

Final



Corporate Responsibility

Group Health and Safety Policy

Alcohol and Drugs Policy -
Guidelines

Version 1.9

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Introduction

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The Alcohol and Drugs Mis-use Policy applies to everyone in Royal Mail Group: Royal Mail, Parcelforce and Post Office Ltd. Our previous policy was developed some 10 years ago and was in need of refreshing and updating. The principles of the policy however remain the same:

- Provide a healthy and safe work environment for employees, customers and contractors
- Support the Health and Well Being of all employees
- Provide support and rehabilitation aimed at returning people to work where possible
- Set the standard that consumption of alcohol and use or possession of illegal drugs while at work or on RMG premises in any capacity is not acceptable
- Set the minimum requirement for the management of alcohol and drugs misuse
- Comply with Health and Safety legal requirements and with the requirements of our Group Safety Policy.
- Help protect people from the misuse of alcohol and or drugs at work
- Will, wherever possible offer help, support and rehabilitation to people who have a dependency on alcohol and or drugs with the aim of helping the person return to work

The Primary aim is to help encourage and support people who have a reliance on alcohol or drugs

Roles and responsibilities

The Managers Responsibility

Managers have a responsibility for the health well-being and safety of themselves and all those working to them or around them. This responsibility will be helped by being aware wherever possible of the usual behaviour of employees and be prepared to intervene where there is genuine concern about a persons behaviour or change in behaviour, which may lead or has led to an unsafe act or condition.

It's essential that managers are aware of how to provide help and support when needed and also how and when to apply the Conduct Code, or indeed both at the same time.

There might be times when a breach of health and safety is so significant that although help and support might be deemed appropriate the person concerned has to be considered for disciplinary action.

Changes in performance or behaviour should be managed along similar lines whatever the perceived cause (see Attendance Policy, Conduct Code, etc): However, it is important to remember that our people have the following rights and responsibilities

- To be accompanied at meetings by companion who may be their Trade Union representative or a colleague from within Royal Mail Group plc at all meetings within the procedure
- To be told how the Royal Mail approach to managing our Alcohol and Drugs policy works and what the benefits and consequences are.
- To observe the principles of dignity and respect, even though each party may have different views about the issue to be discussed.

The key message is that where changes to a persons behaviour gives rise for concern or a persons performance changes and falls below an acceptable standard or peoples health and safety are being put at risk the manager should intervene.

The Individual's responsibility

All individuals have a responsibility to:

- Be aware of the Alcohol & Drugs and related policies
- Ask for help early, and cooperate with the offer of and provision of treatment
- If taking medication, prescribed or otherwise, informing your manager so a judgement can be made regarding fitness for risk specific activities e.g. driving
- Comply with drink and driving laws and other legislation
- Comply with Royal Mail Groups Policy on Alcohol & Drugs.
- Be aware that if the Police are involved in any incident the Police have the right to undertake such testing as they are allowed in law.

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- Be aware that if working airside or at a rail head then you are governed by the alcohol and drugs rules applicable to those premises. This will include testing for alcohol and or drugs by those responsible for the health and safety of the sit.

Help and Support

Where there are indications of a possible problem with alcohol and or drugs (changes in behaviour or performance at work) or a person acknowledges such a problem the manager should talk with the person concerned and invite them to a meeting for this purpose.

The purpose of the meeting is:

- For the manager to share their concerns with the individual about any changes in behaviour and or performance and to try and find out why these changes have happened.
- To discuss the individual's current performance and behaviour and explore any health issues and personal circumstances that might be influencing these changes.
- To make the individual aware of medical support available through OHS, and offer referral to OHS.
- Agree any temporary adjustments while waiting for medical help and advice to be given from our Occupational Health Services (OHS).
- Agree regular dates for reviewing progress performance and outputs from any OHS advice.

Preparing for the meeting

- Agree a time and place for the meeting and ensure the person concerned knows they may bring a friend or colleague along who may be their union representative.
- It's important for both the manager and individual to be flexible in agreeing suitable arrangements and a way forward.
- Exceptionally consider whether there are any sensitive or personal issues where it is appropriate for another manager to hold the meeting.
- For further guidance to the approach to take and the options available speak to the CSR Help Line on 0845 6009665 / Postline 5456 4697, People Contact Centre on 0845 6060603 / Postline 5456 7100 and or HELP on 0800 6888 777

During the meeting:

- Aim to reach an agreement on the way forwards on the health and medical issues.
- Focus on the opportunities for a joint solution rather than the problems
- Keep an open mind to solutions –flexibility is essential
- Be positive and prepared to reach a joint understanding of the issues in an adult and timely fashion.
- Ensure the person is aware that they may have a colleague attend with them. This person could be a union representative the individual so wishes.
- Ultimately look to agree an action plan that includes help and support from professionals and where necessary an agreed rehabilitation plan that aims to return the person to normal work.

After the meeting

- If agreed to do so refer the person to our OHS for help support and advice (see section below on OHS).
- The person self refers for help and support by calling our HELP line on 0800 6888 777.
- Agree to meet again on receipt of any reports from OHS or after person spoken with HELP assistance.
- Review progress and continue to meet and support as is appropriate.

Indicators of alcohol or drug problems

It's not at all easy to always know when a person might have a problem with alcohol and drugs, the list below is meant as a guide and is not exhaustive.

Any of these behaviours in isolation or together won't necessarily mean the person is under the influence of alcohol and or drugs, only that they might be. Such behaviours might equally mean the person is suffering from stress.

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The key message is that as the manager you should be concerned and therefore arrange to meet the person and discuss your concerns further.

Some signs and indicators:

- Periods of unexplained or frequently taken absence
- Poor timekeeping
- Behavioural changes
- Unusual levels of euphoria
- Lowering Inhibitions
- Less cautious
- Impaired memory or reasoning
- Impaired balance
- Impaired speech, hearing, vision or reaction time
- Slurred speech
- Unusual levels of dysphoria
- Sudden mood changes
- Deterioration in relationships with colleagues
- Reduction in performance or productivity
- Dishonesty and theft
- Accidents or near misses
- Smelling of alcohol
- Confusion

Occupational Health Services (OHS)

Occupational Health Services can assist individuals who self refer for an alcohol or drugs dependency or problem. Those who wish to seek support and self refer may do so by contacting the HELP line on 0800 6888 777 or be referred to our OHS by their line manager.

The HELP line on 0800 6888 777 provides support tools not only for individuals but also for managers.

Managers who know or suspect that an employee may be affected by alcohol or drugs are advised to seek assistance from OHS for professional advice on fitness for work and to establish if further support or other action is appropriate.

OHS's role include:

- Helping and supporting the individual towards recovery with the aim of helping the individual return to work and work retention.
- Helping managers manage the individual towards a return to work and work retention

Services available from OHS will include

- Providing awareness seminars to managers about spotting the signs and symptoms of Alcohol and Drugs misuse
- Providing assessments of people with alcohol problems in terms of:
 - Severity of addiction
 - Motivation to change
 - Appropriateness for treatment
- Where further intervention is needed and where there is an alcohol problem but not dependency, Workplace Counsellors can provide up to six sessions of treatment/counselling support
- Where further intervention is needed where there is an alcohol problem and there is dependency, OHS will assess local community support links and make arrangements for a referral, consulting the individual's GP where necessary. The Workplace Counsellor will liaise with the Occupational health practitioners to ensure this is carried out

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If OHS intervention is provided, update reports will be provided to ensure that the RMG manager is informed of progress and extent to which the employee is complying with the treatment programme

Access to these services is via the normal referral route, or via self-referral where appropriate. A more detailed description of the services available can be found at appendix 1.

Where immediate risk exists

Where it is believed that an individual is under the influence of alcohol and or drugs and the behaviour of the individual is in the opinion of the manager potentially dangerous to themselves or others then the manager may need to take immediate action for the health, safety and well – being of the individual and all those around them or who might come into contact with them or be in the same vicinity as them.

In such circumstances the manager has to assess the risk and should approach the individual and ask to see them away from the work area and out of sight and earshot of others (an immediate meeting). The manager should ensure that the individual is accompanied by a colleague or union representative (who might be the union health and safety representative) and give consideration to another manager being present. In part to ensure the health and safety of all concerned and so there is no doubt about the reasons for the manager taking the action they are taking and to help the manager assess the risk and so determine the action needed.

After assessing the risk and having consulted with the union health and safety representative if the manager concludes the person is unfit to carry out their normal work or any other work then the person should be sent home from work with pay and steps taken to assist the person in getting home and being put in the care of a responsible other person. Where it is not possible to put the person into the care of another responsible person then the manager should continue to ensure the individual is looked after until they are fit to be left alone.

The manager should follow the Conduct Code and any associated Guidelines at this stage of the procedure. Help and support is available from the People Contact Centre on (0845 6060603 / Postline 5456 7100)

Royal Mail Group will give the same consideration to colleagues with medical problems associated with alcohol/drugs misuse as it does to employees with other health problems. However the same procedures on Sick Leave and Attendance are applicable (as for all other colleagues) and those with alcohol drugs problems are equally required to comply with the normal standards of conduct and safety required of all Royal Mail people.

Incidents or accidents occurring as a result of attending work under the influence of alcohol or the misuse of drugs or the sale and/or possession of drugs will usually be considered as gross misconduct and could result in dismissal

Legislation

Employers have common law and statutory duties towards employees, members of the general public and other people's employees working on their premises.

Under section 2 and 3 of the Health and Safety at Work Act 1974, employers have a general duty to ensure health, safety and welfare of their employees and others. Employer's risk being prosecuted should there be a failure to discharge their duties.

Under the Misuse of Drugs Act 1971 it is a criminal offence for an occupier of a premise to permit controlled substances to be kept on his premises.

Possession or dealing in drugs at work will be reported immediately to the Police.

Employees Under section 7 of the Health and Safety at Work Act 1974 are required to take reasonable care of themselves and others who could be affected by what they do. Employees will risk being charged if alcohol or drug taking puts safety at risk.

Road Traffic Act 1988

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Drivers of road vehicles must not be under the influence of alcohol or drugs while driving, attempting to drive or when they are in charge of a vehicle. Police have new powers to target drivers suspected of being under the influence of alcohol or drugs

Transport and Works Act 1992

Workers covered by this Act must not be unfit through drink and drugs while working on the railway system.

Education

Alcohol and drug related medical and social problems could be helped most successfully when problems are identified early and early referral is made to appropriate sources for help and support, and when the individual will accept help.

Royal Mail will promote the health and well-being of employees to minimise problems at work arising from the misuse of alcohol and drugs. This will include the provision of information and education on:

- The possible harmful effects to health, relationships and work performance,
- The risks of dependency, and
- Relevant legislation on alcohol and drugs.
- The responsibilities of individuals for themselves and others under Section 7 of the Health and Safety at Work Act 1974.

If in Doubt

One of the primary aims of our policy is to identify people with possible alcohol/drug related problems at an early stage, offer guidance, and actively encourage them to seek appropriate help, and where appropriate to follow and successfully complete rehabilitation/treatment programmes.

There will be occasions when you are not sure what steps to take, remember, if in doubt talk to someone, you can get advice and support from:

- Your line manager
- Your RSM Advice and Support or one of their team
- Your RSM Safety Health and Environment or one of their team
- Speak to your PODA or Assistant PODA
- Call the People Contact Services on 0845 6060603 / Postline 5456 7100
- Call the CSR help desk on 0845 600 9665/ Postline 5456 4697 or email: HRSC_CSR@royalmail.com
- Speak to your respective Health and Safety manager
- Speak to your Union Health and Safety representative
- Speak to the HELP line by calling 0800 6888 777

Appendix 1 – OHS Products

Product Title:	Substance Abuse Assessment		
Product Code:	SAA	Issue Number:	4.0 (July 2005)
Product Owner:	Andrew Kinder, Principal Employee Support Advisor (0773311271)		

<p>Purpose: Assess the impact of substance misuse on employees health and wellbeing and implications for work performance, attendance and conduct Assist the employee to understand the health risks of substance misuse and potential impact on social, domestic and occupational functioning Assess the employee’s stage of change and provide appropriate intervention to support employee in efforts to address any substance misuse issues to help minimise risk to health, social and domestic domains and work performance, attendance and conduct</p>
<p>What is it? Pre-work by the employee followed by a structured assessment of their situation - face to face interview of up to 60 minutes duration plus 30 minutes report writing and notes</p>
<p>What’s the output? Information provided to the client to help them understand potential impact of substance misuse Referral for more specialist help (e.g. Substance Abuse Management or Counselling) if appropriate Report to line manager where appropriate</p>
<p>What are the benefits? Supports the requirements of Royal Mail Group policy on alcohol and drug misuse Royal Mail Group demonstrates its commitment as a caring employer Helps to reduce risk of adverse impact on employees work performance, attendance or conduct Helps the employee develop coping strategies and problem solving skills which may be transferable to other situations</p>

How do I arrange a Substance Abuse Assessment?

Management Referral Route

Line managers who are concerned about the impact of substance misuse on an employee's performance, attendance or conduct at work may refer using the normal Business Referral process. The need for Substance Abuse Management is determined through Substance Abuse Assessment. A summary outcome report will be provided to the referring manager outlining extent of any problem, professional intervention recommendations and appropriate advice to the manager about the management of any work impact.

Self Referral

Employee's can contact HELP Employee Assistance Program direct on 0800 6 888777 anytime day or night (24 hours service). Any employee contact with HELP will be in confidence and no feedback or report can be provided to the employee's manager.

Product Title:	Substance Abuse Management		
Product Code:	SAM	Issue Number:	4.0 (June 2005)
Product Owner:	Andrew Kinder, EAP Service Line Manager (07733311271)		

Purpose:

Support the employee who is following a structured substance misuse behavioural modification program using community resources (e.g. via GP or specialist drug or alcohol centre)
Act as link between the employee and treatment program and the employee's line manager throughout the process to support management decision making and intervention

What is it?

Up to six face to face interviews of up to 60 minutes (plus 30 minutes for report and case notes) duration each, carried out over a period of up to six months

What's the output?

Information provided to the client to help them manage the practical aspects of their substance abuse problem
Referral for more specialist help (via community resources)
Agreement and clarification of manager's role within the process
Progress reports to line manager

What are the benefits?

Supports the requirements of Royal Mail Group policy on alcohol and drug misuse
Royal Mail Group demonstrates its commitment as a caring employer
Helps to reduce risk of adverse impact on employees work performance, attendance or conduct
Helps the employee develop coping strategies and problem solving skills which may be transferable to other situations

How do I arrange Substance Abuse Management?

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Appendix 2 - Questions and Answers

Question 1:	Why have a policy on alcohol and drug misuse?
Answer	<p>Royal Mail recognises the devastating effects that alcohol and drug misuse can have on the physical, mental and social well-being of its employees. Consuming or being under the influence of alcohol or drugs at work seriously threatens the health and safety not only of the misusers but everyone who works with or near them as well as customers and members of the public with whom they come into contact. Alcohol and drug misuse are major problems in society, with drug use on the increase particularly amongst young people. Royal Mail is certainly not insulated from these problems, which impose major costs on industry (including Royal Mail) through absence, and reduced work performance with potentially serious implications for the quality and reliability of our services to the public.</p> <p>The consequences of Alcohol and Drug misuse can therefore, directly or indirectly affect all of us. It is therefore essential that Royal Mail has a clear and up to date alcohol and drugs policy if it is to respond effectively to these problems.</p> <p>Royal Mail has long had a policy on alcohol and drug misuse. The revised policy is not a fundamental change but a development aimed at;</p> <ul style="list-style-type: none"> • Safeguarding the health and safety in the workplace of all Royal Mail employees, • providing early and effective help for those who have a problem with misuse and encouraging take up of the help available from OHS, • helping managers to handle performance problems effectively where alcohol or drug misuse may be involved, by providing guidelines for action, and a process to follow in the context of established procedures, • setting clear standards so that everyone knows what is expected of them, • drawing attention to the health and other risks associated with misuse. <p>Royal Mail's policy on alcohol and drug misuse, reflects both its concern for the wellbeing of its employees and its understanding of the potentially damaging effects on its commercial performance and its reputation and standing with the public.</p> <p>In addition there are clear obligations and duties arising from current legislation. In particular the Health and Safety at Work Act imposes a duty on employers to ensure so far as reasonably practicable the Health and Safety of their employees, and that employees do not cause injury or damage to fellow employees, customers, suppliers or the general public through being under the influence of alcohol or drugs. Employees are also under a statutory obligation to take reasonable care for the Health and Safety of themselves and of colleagues, and to co-operate with their employer to enable it to comply with its own duties</p>

	under the legislation
Question 2:	What are the chances of serious harm from alcohol or drug misuse?
Answer:	<p>The damage done to mental and physical health and the social consequences (debt, crime, broken relationships and work problems) because of alcohol and drug misuse is well documented.</p> <p>Even small amounts of alcohol and of most drugs can seriously increase the risk of accidents of all kinds some of which may be fatal or ruin lives.</p> <p>Overdoses of alcohol and many drugs can be fatal. Sometimes a single exposure to a drug even in small quantities can be fatal. There have been well publicised and unexplained deaths from single doses of Ecstasy. Illegal drugs may have been adulterated or contaminated (there is no quality control). Some drug taking methods are dangerous in themselves, for example shared hypodermics and the HIV virus.</p> <p>Misuse of alcohol and drugs can lead to dependency, which is a medical condition requiring professional help. Such help is available via our own OHS.</p>
Question 3:	Is alcohol/drugs misuse an illness?
Answer:	Misuse is not in itself an illness. Alcohol and drug dependency are medical conditions and misuse may lead to dependency and/or to other medical conditions associated with alcohol or drug misuse.
Question 4:	Why does the policy not include breath testing?
Answer:	<p>The majority of employers do not utilise breath testing. The Royal Mail policy is formed in terms that rely on the co-operation and agreement of the individual. Royal Mail is committed to applying its policy in ways consistent with its business values. It is felt that the potentially negative effects on the employer/employee relationship that may be expected from the introduction of a testing regime are not justified by any possible benefits. Some employers particularly in the (rail) transport and for example the petro-chemical industries where the risk to the public is extremely high, potentially catastrophic, do have testing regimes (in some instances strongly influenced by the Transport and Works Act). Royal Mail does not believe that this approach is appropriate to its business.</p>
Question 5:	Am I expected to be able to detect alcohol/drug abuse?
Answer:	<p>No. Your focus is on poor performance (including conduct and attendance) where the policy, and processes give you the tool kit to deal with it. You should always offer the appropriate help whether an alcohol or drugs problem comes to light in addressing a performance issue or informally. It is the role of OHS to confirm whether there is an alcohol or drug problem</p> <p>Clearly you will need to act on available information in emergency situations but however obvious the problem may appear, your intervention is prompted because the employee is apparently unfit for work and the health and safety of the individual, his/her colleagues and members of the public may be at risk. In some cases for example where someone is about to drive, the smell of alcohol will be reasonable grounds for believing that the employee is unfit for the work to be done.</p>
Question 6:	Why don't we ban all drinking? Can stricter standards be introduced locally (for example for Distribution)?
Answer:	<p>This is nationally agreed policy and it is important that it is applied consistently throughout Royal Mail. Drinking during breaks and immediately before duty is not expressly precluded because;</p> <ul style="list-style-type: none"> • the emphasis is on performance and fitness for the work to be done. • it would be difficult to enforce without testing, • RM is not looking to intervene in employee's personal lives except where misuse affects their work. • The policy emphasises the responsibility of all employees to come to work (or return) fit for the specific work to be done. Consumption of alcohol during breaks (or before work) is unacceptable if it is excessive or inappropriate given the work to be done. Consumption would normally be considered excessive when;

	<ul style="list-style-type: none"> the employee is unable to carry out all aspects of the scheduled work safely and efficiently on return to work (and throughout the duty) <p>It should be emphasised that:</p> <ul style="list-style-type: none"> consuming any alcohol immediately before undertaking work with a high safety component (driving, using machinery, etc.) may be considered inappropriate and a breach of the standard. The manager must place safety considerations first and will intervene if for example he/she is aware of any evidence that the employee has been drinking (such as the smell of alcohol on the breath) immediately before commencing driving or other higher risk work. <p>The use of suspension may be considered in the circumstances set out in the Conduct Code.</p>
Question 7:	Why aren't there stricter standards for safety critical jobs?
Answer:	The same criterion of fitness for work is applied to all jobs, but as explained in the answer to Question 9, the priority which the manager must give to safety, means that in practice the requirement will be more stringent for jobs with a higher safety content (e.g. driving, working with or near machinery or heavy loads). An illustration of this is given in Question 9 where the consumption of any alcohol during a break or immediately prior to work may be considered inappropriate and therefore in breach of the standard (and subject to application of the conduct code) where the job has a higher safety component. Special 'stricter' standards apply in the railway environment (see separate guidance issued to those affected).
Question 8:	Who refers an employee to OHS for help? How do I know which service to use for a particular problem?
Answer:	It is your role to refer the employee to OHS where a possible alcohol or drugs problem or other medical/social problem comes to light. This is "management referral". Individuals can also "self refer" to OHS at any time if they believe they may have a problem by calling the HELP line on 0800 6888 777
	OHS can be approached in all cases as a 'seamless' point of contact. They will cross-refer to ensure that the right service (or combination) is used for the particular problem or each aspect of it. However, alcohol or drug problems commonly have both medical and social aspects and/or it will not be apparent where the root of the problem lies. (It is of course not for you to determine: just refer to either service and they will deal with it).
	See appendix 1 for details of the service provided.
Question 9:	What happens if a referral to OHS is refused or not taken up?
Answer:	Employees should be encouraged to take up referral. If they refuse, withdraw or fail to keep appointments without good reason they must be advised of the consequences because you will then have to apply the established standard procedure on the basis of the "performance" evidence alone.
Question 10:	What do I do if someone drinks but their work performance and conduct are satisfactory?
Answer:	A manager need not respond where there is genuinely no deterioration in performance or conduct, and there really is no threat to safety in the context of the work to be done. But you need to ask yourself two questions. Firstly, "How do I know that the employee drinks?" (is it confined to social conditions, not prior to or during work?). If this is so and remains the case it probably need not concern you. If however, you know the employee drinks because it is in some way evident at work but the individual 'controls it well' then there is almost certainly some effect on the work itself and your concern is with performance
	The second question is: "How do you know there is no risk to safety?" The risk of accidents is greatly increased even after very small amounts. You are not in a position to know how much has been consumed. This is a sensitive issue but you should not ignore it. An informal word to begin with may be advisable. If a possible problem emerges you

	<p>should explain the help available, and encourage the employee to take it up. Even if there really is no effect on the employees work at present this may not remain so: by acting quickly you are helping the employee by offering the support to tackle any underlying problem, and you may be helping to reduce the risk of accidents, or heading off a serious deterioration in performance or conduct when both the alcohol or drug problem and the performance issue may be more difficult to resolve.</p>
Question 11:	Should I suspend an employee who has been drinking?
Answer:	<p>The normal response to breaches of the standards set out in the policy will be the application of the conduct code. This is not changed by the alcohol and drugs policy.</p> <p>Suspension is not itself a disciplinary penalty but a precautionary response to an emergency including drunkenness/being under the influence of non prescribed drugs, violent behaviour, and generally where there has been a serious breach of conduct and it is in the interests of all concerned to remove the employee from duty. Under, the Conduct Code, suspension should only occur where it is necessary to prevent the risk of further breaches of conduct, to protect employees, property, the mail or to protect Royal Mail's good name and standing in the Community. Being under the influence of alcohol or drugs may qualify under any or all of these circumstances.</p> <p>Precautionary suspension would likely be appropriate if the employee is apparently unfit for work and/or conduct is such that immediate intervention is required (including drunkenness or being under the influence of non prescribed drugs). Your intervention will be prompted by concern for the safety of the individual, fellow employees or others with whom the employee may come into contact including customers or the public. It may also be prompted by a risk to security or the reputation of the business.</p> <p>If you have reason to believe that the employee may be unfit for his/her scheduled duties for example he/she smells of alcohol before driving, this is an unacceptable risk and you are obliged to act to protect the health and safety of the employee and others who may be at risk as a consequence of his/her actions. Remember that any suspension should only last as long as necessary: any disciplinary action should follow through subsequent application of the Conduct Code.</p> <p>Remember too that penalties under the Conduct Code will vary with the particular circumstances. There are no 'hard and fast rules' but the Code suggests that any subsequent penalty may be more severe in cases of being under the influence when on driving duties.</p>
Question 12:	Am I obliged to find other work for an employee who is unfit for their normal duties?
Answer:	<p>No, if the employee is apparently unfit because of alcohol or drugs on a particular occasion (see Q 16). In such circumstances allocation to other work would be inappropriate.</p> <p>If however, as a result of an ongoing problem the employee has been referred to OHS and OHS have advised that the employee is not fit for their current type of work it will be normal to arrange for the employee to be allocated to work consistent with the constraints that OHS have identified. Remember that Employee Tribunals will normally expect this, particularly where the problem arises in a large organisation such as Royal Mail.</p>
Question 13:	What do I do if someone is found in possession of drugs or drug taking equipment (or if the drugs or equipment are found "unattended"). Do I have to report it to the police?
Answer:	<p>It is unlikely that you will catch someone 'in possession' - you clearly cannot 'search' them. Most drug problems come to light through their impact on work performance or conduct. If you do come across someone or a group of people in possession of or using drugs then you must take action. The possession, use, or sale of illegal drugs is a conduct issue. Being under the influence of non-prescribed drugs would normally justify precautionary suspension.</p> <p>Remember that just allowing someone in your office to produce or supply illegal drugs to another person is an offence. If a manager knows that illegal drug dealing, sharing, using is going on in the office and does nothing to stop it then the manager has committed an offence. Any employer who might be tempted to 'turn a blind eye' to the occasional use of illegal drugs on its premises must be aware that this could lead to criminal prosecution. It is an offence for the occupier or manager of premises knowingly to permit a person to</p>

	<p>supply a controlled drug or to smoke cannabis or prepared opium on the premises (Section 8 of the Misuse of Drugs Act 1971) If this offence is committed with the consent or concurrence of a senior officer of the company then that officer is also guilty of an offence.</p> <p>If you find what you think is an illegal drug you must according to the law either hand it to the police or destroy it to prevent another person from committing an offence with the drug. In addition finding an illegal drug or evidence of its use and not acting upon this knowledge may be tantamount to "turning a blind eye" (see above).</p> <p>You do not have to tell the police if you know or suspect someone is taking or supplying illegal drugs. However, trading or trafficking should be reported.</p> <p>Treat any hypodermic syringes found on the premises with great caution - they are themselves dangerous and require careful handling. Follow the advice of your safety manager</p>
Question 14:	Can I insist on a referral if an employee is known to have an alcohol or drug problem?
Answer:	No. You must invoke one of the standard procedures applicable where performance, attendance, or conduct is unacceptable. You cannot 'know' for certain that alcohol or drug misuse is the source of the problem but if you believe it to be so, then encourage the employee to recognise the problem and to accept referral to OHS and to take up the help available. Keep a record at each stage that you have done so. You should explain that you will need to act on the basis of the available information (concerning poor conduct or performance) even if it may be incomplete because referral has been declined.
Question 15:	How do I respond if an employee reports that she/he is using prescribed drugs?
Answer:	The policy requires that the use of drugs prescribed by the employee's doctor (or obtained from a pharmacist) should be reported to you as line manager where performance, especially safety may be affected. Employees are encouraged to tell their doctor/chemist what their job involves and ask about possible side effects. You should ask whether he/she has received any advice. Where appropriate consider assigning to alternative work. Encourage the employee to obtain this advice if they do not have it but put safety first in the meantime if in any doubt. If you remain uncertain seek further guidance from OHS.
Question 16:	Can an employee claim an alcohol or drugs problem at a late stage in a standard procedure (NCI, IPP, Conduct Code, Attendance)?
Answer:	In following the procedures for tackling poor performance/conduct you will have considered the possibility of alcohol or drugs misuse or other underlying problems being involved, encouraged the employee to acknowledge any such problem and to accept and follow through with the help and support available, involving initially a referral to OHS. You should record having done so, at each stage of the procedures. Even if an alcohol or drug misuse problem is claimed at a late stage when for example dismissal may be imminent, it is probably best to err on the side of caution unless the employees past record is particularly bad. Take account of past record, consider and investigate the basis of the claim; does it seem reasonable based, are there good reasons why the employee was reluctant to acknowledge it before despite being encouraged to do so. (If he/she was <u>not</u> encouraged to do so and/or there is no record of it, you will need to be particularly cautious). In each case take account of mitigating circumstances and evaluate on the basis of the facts of the specific case. If you propose not to act on or accept a late claim of an alcohol or drug problem you may wish to seek advice from People Contact Services. Be prepared for the likely response of an Industrial Tribunal.
Question 17	Do the standards of the policy apply whilst away from my normal work place?
Answer:	It's not uncommon for managers in particular to be visiting customer's premises, or attending a meeting/conference or training at another site. The same standards of behaviour apply in all these circumstances.
	If you are staying overnight on a Royal Mail Site or in a hotel you are expected to behave in a way that ensures your safety the safety of others and the good reputation of the business.

