

Managing Problem Drinking and/or Taking Illegal Substances

Health, Safety and Well-being in the Workplace

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Overview

This section deals with issues arising when a member of staff is drinking heavily, or taking drugs and it is having an adverse effect on their work. Guidance is given to managers on how to help staff in these instances.

Audience

This policy is for all British Council staff, world-wide.

Responsibilities

All members of staff, line managers and HR managers are responsible for implementing the procedures below if a member of staff is suspected of misusing drugs and alcohol and it is having an adverse effect on their work.

Policy

Our policy is that consumption of alcohol whilst working in any of our offices, world-wide is not permitted, except by special agreement by senior management, e.g. for an office party or business reception.

Taking illegal drugs or misusing restricted substances is not permitted in any of our offices, world-wide, at any time. Staff in possession or dealing in drugs at work are committing an illegal act.

It is the British Council's policy to offer support to any member of staff who has developed a problem associated with the use of alcohol or drugs. Staff with drink or drugs problems will have the same employment protection as that received by staff with other health-related problems; they will not be subject to disciplinary procedures unless they refuse help, continue to drink or take drugs, or revert to drinking and/or drug use after seeking help and support, and poor performance persists.

Policy aims

The policy is designed to:

- Provide a framework for the fair management of staff who have developed alcohol or drug-related problems and a framework within which, support can be offered
- Support affected staff rather than punish them
- Assist in the early identification of alcohol or drugs-related problems
- Encourage staff who think they may have an alcohol or drugs-related problem to seek and accept help from the British Council
- Maintain a safe working and legal environment for all staff.

Guidance

Where staff are suffering stress from either domestic, work or social environments they may be more vulnerable to drugs or alcohol misuse. Identifying these factors and situations is an important part of self-awareness and staff who have personal concerns should seek professional advice and support as early as possible e.g. through the Employee Assistance Programme.

Staff are also encouraged to discuss issues with their line manager and should consult the Managing Stress Policy.

These guidelines and procedures provide advice on appropriate action based on what is currently regarded as good and effective practice in this area. They are not concerned with isolated instances of absenteeism, unsatisfactory performance and general behaviour.

When a member of staff is drinking heavily or misusing drugs, there can be a number of adverse effects on themselves, their families, their colleagues and on work. Symptoms of alcohol or drug problems can include any of the following:

- Absence and leave - increase in short-term sickness absence, periods of unauthorised leave; frequent absences before and after a weekend; leaving work early; lateness, lateness in returning from lunch breaks; high level of sickness for minor ailments, e.g. colds, flu, stomach upsets.
- Work performance - loss of productivity, poor performance, poor concentration, taking increased time to complete tasks, difficulty in remembering instructions.
- General behaviour - sudden change in behaviour pattern, tendency to become confused, irritability, abnormal fluctuations in mood and energy, deterioration in relationships with other people, effect on team morale and employee relations.
- Safety of themselves and others.
- Difficult behaviour and poor discipline.
- Adverse effects on the British Council's image and customer relations.

Any member of staff who believes or suspects that they may have an alcohol or drugs-related problem is encouraged to discuss it with their line manager. All discussions will be in complete confidence. The member of staff will subsequently be offered support in obtaining the appropriate medical treatment, counselling and time off for treatment and rehabilitation. It is important to also support the line manager who helping the member of staff. Line managers are not trained counsellors and will need support from HR Services and possibly the Employee Assistance Programme.

No member of staff will be penalised for bringing the problem to the attention of their line manager and the British Council will not inform the police if a member of staff has volunteered information about their use of illegal drugs, unless they are known to have been dealing on work premises where the British Council reserves the right to inform the police and take disciplinary action.

Any member of staff noticing obvious signs of alcohol or drug misuse in a colleague should report their observations and/or suspicions in confidence to the member of staff's line manager.

Line managers must take steps to deal with the problem rather than ignoring it and hoping it will go away.

If a member of staff has acknowledged that problems with work performance, attendance, relations with colleagues or outside contacts, or health and safety at work may be caused in whole, or in part by alcohol consumption or drugs misuse then the line manager must discuss this with them. If a colleague has raised this with the line manager and the line manager acknowledges that there is a problem with work performance, attendance etc then they must also seek to discuss this with their member of staff.

Procedure

Line managers are responsible for managing and where necessary helping to improve poor performance. It is recognised that this must be handled sensitively when it is suspected that drug or alcohol misuse is affecting a member of staff's performance. The line manager must consult HR Services in the UK, or for country appointed staff overseas, the HR Manager or HR Overseas Consultant, if they are unsure of the policy or concerned that they do not have the professional skills and resources to broach the subject.

The line manager must arrange to talk directly with the member of staff on an informal and confidential basis in order to explore the nature of the problem. They must adopt a supportive and sympathetic approach during discussions. If the member of staff is under the influence of alcohol or drugs and is not fit to be interviewed the line manager should send the staff member home and arrange a later meeting to discuss the issues.

Staff have the right to be accompanied to meetings by a British Council colleague or by a representative of a trade union recognised by the British Council at any point in the procedure.

The line manager should point out that they have noticed deterioration in performance or attendance, giving specific examples of unsatisfactory performance or conduct and ask for the member of staff's reasons for the poor performance and question whether it could be related to a "health" problem. The line manager must make a record of the main points of the meeting but not enter into formal correspondence about it or copy the record to the personal file.

The line manager must ask the member of staff if there is any other particular problem which might be causing the deterioration, and if so, whether this may be work-related. This is in order to understand whether the staff member has an excessive workload or too much responsibility. It is important and incumbent on the member of staff to alert their line manager to any work or home-related stress, underlying physical, mental or other problems that may be causing the deterioration in performance.

If the member of staff agrees that there is a drink or drugs problem the line manager must make it clear that this will be treated as a health issue rather than a cause for disciplinary action at this point in time, but see paragraph immediately below.

If the member of staff is breaking local laws regarding drug and alcohol misuse, this should be brought to their attention immediately e.g. possession, consumption or selling restricted drugs or alcohol. In these circumstances, the line manager must ensure the member of staff is aware of their illegal actions and, if subsequently arrested, will not receive British Council legal support or immunity from prosecution. Where the illegal actions of a member of staff bring the British Council into disrepute, formal disciplinary procedures will be followed.

The line manager must encourage the member of staff to:

- visit a doctor or, if this is not culturally acceptable, a professional person to advise and support the member of staff
- agree to a referral to Occupational Health services for staff working in the UK
- if the member of staff is UK appointed but working overseas then agree to the appropriate health scheme and follow up with Occupational Health services in the UK on the next return to the UK
- For all staff, worldwide, to contact the British Council's Employee Assistance provider.

The line manager must then arrange a follow-up meeting to review progress.

If there are immediate health and safety issues or risks, for example being under the influence of either alcohol or drugs whilst driving, using machinery or in charge of security, the line manager must take any steps to minimise these. This may require a re-arrangement of duties.

Follow up meeting

At the next meeting, if the problems are continuing the line manager must formally address the deterioration in performance. The member of staff must be encouraged to seek further outside help. This might involve regular sessions with a specialist counsellor, support sessions with ex-drinkers, or ex-drug takers or short term hospitalisation with an alcohol or drug dependency unit.

The line manager must give assurances that no disciplinary action will be considered while the member of staff undergoes treatment, as long as they undertake the treatment conscientiously and there is a genuine desire to stop drinking or taking drugs or illegal substances. Treatment must first be sought through the normal Primary Healthcare Service, for example, through the NHS or local equivalent. If a programme is not available then the line manager must make a case to Head HR PER for the costs of private treatment. If necessary,

costs will be met by British Council as the organisation wishes to support staff in an attempt to make a genuine recovery. HR advice should be taken on the type of treatment available to the member of staff as dependency units can be very expensive.

Staff who begin treatment are perceived as entering into a “personal contract” with the person/organisation giving the treatment, and the British Council. The line manager does not need specific details of the treatment, but should work with the member of staff to achieve a good level of treatment, particularly where costs are involved. The member of staff must let the line manager know how long the treatment is for. Both line manager and member of staff should agree that a marked improvement will be aimed for within three months of treatment commencing.

Time off for treatment will be allowed under the British Council's normal sick leave arrangements. The reason for the absence can be kept confidentially between the individual, the line manager and the appropriate HR Consultant who will be available in an advisory capacity to the line manager. The triggers for sickness absence monitoring will be waived to accommodate the treatment.

While treatment is being undertaken, it may be necessary to alter the member of staff's job or specific tasks within the job, for example it may be necessary or advisable to keep out of direct contact with the public or ensure that their physical safety and that of others, is not at risk. Workloads may also need to be temporarily adjusted and the line manager must explain the reasons for this to the individual.

After treatment

If, after the personal contract for treatment has ended an improvement in performance has taken place, the member of staff should return to normal duties as soon as possible. Line management should be closer than usual, but discreet.

Relapses are fairly common, even after apparently successful treatment. If short and isolated, they may not be relevant in the context of an overall long-term performance improvement. However, if, following a course of treatment there is no improvement after three months and/or the member of staff has reverted to drinking alcohol or taking drugs, normal disciplinary procedures will apply.

The line manager must continue to monitor performance for up to a year after the end of the personal contract for treatment.

If, a year after the commencement of treatment, the overall performance is not satisfactory, normal disciplinary procedures will apply. This is the case even if the member of staff has stopped drinking or taking illegal drugs or substances. It should be noted that performance evaluations should only reflect performance against duties and not possible causes of underperformance to ensure confidentiality for the member of staff.

Failure to respond or improve

Although British Council will not institute disciplinary proceedings against a member of staff who has genuinely sought help under this alcohol and drugs misuse policy, there are some situations which could lead to disciplinary action, up to and including dismissal. These include:

- Where a member of staff denies that they have an alcohol or drugs-related problem but poor attendance levels, impaired job performance or behavioural problems persist and indicate that such a problem exists
- Where the member of staff accepts that they have an alcohol or drugs-related problem but refuses to accept the support offered under this policy, or refuses to co-operate with British Council in the provision of such support

- Where a member of staff embarks on a programme of medical treatment, rehabilitation, or counselling but drops out of it prematurely without justification and the poor performance, behavioural problems and/or absenteeism, health and safety issues persist
- Where a member of staff embarks on a programme of medical treatment, rehabilitation, or counselling but fails to stop drinking or taking illegal drugs or substances. A time line of three months should be applied to such cases, i.e. they have not changed their behaviour within three months of undertaking a support programme.

In any such cases, the line manager should follow the British Council's normal disciplinary procedures.