

STAFF SUBSTANCE MISUSE POLICY

**Created: November 2019
Reviewed: August 2026
Next Review Due: August 2029**

As part of our focus on diversity and inclusion, BDAT pledges that our policies will seek to promote equality, fairness, and respect for all staff and students. Our policies reflect the BDAT values of inclusion, compassion, aspiration, resilience, and excellence. By working closely with a range of stakeholders, such as our school, union, and HR colleagues, we have ensured that BDAT's policies do not unlawfully discriminate against anybody.

Statement of intent

Bradford Diocesan Academies Trust cannot condone the misuse of drugs and alcohol on the premises.

The Trust does however recognise that the misuse of drugs and alcohol may indicate a significant health or wellbeing concern and, as such, we aim to support employees in these situations. Drug or alcohol use can become problematic when an individual uses a substance so regularly or in such quantities that they start to depend on it in order to feel normal in everyday life. Dependence can develop into addiction, where day-to-day life focuses on obtaining and regularly drinking or taking a drug to maintain either a physically stable state or a preferred mental state. The Trust also acknowledges its responsibilities under the Equality Act 2010; whilst addiction to non-prescribed substances is not typically protected under the Act, any underlying medical condition, such as severe anxiety or depression, that results in or contributes to substance misuse may constitute a disability and therefore be protected.

This policy has been created to outline the responsibilities of all staff in relation to their conduct and use of substances, as well as the disciplinary procedures that may be applied if this policy is breached. One of the fundamental aims of this policy is to ensure that problems are dealt with effectively and consistently. This policy applies to all employees of the Trust, including school staff and central team staff.

1. Legal framework

This policy has due regard to statutory legislation including, but not limited to, the following:

- The Misuse of Drugs Act 1971 (as amended)
- The Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999 (as amended)
- The Health Act 2006
- The Transport and Works Act 1992
- Psychoactive Substance Act 2016

1.1 This policy should be read in conjunction with the following Trust/school policies:

- Disciplinary Policy and Procedure (Trust)
- Health and Safety Policy (Trust)
- Staff Code of Conduct (School)
- Capability Policy (Trust)
- Staff Attendance Management Policy (Trust)
- First Aid Policy (School)

2. Definitions

2.1 For the purpose of this policy, “substance” is defined as something which, when ingested, alters perception and the way in which the body works. This definition includes, but is not limited to, the following:

- All illegal substances
- Alcohol
- Tobacco
- Solvents
- Medicines
- Legal highs

2.2 For the purpose of this policy, the term ‘Headteacher’ includes the role of Executive Headteacher and Principal.

3. Roles and responsibilities

- 3.1. The Headteacher is responsible for dealing with any issues relating to substance misuse within the school. For central team staff, this will be dealt with by the appropriate line manager.
- 3.2. The Headteacher or line manager is responsible for deciding upon whether the Disciplinary Policy and Procedure may need to be instigated.
- 3.3. The Headteacher or line manager is responsible for ensuring appropriate support mechanisms are in place to promote staff members’ health and wellbeing.
- 3.4. Staff are responsible for adhering to the procedures outlined in this policy.
- 3.5. Staff are responsible for taking reasonable care whilst at work, ensuring they do not endanger their own health and safety or that of others through substance misuse
- 3.6. Staff are responsible for bringing any substance misuse issues to the attention of the Headteacher or line manager; this includes in relation to themselves and other staff members.
- 3.7. Staff are responsible for accepting any support offered to them by the school/Trust in relation substance misuse

4. Potential Impacts of Substance Misuse

The following is a non-exhaustive list of examples:-

Organisational impact:

- 4.1 health and safety concerns for employees, pupils, etc
- 4.2 detrimental impact on teaching and learning;
- 4.3 lateness and absenteeism;
- 4.4 unacceptable behaviour or poor discipline;
- 4.5 adverse effect on the school's/Trust's reputation.

Individual impact:

- 4.6 loss of concentration;
- 4.7 loss of co-ordination;
- 4.8 decline in work performance;
- 4.9 reduced ability to ensure their own health and safety;
- 4.10 increased likelihood of suffering an accident;
- 4.11 Ill health and/or illness/serious illness.

5. Legal drugs and prescribed medicines

- 5.1 The school/Trust understands that some staff members may require medication that has been prescribed by a doctor or other health professional.
- 5.2 Staff should notify the Headteacher or line manager if they are required to take prescribed medicines which may impact on their work.
- 5.3 Staff should notify the Headteacher or line manager of any side effects of prescribed medicines if it is believed the side effects will affect their work. The Headteacher or line manager will decide on a case by case basis whether the staff member should return home for either their own health and safety or to safeguard others.
- 5.4 Legal drugs and prescribed medicines should only be brought on to the premises if it would be detrimental to the staff member's health not to administer them whilst at school/the Trust.
- 5.5 Staff must ensure that any legal drugs and prescribed medicines that have been brought onto the premises cannot be accessed by pupils.
- 5.6 Staff should not exceed the maximum dosage of any prescribed medicines.
- 5.7 Staff should avoid taking prescribed medicines in the presence of pupils wherever possible.

6. Alcohol and illegal drugs

- 6.1 Staff are not permitted to consume alcohol or illegal drugs when carrying out their duties; this includes when they are carrying out their duties both on and off the premises, e.g. during school trips or work related social functions and events.
- 6.2 Staff should not carry out their duties whilst under the influence of alcohol or illegal drugs.

6.3 Staff will not be searched for alcohol or illegal drugs unless there is a cause for concern and section 6.4 of this policy applies. Every effort will be made to encourage the staff member to hand over any such substance suspected to be in their possession.

6.4 Where a staff member refuses to adhere to the above and the substance is believed to be illegal, the school/Trust may search the employee in line with the following:

- A second witness will be present
- The substance taken will be sealed in a plastic bag
- A record will be kept of the details of the substance, the date and time it was found, and the name of the second witness
- Details of the incident, including the police incident reference number if applicable, will be included on the record

6.5 Depending on the nature and severity of the incident, the police will be notified immediately and any substances found will be stored in a secure location before they are handed to the police.

6.6 Where applicable, the police will deal with the situation in line with agreed protocols, and the staff member may be subject to immediate disciplinary action in accordance with the Disciplinary Policy and Procedure.

6.7 A full incident report will be completed and submitted to the Headteacher or line manager. An example template incident report can be found in appendix 1.

6.8 Any staff member who has alcohol in their possession due to being bought this as a gift will not have this confiscated, but they will be instructed to store this in a locked cabinet inaccessible by pupils and not retrieve this until the end of the school day, or until they have finished carrying out their duties. This is relevant for staff leaving or birthday presents, where other staff may have bought alcohol as a present.

7 Solvents

7.1 All staff members are allowed to bring solvent-based products including, but not limited to, aerosol deodorants, compressed air and aerosol hairspray on to the school/Trust site. However, these must be kept secure and administered away from pupils.

8 Disciplinary action

8.1 All staff members may be subject to disciplinary action up to and including dismissal for gross misconduct in accordance with the Disciplinary Policy and Procedure where they (this list is not exhaustive):

- Enter the school/Trust premises under the influence of alcohol or illegal drugs.
- Are found to have illegal drugs in their possession.
- Consume alcohol or illegal drugs whilst carrying out their duties

9 Identifying a problem

- 9.1 Misuse of alcohol and drugs which affects performance and behaviour at work may be deemed as misconduct or an inability to meet standards of work performance and is unacceptable.
- 9.2 Where a staff member suspects that a colleague may have a substance misuse problem and is therefore worried about their colleague's wellbeing and any potential safeguarding implications, the staff member has a responsibility to raise their concerns confidentially with their line manager. No staff member who raises concerns will be penalised for doing so or be subject to any detriment.
- 9.3 Where a problem with drugs or alcohol is identified a formal meeting will be held to discuss the problem and the Headteacher or line manager will make a referral to the Occupational Health service. An employee will be entitled to be accompanied by either a trade union representative or a work colleague.
- 9.4 The Occupational Health service will be responsible for conducting an assessment of the member of staff, collecting relevant information and providing a management report.
- 9.5 Any disciplinary process will not commence until advice is obtained from the Occupational Health service. If necessary, suspension arrangements will be followed in accordance with the Disciplinary Policy and Procedure.
- 9.6 The school/Trust will make any reasonable adjustments to accommodate any recommendations made by the Occupational Health service, such as where the staff member has been absent from work and they require supervision upon their return.
- 9.7 If a member of staff misuses alcohol or drugs after support has been offered to them, the school/Trust will decide whether a second referral is appropriate, or in cases of gross misconduct, whether disciplinary action should be followed immediately. Examples of support include, but are not limited to, support from the Occupational Health service, or an individual support plan.
- 9.8 Should the problems of the member of staff develop to an extent that continuation in their role is impossible, the school/Trust may identify alternative work arrangements or deal with the matter under the Disciplinary Policy and Procedure.

10 Situations without disciplinary action

- 10.1 The school/Trust understands that staff members could have a drug or alcohol problem, although it may not directly affect their work performance or behaviour. This could arise where a member of staff confides in another staff member, or the Headteacher or line manager has identified possible indicators of a problem and may wish to approach the individual and discuss this e.g. through a regular absence pattern. In such circumstances, the employee will be entitled to be accompanied by either a trade union representative or a work colleague.

10.2 The school/Trust will highlight the importance of discussion and encourage staff to seek help from their school or the Trust in these situations.

10.3 In such circumstances the Headteacher or line manager will:

- Seek advice from the Occupational Health service regarding whether, and how, the matter should be dealt with.
- Provide support for the member of staff.
- Where a problem is identified, allow the Occupational Health service to establish, monitor and review support for the member of staff.

10.4 The school/Trust recognises that the above procedures cannot take place without the cooperation of the staff member. If the staff member does not wish to participate, no further action will be required. However, where issues arise relating to performance, attendance, conduct, or health and safety, these will be managed in accordance with the Trust's relevant policies and procedures.

10.5 The Headteacher or line manager may provide the staff member with references to external support organisations, should they wish to access them. If the problem begins to affect their work performance, disciplinary procedures will be followed in accordance with the Disciplinary Policy.

11 Medical emergencies

11.1 In alcohol and drug-related emergencies, trained first aiders will be contacted. A staff member will remain with the casualty until the first aider arrives.

11.2 Any other pupils or staff members will be removed from the immediate area, as soon as reasonably practicable.

11.3 Following an assessment by the first aider, a decision will be made to ascertain whether an ambulance should be called.

11.4 The staff member's immediate family will be contacted to inform them of the incident.

11.5 Further information regarding medical emergencies can be sought from the school and Trust's First Aid Policy, Health and Safety Policy, and Critical Incident and Business Continuity Plan.

12 Threatening behaviour

12.1 Threatening or aggressive behaviour by staff members under the influence of a substance will be taken very seriously.

- 12.2 Where threatening and/or aggressive behaviour is displayed, the school/Trust may contact the police.
- 12.3 Any staff member displaying threatening and/or aggressive behaviour may be removed from the premises and may be subject to disciplinary action in accordance with the Disciplinary Policy and Procedure.

13 Policy review

- 13.1 This policy will be reviewed by the Trust and any changes made to this policy will be communicated to all members of staff.
- 13.2 All members of staff are required to familiarise themselves with this policy as part of their induction programme.

Appendix 1 – Example Template Incident Report

SCHOOL INCIDENT REPORT

Search of Staff Member – Alcohol or Illegal Drugs

1. Basic Information

School Name: _____
Date of Report: ____ / ____ / ____
Date of Incident: ____ / ____ / ____
Time of Incident: ____ : ____
Location of Incident: _____

2. Staff Member Details

Name: _____
Job Title: _____

3. Reporting Officer Details

Name: _____
Job Title: _____
Role in Incident: _____

4. Reason for Concern

(Provide factual observations, reports received, prior incidents, or risk considerations)

5. Authorisation for Search

Authorising Person Name: _____
Job Title: _____
Policy Reference (e.g. Section 6.4): _____
Reasonable cause for concern confirmed: ☐ Yes ☐ No

Explanation of Decision:

6. Search Details

Time Search Conducted: ____ : ____
Location of Search: _____
Persons Present During Search: 1. _____ 2. _____
Consent Sought? ☐ Yes ☐ No
Consent Given? ☐ Yes ☐ No
Scope of Search (bags, desk, clothing, etc.): _____

7. Outcome of Search

No prohibited substances ☐

Alcohol ☐ Details: _____

Suspected illegal drugs ☐ Details: _____

Other ☐ Details: _____

8. Immediate Actions Taken

☐ Substance confiscated

☐ Staff member removed from duty

☐ Sent home

☐ Referred to HR

☐ Police informed

☐ Occupational Health referral

☐ Other: _____

Details:

9. Safeguarding Considerations

Were pupils directly affected? ☐ Yes ☐ No Details: _____

DSL informed? ☐ Yes ☐ No

10. Staff Member Response

11. Follow-Up Actions

☐ Formal investigation initiated

☐ Disciplinary process commenced

☐ Support offered (e.g., wellbeing/occupational health)

☐ Risk assessment reviewed

☐ Policy review required

Details:

12. Signatures

Reporting Officer: Name: _____ Signature: _____ Date: ____ / ____ / ____

Authorising Leader: Name: _____ Signature: _____ Date: ____ / ____ / ____

HR Representative (if applicable): Name: _____ Signature: _____ Date: ____ / ____ / ____