**Drug and Alcohol Misuse Policy**

**INTRODUCTION**

1. BCC recognises that alcohol and drug misuse related problems are an area of health and social concern. It also recognises that a member of staff with such problems needs help and support from his/her employer.
2. BCC also recognises that alcohol and drug misuse problems can have a detrimental effect on work performance and behaviour. The Charity has a responsibility to its employees and stakeholders to ensure that this risk is minimised.

3. The Charity does not have the resources to provide or arrange treatment or other forms of specialist assistance. Such services are provided by GPs, hospitals and other agencies.

**ASSISTANCE FOR A MEMBER OF STAFF**

1. BCC will, where possible, provide the following assistance to a member of staff:
* Help the member of staff to recognise the nature of the problem.
* Support during a period of treatment. This may include a period of sick leave or approved other leave.
* The opportunity to remain or return to work following the completion of a course of treatment, as far as is practicable.
1. BCC’s assistance will depend upon the following conditions being met:
* The member of staff recognises that he/she is suffering from an alcohol or drug misuse problem; is willing to access services from appropriate sources; and to fully participate in and complete any course of treatment.
1. BCC and its employees must recognise the following limits to the assistance the Charity can provide:
* Where a member of staff refuses to co-operate, any failure in work performance and behaviour will be dealt with through the Disciplinary Procedure.
* If treatment is completed but is not successful, and failure in work performance or behaviour occurs, these will be dealt with through the Disciplinary Procedure.
* A member of staff's continuation in his/her post during or after treatment will depend upon the needs of BCC at that time.

**DISCIPLINARY ACTION**

In line with BCC’s disciplinary rules, the following will be regarded as serious misconduct:

1. Attending work and/or carrying out duties under the influence of alcohol or drugs.
2. Consumption of alcohol or drugs whilst on duty (other than where prescribed or approval has been given).
3. To possess, distribute or sell illegal drugs while on BCC premises or whilst carrying out BCC duties.
4. To be convicted of use, possession, distribution or selling of illegal drugs even while not at work

Breach of these rules will normally result in summary dismissal.

Where a breach of these rules occurs, but it is established that an alcohol or drug misuse related problem exists, and the member of staff is willing to co-operate in seeking an appropriate occupation health service and subsequent treatment, BCC may suspend application of the Disciplinary Procedure. Staff who do not comply with the treatment suggested or continue to misuse alcohol or drugs will be subjected to the application of the Disciplinary Policy.

**PROCEDURE**

1. The procedures define management responsibilities and provide guidelines on:
2. Where assistance to a member of staff should be provided and the nature of and limits to such assistance.
3. The application of BCC’s Disciplinary Procedure.

2. Alcohol or drug misuse related problems can come to the notice of management through:

1. Failures in work performance or behaviour necessitating use of the Disciplinary Procedure.
2. Other means, where a member of staff seeks or agrees to accept assistance on a voluntary basis.

**RECOGNITION OF A POSSIBLE DRUG OR ALCOHOL MISUSE PROBLEM**

1. Misuse of alcohol or drugs can affect performance and behaviour at work, i.e., either through serious misconduct at work, (where there is a direct and demonstrable breach of the disciplinary rules regarding alcohol or drug misuse at work), or where there is a falling of standards of work performance or behaviour, and misuse of alcohol or drugs is a possible cause.
2. The immediate line manager will be responsible for responding to such situations by carrying out an interview, supported as appropriate by a nominated Director. In such interviews the possible existence of an alcohol or drug misuse problem should be explored. The line manager is not required to diagnose the existence of an alcohol or drug misuse problem, merely to assess whether such misuse is a possible factor.
3. Any requirements of the Disciplinary Procedure regarding allowing the member of staff to have a colleague or trade union representative present will be observed.

**ASSESSING THE EXISTANCE OF A POSSIBLE DRUG OR ALCOHOL MISUSE PROBLEM**

1. Should the interview lead to the conclusion that an alcohol or drug misuse problem might exist and the member of staff accepts the need to seek appropriate services, disciplinary action should be suspended until treatment has been sought and received.
2. If the interview fails to lead to the conclusion that an alcohol or drug misuse problem exists, or the member of staff fails to co-operate, disciplinary action should be continued, where and as the situation justifies.

**SITUATIONS WHERE DISCIPLINARY ACTION MAY NOT BE APPLICABLE**

1. There may be situations where the possible existence of alcohol or drug misuse problems affecting a member of staff comes to a manager's attention, although there is, or has been, no discernible effect on work performance or behaviour. This could arise if a member of staff confides in his/her manager about an alcohol or drug misuse problem, or a manager could see a need to approach a member of staff after observing possible "indicators" of an alcohol or drug misuse problem, e.g., an absence pattern, information provided by the member of staff's colleagues, etc.
2. Use of the disciplinary procedures would only be appropriate if subsequently the member of staff is involved in a breach of disciplinary rules.
3. Should the problems of the member of staff develop to an extent that his/her continuation in post or employment became impossible, it may be necessary to arrange for termination, on the same basis as BCC operates for staff with problems of incapacity due to ill health.