



# MS Society Alcohol and Drugs Policy

## 1. Purpose and scope

- 1.1 The objectives of this policy and procedure are to:
- Contribute to the successful achievement of the Society's aims and excellent standards of service for people affected by MS
  - Support the standards set out in the MS Society's code of conduct
  - Support and signpost staff and volunteers who have drug or alcohol problems
  - Ensure that lawful, non discriminatory and effective arrangements exist for dealing with disciplinary matters in relation to drugs and alcohol
  - Support managers in carrying out their responsibility to maintain high standards of conduct from all of our people
  - Enable all staff and volunteers to see that there are effective and fair procedures for dealing with alcohol and drug dependency
- 1.2 The alcohol and drugs policy covers all employees, volunteers, workers and contractors.

### 1.3 Our line managers

Line managers are usually paid staff, but some of the Society's employees, based in groups/local networks may be managed by a volunteer. Volunteers may be 'line managed' by a member of staff or another volunteer such as their Group Coordinator or lead Support. The use of the term 'manager' and 'line manager' in this policy refers to both paid and volunteer managers .

1.4 Where the policy refers to the line manager's manager, volunteers managing paid staff should refer to the local operational manager (e.g. Local Network Manager), or HR.

## 2 Definitions

### 2.1 Alcohol abuse

A level of drinking which affects the individual's health and work or volunteering.

### 2.2 Drug abuse

The taking of illicit or other non prescription drugs (other than over the counter medication) whilst at work. The misuse of prescription drugs or the taking illicit drugs which affect the individual's work or volunteering.

### 3. Policy principles

3.1 The following principles underpin this policy and the accompanying procedure:

- The MS Society does not tolerate alcohol misuse or drug abuse whilst working or volunteering and this may be treated as a disciplinary matter.
- The MS Society will ensure it complies with the Management of Health and Safety at Work Regulations 1999, in which the Society has a responsibility to maintain as far as is reasonably practicable a safe and healthy work environment. This may be put at risk where individuals misuse alcohol, drugs, or other substances to such an extent that it could affect their health, safety, performance, behaviour, attendance or relationships.
- Staff and Volunteers who have alcohol, drug abuse or addiction related problems will be treated with sensitivity and supported/signposted wherever possible.
- The MS Society will treat all matters arising under this policy in confidence.

### 4. The use of alcohol or drugs while working or volunteering

4.1 The use of alcohol and non prescription drugs, other than over the counter medication, when at work is prohibited (and may be considered a disciplinary matter). Examples of unacceptable behaviour include (this list is not exhaustive):

- manufacturing, distributing, dispersing, possessing or misusing alcohol or drugs during working hours, whilst volunteering, or at Society events
- presenting yourself at work, for volunteering, or at MS Society events showing signs of alcohol consumption or drug use
- acting in a manner that may harm those involved with the MS Society, its property or reputation as a result of drug or alcohol use
- driving following alcohol intake or drug use.

#### 4.3 Work events and alcohol

Some staff and volunteers attend events in a formal capacity, where alcohol is served. Examples might include staff or volunteers at local group events, campaigns and fundraising teams. If a staff member or volunteers is not leading the event they may choose to drink in these situations and are expected to drink within their limits, remembering at all times that they are 'on duty' and are representing the MS Society. Staff are may not claim the cost of alcohol on expenses.

#### 4.4 Staff social events and alcohol

At official MS Society formal and informal social events organised for and by staff, alcohol may be available. Staff are expected to drink within their limit and remember that our code of conduct applies whatever the occasion. The MS Society has a duty of care to all employees in these situations. Should a complaint be made about a member of staff at a social event, it may be investigated under our Disciplinary or Grievance Policy.

#### 4.5 Use of cannabis to relieve MS Symptoms

The MS Society's policy position is that the UK government and health bodies should develop a system that legalises cannabis for medicinal use to treat pain and spasticity in MS. This system should enable people with MS to access cannabis for medicinal purposes in a safe and legal way with the aid of a medical professional, when they have tried other treatments first and where there is sufficient evidence that it can treat their symptoms.

**4.6** In addition, we believe that all licensed treatments derived from cannabis should be made routinely available to people who need them.

On this basis, it is acceptable for staff and volunteers who have MS to use legally prescribed medical cannabis to relieve their symptoms while working or volunteering with us, provided this use does not adversely affect their ability to carry out their work or volunteering or it results in a potential risk to others.

#### **4.7 Advice from HR**

The HR team are available to provide advice, support and procedural guidance on this policy and in any matters relating to drugs and alcohol abuse. In the event of any issues of interpretation of this policy, the decision of the Executive Director, People will be final.

#### **4.8 Advice from Volunteering**

The Volunteering team are available to provide advice, support and procedural guidance on this policy and in any matters relating to drugs and alcohol abuse. In the event of any issues of interpretation of this policy, the decision of the Executive Director, People will be final.

#### **4.9 Record keeping**

Line managers should keep records of all concerns raised, informal and formal. Records of concerns raised formally should be copied to HR to be kept on file. Records of formal concerns raised about volunteers will be kept by the Volunteering Team.

#### **4.10 Timescales**

All timescales in this policy refer to calendar days. All timescales will be met as far as is reasonably practicable.

## **5. Alcohol and drugs procedure**

The Society will offer support in a sensitive and confidential manner to those known to have an alcohol or drug abuse problem that affects their work or volunteering role. Our aim will be to keep the individual employed or involved with the work of the Society as a volunteer as far as is reasonably practicable, whilst protecting the interests of our employees and volunteers.

### **5.1 Preventative action**

5.1.1 Employees are encouraged to talk to their manager/ HR if they suspect they have an alcohol or drug abuse dependency.

5.1.2 Volunteers should contact the staff member they work directly with, their local staff member or the Volunteering team.

5.1.3 Managers should identify employees and volunteers with possible problems relating to the effects of alcohol, drugs or any other substances at the earliest possible opportunity.

5.1.4 Managers should consider whether job performance problems for an employee, or an issue or a concern with a volunteer, may be attributable to the effects of alcohol, drugs or any other substance.

5.1.5 All staff and volunteers should express concern to an individual ( or their manager) if they believe shows signs of an alcohol or drug problem, with the aim of encouraging them to seek help. If anyone is not comfortable doing this directly with the individual or line manager they can approach the HR team or the Volunteering team respectively.

## 5.2 Seeking treatment and support

5.2.1 Where an **employee** recognises they are suffering from an alcohol or drug abuse problem; they must have the condition diagnosed by a medical practitioner.

5.2.2 The employee must then indicate they are prepared to co-operate fully with referral and treatment as recommended by a medical professional. In these circumstances, the MS Society will:

- consider whether it is appropriate to treat the problem as medical, sickness, capability or disciplinary matter
- help the individual to recognise the nature of the problem health in relation to work, encourage them to seek help and be aware of the impact on work colleagues and take up treatment options offered to them
- where appropriate refer the individual to the Employee Wellbeing Programme or Occupational Health.
- support the individual during a period of treatment which, depending on what is appropriate in terms of the individual's condition and the wider needs of the Society, may include:
  - a period of sick leave or approved other leave;
  - transfer to other work; or
  - continued employment in the same post
- consider an opportunity for the individual to remain or return to work following the completion of a course of treatment, as far as is practicable, in the same role or an alternative one.

5.2.3 Where a **volunteer** recognises that they have an alcohol misuse or drug abuse problem they will be offered all reasonable support to carry out their role and sign posted to appropriate organisations and services that can offer specialist help.

## 6. Unacceptable conduct

6.1 Whilst the Society will remain supportive to the individual, it reserves the right to instigate formal proceedings where unacceptable conduct, incapacity to work or volunteer, or poor work performance is evident.

6.2 Managers should ensure that the performance and capability of an **employee** who is being treated for an alcohol or drug abuse problem is restored to an acceptable level within a reasonable timescale.

6.3 All issue and concerns relating to alcohol misuse or drug abuse by a **volunteer** will be dealt with through the Resolving Volunteer Issues and Concerns policy and procedure.

6.4 Anyone who refuses the offer of assistance from the Society to overcome their problem will be informed that any future alcohol or drug abuse which impacts work performance, or their volunteer role, in any way, will be subject to formal disciplinary action or action under the resolving volunteer issues and concerns policy and procedure.

6.5 Anyone affected by and receiving treatment for alcohol or drug abuse, may not disregard existing policies and procedures at their respective workplace or volunteering activity.

## 7. Formal Disciplinary action

7.1 Formal disciplinary action may be taken in relation to this policy (this list is not exhaustive) when an individual:

- attends work or volunteering and/or carries out duties under the influence of alcohol or drugs
- acts in such a way that brings the MS society into disrepute
- acts in such a way to endanger themselves or others
- drives a car on Society business while over the legal limit for alcohol (drinking any alcohol when driving is strongly discouraged and should be avoided), or
- drives a car on Society business when under the influence of illegal drugs or misuse of prescription or other drugs

7.2 Where a breach of these rules occurs, and it is established that an alcohol or drug abuse problem exists, if the individual is willing to co-operate with referral to an appropriate service and subsequent treatment, the Society may suspend application of disciplinary action and provide assistance as described above. Ongoing evidence of compliance will be expected to continue to exempt the individual from the disciplinary procedure.

### 7.2 Legal action

Where an individual receives, takes, supplies or knowingly allows illegal drugs on Society premises or during Society activities, the Society will be obliged to inform the police. The individual involved will be subject to appropriate disciplinary action and any legal consequences.

### Nominated substitutes

Where reference is made throughout this policy to the roles exercised by specific post holders, it should be understood that these roles may be exercised by nominated senior managers or trustees as necessary.

### Other relevant policies:

- Capability policy and procedure
- Disciplinary policy and procedure
- Sickness absence policy and procedure
- Resolving Volunteer Issues and Concerns

### Relevant legislation

- Management of Health and Safety at Work Regulations (1999)

Policy agreed by Executive Group	31/8/2017
Policy to be reviewed	on a three year cycle: 2020