

**INVICTUS**

Education Trust

## **Substance Misuse Policy**

Approved by Board of Directors  
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To be reviewed by Board of Directors  
July 2021

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## **1. Introduction**

- 1.1 Invictus Education Trust is committed to providing a safe and healthy work environment for all employees, so they are able to carry out their jobs safely and effectively.
- 1.2 All employees are expected to arrive at work fit to carry out their jobs and be able to perform their duties safely without any limitations due to the use or after effects of alcohol or drugs (whether prescribed, over the counter or illegal). Misuse of alcohol and drugs can lead to increased absences, reduced performance, impaired judgement and decision making, damage to relationships and increased health and safety risks, not only for the individual but also for our pupils and colleagues. Irresponsible behaviour resulting from the misuse of alcohol or drugs may also damage pupil outcomes and the Trust's reputation.
- 1.3 This policy does not form part of an employee's contract of employment and may be amended following a period of consultation.

## **2. Scope and Purpose of Policy**

- 2.1 This policy covers all employees of Invictus Education Trust.
- 2.2 The purpose of the policy is to set out the rules and arrangements for managing alcohol and drug related issues. The policy sets out what action Invictus Education Trust will take and/or support offered to employees where alcohol and drug related problems are affecting their health, attendance, safety and work performance. Managers will make a judgment about whether an employee is deemed to be under the influence of alcohol or drugs affecting performance.
- 2.3 The aim of implementing this policy is to ensure all employees are:
- (a) aware of their responsibilities regarding alcohol and drug misuse
  - (b) encouraged to seek help, in confidence, at an early stage
  - (c) dealt with sympathetically, fairly and consistently
  - (d) clear about what action will be taken to ensure the safe and efficient running of the school/academy.

## **3. Identifying that there is a problem**

- 3.1 Managers have a role to play in identifying problems at work that are being caused or contributed to by alcohol or drug misuse. Where there is considered to be deterioration in work performance and/or changes in patterns of behaviour which may be due to alcohol or drug misuse, managers should take action and also seek advice from Headteacher.
- 3.2 If an employee arrives at work and a manager reasonably believes that they are under the influence of alcohol or drugs, the employee shall immediately be taken to [quiet office/first aid room] so that an investigation of the circumstances can be undertaken.
- 3.2 Employees should not attempt to cover up for a colleague whose work or behaviour is suffering as a result of an alcohol or drug-related problem. Instead they should encourage their colleague to seek

assistance through their manager or if they will not, the employee should raise it themselves with their own manager.

- 3.3 An employee who believes they have an alcohol or drug-related problem, should seek specialist advice and support as soon as possible.

#### **4. Rules on Alcohol and Drugs at Work**

- 4.1 Employees are not allowed to drink alcohol during the normal working day, at lunchtime, at other official breaks and at official work-based meetings/events. Drinking alcohol while at work without authorisation or working under the influence of alcohol may be considered serious misconduct.

- 4.2 Invictus Education Trust expects all employees to comply with the drink-driving legislation at all times. Committing a drink-driving offence outside or during working hours or while working for Invictus Education Trust may lead to action under our Disciplinary Procedure and could result in dismissal.

- 4.3 Invictus Education Trust may occasionally arrange school social functions. If an employee attending such a function behaves inappropriately or brings the school into disrepute due to their actions, following the consumption of alcohol/drugs, then the conduct may be regarded as taking place in the work place and as a result disciplinary action may be appropriate. At student functions, for example the school prom, employees are not permitted to drink alcohol.

- 4.4 When attending school trips, including residential visits either in this country or abroad, employees are considered to be working and so the consumption of alcohol is not permitted. However, during longer-term residential visits, more than two nights, "off-duty" time may be agreed by the party leader and during this time, alcohol may be consumed as long as it does not impact on the employee's ability to make professional decisions should they be required to be "on-duty". However, at least one member of staff must be alcohol-free at all time. It is the responsibility of the party leader to draw up a rota for this if necessary. Employees should not drink alcohol in front of the children even if deemed to be "off-duty". The party leader reserves the right to prevent any alcohol consumption by employees on a trip should it be deemed necessary to ensure the safety and welfare of all those on the trip. Inappropriate behaviour on trips may result in disciplinary action.

- 4.5 If an employee is prescribed medication, they must seek advice from their GP or pharmacist about the possible effect on their ability to carry out their job and whether their duties should be modified. If so they must tell their line manager without delay.

#### **5. Searches**

- 5.1 Where the school has reasonable suspicion that a member of staff has prohibited goods on school property, the Invictus Education Trust reserves the right to conduct searches for alcohol or drugs, including, but not limited to, searches of offices, lockers, filing cabinets and desks, packages sent to our address which are on Trust premises.

5.2 Any alcohol or drugs found as a result of a search will be confiscated and action may be taken under the Disciplinary Policy.

## **6. Management and Support of substance abuse problems**

6.1 When a problem affecting conduct or performance is first identified, the employee will be invited to a disciplinary investigation meeting with their manager. The purpose of the meeting is to discuss concerns, establish the facts and seek their employee's views on, for example, the deterioration of work performance and/or behaviour.

6.2 Alcohol and drug-related problems may develop for a variety of reasons and over a considerable period of time. Therefore, Invictus Education Trust will seek, where appropriate, to treat these problems in a similar way to other health issues. Support may be provided at this point, in order to aid a full recovery, allowing a return to work/effective performance and the full range of duties. The manager may decide to offer a referral to the Occupational Health Service for medical and/or specialist advice before deciding what further action to take. Other support that could be offered includes:

- (a) time off work to attend treatment as recommended by the Occupational Health Service
- (b) adjusting duties or other support as recommended by the Occupational Health Service during treatment and for an agreed period thereafter, subject to operational requirements and feasibility.

6.3 If, having acknowledged an alcohol or drug-related problem, the employee undertakes treatment and/or rehabilitation, the Invictus Education Trust may decide to suspend the disciplinary process, pending the outcome of the treatment.

6.4 If, as the result of the investigation meeting, the manager continues to believe that the employee is suffering the effects of alcohol or drugs misuse but the employee refuses an offer of referral or support, the disciplinary process will continue.

6.5 If an employee does not finish a programme of treatment because they stop attending or the recovery and return to work does not happen as anticipated at the outset of a course of treatment, the manager may reinstate the disciplinary process.

6.6 Where performance and/or conduct does not improve or continues to deteriorate despite support, the Invictus Education Trust will take disciplinary action.

## **7. Confidentiality and Data Protection**

7.1 We aim to ensure that the confidentiality of any employees experiencing alcohol or drug-related problems is maintained appropriately by managers, where it is necessary to inform them, colleagues. However, it needs to be recognised that, in supporting employees, some degree of information sharing is likely to be necessary. As part of the application of this policy, the Trust may collect, process and store personal data and special categories of data in accordance with our Data Protection Policy. We will comply with the requirements of the **Data Protection Legislation**

- (a) unless and until the GDPR is no longer directly applicable in the UK, the General Data Protection Regulation ((EU) 2016/679) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then
- (b) any successor legislation to the GDPR or the Data Protection Act 1998). Records will be kept in accordance with our Privacy Notice, our Retention and Erasure Policy and in line with the requirements of the Data Protection Legislation.

## **8. Monitoring and Review**

This policy is reviewed and amended every 3 years by Invictus Education Trust Board of Directors. We will monitor the application and outcomes of this policy to ensure it is working effectively.