



STAFF SUBSTANCE AND ALCOHOL MISUSE POLICY

1. Policy Statement

1.1 ArtsEd is committed to providing a safe and positive working environment for our staff, and a safe place to study for our pupils and students; it also seeks to promote the health, safety and well-being of our employees, pupils and students. We recognise that this can be put at risk by members of staff who misuse alcohol and substances to such an extent that it affects their health, work performance, behaviour or relationships at work and, where appropriate to do so, we will adopt a supportive and constructive approach when dealing with staff who may be experiencing substance and/or alcohol dependencies or addictions.

1.2 It remains our expectation that no employee will report for work while under the influence of substances or alcohol. ArtsEd does not consider it acceptable for staff to be impaired by alcohol and/or substances during the conduct of their duties and as such, this would form the basis for disciplinary action, including conduct or capability dismissal if necessary.

2. Purpose of Policy

2.1 The Substance and Alcohol Misuse Policy is designed to ensure that all employees are aware of the risks associated with alcohol/substance misuse and the consequences, including the legal consequences, of their actions. As such, this policy aims to:

- ensure that employees are aware of the consequences of alcohol and substance misuse in the workplace;
- ensure that employees' use of alcohol and/or substances does not impair the safe and efficient running of the School, or result in risks to the health and safety of themselves, other employees, pupils, students and the general public;
- Enable ArtsEd to comply with all relevant legislation in this area, principally the [Health and Safety at Work Act 1974](#), [Management of Health and Safety at Work Regulations](#), [Misuse of Drugs Act 1971](#), [Psychoactive Substances Act 2016](#), and the [Road Traffic Act 1988](#)

3. Scope

3.1 This policy applies to all staff including agency, creatives, contract, guest tutors, volunteers, and staff of other employers who may work on ArtsEd premises.

3.2 This policy relates to all members of staff during hours undertaking work and when undertaking activities on behalf of ArtsEd or attending School-related social events both internally and externally. Employees should always be aware that they are representing ArtsEd at such events and are expected to behave in a responsible manner.

3.3 While ArtsEd has an interest in the general well-being of members of staff, what they do in their private lives is generally outside the scope of this policy unless it affects their work, interferes with the legitimate activities of other members of the School, brings ArtsEd into disrepute, or risks their safety or that of others.

3.4 This policy should be read in conjunction with the following documents:

- i. [Health and Safety Policy](#)
- ii. [Staff Disciplinary Procedure](#)
- iii. [Safeguarding Policy](#)
- iv. [Staff Code of Conduct](#)

3.5 Please refer to the Student Substance and Alcohol Misuse Policy for matters relating to the management of student related drugs and/or alcohol misuse.

4. Definitions

4.1 Alcohol misuse: Alcohol misuse is any drinking, either “intermittent or continual which negatively interferes with a person’s behaviour, health, social functioning and/or work (including study) capability and conduct”. Alcohol should be consumed sensibly and in moderation. Regular excessive drinking or ‘binge’ drinking may adversely affect individual staff, other staff, or students and visitors.

4.2 Substance misuse: The use of illegal drugs or psychoactive substances, the deliberate use of prescribed or over the counter drugs (when not for a medical condition) and the use of solvents, either intermittent or continual which interferes with a person’s health, social functioning and/or work (including study) capability and conduct.

4.3 Substance: Any drug or psychoactive substance, whether illegal, prescribed or over the counter or solvents such as glue or butane. Prescribed and over-the-counter medication, their possession and use, is recognised as legitimate if taken responsibly and as per the instruction of the healthcare practitioner such as a GP, nurse prescriber, dentists, or Pharmacist. Drugs and substances covered in this policy are those that come under the Misuse of Drugs Act 1971 and Psychoactive Substances Act 2016 (Links above)

5. General Principles

5.1 All employees (as defined above) are required to familiarise themselves with this policy and comply with its provisions.

5.2 Members of staff should notify their line manager if they are taking prescribed medication that could affect their ability to work safely and, in such circumstances, should consider a period of sickness absence.

5.3 Strict confidentiality will be maintained when dealing with individuals under this policy, within the limits of what is practicable and within the law.

5.4 In all cases, advice should be sought from the Head of HR where there is any uncertainty.

6. Supporting staff

6.1 Managers should seek guidance from the Head of HR if they suspect a member of staff is under the influence of alcohol or a substance. It is the responsibility of the manager to discuss their concern with the member of staff as soon as possible if their behaviour, performance, or absence may indicate a possible problem with alcohol or substance misuse. It is not the line manager's responsibility to diagnose substance or alcohol misuse.

6.2 Any employee who is concerned that they may have a dependence on a substance or alcohol is encouraged to seek help from their GP. They should also approach their line manager and/or the Head of HR so that appropriate workplace support can be considered to assist rehabilitation and aid recovery.

6.3 Any employee who believes that a colleague is dependent on a substance or alcohol should initially encourage them to seek help. Where this is not possible or where the individual refuses to accept that there is an issue, the employee should share their concerns in confidence with their own line manager or with the Head of HR.

6.4 If ArtsEd believes that an employee is dependent on a substance or alcohol, the Head of HR may refer the individual to an Occupational Health adviser for assessment. Advice may also be sought from the individual's GP or counsellor as appropriate (with the consent of the member of staff concerned).

6.5 Reasonable periods of absence for advice and treatment for dependence on alcohol or substance will be treated in accordance with the sickness absence policy and time off for medical and/or counselling appointments should be granted.

6.6 In some cases an employee who has successfully recovered from a dependency on alcohol or substance may become unable to continue working in a particular environment due to possible relapse. In such cases and wherever possible a suitable alternative post may be considered where this is feasible.

7. Disciplinary Action

7.1 If a disclosure of alcohol or substance dependency is made as a mitigating factor during any disciplinary or other formal action, the action may be suspended for an appropriate period to allow the individual to seek treatment and support, such as attendance at a rehabilitation programme, counselling, or other intervention.

7.2 If, because of alcohol or substance dependency, an employee behaves or undertakes their work in such a way as to endanger the health and safety of themselves or of others, prompt corrective action will be taken to prevent damage or harm from being done. In such situations, although the substance or alcohol dependency will be taken into consideration, the individual may still be sanctioned in relation to any consequential behaviour where there are health and safety risks to themselves or others.

7.3 Where help is refused or treatment unreasonably discontinued by the individual or where there is no improvement in behaviour and/or work performance, disciplinary procedures will be resumed and/or initiated and in some cases dismissal may be unavoidable.

7.4 Where evidence warrants, the police will be informed of illegal substance or alcohol use or any activity or behaviour over which there are concerns as to its legality, such as having a drink-driving accident in a work vehicle or when using a personal vehicle on work-related business.

8. Zero Tolerance

8.1 ArtsEd operates a zero tolerance to substances and alcohol misuse in the course of a normal working day and at such other times that any staff member is representing ArtsEd. A small amount of alcohol is permissible at social functions where members of the Public, pupils or students are present.

8.2 Staff should not bring, consume, or allow to be consumed, alcohol or such substances on ArtsEd premises in contravention to the principles and intentions of this policy.

9. GDPR and Data Protection

9.1 All information obtained as part of this policy will be held and processed in accordance with General Data Protection Regulations (GDPR) as set out under the [Data Protection Act \(DPA\) 2018](#) and our Staff Privacy Notice. We will ensure that matters handled by us are undertaken with the appropriate level of confidentiality, noting that disclosure may be necessary where there is identified risk(s) or lawful grounds in accordance with data protection legislation. Information will only be made available, on legitimate grounds, to those who need it for the purposes of processing such data.

9.2 Information held about staff will be held securely and will not be excessive. Any information held will be relevant and limited to the purpose for which it is held and not held for longer than is necessary and in line with our retention schedules.

9.3 In some instances, staff information under this policy may need to be disclosed to another relevant staff for the matter to be managed.

9.4 Where we need to obtain/share information from a third party as part of managing a matter covered by this policy, we will only give the third party as much detail about a staff member and/or their case as is necessary by law and usually with the staff member's prior consent. Where we share a staff member's information with a third party, we will make them aware of that fact.

ANNEX A

LEGAL FRAMEWORK

- **The Health and Safety at Work Act 1974 - section 2** places a duty on an employer to ensure, as far as is reasonably practicable, the health, safety and welfare at work of their employees.
- **The Management of Health and Safety at Work Regulations 1999** places a duty on an employer to assess the risks to the health and safety of employees. This means an employer can be prosecuted if they knowingly allow an employee to continue working while under the influence of alcohol or substances and their behaviour places the employee themselves or others at risk.
- **The Misuse of Drugs Act 1971** makes it an offence for someone to knowingly permit the production, supply or use of controlled drugs on their premises except in specified circumstances (for example drugs prescribed by a doctor).

- **The Psychoactive Substances Act 2016** came into force on 26th May 2016 making ‘legal highs’ which mimic the effects of traditional drugs that are controlled under the Misuse of Drugs Act 1971 illegal. There is a blanket ban on the production, distribution, sale and supply of legal highs which are intended for human consumption.

Although not applicable to all workplaces, the following Act also places an obligation on employers and workers:

- **The Road Traffic Act 1988** states that any person who, when driving or attempting to drive a motor vehicle on a road or other public place, is unfit to drive through drink or drugs shall be guilty of an offence.

Other legislation that is applicable in the workplace is set out below:

[The Employment Rights Act 1996](#) states that drug or alcohol misuse may provide a basis for conduct or capability dismissal.

[The Equality Act 2010](#) states that addiction to, or dependency on, alcohol or other illicit drugs does not constitute a disability. However, if disability is due to the cause or effect of addiction, it is covered but may still be dealt with under a capability procedure.

[The Data Protection Act 1998](#) categorises information about employees’ health – including addiction to drugs or alcohol – as ‘sensitive personal data’.

ArtsEd will comply with all laws within the legal framework when deciding whether to pursue action against a member of staff.

Title of Policy / Procedure	STAFF SUBSTANCE AND ALCOHOL MISUSE POLICY
Maintained By	Head of HR
Owned By	Head of HR
Approving Committee / Ratifying Body	Board of Trustees
Last Reviewed on	March 2022
Review on	March 2025
Current Version	Version 1
Location of master document	https://teams.microsoft.com/l/channel/19%3aw-ekhrkvUAYf-poCislpXAtITMpMervHPnfaS00NC_Y1%40thread.tacv2/General?groupId=fe70d9e8-8216-4003-922e-b9bfe9e5fb9c&tenantId=02f4a62e-6e9d-4607-974c-7de2591c4698
Web location	