

<b>Substance Misuse Procedure</b>	
<b>Enabling Policy Statement; Executive Owner; Approval Route:</b>	Our Colleagues – Chief Operating Officer – Operations Committee
<b>Is the Procedure for internal use only (Non- disclosable) ?</b>	Disclosable
<b>Associated Policy Statements:</b>	Our Safety – Chief Operating Officer
<b>Authorised Owner:</b>	Human Resources Director
<b>Authorised Co-ordinator:</b>	Associate Director (People Services)
<b>Effective date:</b>	31 March 2025
<b>Due date for full review:</b>	31 March 2028
<b>Sub documentation:</b>	N/A

#### Approval History

<b>Version</b>	<b>Reason for review</b>	<b>Approval Route</b>	<b>Date</b>
1.0	Migration to POPP structure	Operations Committee (Chair's Action)	31 March 2025

## 1. Purpose

**1.1** The University is committed to providing a safe, healthy, productive and supportive working environment. The impact of poor judgement/impaired performance associated with drugs and alcohol may have serious consequences.

**1.2** The objectives of this procedure are to:

- To ensure the University complies with appropriate legislation.
- To minimise the risks associated with alcohol and drugs in the workplace.
- To raise staff awareness of the risks and potential harm associated with alcohol and drug misuse.
- To set clear rules regarding alcohol and drugs in the workplace.
- To create an environment that encourages employees who face problems with alcohol or drugs to seek help.
- To provide support, encouragement and assistance for employees experiencing alcohol and/or drug related problems.
- To provide a framework to enable instances of alcohol and or drug misuse by employees to be handled in an appropriate, fair and consistent manner.
- To achieve a balance between supporting employees who come forward with a problem and the overriding need to preserve:
  - the health, safety and welfare of employees and others with whom they come into contact;
  - the organisation's reputation and image;
  - the delivery of high quality, effective services and outputs.

## 2. Scope and Exceptions to the Procedure

**2.3** This procedure sets out how the University aims to protect and maintain the health, safety and welfare of all its employees and other people within the workplace by reducing the risk of substance related harm. It also provides an overview of how the University will support and manage staff where instances of substance misuse are identified; promoting a greater awareness of the impact that alcohol and drugs can have in the workplace.

**2.4** The University wishes to promote a culture in which the problems associated with substance misuse are understood and the approach the University will take when substance misuse affects staff performance at work is clear.

**2.5** This procedure applies to all staff employed by the University (including Associate, Visiting and Honorary staff, Demonstrators and Casual workers) regardless of position or seniority. It also applies to independent Consultants engaged to undertake contract work. It does not apply to students unless they are engaged in working for the University.

**2.6** It is the University's expectation that individuals will not use alcohol or drugs in such a way as to adversely affect safe behaviour or work performance.

**2.7** This procedure is intended to both cover one-off instances where staff are under the influence of drugs and/or alcohol whilst at work, as well as situations where staff have, or develop, an underlying drug and/or alcohol related problem.

**2.8** For the purposes of this procedure, individuals will be deemed to be under the influence of drugs

and/or alcohol where, in the reasonable assessment of the University, the individual is incapable of effectively discharging their duties by reason of being under the influence of drugs and/or alcohol. Supervisors and managers are not required to prove intoxication definitively; they simply have to have reasonable grounds for believing this is the case.

- 2.9** Implementation of the procedure is intended to provide a means of supporting employees whose performance is impaired as a result of substance misuse, highlight where this may have an adverse impact on others, and seek to support individuals in resolving the issues.
- 2.6** At all times, the University will ensure that it complies with its legal obligations under the Health and Safety at Work etc. Act 1974. Under this legislation in employees also have a personal responsibility for maintaining a safe and healthy working environment by taking care of themselves.

### **3. Definitions and Terminology**

#### **3.1 Drug**

For the purpose of this procedure a drug is defined as any substance other than alcohol that produces a physical, mental, emotional or behavioural change in the user.

This may include:

- Prescription drugs that when taken as directed may produce such a change;
- Where the drug is being used by an individual other than the one for whom the prescription has been made;
- When the drug is not being taken as directed by a Doctor;
- Recreational drugs including psychoactive substances.

#### **3.2 Substance Misuse**

Drinking alcohol, taking drugs or another chemical substance either continuously or intermittently which affects an individual's health, work capability, conduct or affects the work performance and the welfare of themselves or others.

#### **3.3 Safety Critical Workers**

For the purpose of this procedure a Safety Critical Worker is defined as "Where the ill health of an individual or the consumption of alcohol and/or drugs by an individual may compromise their ability to undertake a task defined as safety critical thereby posing a significant risk to the health and safety of others.

Safety Critical staff will perform some or all of the following functions:

- Use of electrical machinery, hand tools, acetylene torches, welding;
- Handling of hazardous substances involved in experimentation/demonstration;
- Driving and operating vehicles for safety critical purposes such as building sites, construction, vehicles with hydraulic lifts;
- Working in restricted areas, at height or in or around shafts, tunnels, turbines, boilers, scaffolding, ladders;
- Working with any power source such as electricity, gas, high pressure water steamers, and cylinders.

This list is not exhaustive and may involve other duties where working safely is of paramount importance to the individual and those around them. Failure to act responsibly and not endanger the individual or those around them will result in disciplinary action.

## 4. Procedural Principles

### 4.1. Responsibilities

- 4.1.1 All line managers have responsibility for monitoring health and safety in the workplace, and for the application of this procedure. Line managers should be familiar with the content of this procedure and understand the implications of not tackling cases of drug and alcohol misuse, especially where safety is an issue. Further useful information can also be found on the Government's Health & Safety Executive website <https://www.hse.gov.uk/alcoholdrugs/>
- 4.1.2 Individual employees have a responsibility for their own health and safety and behaviour in the workplace and should be aware of this procedure.
- 4.1.3 Occupational Health has a responsibility to assess employees following a referral. They will provide advice on an employee's fitness for work and recommend modifications that could be made to a role or working pattern where appropriate. A full outline of the role of the Occupational Health Department can be found in the University's Sickness Absence Procedure.
- 4.1.4 The University offers a number of services to support our staff with their wellbeing and welfare needs, including the Employee Assistance Programme provided by BHSF RISE. Full details can be found on the University's Wellbeing Hub: [Surrey Staff Wellbeing Hub](#)

### 4.2 Expectations

- 4.2.1 Safety critical staff are not permitted to consume alcohol during the working day (including during lunch breaks), except in exceptional circumstances. Exceptional circumstances are limited to University wide special events where alcohol is provided as part of the event organisation, retirement events or other one off celebrations that in the main are organised towards the end of the working day where staff that consume alcohol shall not return to the workplace. In circumstances where any events as defined above take place at lunchtime, staff who consume alcohol at such events are required to consider whether they should return to the workplace. They should consider the tasks which will be undertaken for the remainder of their working day or consider whether to take annual leave (with prior management agreement). This should also include consideration of travel arrangements.
- 4.2.2 Employees will report for work, and remain throughout their time at work, in a fit condition so as to undertake their duties safely and ensure that their performance at work and their judgement are not impaired by the effects of either drugs and/or alcohol. This includes ensuring that there has been sufficient time for alcohol/drugs consumed prior to attending work (e.g. the previous evening) to not affect safety or performance when reporting for work. Where prescribed medicine may have an impact, your line manager must be made aware so a risk assessment can take place and, if necessary, reasonable adjustments made to job role. Occupational Health can assist in this process.
- 4.2.3 Specific additional measures will apply to staff who are required to carry out safety critical roles. These employees in particular are expected to be aware that even a small amount of alcohol/drugs may affect judgement and that the consequences of poor judgement / impaired performance in their work may have more serious consequences.

- 4.2.4 This procedure does not set specific maximum limits for breath, urine or blood alcohol levels. However, managers of employees working in safety critical roles are expected as their duty of care to identify roles where their performance may be impaired by alcohol or drugs and take prompt action, bearing in mind the potential seriousness of impaired judgement / performance. As a guide, staff should make themselves aware of statutory national limits, such as those defined by the Road Traffic Act 1988 (sections 4, 5 & 11(2)).
- 4.2.5 Employees are expected to declare any convictions relating to drink/drug driving offences if this could bring the University's reputation into disrepute or if it is relevant to their role. If an employee commits a drink/drug driving offence during working hours or whilst working for the University (whether using their own transport or that of the University), this will be investigated in accordance with the University's Disciplinary Procedure and with reference to the University Driving at Work Procedure.
- 4.2.6 Employees who are required to entertain clients for business and networking purposes are expected to remember that they are representing the University at all times. At such events where alcohol is served, even if this is outside of normal working hours or off site, employees are expected to remain professional and fit for work at all times.
- 4.2.7 The University recognises that from time to time work social events may be organised for staff at which alcohol may be served. Regardless of whether these events take place during or outside normal working hours, or are based on or off site, employees are expected to remember that they are still representatives of the University. Employees whose behaviour or conduct is deemed to be unacceptable as a result of excessive consumption of alcohol and/or misuse of drugs should be aware that the University's Disciplinary Procedure applies to activity that takes place during work social events.

### **4.3 Implementation of the Procedure**

- 4.3.1 Where it is suspected that an employee has consumed alcohol or used drugs in a way that might have affected their conduct or performance at work advice should be sought from Human Resources as soon as possible. Where an individual is no longer able to discharge their duties safely and/or effectively, a manager should address the issue with the member of staff promptly and may initiate an investigation in accordance with the University's Disciplinary Procedure. It may be appropriate at this point for the employee to be removed from their place of work to remove them from any potential risks.
- 4.3.2 Whilst it is important for such situations to be addressed with the member of staff promptly, it is expected that managers will consider each situation individually. For instance, in cases where an individual is suspected of being, or admits to being, dependent or addicted to alcohol and/or drugs, or suffering from an illness arising from alcohol/drug dependence or misuse they should be offered support and help. In such cases, the employee will normally be referred to Occupational Health for an assessment in accordance with the University's Sickness Absence Procedure. Where an individual is required to embark on a course of treatment or rehabilitation to address their alcohol and/or drug problem or related illness, the University will endeavour to support them and may grant reasonable paid time off for treatment.

- 4.3.3 Whilst alcohol and/or drug misuse will not be used as an excuse for poor performance or misconduct, in cases where an employee is undergoing treatment for this as an illness, disciplinary and capability procedures may be suspended whilst the problem is identified or the treatment is concluded.
- 4.3.4 Where an employee is considered temporarily unfit for work by the Occupational Health Department, the intention will always be for them to ultimately return to their normal duties as far as is possible. If a return to normal duties is not appropriate then efforts will be made to find suitable alternative employment either on a temporary or permanent basis in accordance with the University redeployment process.
- 4.3.5 Where an employee refuses or continually neglects to accept or respond to advice and/or treatment for a confirmed drug and/or alcohol problem or performance, attendance or behaviour continues to be unacceptable, despite any support and assistance that is offered, the manager will address the issues via either the University's Capability Procedure or Disciplinary Procedure as appropriate.

## **5. Governance Requirements**

### **5.1 Implementation: Communication Plan**

The procedure was embedded when first published and is available on SurreyNet (HR Procedures Page) for all staff to access.

### **5.2 Implementation: Training Plan**

The procedure was embedded when first published. Further support will be provided to colleagues implementing the procedure when required.

### **5.3 Review**

This procedure will be reviewed every 3 years or sooner if required by a change in legislation or practice.

### **5.4 Legislative Context and Higher Education Sector Guidance or Requirements**

#### **5.4.1 Applicable Legislation**

This procedure complies with the following legislation.

- Health and Safety at Work etc Act 1974
- Road Traffic Act 1988 (sections 4, 5 & 11(2)).

### **5.5 Sustainability**

Substance misuse procedures contribute to improved health, productivity, equality, safety, and economic stability in the workplace.

**SDG 3 (Good Health and Well-Being):** Supports the health and recovery of employees, addressing physical and mental health issues related to substance misuse.

**SDG 8 (Decent Work and Economic Growth):** Promotes a healthier, more productive workforce by providing support for those affected by substance misuse, improving employee retention and performance.

## 6 Stakeholder Engagement and Equality Impact Assessment

6.1 An Equality Impact Assessment was completed on 03 July 2024 and is held by the Authorised Co-ordinator.

6.2 Stakeholder Consultation was completed, as follows:

Stakeholder	Nature of Engagement	Request EB Approval (Y/N)	Date	Name of Contact
Governance	Review of Version 1.0	N	23/05/2024	Kelley Padley, Governance Officer
H&S	Review of Version 1.0	N	10/06/2024	Matt Purcell
Sustainability	Review of Version 1.0	N	10/04/2025	Martin Wiles