



ROBERT GORDON UNIVERSITY ABERDEEN

Substance Abuse Policy/Procedure

Approved by	The Executive, and Staff Governance Committee		
Date approved	August 2015	Status	Approved
Policy owner	Head of HR Operations & Support	Impact assessed	Yes
Version	3	Date of next review	November 2023

1.0 Purpose of Policy

1.1 The Robert Gordon University is committed to promoting the wellbeing of its staff by creating a safe and healthy work environment. Additionally, the University recognises the negative impact that 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 can affect work performance in terms of efficiency, productivity and attendance;
- affect the health, wellbeing and work performance of colleagues who are required to cover for their absence.

1.2 The University aims to ensure a working environment free from inappropriate use of substances where employees are able to carry out their duties in a safe and efficient manner.

2.0 Scope

2.1 This policy and procedure applies to all employees and managers and does not discriminate at any level. The policy also applies to contractors and agency temporary members of staff.

3.0 Principles

3.1 Being under the influence of intoxicating substances (including, but not limited to alcohol, solvents, legal and illegal drugs, intoxicating herbs or plants, prescription and over the counter medication) in the workplace will not be tolerated, subject to the exceptions noted below at paragraph 3.2.

3.2 This policy and related procedure do not cover:

- The taking of prescription or over the counter medication, as long as the medicine is being taken for the purpose that it is intended and in accordance with medical instructions. If the medication is liable to impair the employee's performance at work or impact on the health and safety of themselves or others the employee must notify their manager in advance. The employee is not required to disclose the name of the medication or their condition if they do not wish to do so but only the side effects
- The consumption of caffeine or tobacco.
- The consumption of alcohol in the workplace at a University sponsored function or event or in the course of entertaining stakeholders. Employees are responsible for maintaining safe and sensible drinking limits and ensuring that the University is not brought into disrepute by inappropriate behaviour. Where employees have continued duties after an event, they should ensure they return to work in a fit and safe condition to undertake their duties.

- 3.3 All employees and contractors must report for work in a fit and safe condition to undertake their duties and must not, at any point during the working day, be under the influence of any substance which could adversely impact their health and safety, the health and safety of others or on the effective delivery of services.
- 3.4 Employees' whose work includes driving, setting up experiments, working with power tools or similar equipment or other equivalent activities, or supervision of such activities, where the consumption of alcohol would be clearly unacceptable, must not consume alcohol during the working day.
- 3.5 Employees and contractors must not be under the influence of drugs, unless exception given under 3.2, during their working hours.
- 3.6 Employees (and contractors working on University premises) are not permitted to engage in illegal activities related to intoxicating substances.
- 3.7 Where this is the case the University reserves the right to refer the matter to the police. Such illegal activities might include:
- Employees and contractors possessing, storing, trading or selling illegal drugs on the University's premises or when conducting work for the University at other locations.
 - Employees engaging in an illegal activity associated with alcohol abuse (e.g. driving whilst intoxicated).
 - Employees engaging in any associated activities outside of work that may bring the University's reputation into disrepute.
- 3.8 The University reserves the right to have tests for drugs or alcohol carried out on any employee if there is good reason to believe that they are intoxicated or otherwise affected by a substance at work; or they have a history of being intoxicated at work.
- 3.9 The University reserves the right to seek a breath sample from any employee suspected of being under the influence of alcohol at work. This will be undertaken on site by the university's Health & Safety Adviser, accompanied by an HR representative. If the employee is found to be over the legal limit stipulated for driving (at the time of the test) then they will be referred to the University's Occupational Health provider for further tests.
- 3.9 Substance testing is not intended to discriminate against or harass any individual or group of individuals.
- 3.10 The University will not undertake random testing of employees, but will where laid out in the related procedure undertake mandatory testing in certain defined circumstances.
- 3.11 The University recognises substance addiction as a problem that can be treated. As such the University will adopt a supportive approach when dealing with employees who have a substance problem.

3.12 Employees are strongly encouraged to seek assistance if they have, or suspect they have, a substance problem.

4.0 Breaches of the Policy

4.1 If an employee fails to comply with this policy the University will fully investigate the matter under the Disciplinary Policy & Procedure to address such a breach. Such investigation may result in an employee's dismissal.

4.2 If a contractor or agency temporary member of staff fails to comply with the policy they may be required to leave the University's premises.

4.3 Employees who proactively seek assistance to deal with a substance abuse problem will not have their employment terminated purely because they have a dependency or addiction, whilst they accept the advice and treatment recommended for them, and can demonstrate that are making reasonable progress.

5.0 Procedure for dealing with instances of substance abuse

5.1 Definition of a Fit & Safe Condition

5.1.1 As outlined at 3.3, all employees must report for work in a fit and safe condition to undertake their duties.

5.1.2 The onus is on individuals to comply with the rules outlined in this policy and all employees should be aware that the effects of taking intoxicating substances can last for some time. An obvious example is reporting for work in the morning having consumed alcohol during the previous evening. Moderate alcohol consumption is unlikely to have any residual trace by the start of work, but late and/or heavy consumption is likely to.

5.1.3 The following indicators which are not exhaustive may suggest an individual is not in a fit and healthy state to attend work and may give rise to management action:

- The smell of alcohol from an individual
- Dishevelled appearance (often accompanied by other indicators)
- Falling asleep
- Behaviours that are inappropriate and out of character
- Physical Condition i.e. glazed eyes, slurring of words
- Lack of concentration
- Dilated pupils

5.1.4 Where the manager feels the individual is not in a fit and healthy condition to work, the manager should pursue one or more of the following actions:

- seek further guidance, advice or a second opinion from an appropriate internal source;
- make arrangements for the employee to be breathalysed on campus by the university's Health & Safety Adviser;
- refer the individual to Occupational Health for substance testing;
- deal with the matter under the University's Disciplinary Policy & Procedures.

5.1.5 If it is considered that an individual is under the influence of an intoxicating substance whilst at work disciplinary action may be taken and this may ultimately lead to dismissal.

5.2 Substance Testing

5.2.1 Where an employee is suspected of being under the influence of a substance they may be required to provide a breath sample on campus or be immediately referred to the University's Occupational Health providers to undergo an alcohol or drugs test usually but not necessarily by the means of a urine sample.

5.2.2 Where the employee is referred to undergo an alcohol or drugs test, the employee will not be permitted to drive and will be provided with transport to the location of the Occupational Health provider.

5.2.3 The employee must not return to work after the test until further notice is given by the manager, the employee will receive full pay for the time they are away from work.

5.2.4 The manager will contact the employee as soon as possible, ordinarily within 24 – 48 hours to confirm whether or not the matter will be taken any further based on the results of the test and where the test results are negative inform the employee they are permitted to return to work.

5.2.5 If the test results are positive the employee will normally remain suspended on full pay until a disciplinary hearing takes place. The HR department will issue a disciplinary invite to the employee and make arrangements for the hearing. If the test is negative the employee will be permitted to return to work.

5.2.6 Employees who fail to co-operate with the above procedure will be subject to disciplinary action which is likely to lead to dismissal.

5.3 Support for Substance Abuse Problems

- 5.3.1 As referred to in the Policy on Substance Abuse, the University recognises substance addiction as a problem which can be treated.
- 5.3.2 In the first instance, the employee should speak with their line manager or HR Business Partner/Adviser. The University will then be able to provide the necessary support for the employee.
- 5.3.3 The University will ensure that any request for advice or treatment will remain confidential as far as legally or legitimately possible, although information may be shared, by agreement, with occupational health or other agencies. Employees may also wish to contact the Employee Support Helpline on 0800 068 6729.
- 5.3.4 The employee will be referred to the University's Occupational Health Provider for assessment and treatment.
- 5.3.5 The employee will be allowed reasonable time off from work to undergo treatment where needed. This leave will be treated as sick leave and the employee will receive sick pay in accordance with the terms of their sick leave scheme.
- 5.3.6 Ongoing support will be given by the University provided that:
- the programme of recovery is shared with the University in terms of the clinic/agency carrying out the treatment, timeframes and regular progress reports;
 - employees complete the programme within a reasonable timeframe;
 - the employee adheres to the Principles outlined in the Policy on Substance Abuse and ensures so far as reasonably practicable that they are fit for work.
- 5.3.7 On the employee's return to work every effort will be made to ensure the employee can resume their previous role.
- 5.3.8 If the employee has been deemed unsuitable or unfit to continue with this role, suitable alternative roles will be considered where reasonably possible.
- 5.3.9 The University recognises that relapses may occur in the early stages of recovery and reasonable support will be given to an employee during their return to work. If, however, the severity or frequency of an employee's relapse reaches a level unacceptable to the University disciplinary action may be invoked which could lead to the employee's dismissal.
- 5.3.10 The only exception to providing such support is where an employee raises the issue of substance dependency for the first time during a Disciplinary process, including investigation. If an employee raises the need for assistance only after an investigation has commenced, the University may at its discretion, address such matters under the disciplinary procedure and not at that stage under the terms of the Substance Abuse Policy.

6.0 Recognising on-going Substance Abuse

- 6.1 Substance abuse can result in reduced employee performance, attendance and changes in behaviour.
- 6.2 Where an employee has concerns that a colleague may have a dependency problem they are advised to let the employee's line manager, or the HR Business Partner/HR Adviser, know.
- 6.3 Where the line manager is informed he or she must inform his or her HR Business Partner/HR Adviser.
- 6.4 Intentionally false accusations will be treated as a disciplinary offence which may result in dismissal.
- 6.5 If a manager suspects an employee has a substance abuse problem, the manager should consider addressing the issue with the employee early on. This will help identify drug or alcohol problems and enable employees to receive the necessary support. In the first instance the manager should also contact their HR Business Partner/Adviser for advice and they will agree the most appropriate response in light of the circumstances.
- 6.6 Employees are expected to co-operate and take up the support and treatment where offered by the University.
- 6.7 If they do not accept the offer of treatment, or fail to attend meetings which have been set up to help them, disciplinary proceedings for any consequences such as attendance, conduct or performance may be commenced.

7.0 Breaches of Policy

- 7.1 The following matters will be treated as gross misconduct and may result in an employee's dismissal:
 - Failing a drug or alcohol test and being found accordingly to have breached the policy
 - Refusing to co-operate with any such test
 - Consumption of alcohol during working hours such that the individual is not in a fit and safe condition to carry out their duties
 - Taking illegal and intoxicating substances during working hours unless exception given under 3.2
 - Incapacity during working hours due to alcohol or misuse of drugs
 - Deliberate or reckless disregard for personal safety and that of others in the workplace due to intoxication
 - Unacceptable behaviour in the workplace due to intoxication
 - Dealing, storing or using illegal (as prohibited by the laws of the country in question) drugs or solvents on work premises or engaging in such activities outside of work
 - Being disqualified from driving due to substance abuse where

an employee is required to carry out driving as part of their contract

- Making malicious or false allegations claiming a colleague has a substance abuse problem

7.2 The following matters are examples of misconduct which, if repeated, will lead to dismissal:

- Refusal or unwillingness from an employee to accept help or treatment offered by the University to tackle a substance related problem
- Subsequent relapses after receiving treatment and support through the University for substance related problems
- Breaches of the University's Sickness Absence Policy
- Failure to respond to correspondence or attend meetings which have been arranged to discuss ongoing absence, resulting from a substance abuse problem

7.3 These above lists are illustrative only, and not exhaustive.

8.0 Useful Links

8.1 Sources of help for alcohol related problems are listed below.

Drinkline

Helpline: 0800 917 8282

Website: www.drinkaware.co.uk

Alcoholics Anonymous

Helpline: 0845 769 7555

Website: www.alcoholics-anonymous.org.uk

Alcohol Support Ltd

Helpline: 01224 573887

Website: <http://www.alcoholsupport.co.uk/>

8.2 Sources of help for drug related problems are list below.

FRANK

Helpline: 0800 77 66 00

Website: www.talktofrank.com

Narcotics Anonymous

Helpline: 0845 373 3366

Website: www.ukna.org

Adfam National

Helpline: 020 7553 7640

Website: www.adfam.org.uk