MacIntyre Academies

Drug and Alcohol Misuse Policy

Version	Purpose/ Change	Responsibility	Date
V4	Person Responsible updated **Section 4:** definition of 'drugs' added **Section 6:** addition of section on attending work or performing work duties whilst under the influence of alcohol or drugs **Section 15:** help/contact information updated	CEO (or equivalent)	March 2026

Person Responsible:	CEO (or equivalent)
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Drug and Alcohol Misuse Policy

1. Purpose

This policy sets out MacIntyre Academies' commitment to the health, safety and welfare of its employees and those affected by its activities and aims to reduce, if not eliminate, the risk of injuries or incidents occurring due to individuals suffering from the effects of alcohol or substance abuse. This policy outlines the rights and responsibilities of both MacIntyre Academies and its employees in accordance with relevant employment legislation and best practice.

2. Scope

This policy applies to all employees of MacIntyre Academies Trust ('the Trust' or 'MacIntyre Academies') in either a permanent, fixed-term, or temporary post. It also applies to all external visitors to the academies. This policy should be read in conjunction with the following MAT policies: 'Sickness Absence', 'Health and Safety' and 'Disciplinary'.

This policy does not form part of any contract of employment and may be amended from time to time.

This policy applies to all academy activities including those which occur outside of normal hours and whether on academy premises (either inside or outside) or on any external visit or residential trip.

3. Schedule of Responsibilities

The CEO (or equivalent) of MacIntyre Academies Trust takes overall responsibility for the implementation of policies and procedures and to provide reports as appropriate to Trustees in relation to this policy.

All employees are required to cooperate fully and positively with the requirements of the Drug and Alcohol Misuse Policy. They should ensure they know the standards expected of them in relation the policy, seeking clarification where required and undertake any training recommended by their line manager.

MacIntyre Academies Human Resources are responsible for providing advice and training under this policy and reviewing and updating the policy as required; ensuring continuing relevance and effectiveness in line with any developments in employment legislation, good employment practice and other MacIntyre Academies policies. The HR Manager is responsible for collating data for regular Trust Board HR reports and where appropriate, providing confidential reports as required by the CEO (or equivalent) and MacIntyre Academies Trust Board on individual cases.

4. Introduction

MacIntyre Academies Trust recognises that alcohol and drug abuse related problems are an area of health and social concern. The Trust also recognises that a member of staff with such problems needs help and support.

The Trust recognises that alcohol and drug abuse problems can have a detrimental effect on work performance and behaviour, and it has a responsibility to its employees and students to ensure that this risk is minimised.

The policy involves two approaches:

1. Providing reasonable assistance to employees with an alcohol and/or drug abuse problem who are willing to co-operate in treatment for that problem.

2. Disciplinary procedures where the use of alcohol or drugs (other than on prescription) affects performance or behaviour at work, and where either an alcohol or drug dependency problem does not exist, or where treatment is not possible or has not succeeded.

Due to the nature of the work at MacIntyre Academies the drinking of alcohol by employees and contractors at any time in the workplace, on external premises, on Academy business or during working hours is prohibited. MacIntyre Academies is not against normal social drinking outside working hours and it is not the intention of this policy to limit people's enjoyment or intrude into the privacy or lifestyle of employees. However, the Academy must respond where alcoholic consumption shows a clear detrimental effect on the employee's attendance and work performance.

MacIntyre Academies will ensure that its employees work within the laws of the land. The UK laws on use of drugs and alcohol are clear.

It is a criminal offence for certain workers, such as drivers to be unfit for their work due to taking drugs or alcohol. It is a criminal offence to be unfit to drive, attempt to drive or be in charge of a motor vehicle when under the influence of drugs or alcohol.

For the purpose of this policy, the term “drugs” means illegal substances (or legal substances which induce similar effects to legal drugs) or other substances, eg solvents. Drug misuse also refers to the misuse of prescribed medication.

MacIntyre Academies expressly prohibits the use of any illegal drugs (including psychoactive substances, formerly known as "legal highs") or any prescription drugs that have not been prescribed for the user. It is a criminal offence to be in possession of, use or distribute an illicit substance and to produce, supply or possess with intent to supply psychoactive substances. Any person on academy premises or engaging in academy activities off site that is found to be in possession, under the influence of or supplying any substance outlined in this policy will be subject to disciplinary action. This will be managed either as an academy disciplinary matter and / or by the local police, depending of the severity of the incident.

This policy does not form part of any contract of employment and may be amended at any time.

5. Legal Background

The Misuse of Drugs Act 1971 clearly outlines that it is an offence to possess, supply, offer to supply or produce controlled drugs without authorisation. It is also an offence for the occupier of premises to permit knowingly the production or supply of any controlled drugs or allow the smoking of cannabis or opium on those premises. Under the Misuse of Drugs Act are classified according to their perceived

danger. Class A drugs include ecstasy, heroin, LSD, mescaline, methadone, morphine, opium and injectable forms of Class B drugs. Class B drugs include cannabis, cannabis resin, oral preparations of amphetamines, barbiturates, codeine and methaqualone (Mandrax). Class C includes cannabis, cannabis resin, most benzodiazepine (for example Temazepam, Valium) other less harmful drugs of the amphetamine group and anabolic steroids. The classification of drugs may occasionally change and in such circumstances the policy will be updated.

6. Policy Principles

The essential principles of this policy are:

- MacIntyre Academies prohibits the drinking of alcohol and/or the use of non-prescribed drugs by employees at any time in the workplace or on Trust business and/or during the working day.
- MacIntyre Academies strongly discourages employees from drinking alcohol or taking drugs prior to driving or reporting to work. Employees must not attend work or perform their work duties, under the influence of alcohol or drugs under any circumstances.
- This policy applies to all members of staff including volunteers or contractors.
- The Academy must also uphold the Misuse of Drugs Act 1971 and will not knowingly permit the supply, sale or misuse of substances on Academy premises.
- The policy is to help and protect employees from the dangers of drugs, alcohol and other substance misuse and to encourage those with a problem to seek help in confidence.
- MacIntyre Academies will consider drugs, substance and alcohol misuse in the context of addressing unsatisfactory employee performance, attendance and/or conduct.

7. Recognising a possible alcohol or drug abuse problem

It is recognised that it is often those working closely with individuals who are best placed to identify developing problems. Therefore, everyone has a responsibility in assisting those who may be experiencing drugs, alcohol or substance misuse problems. It is essential that these problems are not covered up and any employee reasonably concerned that a problem exists should bring it to the attention of their manager**.**

An employee's line manager is responsible for responding to these situations (with the additional support of HR), carrying out either counselling or disciplinary investigations & interviews. In such interviews the possible existence of an alcohol or drug abuse problem should be explored. The line manager is not required to diagnose the existence of an alcohol or drug abuse problem, merely to assess whether such abuse is a possible factor.

8. Diagnosing a possible alcohol or drug abuse problem

Should the interview lead to the conclusion that an alcohol or drug abuse problem might exist and the employee accepts referral, the manager should refer the matter to HR who will assist with referring the employee to MacIntyre Academies' occupational health provider. The occupational health provider will be responsible for establishing whether or not a diagnosis of alcoholism or drug dependence can be made.

Any disciplinary action should be suspended until diagnostic advice is obtained. Where appropriate, suspension arrangements should be followed.

If the interview fails to lead to the conclusion that an alcohol or drug abuse problem exists, or the employee rejects, or fails to co-operate in referral, disciplinary action should be continued, where and as the situation justifies.

9. Confirmation that an alcohol or drug problem exists

If a positive diagnosis of an alcohol or drug abuse problem is made, and the employee agrees to co-operate in treatment, treatment arrangements should commence. These arrangements will be supported by MacIntyre Academies but may be arranged by the employees GP, Occupational Health or any other relevant provider.

Disciplinary action should be discontinued unless the employee fails to co-operate on the treatment arranged. Should a diagnosis of alcoholism or drug dependence not be confirmed or the employee refuses to co-operate in treatment, disciplinary action should be continued.

Where fit notes are submitted, sick leave should be given. Should the employee continue to be fit for work during the period of treatment, they should be allowed to continue in their post or alternative work unless doing so would have an adverse effect on MacIntyre Academies. In such circumstances, consideration will be given to use of holiday or unpaid leave or, exceptionally, suspension arranged.

Every effort should be made to comply with the advice provided by occupational health or a GP. If it is not reasonably practicable to do so, and as a result, the employee is not able to resume duty, employment may be terminated on the grounds of incapacity (ill health).

If an employee is again involved in any incidents resulting from alcohol or drug abuse related problems, a second referral to occupational health and suspension of the disciplinary procedure may be appropriate. If they advise positively on the possibilities of further treatment or help and the willingness of the member of staff to co-operate, the disciplinary procedure may be suspended again to permit treatment and help to be undertaken. This second referral will not apply if the further disciplinary problems involve serious misconduct. Third and subsequent referrals are not permissible.

10. Prescribed Medication

The Academy recognises that there will be situations where drugs have been medically prescribed for the employee or, where the employee has needed to take over the counter drugs from a standard dispensary. It is the employee's responsibility, in this case, to find out whether the drug prescribed has any debilitating effect and to advise their manager of this in confidence. Managers will take this into account in considering the provisions of this policy.

11. Drink and/or drug driving offences

If an employee loses their licence due to a conviction for driving while over the legal alcohol limit and/or under the influence of illegal drugs, it may have repercussions on continuing their employment with MacIntyre Academies.

Where it is a significant condition of employment that the employee holds a current driving licence, the individual must report any loss of licence through a conviction to the Principal or HR. Depending upon the circumstances of the specific case, a driving offence may lead to an investigation that may result in a disciplinary sanction being issued which could include dismissal. However, each case must be considered on its own merits. Consideration must be given to a number of issues such as whether the employee can still satisfactorily carry out their duties without a driving licence or whether it is possible to consider alternative employment.

12. Support for employees

MacIntyre Academies utilise the services of external providers for specialist assistance. These are typically provided by doctors, hospitals and our occupational health provider. MacIntyre Academies will, where possible, provide the following assistance:

- Counselling service through the Employee Assistance Programme.
- Support during a period of treatment. This may include a period of sick leave or approved other leave, continuation in post or transfer to other work, depending upon what is appropriate in terms of the employee's condition and the needs of the Trust.
- The opportunity to remain or return to work following the completion of a course of treatment, as far as is practicable, in either the employee's own post or an alternative post.

Any assistance will depend upon the following conditions being met:

- The occupational health service diagnoses an alcohol or drug dependency related problem.
- The employee recognises they suffer from an alcohol or drug abuse problem and are prepared to co-operate fully in referral and treatment from appropriate sources.

MacIntyre Academies and its employees must recognise the following limits to the assistance that can be provided:

- Where a member of staff fails to co-operate in referral or treatment arrangements, no special assistance will be given and any failure in work performance and behaviour will be dealt with through disciplinary procedures.
- If the process of referral and treatment is completed but is not successful, and failure in work performance or behaviour occurs, these will be dealt with through disciplinary procedures.
- An employee's continuation in their post or an alternative post during or after treatment will depend upon the needs of the Academy at that time.

13. Disciplinary Action

Where an employee is visibly under the influence of drugs, alcohol or other substances, they will be asked to leave the premises with immediate effect, their manager should ensure as far as practicable that the employee is safely escorted home and arrangements made to interview him/her on the next working day. In such circumstances, the employee may be suspended from work on full pay.

In line with the MacIntyre Academies disciplinary policy, the following will be regarded as gross misconduct:

- Attending work and/or carrying our duties under the influence of alcohol or drugs.
- Consumption of alcohol or drugs whilst on duty (other than where prescribed or approval has been given).
- Using drugs outside of work at any time (despite not being during work hours).

Breach of these rules will normally result in dismissal.

Where a breach of these rules occurs, but it is established that an alcohol or drug abuse related problem exists, and the employee is willing to co-operate in referral to an appropriate service and subsequent

treatment, MacIntyre Academies will suspend application of the disciplinary procedure and provide assistance as outlined above. Employees who do not comply with the treatment suggested or continue to abuse alcohol or drugs will be subjected to the application of the disciplinary policy.

14. When a disciplinary situation does not exist

There may be situations where the possible existence of alcohol or drug abuse problems affecting an employee comes to a manager's attention, although there is no effect on work performance or behaviour. This could arise if an employee confides in their manager about an alcohol or drug abuse problem, or a manager could see a need to approach a member of staff after observing "indicators" of an alcohol or drug abuse problem, such as an absence pattern, information provided by colleagues, etc. If managers are faced with a situation of this type they should seek the advice of HR regarding whether and how the matter could be dealt with.

Should the problems of the employee develop to an extent that their continuation in post or employment became impossible, it may be necessary to identify alternative work or consider other options on the same basis that MAT operates for staff with problems of incapacity due to ill health. Please refer to the MAT Sickness Absence policy for further details.

Where evidence is available that outside of working hours, an employee has misused prescribed drugs/used illegal drugs or consumed an excessive amount of alcohol MAT will consider the impact that this may have on their hours or work or on overall levels of performance. In these circumstances, MAT will also need to consider whether there is any negative affect on the Trust's reputation and/or public confidence.

15. Further Help/Useful Contacts

The following organisations can provide guidance to individuals who are facing problems with drug/alcohol dependency:

Employee Assistance Helpline: 01773814403
Alcohol Concern: If you're worried about your own or someone else's drinking, contact Drinkline on 0300 123 1110 for a free, confidential conversation (weekdays 9am – 8pm, weekends 11am – 4pm).
Alcoholics Anonymous: 0800 9177 650 free National Helpline
National Drugs Helpline/FRANK: 0300 123 6600
ADFAM: http://adfam.org.uk/families/find_a_local_support_group/call_a_helpline

16. Review

This Policy will be reviewed every three years or as a result of changes to legislation.

Changes at previous reviews:

Version	Purpose/ Change	Responsibility	Date
V2	Job Title change from HR & Recruitment Manager to Head of Support Services (Section 3)	MAT	Jan 2020
V3	Roles updated Minor clarification in Section 6 Policy Principles	Group Director	Apr 2023

Appendix 1 – Drug and Alcohol Misuse Process Flow Chart

