



Angling Trust/Fish Legal

PD55 – Substance Misuse Policy 2023

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1.4	Jan 23	Logos updated, inclusion of Fish Legal where missing. Replacement of COO. Minor formatting errors remedied.	Stuart Sharp

Approvals		
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1 POLICY STATEMENT

We are committed to providing a safe, healthy and productive working environment for all our staff, customers and visitors. This includes ensuring that all staff are fit to carry out their jobs safely and effectively in a working environment which is free from alcohol and drug misuse.

All staff are expected to arrive at work fit to carry out their jobs and to be able to perform their duties safely without any limitations due to the use or after effects of alcohol or drugs (whether prescribed, over the counter or illegal).

Misuse of alcohol and drugs can lead to reduced levels of attendance, reduced efficiency and performance, impaired judgement and decision making and increased health and safety risks, not only for the individual but also for others. Irresponsible behaviour or the commission of offences resulting from the misuse of alcohol or drugs may damage our reputation and, as a result, our business.

We recognise that some of our staff may become dependant on alcohol or drugs. We also recognise that such dependencies can be successfully treated. We wish to promote a culture which understands and is sympathetic to the problems associated with alcohol and drug misuse in which staff with dependency problems are encouraged to seek help and are supported.

2 WHO IS COVERED BY THE POLICY?

This policy covers all individuals working at all levels and grades within Angling Trust and Fish Legal, including senior managers, officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term employees, casual and agency staff and volunteers (collectively referred to as staff and “you” in this policy).

This policy does not form part of any employee's contract of employment and it may be amended at any time.

Any reference to “director” within this policy covers Angling Trust executive and non-executive directors and Fish Legal Committee members.

3 SCOPE AND PURPOSE OF THE POLICY

This policy is principally intended to deal with alcohol and drug problems which, in the context of this policy are any drinking or taking of drugs, whether intermittent or continual, which interferes with work performance in relation to attendance, efficiency, productivity or safety. You will be deemed to be under the influence of alcohol or drugs where that is the reasonable opinion of a manager, supervisor, Head of Delivery, the Chief Executive or a director.

This policy is not intended to apply to "one-off" incidents or offences caused by alcohol or drug misuse at or outside work where there is no evidence of an ongoing problem, which may damage our reputation, and which are likely to be dealt with under our disciplinary policy.

The purpose of this policy is to increase awareness of the effects of alcohol and drug misuse and its likely symptoms and to ensure that:

- a) All staff are aware of their responsibilities regarding alcohol and drug misuse and related problems.
- b) Staff who have an alcohol or drug related problem are encouraged to seek help, in confidence, at an early stage.
- c) Staff who have an alcohol or drug related problem affecting their work are dealt with sympathetically, fairly and consistently.

4 PERSONNEL RESPONSIBLE FOR IMPLEMENTATION OF THE POLICY

The Angling Trust board of directors (the board) and the Fish Legal Committee (the committee) have overall responsibility for the effective operation of this policy. A designated Angling Trust Board Member is identified to have oversight responsibility for the Policy on behalf of the board and the committee. The board and committee has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Chief Executive.

Managers and supervisors have an important role to play in identifying problems at work that are being caused or contributed to by alcohol or drug misuse.

- a) Where a manager or supervisor considers that a deterioration in work performance and/or changes in patterns of behaviour may be due to alcohol or drug misuse they should seek advice and assistance from the Head of Delivery, the Chief Executive or the board/committee.
- b) When a member of staff arrives at work and a manager or supervisor reasonably believes that they are under the influence of alcohol or drugs, they shall immediately contact the HR manager or member of staff most closely occupying that position, or the Chief Executive in order that the member of staff can be provided with assistance and an investigation can be undertaken

If you notice a change in a colleague's pattern of behaviour you should encourage them to seek assistance through one of the persons mentioned at 4.2 (b) above. If they will not seek help themselves, you should draw the matter to the attention of your manager or supervisor. You should not attempt to cover up for a colleague whose work or behaviour is suffering as a result of an alcohol or drug-related problem.

If you believe that you have an alcohol or drug-related problem, you should seek specialist advice and support as soon as possible. Our Employee Assistance Programme may be able

to support you in this regard. Contact details are available on the Staff Information Area of Sharepoint, on Teams and via the Head of Delivery.

5 ALCOHOL AND DRUGS AT WORK

We expect you to demonstrate responsible behaviour at work, work-related functions and work-related social events and to act in a way that will not have a detrimental effect on our reputation. If you entertain clients or business contacts or represent us at external events where alcohol is served, you are considered to be "at work" regardless of whether you do so outside normal working hours. Consequently, we will expect you to remain professional and fit for work at all times.

Managers should act to prevent excessive consumption of alcohol by any member of staff and should take steps to deal with any unacceptable conduct that occurs at such functions. Any such behaviour may lead to disciplinary action.

We expect all our staff to always comply with the drink-driving legislation. Our reputation will be damaged if you are convicted of a drink-driving offence and, if your job requires you to drive and you lose your licence, you may be unable to continue to do your job. Committing a drink-driving offence outside or during working hours or while working for us may lead to disciplinary action and could result in dismissal in accordance with our Disciplinary Procedure.

If you are prescribed medication, you must seek advice from your GP or pharmacist about the possible effect on your ability to carry out your job and whether your duties should be modified or you should be temporarily reassigned to a different role. If so, you must tell one of the persons named at 4.2 (b) without delay.

6 SEARCHES

We reserve the right to conduct searches for illegal drugs, including, but not limited to, searches of lockers, filing cabinets and desks at our premises, or packages sent to our address. Any illegal drugs found as a result of a search will be confiscated and disciplinary action may result.

7 DRUG SCREENING

In any case where there is reasonable cause to suspect that an individual's performance is impaired as the result of drug misuse that staff member will be asked to participate in a drug screening programme. Any such request may only be made with the authority of the Chief Executive and the chairman of the board/committee or another director if they are unavailable.

Drug screening will be conducted by an external provider. Arrangements will be discussed with affected members of staff at the start of each screening programme.

8 MANAGEMENT OF SUSPECTED SUBSTANCE MISUSE

If your manager or supervisor has reason to believe that you are suffering the effects of alcohol or drugs misuse, for example, due to a deterioration in your work or behaviour, they will invite you to an investigatory interview. The purpose of the interview is to:

- a) discuss the reason for the investigation and seek your views on, for example, the deterioration of your work performance and/or behaviour; and
- b) where appropriate and at the discretion of Angling Trust/Fish Legal as to cost we may, but are not obliged, offer to refer you to a doctor for medical and/or specialist advice.

If, as the result of the interview, your manager or supervisor continues to believe that you are suffering the effects of alcohol or drugs misuse and you refuse an offer of referral to a doctor the matter may be dealt with under our Disciplinary Procedure.

If you agree to be referred to a doctor your manager will request an urgent appointment and prepare a letter of referral, a copy of which will be provided to you.

The doctor may ask for your consent to approach your GP for advice. A report will be sent to your manager who will then reassess the reasons for their investigatory meeting with you and decide on the way forward.

9 PROVIDING SUPPORT

Alcohol and drug related problems may develop for a variety of reasons and over a considerable period of time. We are committed, in so far as possible, to treating these problems in a similar way to other health issues. Support will be provided where possible with a view to supporting a full recovery, allowing a return to work and the full range of your duties. This may include:

- a. time off work to attend treatment as recommended by our doctor or your GP or specialist and recognition of any periods of absence for treatment as periods of sickness absence.
- b. adjusting your duties or other support [as recommended by our doctor or your GP or specialist] during treatment and for an agreed period thereafter, subject to operational requirements feasibility and the reputation and/or standing of Angling Trust

If you do not finish a programme of treatment (either because the treatment provider ceases to support you or because you stop attending) or your recovery and return to work

does not happen as anticipated at the outset of a course of treatment, your manager or supervisor will meet with you to decide what further action should be taken.

10 CONFIDENTIALITY

We aim to ensure that the confidentiality of any member of staff experiencing alcohol or drug-related problems is maintained appropriately by managers, supervisors and, where it is necessary to inform them, colleagues. However, it needs to be recognised that, in supporting staff, some degree of information sharing, which may include sensitive personal data, is likely to be necessary.

If you seek help with an alcohol or drug-related problem directly from the HR manager or member of staff most closely occupying that position, the Head of Delivery or the Chief Executive without the knowledge of your manager the matter will be treated confidentially unless, in the opinion of those persons, maintaining confidentiality could put you, your colleagues or anyone else at risk. In those circumstances they will encourage you to inform your manager and give you sufficient time to do so before sending them a written report advising of any potential risks. You will be given a copy of this report when it is sent to your manager or supervisor.

11 PERFORMANCE AND DISCIPLINARY ISSUES

If, having acknowledged an alcohol or drug related problem, you undertake treatment and/or rehabilitation, any related performance or disciplinary action may, at the discretion of the Chief Executive, be suspended pending the outcome of the treatment or discontinued

12 MONITORING AND EVALUATION

The AT Board will monitor and evaluate the success of the policy regularly and will review the policy at least annually, but sooner should new legislation be enacted which is relevant to the policy. The Fish Legal Committee will be kept informed of updates of this policy and may review the policy at their discretion in conjunction with the Board review.