misuse and Gambling Policy

Document Information

Policy Author(s):	Paul Smith HR Consultant	Document Version No:	Final
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1. Introduction

The use of alcohol, drugs and other substances, including some which are legitimately prescribed or described as 'legal highs', may significantly affect people at work.

Being under the influence of or engaging in gambling during work time is likely to negatively impact performance and conduct. Alcohol, substance misuse and gambling outside of work can manifest in the following ways which can also impact work:

- the need to take time off
- issues with performance
- behavioural issues
- health, safety and wellbeing concerns
- stress, anxiety, depression
- financial issues
- isolation, loneliness
- theft, fraud
- relationship difficulties with employees or members of the public

Harlow Council is committed to ensuring the health, safety and wellbeing of all staff and those affected by its activities. It will take all reasonable steps to reduce, if not eliminate, the risk of injuries or incidents occurring due to individuals suffering from the effects of alcohol or substance misuse, as well as minimise or eliminate the impact on the organisation of gambling related harm.

The council recognises that its commitment to the health of employees extends to their psychological wellbeing. Where an employee has an alcohol, substance misuse or gambling related harm, employees will be offered support where possible.

Using disciplinary processes should not always be automatic when dealing with indications or allegations of alcohol or substance abuse or the effects of related harm addictions.

This policy is designed to ensure that all line managers approach alcohol, substance misuse and gambling related harms in a fair, supportive and consistent way, taking account of individual circumstances.

2. Purpose of the policy

- To ensure that the council meets its obligations to safeguard the health, safety and welfare of its employees and all who use its services.
- To maintain a healthy work environment free from the influence of substance misuse and alcohol and gambling related harm.
- To provide advice and guidance to managers on how to sensitively support

and deal with situations where an employee may be experiencing problems with alcohol, substance or gambling addiction.

3. Definitions

Substance misuse

Substance misuse is described as the problematic use of alcohol, drugs and other substances. Drug or alcohol use can become problematic when an individual uses a substance so regularly or in such quantities that they start to depend on it to feel normal in everyday life.

Dependence can develop into addiction, where day to day life focuses on obtaining and regularly drinking or taking a drug to maintain either a physically stable state or a preferred mental state. In the case of alcohol, the term misuse can refer to binge drinking or regular heavy drinking.

The NHS describes substance misuse as:

“The harmful or hazardous use of psychoactive substances, including alcohol and illicit drugs. It involves the use of substances in a way that may lead to physical, mental, social, or legal problems. Substance misuse can encompass a range of behaviours, from occasional excessive use to dependence or addiction.”

Psychoactive substances

A drug or other substance that affects how the brain works and causes changes in mood, awareness, thoughts, feelings, or behaviour. Examples of psychoactive substances include alcohol, caffeine, nicotine, marijuana, and certain pain medicines. Many illegal drugs, such as heroin, LSD, cocaine, and amphetamines are also psychoactive substances.

Legal highs

A substance with stimulant or mood-altering properties whose sale or use is not banned by current legislation regarding the misuse of drugs.

Illicit drugs

Illicit drugs fall into 2 categories:

The first category is comprised of those drugs that are illegal to process, sell, and consume. These include cocaine, methamphetamine, and heroin.

The second class includes those drugs that are legal to process, sell, and consume when prescribed by a doctor, but are then misused by the person to whom the drugs have been prescribed or are used by individuals not under a prescribing doctor's

care, and who may have obtained the drugs by illegal means. Drugs in this category can include prescription pain medication and prescription sedatives.

Gambling

Gambling is the practice or activity of betting and risking money or other stakes in a game or bet. For many people, gambling is harmless fun, but it can become a problem. This type of compulsive behaviour is often called “gambling related harm.” Compulsive gambling or a gambling disorder is the uncontrollable urge to keep gambling even when something of value is at stake, such as a relationship or work.

Gambling-related harms are the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society. These harms impact on people’s resources, relationships and health.

4. Responsibilities

Employees

Employees should:

- Raise concerns about alcohol substance or problem addictions at work and report any concerns about self or others either to their line manager or to Human Resources.
- Cooperate in any rehabilitation programme recommended by their GP or specialist practitioner. Note: the council would not fund such treatment.
- Attend regular appointments showing commitment to any treatment and provide evidence of this if requested.

Managers

Managers should:

- Look after the health and safety and wellbeing of self and others.
- Be aware of and act at early signs of alcohol or substance misuse.
- Be aware of and act at early signs of gambling related harms.
- Facilitate early intervention of support and advice where needed.
- Consider referral to occupational health.
- Liaise with HR for advice.
- Keep accurate, confidential records of poor performance or other problems.
- Ensure all employees are aware of this policy.

Human Resources (HR)

Human Resources will:

- Provide advice about the process.
- Support formal meetings where required.

- Organise and support supplementary training where and when required.
- Help line managers deal with issues and support employees.

5. Process

Criminal offence

It is a criminal offence under the Misuse of Drugs Act 1971 for any person knowingly to permit the production, supply or use of controlled substances on their premises except in specified circumstances (such as when they have been prescribed by a doctor).

The Medicines Act 1968 also controls the sale of drugs that are considered medicine. Under the Road Traffic Act drivers of road vehicles must not be under the influence of drugs or alcohol while driving, attempting to drive or when they are in charge of a vehicle.

Employees, secondees, contractors and volunteers who, on the organisation's premises or at work-related events, break the law by using, possessing or trafficking (including purchasing) illegal drugs or substances illegally obtained, or use council resources for gambling activities, will be immediately suspended pending an investigation, which may result in criminal charges being brought and/or disciplinary action, that could result in dismissal.

Being under the influence or gambling at work

The council recognises its obligation to ensure a safe working environment, as specified in legislation, and its role in supporting employees experiencing alcohol, drug and/or substance misuse or gambling related harm. No employee or contractor, seconded or volunteer working for or representing the council should be under the influence of alcohol, drugs or other substances while at work or on the organisation's premises.

It is important not to confuse substance misuse, with occasional use of alcohol or drugs. Nevertheless, all forms of substance use, whether alcohol or drugs, legal or illegal, can impair performance in the affect the workplace. Those with dependency problems may find that their performance is affected, they are at risk of developing mental health problems, or they are off work more often. At the same time, any person who either uses drugs or alcohol at work, or who comes to work while under the influence of drugs or alcohol could put themselves and others' safety at risk.

Employees should not work if they are unfit to do so because they have consumed alcohol or taken drugs or other substances. Absence in these circumstances would be classified as unpaid leave. Employees should not consume alcohol, take drugs or other substances (as defined above) whilst at work. This applies to working at any location including at home as well as when being on call.

No alcohol will be served by the council at social functions during normal working hours.

No one should drive or operate machinery under the influence of alcohol, illicit drugs or drugs that could impair their performance (for example drugs that cause drowsiness).

No one should use council resources or premises for gambling; for the purposes of this policy, charity lotteries and office sweepstakes would not normally be considered as gambling unless used excessively.

Health and Wellbeing

The council recognises that alcohol dependency, substance misuse and gambling related harm can be a health problem and employees are encouraged to speak to their line manager and seek medical assistance or counselling at an early stage. The council will always seek to support employees whose problems at work stem from such an illness. Any employees who seek help will be treated in a non-judgemental supportive way and will be guaranteed confidentiality.

The council would expect anyone affected in this way to fully participate in any recommended rehabilitation programme. Any absence for treatment and rehabilitation will be regarded as normal sickness absence.

Concerns about performance

Where a manager has concerns over the performance, attendance or conduct of an employee, these should be discussed with the employee in the first instance in a confidential setting, this should be approached in a sensitive and supportive manner encouraging the individual to seek support voluntarily. The purpose should be to offer support, advise and determine the extent of the problem. Managers should keep records to demonstrate support offered to staff, they must maintain confidentiality and protect the individual's dignity at work.

Where the manager believes that the concerns involve an alcohol, substance misuse or gambling related harm, they should seek support from Human Resources or occupational health. The employee may also wish to access support from their GP.

Problems with attendance, performance or conduct caused by occasional drinking, drug/substance misuse or gambling, and which do not appear to be due to a more persistent problem, may need to be dealt with in accordance with the Council's disciplinary or capability policies.

Concerns and conduct

Where there is a suspicion that an individual is under the influence of alcohol, drugs or other substances, or is using the council's resources for gambling, this may initially be treated in the same way as any other disciplinary matter using the council's disciplinary policy for investigating the allegation. A copy of the policy is here ([Disciplinary Procedure](#))

If an employee is under the influence of alcohol, drugs or other substances whilst on council premises, it may be necessary for them to cease work and go home. Managers should ensure that the employee has safe means of transport and does not drive or operate any machinery.

The manager should discuss the matter with Human Resources. There may be some circumstances where it will also be appropriate to refer the matter to the police, and this may impact on the application of internal processes.

Where it becomes apparent the issue stems from an illness, it may still be appropriate to continue with a disciplinary process, and this should be accompanied by support where appropriate.

6. Support Available

Support can include referral to the occupational health provider, referral to external specialist support groups and offering flexibility in the role and/or hours of work.

Where support is offered, the employee will be expected to fully participate. Managers will maintain regular contact with individuals undergoing a support programme to ascertain what further reasonable support can be provided to encourage successful completion of the programme.

Reasonable paid time off to attend occupational health and other appointments will be granted. This must be agreed in advance by the relevant manager but will not be unreasonably refused.

Useful contacts:

Alcohol:

- Drinkaware - <https://www.drinkaware.co.uk/advice/alcohol-support-services>
- NHS - <https://www.nhs.uk/live-well/alcohol-advice/alcohol-support/>
- AA - <https://www.alcoholics-anonymous.org.uk/>

Drugs:

- FRANK (National drugs helpline) - <https://www.talktofrank.com/>
- <https://www.nhs.uk/live-well/addiction-support/drug-addiction-getting-help/>

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• Gambling

Breakeven - Breakeven offer treatment over the phone, online and face-to-face to anyone affected by gambling related harm. They provide treatment both one-to-one or in group settings. info@breakeven.org.uk

Betknowmore UK provides peer support services for people experiencing gambling harms, including affected others. They offer one-to-one and group support, as well as a UK-wide digital service for women. info@betknowmore.com

NHS East of England - The East of England Gambling Service support individuals and families experiencing the negative impact of gambling. They provide a variety of services, including cognitive behavioural therapy (CBT) and peer support. cnwl.eofegambling@nhs.net

National Gambling Helpline - GamCare provide support to anyone affected by gambling. They offer phone and online support, as well as a helpline which is open 24 hours a day, every day of the year. Call 0808 8020 133

GAMSTOP helps you control your online gambling. Once registered you will be prevented from using gambling websites and apps run by companies licensed in Great Britain, for a period of your choosing. <https://www.gamstop.co.uk/>
Gamban is FREE for ALL UK residents through the TALKBANSTOP programme and provides award-winning gambling blocking <https://gamban.com/>