



STIRLING COUNCIL

ADDICTION POLICY

Service: HR

**Author: Pamela Forsyth, HR Business
Partner Team Leader**

**Approval body: Finance and Economy
Committee**

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Addiction Policy

1. Policy Statement

- 1.1 The Addiction Policy has been created in partnership with the Council's trade unions to help protect employees by raising awareness of the problems of addiction which can include, but are not limited to, smoking, gambling, the use of alcohol and the use of illegal or prescription drugs, and aims to encourage employees with these and other problems to seek help.
- 1.2 The Policy is intended to prevent, as far as reasonably possible, any inappropriate use of substances, or other behaviours, which increases the potential for ill health, absence, accidents and poor performance, which can adversely affect the Council, its employees or members of the public.

2. Scope

- 2.1 The Policy also aims to ensure employee's use of either drugs, alcohol or other substances, does not impair the safe and efficient running of the organisation, or result in risks to the health and safety of themselves, other employees, customers or members of the public.
- 2.2 The Council recognises substance use and other problems such as gambling, are an illness and can affect not only the individuals, but also colleagues and family members. This Policy, and related Guidelines, compliment the Council's Supporting Attendance Policy by taking a preventative stance and outlining the confidential support available to all employees.
- 2.3 The Policy does not undermine the obligation to report suspected criminal conduct or misconduct contained within any legislative or misconduct provisions or prevent the exercise of statutory duties such in relation to The Misuse of Drugs Act 1971, The Health & Safety at Work Act 1974, the Workplace (Health and Safety and Welfare) Regulations 1992, the Management of Health and Safety at Work Regulations 1999, the Equality Act 2010, the Human Rights Act 1998, the Data Protection Act 1998 the Road Traffic Act 1988 and the Transport and Works Act 1992.

3. Policy Content

- 3.1 It is the intention of this Policy to assist those with an addiction. However there may be situations, for example where support fails to help an employee address their addiction, where other procedures have to be instigated. On these occasions support programmes may run concurrently. Examples are Supporting Attendance/ Disciplinary Procedure/ Performance Capability Procedure.
- 3.2 When applying this Policy we will ensure a consistent and fair approach is taken to ensure a safe working environment for all employees. This Policy does not discriminate at any level of employment and applies to all employees within Stirling Council.

4. Objectives

- 4.1. The objectives of the Policy are to:

- Ensure understanding of addiction and related issues and encourage and support employees to lead a healthy lifestyle;
- Help educate and where possible protect employees from the dangers of use of drugs, alcohol or other substances and encourage employees to seek help as required;
- Address the use of drugs, alcohol, or other substances to ensure a safe working environment in line with the Health and Safety at Work Act 1974;
- Ensure a clear understanding of the Council's approach to drugs, alcohol and other substance use within the workplace;
- Clarify the responsibilities of all concerned when dealing with addiction at work;
- Recognise addiction may be an illness and provide support as far as is reasonable practicable;
- Identify and provide confidential access to support and assistance for employees who are experiencing addiction related problems at the earliest opportunity;
- Provide clarity so employees are aware of the likely consequences for their employment if they misuse drugs, alcohol or other substances;
- Achieve a balance between supporting an employee who seeks support for a problem, and the overriding need to preserve health and safety at work and the delivery of a high-quality service.

5. Responsibilities

5.1 The Council will:

- Maintain the strictest confidentiality when dealing with individuals, within the limits of what is practicable and within the law
- Treat addiction as a health problem that requires special treatment and help rather than as a disciplinary matter as far as practicably possible, and recognises early identification is more likely to lead to successful treatment;
- Ensure employees seeking assistance will be allowed time off to obtain support and intervention and ensure every effort will be made to assist them in returning to good health;
- Communicate the Addiction Policy and supporting Guidelines and promote awareness to all employees and Line Managers;
- Where appropriate progress infringements of this Policy under the Council's Disciplinary Policy.

5.2 Line Managers will ensure:

- They are aware of their obligations and responsibilities within the Policy;
- They seek advice from Human Resources when an addiction is suspected;
- Employees are aware of the support that is available to them should they have a problem, and provide support and assistance, where appropriate and for a reasonable period, to employees who are dependent upon drugs, alcohol or other substances to help their recovery;
- They monitor the performance, behaviour and attendance of employees as part of the normal supervisory relationship, and intervene at an early stage where changes in performance, behaviour, sickness levels, and/or attendance patterns are identified to establish whether drug, alcohol or substance use is an underlying cause;
- They understand and are conscious their management responsibility under the Health and Safety at Work Act 1974, to provide a safe working environment and identify risks associated with drug, alcohol or substance use in the workplace;

- Disciplinary Procedures are instigated only where appropriate to do so and after consultation with HR.

5.3 Employees will:

- Be aware of and understand the Addiction Policy and Guidelines, and recognise they have a duty under the Health and Safety at Work Act to protect their own and other's health and safety;
- Report for work and remain in a fit and safe condition to undertake their duties and not be under the influence of drugs, alcohol or other substances;
- Familiarise themselves with and ensure adherence to the policy and for reporting breaches of the Policy;
- Seek help if they suspect they have an addiction and co-operate with any support and assistance provided by the Council to address this;
- Not 'cover up' for a colleague with an addiction, but instead be pro-active in encouraging the individual to seek help;
- Adopt a responsible attitude towards drinking and taking prescribed and over the counter drugs. Employees who experience side effects as a result of taking prescribed or over-the-counter medicines that impair their ability to perform their duties safely and satisfactorily must notify their line manager immediately;
- Understand that the use of Council vehicles is prohibited if you are under the influence of drugs, alcohol, other substances, or prescribed medication that may affect your ability to operate machinery safely;
- Be aware that the way they behave during working hours reflects the image of the Council. For example to not attend work under the influence either of drugs, alcohol or other substances, as these may affect their ability to undertake their duties and may lead to disciplinary action.

5.4 Trade Unions will:

- Demonstrate a pro-active and partnership approach to ensuring the health, safety and wellbeing of all of employees by assisting in the implementation of the Addiction Policy and Guidelines;
- Help communicate information and promote/participate in Council-wide awareness campaigns to employees;
- Encourage employees to seek support voluntarily and assist employees in recovery where appropriate;
- Be aware of and understand the employee entitlements and supports available while receiving support so that the employee may be advised.

6. Related documents

6.1 Related documents include:

- Addiction Guidelines
- Supporting Attendance Policy;
- Attendance Capability Procedure;
- Performance Capability Procedure;
- Alcohol at Work Policy

7. EqIA Relevance Check

7.1 The contents of this report were assessed under the Council's Equality Impact Assessment process. It was determined that an Equality Impact Assessment was not required.

8. Strategic Environmental Assessment

8.1 Not applicable.

9. Implementation

9.1 This procedure will be implemented via a communication plan including:

- Publication on the source;
- Team Brief;
- Access for employees via Erin and the Intranet

10. Risk assessment

10.1 The risks associated with policy non-compliance include the breach of Health and Safety Legislation as detailed in paragraph 2.3.

11. Review

11.1 This procedure will be reviewed by August 2021.