



## 1.0 Policy Statement and Purpose

1.1 The purpose of this policy is to set out the College's position with regard to drugs and alcohol within the workplace, and the approach the College will take when the consumption of drugs or alcohol affects an employee's performance at work. The College respects the privacy of individuals, particularly in health matters, where their conduct or performance at work is not affected. The College, however, has a duty of care to its employees and must be concerned in circumstances where health or behaviour impairs the conduct, safety or work performance of employees; it is recognised that the misuse of alcohol or drugs may be a cause of such impairment.

## 2.0 Scope

2.1 This policy applies to all College employees.

2.2 The College is committed to ensuring the health and safety of all its employees and will take action to secure their wellbeing and general welfare.

## 3.0 Policy

3.1 This policy aims to:

- Comply with all relevant legislation and common law duties;
- Promote a healthy and safe environment for all College employees, offering support to those experiencing any difficulties in relation to alcohol and/or drugs; and,
- Ensure that the professional image and reputation of the College are maintained.

## 4.0 Definition of Alcohol or Substance Misuse

4.1 Alcohol misuse is a level of drinking alcohol that affects an individual's work or behaviour in the workplace.

4.2 For the purposes of this policy, substance misuse refers to the taking of drugs or a controlled substance, either intermittently or continuously, which interferes with an individual's health, work capabilities and/or conduct, or which affects the work performance and/or safety of themselves and others.

4.3 Drugs include any substance (other than alcohol) that produces physical, mental, emotional or behavioural change in the user. The sale, possession or consumption of such drugs is illegal. Also included are prescription drugs where such prescription drugs have not been prescribed for the person possessing or using such drugs and/or such prescription drugs that are not taken in accordance with a physician's direction.

4.4 Controlled substances include all chemical substances or drugs listed in any controlled substances acts or regulations applicable under the law.

## 5.0 Support

5.1 Medical advice, treatment and monitoring will be offered as necessary to any employee, through a referral to the College's Occupational Health provider, in the strictest confidence and with the informed consent of the employee. Such referrals are made by the College's Human Resources team.

Details of a confidential nature will normally only be discussed with the employee's own General Practitioner, other medical specialist or their line manager with the prior agreement of the individual.

- 5.2 The College will ensure that managers are able to deal with problems quickly and effectively by following the associated procedure, which includes accessing support from Human Resources and/or the College's Open Door service in a timely manner.
- 5.3 Whilst alcohol or drug abuse does not excuse poor work performance or misconduct it may be treated as a mitigating factor, and any disciplinary procedures that may be invoked may be suspended while the opportunity is taken to identify potential alcohol and/or drug-related problems and, if necessary, to enable the employee to seek treatment.
- 5.4 It is recognised that dependency on or misuse of alcohol and/or drugs may impact on individuals both physically and mentally. The College will aim to offer support to any employee as appropriate and as far as reasonably practicable. Such support may involve a referral to a specialist Occupational Health practitioner (see point 5.1), confidential counselling, access to support services available within the community and/or any other form of support discussed and agreed with the individual and within the College's ability to provide.

## **6.0 Identification of Alcohol and/or Substance Misuse**

- 6.1 The College encourages any employee who suspects they have an alcohol and/or substance misuse problem to seek assistance voluntarily.
- 6.2 In the event of an employee not seeking voluntary assistance, an alcohol and/or substance misuse problem might also be identified by either:
  - A manager, including concerns being raised by another employee/colleague.
  - Occupational Health.
  - A third party e.g. partner, relative, friend of the employee.
- 6.3 Every attempt should be made to help an employee who is suspected of having an alcohol and/or substance misuse problem. This should be treated sensitively and in strictest confidence. Advice on providing support can be sought from a member of the Human Resources team and/or the College's Open Door service.

## **7.0 Alcohol and Drugs at Work**

- 7.1 The College encourages those who consume alcohol to do so sensibly and responsibly. It is recognised that alcohol may be available at some College-related events (whether held on the College's premises or at an external location), such as parties, entertaining visitors, or other work-related events. However, employees must be fit for work when conducting their duties and employees are always expected to maintain and be responsible for their own standards of behaviour.
- 7.2 Because of the impact on health and safety and the impression that is likely to be conveyed to others, the College has certain expectations about the consumption of alcohol in the workplace. Employees are expected **not** to undertake their work duties while under the influence of alcohol or drugs. In this context, employees are expected to exercise their judgement about the appropriateness of consuming alcohol in a work break (e.g. at lunchtime).
- 7.3 The College does not condone the possession or misuse of drugs, which constitutes an offence within the law. The College recognises its responsibility to comply with the law and, in particular, to cooperate with the appropriate external agencies in any action required to ensure that no criminal activity takes place on campus or otherwise to enforce the law.
- 7.4 Although this is a combined policy on alcohol and drugs, the situation regarding drugs will be distinguished from that of alcohol, where appropriate, to comply with the different legal position on the possession and supply of drugs. There is also the issue that potential problems do not solely arise from the use of prohibited and other controlled drugs.

Certain prescribed drugs can cause difficulties with performance at work and can themselves create dependency problems and care in their use is essential.

- 7.5 Drug problems amongst employees arise most often from the possession, use, supply, manufacture or theft of prohibited and illegal drugs or the misuse of legally prescribed drugs or other substances such as solvents during the hours of their employment. 'Off duty' drug-taking incidents may be relevant if they affect job performance and/or lead to Police involvement because of a suspected or actual breach of the law.
- 7.6 If, arising from an alcohol or drugs related problem, an employee acts in such a way as to endanger him/herself and/or others, the College will take prompt action as required to prevent injury, damage or other serious risk. In this situation the member of staff's problem will be taken into account but it will not automatically exonerate the person concerned from the consequences of his/her unsatisfactory performance or serious misconduct.
- 7.7 If, arising from an alcohol or drugs related problem, an employee acts in such a way as to potentially or actually bring the College into disrepute, this will be treated as a serious matter and the College's Disciplinary Procedure is likely to be invoked. Staff are reminded of the potential of social media, in particular, to communicate images and/or text relating to individuals' conduct outside of work.

## **8.0 Relevant Legislation**

8.1 This policy complies with relevant legislation including:

- Misuse of Drugs Act 1971
- Health and Safety at Work Act 1974
- Access to Medical Reports Act 1988
- Data Protection Act 1998
- Human Rights Act 1998
- Corporate Manslaughter Act 2007
- Equality Act 2010
- Health and Safety Executive Guidelines

## **9.0 Other Relevant College Policies/Documents**

9.1 Please also refer to the following:

- Staff Code of Conduct
- Disciplinary Policy and Procedure
- Capability Policy and Procedure
- Employee Health, Wellbeing and Absence Policy and Procedure
- Leave of Absence and Flexible Working Policy

## **10.0 Equality and Diversity**

- 10.1 The procedures outlined within this policy should be carried out with due regard to any diversity issues that may have relevance to an individual situation and any resulting process. Advice on diversity issues may be sought from the Assistant Principal – People and Place at any point and in relation to any individual about whom there may be concerns.
- 10.2 Where a diversity issue (e.g. a disability including chronic physical or mental health conditions) has been disclosed to the College, whether prior to the situation that triggered a process in line with the Alcohol and Substance Misuse Policy, line manager or other senior manager/leader coordinating the process is responsible for checking with the employee to determine their needs and for making the appropriate arrangements for reasonable adjustments as necessary.
- 10.3 Employees who have not previously disclosed a diversity issue that may be relevant are encouraged to do so, as early as possible, so that it can be taken into account.

## 11.0 Policy Review

11.1 This policy will be reviewed annually by the Student Health and Wellbeing Manager and/or a member of the Senior Leadership Team to ensure it remains compliant with any employment legislation revisions and good employment practice. The College's recognised professional associations will be consulted on any proposed changes.

Version	Date	Policy Owner	Comments	Approval Route and Date	Provenance	Date of Next Review	Equality Impact Assessment Completed (Y/N)
1	January 2016	Megan Shiels / Zoe Shackleton	Updated policy to reflect the College's statutory obligations and best practice in the sector		-	January 2017	Y



# EQUALITY IMPACT ASSESSMENT



## INTRODUCTION

The purpose of carrying out an Equality Impact Assessment (EIA) is to provide the basis for creating equality objectives and performance indicators that will drive improvement and change in ensuring the College meets the needs of different groups of people with different protected characteristics, as defined in the Equality Act 2010.

### What is an impact assessment?

An EIA is a systematic and thorough consideration of how every aspect of the College's functions (i.e. policies, procedures, practices and plans) is affecting, or is likely to affect different people. EIAs should be reviewed a part of a rolling programme and the Action Plan updated accordingly.

It is good practice to carry out EIAs, although they are no longer mandatory. When conducting EIAs must explicitly consider impact on students, staff and other key groups in terms of race, disability, gender (including gender identity), sexuality, age, and religion and belief, and publish the results. Consultation with customers and potential customers, external clients, staff and students will be part of the EIA procedure and will also link to the Self-Assessment Report (SAR) and strategic plan for the College. The involvement of different stakeholders will evidence our commitment to embedding equality and diversity within all our services and the curriculum. The EIAs will be led and monitored by the Assistant Principal – People and Place.

### What needs to be impact assessed?

The EIA process will encompass all policies, procedures, practices and plans. When and where these are identified, each will need an EIA or review as part of a rolling programme, to determine whether they have a differential impact in relation to equality.

### Findings of EIAs

The findings of an EIA may provide a number of possible outcomes:

1. The EIA shows that employment practices or services have a different impact measured by one or more protected characteristic.
2. The EIA shows a different impact which is demonstrated to be adverse impact.
3. The EIA shows no differential impact in employment practices or service delivery.
4. There is insufficient evidence to judge whether there is differential impact.
5. The EIA indicates that there are needs that are not being met.

### Can I assess my own policies, procedures, practices and plans?

EIAs will usually be completed by the owner of the policy, procedure, practice and plan in conjunction with another colleague who is familiar with the process of conducting EIAs. The nominated person should not be involved with the design, maintenance or enforcement of the policy, plan, practice or procedure. This is to ensure that the EIA process is objective and robust, as a neutral party is more likely to highlight elements that will lead to positive change.

## Part One – The Impact Assessment

Date of last assessment (if applicable)	-
Date this assessment commenced	11 <sup>th</sup> January 2016
Name of policy/procedure/practice/plan being assessed	Alcohol and Substance Misuse Policy
Name and job title of policy/procedure/practice/plan owner	Megan Shiels – Student Health & Wellbeing Manager Zoe Shackleton – Assistant Principal
Name(s) of independent colleague(s) appointed to contribute to the assessment	Sonia Ross Zoe Shackleton
Is this a new or existing policy/procedure/practice/plan?	Updated policy

### INITIAL SCREENING

<p><b>1. Please summarise the main aims of the policy/procedure/practice/plan. Include the intended benefits.</b></p>	<p>The Alcohol and Substance Misuse Policy sets out the College's position with regard to drugs and alcohol within the workplace, and the approach the College will take when the consumption of drugs or alcohol affects an employee's performance at work.</p> <p>The policy is intended to provide a clear and transparent framework in which any issues relating to alcohol or substance misuse may be addressed, which will include providing support, as appropriate, to any employee who needs it, and invoking other policies/procedures as necessary if there are any implications in terms of appropriate conduct in the workplace or while undertaking college business.</p>
<p><b>2. What consultation has been undertaken in the development of the policy/procedure/practice/plan?</b></p>	<p>This is an updated policy that takes account of current legislation and general good practice, and reinforces that the College has established contacts in terms of occupational health advice and support, and counselling services.</p> <p>The Alcohol and Substance Misuse Policy has been discussed within the College's Senior Leadership Team and the recognised Professional Associations, and approved via these routes.</p>


<p><b>3. What evidence, data or information is available to indicate how the policy/procedure/practice/plan might affect equality?</b></p>	<p>There is no evidence, data or information available to indicate that the policy might adversely affect equality. There are no records to suggest that any College employees have been adversely affected by alcohol and/or other substances, to an extent that concerns have arisen in relation to dependency issues.</p> <p>We are confident that as a staff we have a general ethos of caring for and supporting our colleagues and that if any concerns in relation to an individual did arise, these would be communicated appropriately to enable a full examination of the situation to take place and support offered in a timely manner as necessary.</p> <p>We are aware of the links between alcohol and/or substance misuse and mental health. The College has established relationships with counselling services and occupational health, and has publicised the details of support groups/services to staff via the College's VLE (Moodle).</p>	
<p><b>4. In what areas could the policy/procedure/practice/plan have a significant adverse differential impact?</b></p> <p>If you have selected one or more boxes for question 4, please go straight to question 5.</p> <p>If you have not selected any of the boxes for question 4 there is no need to complete the rest of this documentation. However, you must write the reasons why you believe there will be no differential impact, in respect of any of the protected characteristics listed, in the space opposite.</p>	<p><b>Disability</b></p> <p><b>Race</b></p> <p><b>Gender (including Gender Identity)</b></p> <p><b>Sexual Orientation</b></p> <p><b>Age</b></p> <p><b>Religion or belief</b></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>We are of the view that the Alcohol and Substance Misuse Policy does not have a significant adverse differential impact on equality. The policy applies to all staff and no discriminatory distinction is made.</p> <p>The policy ensures that the College is compliant with all supporting legislation and that where applicable, other policies and procedures may need to be invoked, especially if incidents of alleged misconduct arise and/or there is an impact on an individual's work performance.</p>		

**ASSESSING IMPACT AND STRENGTHENING THE POLICY/PROCEDURE/PRACTICE/PLAN**

<p><b>5. What general concerns are there that the policy/procedure/practice/plan could have a differential impact on the protected characteristics you have indicated in question 4? Please give details.</b></p> <p><b>What relevant evidence is available to support these concerns? Please use data/statistics where possible.</b></p>	
<p><b>6. What are the risks associated with the effectiveness of the policy/procedure/practice/plan in relation to the differential impact?</b></p>	
<p><b>7. What are the expected benefits of the policy/procedure/practice/plan?</b></p>	
<p><b>8. Who are the 'interested parties' (i.e. adversely affected groups) in relation to this policy/procedure/practice/plan?</b></p>	
<p><b>9. How will these interested parties be consulted and communicated with?</b></p>	



<p><b>10. Which relevant experts and/or equality groups have been approached to explore the issues with which the policy/procedure/practice/plan is concerned?</b></p> <p><b>How have the views of these experts/groups been sought? (Please be as specific as possible, e.g. by letter, meetings, interviews, workshops, questionnaires, or any other method.)</b></p>	
<p><b>11. Please give details of the views of the experts/groups on the issues involved.</b></p>	
<p><b>12. Taking into account these views, and the available evidence, please outline the risks associated with the policy/procedure/practice/plan weighed against the benefits.</b></p>	
<p><b>13. What changes/modifications will now be made to the policy/procedure/practice/plan in the light of this Impact Assessment?</b></p>	
<p><b>14. How will these changes/modifications be communicated to interested parties (i.e. the groups which were adversely affected) and those consulted? (This should form part of the Action Plan.)</b></p>	

<b>Signed (completing officer 1)</b> 	<b>Print Name and Job Title</b> Zoe Shackleton, Assistant Principal
<b>Signed (completing officer 2)</b> Sonia Ross	<b>Print Name and Job Title</b> Sonia Ross, Assistant Principal
<b>Date of completion of Impact Assessment</b>	15 <sup>th</sup> January 2016

Actions arising from screening										
(R = Race/Ethnicity, R&B – Religion and Belief, D – Disabled People, G – Gender (including gender identity), SO – Sexual Orientation, A – Age)										
R	R&B	D	G	SO	A	Action Required	By Whom	By When	Intended Outcome	Change resulting from EIA and date (include evidence if possible)