

Alcohol, Drug and Substance Misuse Policy

Active date:

Introduction

Merseyside Fire & Rescue Authority ('the Authority') is concerned with the general health, wellness and welfare of all its employees and to this end aims to provide a safe and healthy working environment for all personnel.

This document sets out the Authority's policy in respect of employees whose proper performance, whilst at work, is impaired as a result of the taking of drugs or the consumption of alcohol.

Alcohol dependency is a problem affecting all occupations the effects of which can have disastrous consequences for the individual, their families and in certain circumstances members of the general public. The Service, by the very nature of its operations, is concerned and recognises its responsibility in this area.

The Service is committed to ensuring the highest safety standards in all its operations.

For the purpose of this policy the Authority defines alcohol and substance misuse as the use of legal or illegal drugs, or solvent abuse, which intermittently, continually or repeatedly interfere with an employee's capability to work, or conduct whilst at work.

In addition, the policy deals with the possession, storage, and/or dealing of illicit drugs whilst on Authority premises.

Employees should refer to Standard Operating Procedure HS0043 Alcohol Policy Functions On Service Premises for information on occasions where it is appropriate to permit the consumption of alcohol on Service premises.

Aims of the Policy

Misuse of alcohol and drugs has the potential to adversely affect the health and quality of life of the individual, impair the ability to carry out duties efficiently, effectively and safely, jeopardise the safety of other personnel and members of the public and, ultimately impair the ability of the Authority to fulfil its commitments.

The aims of this policy therefore are:

- To promote an awareness of the potential risks/consequences associated with alcohol and substance misuse and an understanding of the likely symptoms of abuse;
- To provide a working environment which is, as far as is reasonably practicable, safe and without risk to the health of Authority employees or the communities they serve;
- To ensure the safe and efficient operation of the Authority by preventing and reducing alcohol and substance misuse;
- To provide confidential support and advice to employees who have alcohol and substance misuse related problems;
- To provide an environment which encourages employees to seek help voluntarily;

- To ensure that alcohol and substance misuse related problems are identified and recognised as a health problem and addressed in a caring, positive and constructive manner.

This policy is not concerned with social drinking where this has no effect on work performance. Where there is such an effect, it is for management to decide whether it is appropriate for the case to be dealt with under the disciplinary procedures or within the framework of this document. If there are reasonable grounds to believe that an individual's work performance or safety, or the health and safety of other employees or members of the public is threatened, management will take appropriate action.

Raising Awareness

It is recognised that there are many drugs and substances that may be misused.

The Authority will institute a programme of health promotion initiatives, which will ensure that employees are made aware of the problems and risks associated with alcohol and drug abuse, the signs and symptoms of abuse, and the method of seeking confidential treatment, guidance and advice. This will be achieved by:

- Promotional information and health promotion initiatives by Occupational Health Services. The Health and Safety Department may from time to time under initiatives relevant to this area in cooperation with Occupational Health Services, issue promotional and health information.
- Advice given during medical/health screenings;
- Advice given on request.

In addition to the above, information on the sources of support available for those suffering from drugs misuse is available from Occupational Health Services.

Management Responsibilities

Service Management will ensure that;

- the policy is supported in a manner evident to employees;
- the policy is communicated effectively and is administered fairly and consistently to all;
- that treatment procedures are actively monitored supported and if necessary reviewed.
- that employees are aware of the policy and these guidelines and adhere to relevant procedures.

Individual Responsibilities

All personnel have a duty to ensure that;

- when reporting for work, their performance is not impaired as a consequence of the use of alcohol or drugs;
- they do not use illegal drugs in terms of the Misuse of Drugs Act 1971;
- when reporting for work whilst using medicines prescribed by their doctor, or 'over the counter' from a chemist or such other shop, which may have the potential to

impair work performance, this information is brought to the attention of their officer-in-charge or section head. This notification is required under the terms of the Management of Occupational Road Risk Policy;

- they exercise a duty of care towards all members of the workforce as detailed in the Health and Safety at Work, etc Act 1974, and as at common law;
- where they have reasonable cause to believe that the performance of another member of the workforce is impaired by reason of alcohol or drugs, such concerns are brought to the attention of an officer-in-charge or section head.

Application of the Policy

This policy will apply to all personnel, both uniformed and non-uniformed, within the Authority.

Nothing in this policy will prevent the exercise of statutory powers in relation to the Road Traffic Act 1988, the Misuse of Drugs Act 1971 or any other statutory provision relating to alcohol and substance misuse.

All employees, uniformed and non-uniformed, are required to report for work able to carry out their work competently and safely. Contravention of this requirement may result in formal investigation with the potential for disciplinary action being initiated.

The Health and Safety at Work Act 1974 requires employers to provide safe places and safe systems of work (Sec 2) and employees to be responsible for their own safety and the safety of others (Sec 7).

If anyone possesses, supplies or produces illicit drugs on Authority premises, the Authority will inform the Police, as required by law. This is also the case in respect of the supply of tranquilliser and sleeping tablets except when medically prescribed.

For the purposes of interpretation, in this policy, at work means anyone who is at work 'on duty', or rostered for duty. The policy will apply to all ranks and grades throughout the Authority, uniformed and non-uniformed, and will not discriminate at any level.

Alcohol / Substance Abuse Pathway of Care

Introduction

Alcohol and drug related problems may develop for a variety of reasons and over a long period of time. Such problems will impact upon an employee's life and ability to function and carry out work safely, effectively, and without risk to him/herself or others and, as far as the problem is treatable it should be considered in a similar way to other ill health matters. Individuals suffering from such problems are encouraged to seek help and treatment.

The Alcohol / Substance Abuse Pathway of Care provides the Service and the employee with a clear methodology for dealing with problems arising from the employees use of alcohol and other substances.

Essential for the success of the pathway of care is that the employee recognises their problem and that they fully co-operate with their treatment programme. The support offered by the Service is dependent upon the employees willing participation in their care programme.

In cases where an employee attends for work under the influence of alcohol or substances the Service shall enact the policy of with cause testing.

The aim of this pathway of care is to provide support for the employee with a view to assisting them to a full recovery, thereby allowing a return to a normal life enabling them to function and carry out work safely without risk to themselves or others.

In cases where it comes to the notice of the Service that the employee is possibly suffering from alcohol or drug abuse or dependency and they decline to accept a referral for diagnosis and/or specialist help they shall be reviewed under other Service policies.

An employee at an Absence Management Interview, in particular at the Return to Work interview following a period of sickness, has the opportunity to discuss with their line manager issue that may be affecting them. This is where an employee can seek support and assistance from the Service. If they do not advise the Service of a problem then the available assistance can not be provided.

An employee who embarks on a Pathway of Care with the Service must be aware the Service may commence disciplinary action during this process. This is subject to the specifics of each individual case and the events from which the Pathway of Care emerges.

This Policy supports the employee with a care package as will be indicated in their Memorandum of Understanding, however this can not override the disciplinary procedure, if a breach of discipline rules has occurred.

Referral and Diagnosis

The first stage of the Pathway of Care is the diagnosis of the problem. This can be identified by:

Employee Voluntarily refers themselves to Occupational Health Medical Unit via the Service Occupational Health Management Section and declares to either the management section or the Service Medical Officer that they have a problem related to alcohol/substance abuse, and in the latter case consents for the Medical Officer to inform the Service

Occupational Health: The employee declares to the Occupational Health Medical Unit that they have a problem related to alcohol/substance abuse, and consents for the Medical Officer to inform the Service;

Following their admission of a problem the Service Medical Officer shall undertake appropriate investigations to obtain the fullest information regarding the employee's alcohol/substance abuse.

In circumstances where the Service receives anonymous information indicating that an employee may be abusing alcohol or drugs the Service shall consider challenging the individual directly regarding the information received. The employee shall be reminded privately and informally of the Service policy in this area, the pathway of care and available assistance, and their individual responsibilities under Health and Safety regulations

It is a pre-recondition of the Pathway of Care that the employee at this stage admits to the Service and themselves that they have a problem, and that they are willing to participate in treatment.

Memorandum of Understanding

The Service shall on notification that an employee has a problem relating to alcohol/substance abuse arrange for them to be interviewed by a Senior Officer and the Occupational Health Manager. At this interview the employee will be expected to consent to a Memorandum of Understanding that commits them to attend for treatment and counselling. The employee must, also, consent to regularly attend the Service Occupational Health Medical Unit for monitoring and provision of proof of attendance at their treatment/counselling sessions.

Should the employee fail to comply with the terms of the Memorandum of Understanding they will be regarded as failing in their treatment programme.

The Memorandum of Understanding will require that the employee consents to drug and/or alcohol testing, as appropriate, and the employee will be required to provide several tests indicating they are clear of the substance that have admitted a problem with before a return to their usual role. Further testing will continue for a time limited period following their return to their usual role.

Agreed Treatment Programme

The employee's agreement to the Memorandum of Understanding provides the opportunity for them to be referred through their General Practitioner, in conjunction with the Service Occupational Health Medical Unit, to an appropriate treatment agency. The Service Medical Officer shall liaise with the employee's General Practitioner and other appropriate services to assist in the arrangement of a treatment programme.

The Service Occupational Health Unit shall provide support and assistance to the employee during their treatment programme with the employee attending the Unit regularly for monitoring and assessment. The employee will be offered the assistance of the Service Specialist Nurse Advisors and the Service Counsellor, and shall be advised on the services of the Fire Service employee assistance programme provider Independent Counselling and Advisory Services (ICAS). Attendance at the former will form part of the monitoring and assessment under the agreed treatment programme of the Pathway of Care.

The employee shall be required to provide to the Occupational Health Unit proof of attendance at treatment appointments and/or clinics as requested. The employee shall provide to the Service Medical Officer consents as requested for access to medical records to enable progress reports to be provided to the Service.

The Memorandum of Understanding places an obligation on the employee to provide evidence of on-going therapy and of self-help.

Attendance at Work

During the period of treatment the Service shall modify the duties of the employee in accordance with the advice received from the Service Medical Officer. The employee will be re-deployed to other duties that afford an appropriate working environment or shall be absent from work until it is considered safe for them to return to some form of duty pattern.

The employee shall be granted appropriate time off work to attend such treatment appointments as required. Periods of treatment requiring attendance on a residential/in-patient basis shall be considered as sickness absence.

The employee by agreeing to the Memorandum of Understanding is consenting to the modification of their duties.

The Service must take due consideration to its obligations under the Health and Safety at Work etc Act 1974 and other statutory legislation.

Assessment Period

The assessment period provided for under the Memorandum of Understanding shall be agreed with the employee. It is anticipated that this period will be between 6 and 12 months. Each case will be appraised on an individual basis and the assessment period will take into consideration all available advice, in particular the opinion of the Service Medical Officer.

Throughout the agreed assessment period the employee shall attend both medical and management reviews. The timing of these reviews shall be agreed and detailed in the Memorandum of Understanding.

Continuing Problem

In circumstances where an employee fails to co-operate fully with the agreed programme of treatment, continues to suffer from their alcohol or substance abuse problem, or a relapse occurs then the employee shall be considered as breaching the Memorandum of Understanding.

Failure of a first treatment programme either during the course of the programme or within a period of two years following treatment, then based upon a review of the individual case the Service may consent to a second treatment programme and the renewing of the Memorandum of Understanding. In such cases the policy as detailed above applies for a second time.

If the employee does not improve following their second treatment programme, within a two-year period then the Service may review the employee's service.

If the employee suffers a relapse after two years of improvement then the problem will be regarded as a new course on the pathway.

Following the failure of the employee's treatment programmes the Service Medical Officer shall undertake a review of the employee's problem. In cases where there is proven 'target organ' damage due to the ongoing problem then the Service shall review the circumstances of the case considering whether a medical discharge would be appropriate.

Drug/Alcohol Screening

An effective alcohol/substance misuse policy requires both procedures to support and assistance and effective policing and enforcement. The latter is achieved by the requirement for all employees to provide relevant samples for drug screening when requested to do so.

Drug testing is a multi-stage process in which a sample (normally urine) is collected, and where further testing is required submitted for laboratory analysis, with the specific aim of determining whether any substance may be present that could affect the safety,

performance or behaviour of the donor in the workplace. For alcohol testing, a breath sample may be taken using a Home Office approved electronic roadside breath alcohol-screening device.

The screening procedure will follow the recognised protocols. The screening will be undertaken through an independent competent agency that will provide a highly efficient screening process known as the 'Chain of Custody'.

A positive test for substances will follow 'Chain of Custody' ensuring that the sample collected by the independent agency shall travel intact and secure from collection to the laboratory and all the way through the analytical process up to, and including, the reporting of laboratory results and medical review.

Alcohol

The donor will normally be considered 'positive' for alcohol at or above a recorded result of 30 mg of alcohol per 100 ml of blood.

This is equivalent to a Breath level of 13 microgrammes of alcohol in 100 millilitres of breath.

A positive result will render the donor 'unfit for duty'. An employee providing a positive breath test sample shall be suspended from duty and a formal investigation will be conducted that may result in disciplinary action including the potential for dismissal from the Service.

However, if readings below the level of 30 mg per 100ml of blood are recorded, the donor may still be regarded as being unfit for duty due to alcohol if other evidence shows this to be the case.

For an employee who provides a test which is defined by the Road Traffic Act 1988 sec. 6(1) as being 'positive' i.e.

80 mg of alcohol per 100ml of blood, that is 35 microgrammes of alcohol in 100 millilitres of breath, the Service shall under the terms of the RTA inform the Police if the employee is over the legal limit.

Substances

Screened Substances

A range of substances and their derivatives will be screened for. Their illicit use is not acceptable to the Authority.

Substances to be screened for during the test are from the following groups of drugs:

Amphetamines	Cocaine
Barbiturates	Opiates
Benzodiazapines	LSD & Other Hallucinogens
Cannabis	MDMA (Ecstasy)

Prescribed Medication

Because of the safety critical nature of fire service work it is essential that all personnel:

- Notify Occupational Health Services via your own line-manager of any prescribed medications which may have an effect upon their performance in the workplace;
- Notify Occupational Health Services via your own line-manager of any 'over the counter' drugs/medications, which may have an effect upon their performance in the workplace.

Advice on the effects of medications/treatments on workplace performance may be sought from either the individual's own GP, or a pharmacist or by contacting Occupational Health Services.

Screening

Drug and alcohol screening will be undertaken by the Service as indicated:

Pre-employment Screening

Where all applicants to join the Authority (uniformed or non-uniformed) will be required to undertake a drug screen test prior to confirmation of permanent employment. The pre-employment screenings shall be conducted by the Service Occupational Health. Confirmation of employment is conditional upon a negative result. An applicant who refuses to take the test will not be appointed. Applicants are notified in their medical appointment letter that they shall be required to submit for a drug screening. If an employee is contacted by telephone in order to expedite a medical screening they should be informed then of the drug screen test they will be required to undergo.

With Cause Screening

Where there is reasonable cause to believe that an individual's performance at work is impaired and that such impairment may be the result of alcohol or substance abuse, such individuals will be requested to undertake a screening. Some examples of circumstances where this may be appropriate are:

- Obvious signs of mental and/or physical impairment;
- Recognition by managers, supervisors or colleagues of symptoms affecting work performance;
- Complaints from the public indicating that drugs or alcohol may be a factor;
- The discovery of items in possession of an employee that could indicate involvement in illicit drug taking or consumption of alcohol whilst in the workplace.

With Cause Post Accident Screening

Where the individual was involved in an accident/incident that resulted in serious injury or damage, or could have resulted in serious injury or damage, and one or more of the criteria indicated above for With Cause testing apply. The approved test organisation's representative, accompanied by a senior manager, will attend a suitable location which will be prepared and screening for alcohol and/or drugs shall be undertaken according to a strict 'Chain of Custody' procedure.

Employees whose actions or behaviour result in the Service calling out the approved testing organization for a with cause/post accident screening may be subject to further random testing over period of time that shall be advised to them.

Approved Testing Organisation

The approved test organisation that undertakes With Cause screening for the Fire and Rescue Service is Nemesis Scientific Limited. On a 24 hours a day 365 days a year call out when activated by the Service a collector from Nemesis shall conduct Urine Drug Testing, conducting instant drug testing and a Chain of Custody collection of positive results and a breath alcohol testing procedure, as appropriate.

- Employees required to provide a sample for the 'With Cause'/Post Accident Screening may request the presence of a representative or colleague, if practicable. **This will not be allowed to delay the taking of a sample**

Random Screening

Unannounced and random drug testing will be undertaken by an independent agency. The tests will be carried out at any Authority premises under controlled conditions.

Results of Analysis

With Cause Screening

All personnel will be notified immediately of the results of the screening. Results of further analysis of positive tests, taken under conditions of 'Chain of Custody', will be notified to Occupational Health Services medical staff within one week of the test.

Negative Result

In the event of a negative test result no further action is required. A copy of the result will be placed on the employee's confidential occupational health medical file.

Positive Result

If drug misuse or alcohol is confirmed as a result of the full analysis, the incident will be fully investigated and disciplinary procedures may be invoked.

Personnel testing positive must be aware that in having chosen to report for duty with alcohol or illegal substances in their system, they are knowingly exposing themselves and others to an unacceptable level of risk.

Support Services

The support services available to employees are as follows:

ICAS Employee Assistance Programme

An employee seeking guidance and assistance can receive help from the ICAS EAP provider for the Service. They can contact the help line 24-7-365, the number is **0800 072 7 072**

Service Counsellor

The employee can be referred to the Service Counsellor to help and assistance via the Occupational Health Team.

Specialist Nurse Advisors

The employee can contact Occupational Health for a referral to the Specialist Nurses.

Specialist Agencies

Occupational Health can facilitate a referral to a specialist agency such as the Windsor Clinic to assist in the rehabilitation of Service employees.

Bridging Group

The Bridging Group provides employees with the opportunity to discuss their problems with colleagues who have experienced similar life problems and have encountered the problems that they shall have to overcome. Employees shall be given contact details for the Reverend Bill Sanders, Service Chaplain, and the names of the colleagues in the Group from them to contact on request from Occupational Health.

Agencies for Assistance

The following agencies can offer information and assistance to employees:

DRINKLINE provides advice and information for people with alcohol problems and those who'd like to find out about safe limits.

0800 917 8282

Tuesdays, Wednesdays and Thursdays 0900 hrs – 1100hrs.

Weekends, there is a 24 hour service 0900hrs Friday to 2300hrs Monday

ALCOHOLICS ANONYMOUS run free self help groups for people who are alcoholics.

0845 769 7555

Every day 1100hrs – 2300 hrs

AL ANON provides advice and support for people concerned about the drinking of a family member.

020 7403 0888

every day 1100 hrs – 2300 hrs

FRANK provides information and support on any issues to do with drugs.

0800 776600

Open 24 hours a day

RE –SOLVE provides information for anyone concerned about solvent or volatile substance abuse.

0800 800 2345

Monday – Friday 0900hrs – 1700 hrs

ADFAM provides support for the families and friends of drug users, offering information on drugs, the criminal justice system and local support groups.

0207 928 8898

Monday – Friday 0900hrs – 1700 hrs

QUITLINE provides information and support to people trying to stop smoking.
0800 002200
Daily 0900hrs – 2100hrs.

COKEANON provides information and support for anyone concerned about cocaine abuse.
0800 612 0225
0207 284 1123
Daily 1000hrs – 2200 hrs

NARCOTICS ANONYMOUS provides support and information for people with drug problems.
020 7730 0009
Daily 1000hrs –2200hrs
020 7251 4007
Monday – Thursday 1200hrs-1700hrs

TURNING POINT counselling for people with drugs problems.
020 7702 2300
Monday – Friday 0900hrs – 1700hrs.

Appendix A:
Alcohol / Substance Abuse

Pathway of Care

