



# Drugs, alcohol and tobacco:

## a toolkit for employers

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In association with



**Public Health  
England**

Protecting and improving the nation's health

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In England in 2015 there were around

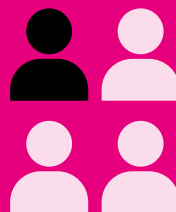
**300,000**

**potential years of life lost due to alcohol**

and around

**360,000**

**due to tobacco<sup>1</sup>**



**A quarter of the population**

drink alcohol at levels that increase their long term risk of becoming ill. Of these, **4% drink at levels** that significantly raise those risks<sup>1</sup>



An estimated **8.5%** of 16 to 59 year olds took **any drug** last year<sup>9</sup>

Alcohol misuse is estimated to **cost the English economy**

**£7.3 billion**

**each year<sup>2</sup>**



Staff who smoke are **33%** **more likely to be**

**absent from work**

than non-smokers<sup>6</sup>



**Anonymous online alcohol self-assessment tools**

can help employees consider health risks and **encourage behaviour change<sup>3,4</sup>**



**An estimated 1.5 million people**

in the UK are **addicted to prescription and over-the-counter medicines**, which can affect performance, concentration or alertness<sup>8</sup>



Evidence shows that **stopping smoking can improve mental health<sup>7</sup>**

**Smoking is the nation's biggest killer<sup>2</sup>** – every year, around

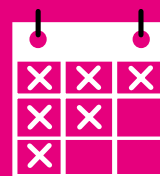
**79,000**

**people in England die from smoking<sup>5</sup>**

Smoking **costs employers**

**£5.3 billion**

through increased sickness absence and smoking breaks<sup>2</sup>



**E-cigarette** use is likely to be at least **95% less harmful** than smoking<sup>2</sup>



## Welcome

**This toolkit will help your organisation support employees in making healthier choices concerning alcohol, drugs and tobacco. It is designed for employers of all sizes and sectors.**

### This toolkit explains:



The legal context that will inform your approach



How to manage issues arising from the use of alcohol, drugs and tobacco



How to monitor and evaluate the impact of your approach

It includes simple, practical steps you can follow to embed a positive and open culture. It will help you pick out the best free resources that are most useful to you and your team, and help you develop an approach that fits the needs of your staff and organisation.

## Toolkit development

This toolkit has been informed by an evidence review produced by the Public Health England Library Team and the evidence was considered by a broad range of practitioners, professionals and business experts who also helped to source and shape the content of the toolkit. It also draws on the experience of organisations supporting their employees to make healthier choices concerning alcohol, drugs and tobacco. It signposts external organisations that offer advice and support to employers and employees.

The case studies in this toolkit have been sourced and written following consultation with experts working in relevant sectors, and through the contribution of employers who are taking these topics seriously. The case studies demonstrate employers sharing real-world examples of the initiatives they have trialled to support employees.

*“The content of this toolkit is extremely comprehensive. I haven’t seen another resource for employers which brings together this level of information on support for employees with issues relating to drugs, alcohol or tobacco.”*

**Gemma Johnson-Brown**

VP of HR and Facilities, Dovetail Games

*“Much of our workforce is in charge of large and dangerous machinery so we can’t be careful enough around the issues of drugs and alcohol in particular. In addition to testing, we also make it clear that if people come to us pro-actively and report a problem where they need help, we won’t discriminate and will treat it as we would any other health issue.*

*“This is a very detailed and useful document for employers, whether you need to start from scratch with creating policies and offering the right kind of support for your employees, or if you need to check that your existing policies are appropriate.”*

**Jackie Hall**

Wellbeing Champion, MTS Cleansing Services



**Co-authored foreword by:**

**Rosanna O'Connor**, Director, Alcohol, Drugs & Tobacco, Public Health England; **Louise Aston**, Wellbeing Director, Business in the Community; **Dr Davina Deniszczyc**, Charity Director & Medical Director, Nuffield Health



Alcohol, drug and tobacco use may not be at the top of employers' health concerns, but are the causes of, and contributors to, short and long term ill-health for a considerable proportion of people of working age. For example, in England in 2015 there were an estimated 301,000 potential years of life lost due to alcohol and 360,000 due to tobacco in people aged under 75.



Across England about a quarter of the population drink alcohol at levels that increase their long term risk of becoming ill. Of this number, four per cent drink at levels that are likely to be causing immediate problems, even if they aren't dependent. The national rates of smoking have been coming down for some time and we now have historically low levels, with 85 per cent of the adult population either never having been smokers or having quit. Drug misuse is less common, with the Home Office estimating that 8.5 per cent of 16 to 59 year olds took any drug last year.



This toolkit offers practical, evidence-based ways in which employers can promote the health and wellbeing of their employees, reduce sickness and absence, and support those who want or need to change their relationship with these substances.

Many of the activities that are suggested here will already be common practice and are intended to fit in with wider health promotion and improvement activities. This toolkit points to where further support and help can be found. It also sets out some of the legal considerations employers will need to take into account.

We hope that employers will use this toolkit in conjunction with the suite of PHE-BITC toolkits to ensure their employees are getting the support they need to remain in good health and fulfil their potential.

## Introduction

**Employees are the lifeblood of any organisation. Their health and wellbeing are central to its sustainability. An organisation that supports its employees to make healthier choices and overcome problems is more likely to prosper, through higher productivity, improved staff retention and positive engagement.**

### Support offered to employees can include:



Signposting to sources of evidence-based (informed by significant scientific research) information, support and programmes



Access to healthier options, including food and drink, and opportunities to be physically active



Helping staff to access appropriate support

Adults spend a large number of their waking hours at work, so the workplace provides the ideal environment to provide the information and support they need to make healthier choices. This includes information about the risks of alcohol, drugs and tobacco and advice on how they can reduce those risks.

Fostering an open and inclusive culture at work can encourage positive conversations around health and wellbeing, which will inform the choices employees make concerning alcohol, drugs or tobacco.

Many adults drink alcohol and/or smoke, and a smaller proportion may use illegal drugs. The challenge for employers is implementation of policies and the fostering of workplace cultures that respect individual choice while supporting employees to realise their full potential. Being compliant with the law is of course also essential. Even though employees may not be dependent on alcohol or drugs, it is important for them to understand the risks.

Sometimes the misuse of alcohol or drugs causes health problems that require treatment, resulting in absence from work or preventing people from doing their jobs properly. Employers can support rehabilitation and make adjustments to enable an employee to return to work.

Effective policies on health and wellbeing at work adopt a whole person, whole system approach, encompassing physical and mental health, and are rooted in prevention and risk management. Alcohol, drugs and tobacco should form part of this overall approach, rather than be addressed in isolation.

The issues and challenges involved with alcohol, drugs and tobacco, and the legal frameworks that applies, are all different. In this toolkit you will find separate sections on alcohol, drugs and smoking, with practical guidance to help you develop policies and responses that will benefit not only your staff but your business.

## The business case

**The business case for supporting employees to make healthier choices is compelling. A healthier workforce has a positive impact on the productivity and sustainability of organisations. It also benefits society as a whole, by reducing health and social care costs, and the human costs of ill-health.**

The misuse of alcohol and drugs, and ill-health caused by smoking, make a considerable contribution to workplace absence. This has a significant cost to business and the economy. The economic burden of alcohol is substantial, with estimates placing the annual cost in the UK to be between 1.3 per cent and 2.7 per cent of annual GDP.

Drug and alcohol misuse and dependence can be a serious problem for the individual, co-workers and the organisation itself. It can impair judgement and concentration, putting both the individual and co-workers at risk. (This is particularly true for safety-critical industries.)

Staff who misuse drugs and/or alcohol are more likely to take time off, display poor performance and increase the risk of accidents. These factors may well weaken an organisation's overall performance.

***“Using alcohol or drugs does not necessarily have a detrimental impact on people’s ability to do their jobs. Most people who use alcohol or drugs do not have a problematic relationship with them.***

***“It’s vital that people who want to disclose an issue around their use of alcohol or drugs are in a workplace where they feel supported. Employees with substance misuse issues are often more likely to disclose them to a colleague than a manager. So it’s important that employers create healthy working environments where positive conversations around drugs and alcohol can take place, to empower people across the business to respond effectively and supportively. This helps challenge the stigma people can face. It’s very powerful if an employer has a coherent and productive response to drug and alcohol use.”***

**Karen Tyrell**  
Director of External Affairs, Addaction

Smoking is estimated to cost the economy in England more than £11 billion a year. Of this, it costs employers £5.3 billion through increased sickness absence and smoking breaks. Staff who smoke are 33 per cent more likely to be absent from work than non-smokers.

Presenteeism (those who attend work despite being unfit or unwell) is also an issue. Although its impact is more difficult to measure, the Chartered Institute of Personnel and Development found that 86 per cent of respondents to its 2018 survey said they had observed presenteeism in their organisation over the last 12 months, compared with just 26 per cent in 2010. Helping people to stay healthy in work and to make a productive contribution makes good business sense.

Employers and employees, the NHS and other health service providers should work together to reduce the risk of alcohol and drug misuse, reduce smoking and build a culture that supports the health and wellbeing of employees.

The impact of alcohol, drugs and tobacco is colossal, from days of work lost to lives cut short. A positive and active response is required, for the sake of organisations and for society as a whole, and for the individuals and families affected. It is, quite simply, the right thing to do.

### SMEs

Small and Medium-sized enterprises (SMEs) can be disproportionately affected by the loss of key staff for any period of time because of illness including those caused by alcohol or drug misuse, or long-term conditions caused by smoking.

So helping employees to stay fit and well, or to return to work after illness, is especially important.

***“If a substance misuse problem is identified, it is critical that employers respond in a supportive fashion. It must be treated first and foremost as a health issue, regardless of the substances involved or their legal status.***

***“If employees feel they will be supported without judgement or stigma, they are far more likely to come forward for help – which means getting the problem sorted sooner, with less loss of productivity to the organisation in the long run.”***

#### **Ed Morrow**

External Affairs Manager,  
Royal Society for Public Health

***“I found using this toolkit to be a very positive and useful experience, and would urge other wellbeing professionals and champions to use it to further their teams’ health and wellbeing.***

***“Even though we don’t experience many issues relating to drugs, alcohol and tobacco, there are still areas we can work on and learnings I have taken away from this resource.”***

#### **Stuart Clack**

Wellbeing Champion,  
National Grid – Grain LNG



## Checklist of actions



### Step 1: Make a commitment

- ✓ There is a clear commitment from senior leadership that policies on alcohol, drugs and tobacco are central to the organisation's approach to health and wellbeing. This commitment is stated in a form that is visible and understandable to all employees
- ✓ The organisation has appointed a senior member of staff to drive forward this commitment

### Step 2: Build your approach

- ✓ The senior team understands and acts on all its legal obligations concerning alcohol, drugs and tobacco, and risk management in the workplace
- ✓ The senior team has consulted and included employees at all levels
- ✓ The senior team understands and supports the rights of employees, which are communicated to the workforce

- ✓ The organisation has assessed the health and wellbeing needs of its employees (for example through an anonymous survey), understands where improvements are required and has identified clear objectives for development, along with the business case for doing so

### Step 3: Positive culture

- ✓ There are effective management standards in place that ensure employees feel supported and valued
- ✓ Employees are encouraged to consider their own use of alcohol and drugs and to use resources to measure if their consumption is risky for their health
- ✓ There is a culture where employees feel comfortable in asking for support, secure in the knowledge their job is not at risk and their employer will help them
- ✓ The organisation ensures that the workplace environment is conducive to promoting healthy behaviours and limiting the potential for it to cause ill-health

- ✓ There is a system in place, such as risk assessments, to minimise stress
- ✓ Social activities, volunteering and out-of-work activities are actively encouraged and supported
- ✓ The organisation provides appropriate communication to keep staff at all levels informed of the approach to wellbeing
- ✓ The organisation has recognised the key role of effective line management. During corporate events the organisation models healthy behaviours

### Step 4: Support and training

- ✓ The leadership of the organisation ensures that information is freely shared and every employee knows how to access support and who to discuss their needs with
- ✓ Line managers receive training that helps them understand and signpost sources of support for health and wellbeing

## Checklist of actions *continued*



- ☑ Support is provided for employees with caring responsibilities for family members who have substance use issues
- ☑ Health and wellbeing is built into induction programmes
- ☑ Performance reviews allow employees to comment on issues that affect their performance and enable training needs to be identified

### Step 5: Providing the right support

- ☑ Managers are trained and confident in how to recognise problems with alcohol and drugs and handle sensitive conversations
- ☑ The organisation is willing and able to make adjustments to work patterns and structures for anyone experiencing difficulties, to help to keep them in work
- ☑ The organisation provides a confidential support service in-house or externally to individuals who come forward with a problem

- ☑ Ways to contact local alcohol, drug and mental health support services are promoted to employees
- ☑ Staff are made aware of the range of stop smoking support available and are allowed time off without loss of pay to attend local stop smoking services; the same also applies to employees requiring support for alcohol or drug issues

### Step 6: Helping people to recover

- ☑ Employees who experience ill-health and have to take time off work are given appropriate support to help them return when ready; adjustments are made for their successful return to work through regular contact with their manager
- ☑ The organisation is equipped to provide support through such government initiatives as Fit for Work and Access to Work to ensure people who experience ill-health can continue to work successfully

### Step 7: Going further

- ☑ Staff consultations/surveys take place that seek information on the health and wellbeing of staff. The consultations/surveys should also cover working conditions, communication, work-life balance, perception of drinking culture, staff support and work-related or other causes of stress, with action plans drawn up to address major issues
- ☑ The organisation regularly evaluates its approach to alcohol, drugs and tobacco and identifies areas it can develop in, reporting back on its progress with all employees
- ☑ It also shares its approaches with other organisations to promote best practice and learn ideas for new approaches
- ☑ The organisation evaluates its approach, assessing areas such as absenteeism, productivity, staff morale and disciplinary action

# 1/ Creating the right environment

## Leading from the top

**A clear commitment from senior leaders sends a powerful message to employees at all levels. By agreeing actions at a senior level, you give those who will implement policies on health and wellbeing the support and authority they need to promote healthier choices.**

*“This will be a very helpful toolkit for businesses, helping ensure they can best support employees. It’s particularly useful to be made aware of the relevant policies that exist and to have guidance on how to create your own policies. It’s great to have all the links to relevant resources in one place.”*

### Chris Blanc

Team Leader for Emotional Health and Wellbeing, The Gr@nd: Healthy Living Centre

Senior managers have a key role in encouraging healthy lifestyles by example and encouraging others to follow suit.

Good-quality people management is one of the core drivers of employee engagement, wellbeing and good mental health.

Line managers need support and strategic leadership from the top to create organisational cultures where management styles based on openness and mutual respect can flourish.

Employees are also more likely to open up about their own concerns if there is a clear signal from senior management that what they say will be treated sympathetically and in confidence. Managers should ensure that teams are supported in the event of colleague absences, so that workloads are well-managed and resentment doesn’t build.

In larger organisations, good practice is to set up a working party led by a senior manager to consider how alcohol, drugs and smoking affect day-to-day activities. Where applicable, this should involve the occupational health professional and human resources managers where available, as well as employee representatives.

### For smaller businesses, you may find it useful to talk to:

- Other managers or supervisors
- National or local alcohol/drug misuse agencies
- Local stop smoking services
- The local business forum or health promotion unit to get an idea of what other businesses have done in your area

**Winning support from your workforce for any change in policy on alcohol, drugs and tobacco will be much easier if employees are represented in the discussions.**



## Prevention: embedding health and wellbeing in the workplace

**Due to the amount of time we spend in work, a workplace environment and culture that promotes wellbeing helps employees make healthier choices to improve their quality of life. As a result, they can reduce the chance of problems with alcohol and drugs and encourage those who smoke to quit.**

Go beyond individual employees to address the physical and cultural workplace factors that may promote alcohol and drug misuse. For example, employees may feel pressure to drink alcohol when meeting and entertaining clients. This could have serious consequences on an employee's health if not done in moderation.

**Many of the factors that support workplace wellbeing are simply good management practices, including:**



Actively and transparently engaging and communicating with employees



Preventing bullying and discrimination



Ensuring your staff are able to use their skills and perform their work to the best of their abilities

***“Supporting employees to have healthy behaviours around alcohol and other drugs is a two-sided coin. It’s not just about addressing substance misuse that may be a result of factors outside of the workplace – it’s also about ensuring the workplace environment itself does not serve to stimulate harmful substance misuse.***

***“That means building a healthy workplace social culture that does not always revolve around alcohol, as well as a workplace with a healthy work-life balance that does not trigger substance misuse as a stress relief mechanism.”***

**Ed Morrow**  
External Affairs Manager,  
Royal Society for Public Health

## Good management standards



Encourage a culture that enables employees to support one another. Employees may want to help a colleague, but fear damaging their relationship by doing so.

**Ensure you have effective and positive management standards in place. This includes:**



**Regular reviews:** Structured appraisal systems (as well as informal catch-ups) help you see if employees are happy in their job, to discuss any issues and determine what support they might need



**Setting objectives:** Having clearly defined goals, roles and responsibilities supports mental health and wellbeing. Employees should be involved in setting their own objectives



**Work hours:** Everyone needs a healthy work-life balance. Reasonable hours, agreed and realistic deadlines, and flexible working can all reduce stress and boost wellbeing



**Lead from the top:** Managers should set an example by not staying at work for unreasonably long hours or failing to take regular breaks, which will put pressure on his/her team to do the same

## Employee surveys

Staff surveys can be an effective and simple way to assess the health and wellbeing needs of employees.

Online surveys can be easily set up and completed anonymously, and can help provide insight into areas such as:

- What employees know about the effects of alcohol and drugs on health and safety
- Understanding of any restrictions or rules on alcohol and drug use in your organisation
- Perception of drinking culture within your organisation
- The number of smokers and/or vapers, and what quitting support they would find most welcome

You may also want to consider offering an external survey resource, such as Drink Checker, to employees:

***“We have a duty of care to our employees, and the issues in this toolkit sit within that. The content here is excellent and the links out to other free resources are incredibly useful. I will be looking at how we can bring some of the guidance from this resource into our wellbeing approach for employees.”***

**Jannine Glover**

HR Business Partner, Delphi Technologies

## Encourage healthy behaviours

**Health and wellbeing programmes, events, activities and awareness campaigns can all help your staff make healthier choices. They can also build emotional resilience, which helps people deal with difficult or stressful situations. These initiatives are always most successful when senior management are involved, and act as role models.**

Relying on alcohol or drugs to deal with problems and emotions can often create more problems. Identify the social and emotional rewards that people seek from alcohol and drugs, including illicit use of prescription medicines, then identify and promote healthier alternatives. It is also important to identify and help address any underlying problems driving employees' use of alcohol and drugs.

Stories from people who have embraced healthier alternatives can inspire others. Promoting healthy alternatives can build employees' self-confidence and ability to deal with problems they're experiencing.

The basic premise of health promotion campaigns is that healthy lifestyles are incompatible with smoking, unhealthy alcohol consumption or risky drug use.

Health and wellbeing topics such as stress management, nutrition and weight management, physical activity and exercise are great opportunities to provide educational materials and other information on substance misuse and smoking. The training topics can be tailored to the needs and interests of your specific workplace.

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**For further information, see the physical activity, healthy eating and healthier weight toolkit for employers by Business in the Community and Public Health England:**

## Health promotion activities



- ✓ Provide advice and information on low risk drinking and how to quit smoking
- ✓ Encourage employees to attend the NHS Health Check:
- ✓ Encouraging employees to use anonymous online alcohol self-assessment tools can help them consider the health risks, and encourage behaviour change
- ✓ Provide advice on good sleep and recovery – for more details, see the sleep and recovery toolkit for employers produced by Business in the Community and Public Health England:
- ✓ Encourage employees to download relevant One You apps. One You provides a range of information and support about making healthier choices, including important advice about alcohol and tobacco:
- ✓ Promote mental wellbeing and resilience: for more information, see the mental health toolkit for employers produced by Business in the Community and Public Health England:
- ✓ Ensure there are opportunities for employees to socialise outside of work hours that do not involve alcohol



## 2/ Knowledge and training



## Know the law

**Drugs, alcohol and tobacco policy at work is covered by numerous pieces of legislation, applicable and subject to enforcement at corporate and often individual levels. This toolkit is intended for use in England. Different legislation may apply in Wales, Scotland and Northern Ireland. It is an employer's responsibility to know the law.**

**The following laws are applicable to all employers in relation to drugs, alcohol or tobacco use. Laws and regulations specific to each topic area are outlined in the relevant topic section.**

### **Data Protection Act 1998**

All health and medical information is sensitive personal data under the terms of the Data Protection Act 1998. All information surrounding possible drug or alcohol misuse must be handled securely and confidentially. Employers will also need to be aware of and comply with the General Data Protection Regulation (GDPR) and the Data Protection Bill currently progressing through Parliament.

### **Health and Safety at Work etc Act 1974**

Sets out the duty of care of employers to employees in the workplace. Section 2 places a duty on employers to provide a safe place of work and competent employees. Failure to deal with an employee who is under the influence of drugs or alcohol, who may constitute a risk to other employees, could leave an organisation open to prosecution.

### **Management of Health and Safety at Work Regulations 1999**

Regulation 3 places a duty on the employer to make a suitable and sufficient assessment of the risks to health and safety of employees and others affected by their undertaking (see appendix 1 for a sample Risk Assessment).

Common Law (the system of law based on judges' decisions and custom rather than actual legislation) places a duty on the employer to take reasonable care of the health and safety of employees.

## Training and education

**Educate line managers and employees about the effects of alcohol and drugs on health, job performance, and work safety.**

**Communicate the value your organisation places on the personal health of employees, their families, and their communities.**

### For line managers/supervisors:



- ✓ Line managers must be clear about company rules and what to do if they suspect an employee's drinking or drug use is affecting their work. They should also be aware of the implications of not tackling alcohol or drug misuse, particularly where safety is an issue
- ✓ Provide specialist training to manage conversations about substance misuse
- ✓ Encourage managers to support and model healthy behaviours
- ✓ Communicate the risks of substance misuse and the benefits of avoiding substance use
- ✓ Communicate the risks of smoking and the benefits of quitting
- ✓ Help employees understand risk factors associated with misuse and dependency, including mental ill-health, stress and unsustainable work pressure, unsocial working hours and repetitive work. This is particularly important in occupations where there is access to alcohol (for example, client entertaining) or working away from home
- ✓ Provide materials on the risks associated with misusing alcohol, prescription drugs, and other drugs
- ✓ Provide general health promotion information on topics such as stress management, healthier eating and fitness

# 3/ Producing a policy: alcohol and drugs



## Producing a policy

**A policy is a formal statement of an organisation's intent, clearly stating the rules and procedures for dealing with the issue of alcohol and drug misuse.**

For some organisations, this will include details of staff training on the correct procedures for handling incidents and dealing with colleagues who give cause for concern. It must be consistent with other areas of the staff guidelines/contract.

Each employer will have different needs from a policy. A key element is clearly stating the policy's meaning.

For a drugs policy, it would be sensible to define the term 'drug' as being applied to substances controlled under the Misuse of Drugs Act 1971, other psychoactive substances restricted under the Psychoactive Substances Act 2016, prescribed medicines, over-the-counter medication and solvents.

It is good practice to have a policy even if you do not find any evidence of current alcohol or drug misuse. It will help you deal with any future problems which may arise.

A policy should be accompanied by a strategy that can be used in response to alcohol or drug related issues that arise, and may encourage reluctant staff to disclose a problem and seek support.

### Policy objectives:



1. Meet your legal responsibilities
2. Assist managers and supervisors in dealing with substance misuse-related incidents and support in the workplace
3. Establish clear, easily-understood guidelines for dealing with misconduct arising from substance misuse
4. Demonstrate your organisation's commitment to staff health and safety and wellbeing
5. Raise awareness among staff of the effects of drugs and alcohol, and the impact on their wellbeing and the workplace of inappropriate use
6. A clear understanding of the situations in which the employer is committed to offering help to the employee
7. Ensure it includes a statement that the company will treat individuals with respect and in a manner that is supportive

## Understand the needs of your organisation

The concerns and legal obligations of those working in safety-critical industries, such as transport and construction, may differ from, say, the retail and hospitality sectors, or where staff are office-based.

SMEs may feel that there is no requirement for a formal policy on alcohol and drugs. However, they must consider operational and reputational risks and respond appropriately. This may be a simple code of conduct setting out what is and what is not acceptable in the workplace. No business can afford to ignore the problem.

A combined policy on alcohol and drugs may be appropriate and effective. They can affect the workplace in a similar way, and procedures for addressing issues that arise are also similar.

## Policy content



**This is a framework with suggestions for a policy on alcohol and drugs. You can adapt it to reflect the characteristics of your organisation:**

1. Set out why your organisation is introducing a policy and what its objectives are
2. Explain how you have involved staff and, where applicable, trade unions
3. Education and training: the policy should detail how staff will be made aware of the policy and how it will operate. The organisation should make a commitment to promoting awareness of the risks of alcohol and drugs
4. Managing incidents and discipline: you will need to clarify individual responsibilities – be they for staff or supervisors/managers. The policy must make clear what the procedures are and who should follow them. For an employer, a full investigation of all circumstances is crucial before choosing a course of action
5. It is important to remember that, in certain circumstances, implementation of disciplinary procedures may be inappropriate, or only part of the necessary response. Supporting an individual through treatment may be better for both them and your organisation
6. Drug and alcohol testing (if applicable): this is a complex area in which many employers have lost money and goodwill through ill-conceived testing programmes. If you decide to introduce testing, the rationale and procedures need to be explicitly stated and expert advice sought
7. Help, assistance and support: the policy should give employees information on where to seek advice and help, as well as clearly setting out the company's procedures for people needing to access specialist treatment or support
8. It is important to consider the implications of familial substance misuse. An employee may have concerns about loved ones outside the workplace; providing them with the knowledge of where and how they can obtain advice can help prevent domestic issues from affecting the workplace. The policy needs to be accessible and brought to the attention of all staff. For local support groups visit the Adfam website:
9. Return to work: set out the process for supporting an employee's return to work after absence for treatment and recovery (including communication with line managers during a period of absence, return to work interviews, and workplace adjustments)

**See topic areas for specific policies for each of the three areas (Drugs, Alcohol and Tobacco). Workplace policy on smoking is subject to a different legal basis and framework of action from policy relating to alcohol and drug use; details can be found in the section on tobacco.**

## Confidentiality

An employee with a substance misuse problem has the same rights to confidentiality as they would have for any other health condition. This must be respected at every point, including any communication with colleagues (for example, when giving reasons for absence from work).

This information is sensitive personal data under the Data Protection Act. Employers must comply with the advice of the Information Commissioner's Office (ICO):

Speculation or gossip must be excluded from official memos or individual personnel records. If staff lack faith in the company's ability to maintain confidentiality, the policy cannot effectively function.

## Making it work

A policy must be applied fairly and consistently.

To support this, staff and management responsibilities for implementing the policy must be absolutely clear. All staff must have ready access to a copy, and consideration must be given to incorporating personal experience and views on the policy's operation.

## Is it working?



**The policy will need to be monitored in order to:**

- ☒ Ensure your aims and objectives are being met
- ☒ Provide the opportunity to reassess elements of it and reflect organisational and social changes
- ☒ Gather evidence of how it is working
- ☒ Ensure it is being effectively implemented
- ☒ Update it in line with current legislation

It is good practice to implement a regular review process for all workplace policies, whereby changes in legislation and general fitness for purpose can be considered, and the policy either amended or confirmed as continuing to be suitable.

## Disciplinary issues

**Your policy should make clear what constitutes a disciplinary matter; for example, by prohibiting:**

- The use of drugs as defined by the Misuse of Drugs Act 1971 (except prescribed medication) and the Psychoactive Substances Act 2016 during the working day
- Working under the influence of drugs and alcohol
- Being in possession of an illegal substance in the workplace

If testing is part of your policy, an employee's failure to provide a sample must also be included. Include an explicit reference to substances covered by the Psychoactive Substances Act.

Many prescribed and over-the-counter medications can impair performance. The policy should clearly state that individuals have a responsibility for reading and following the advice supplied with their medicines and seeking medical advice where appropriate.

**When seeking to address poor work performance due to substance misuse, it is important to:**



- ✓ Identify the problem within its work context
- ✓ Clearly explain the action required of the employee to overcome this problem
- ✓ Offer support and, where appropriate, access to counselling or treatment
- ✓ Emphasise that disciplinary procedures may be suspended (depending on the seriousness of the incident) while the employee seeks assistance for a problem. Realistic timescales and outcomes will need to be agreed
- ✓ Clearly explain that failure to show improvement in the area identified is liable to have disciplinary consequences
- ✓ Emphasise the consequences of not following the agreed supportive programme and the likelihood of resumption of the disciplinary procedure



# 4/ Dependency and mental health

## Alcohol, drugs and tobacco dependence

**Most people who use alcohol and/or drugs are not dependent. By contrast the majority of smokers are dependent on tobacco.**

Alcohol and/or drugs dependence usually occurs after prolonged use of substances, which becomes habit-forming. The psychoactive nature of the substances (alcohol, cannabis, cocaine, nicotine or other drugs) are addictive in themselves.

When a dependency is formed, not using the drug causes cravings and withdrawal symptoms, which usually results in a recurrence of substance use. Many triggers and cues exist that make it very difficult to give up, even when the problem is self-acknowledged. This can lead to further feelings of low self-esteem, depression, anxiety and lack of confidence.

Dependency can really damage a person's work life and relationships and can have serious psychological and physical effects. Dependency is a health problem and should be treated without discrimination as far as possible. There are many ways to help.

*“Being in work is a key part of the recovery process for people who are undergoing treatment for substance misuse. For example, employment can play a significant role in helping people to re-engage with their community. People who have had substance misuse issues are often the most dedicated employees, because they recognise the social value and importance of being in work.”*

**Karen Tyrell**  
Director of External Affairs, Addaction

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**NHS Choices is a good source of further information about dependency:**

## How will I recognise if someone has a problem with alcohol or drugs?

**People may be affected in different ways, and sometimes it may not be obvious that someone has a problem with drugs and/or alcohol.**

### Some signs to be aware of include:

- Patterns of depression or fatigue (often after the weekend)
- Absenteeism – short term/frequent patterns
- Poor timekeeping
- Erratic performance
- Lack of discipline
- Unusual irritability or aggression
- Over-confidence
- Sudden mood swings
- Inappropriate behaviour
- Reduced response times
- Becoming easily confused
- Reduced productivity
- Deterioration in relationships with colleagues, customers or management
- Financial irregularities
- Dishonesty and theft

Some signs of substance misuse are similar to those caused by sustained stress, lack of sleep and/or physical and mental ill-health.

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**Talk to Frank has a comprehensive list of drugs and their effects. New drugs are emerging all the time, and sometimes one drug is known by different names:**

Sometimes employees might be dealing with someone else's substance misuse (such as a family member or partner), which could impact on their performance in work. Employees may keep this to themselves for fear of how it may reflect on them, which may prevent them seeking help. Creating a supportive workplace culture will help ensure that employees in this situation feel more confident and comfortable to disclose their situation.

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**Information on recruiting people who may have had substance misuse issues:**

## **Mental health and alcohol, drug and tobacco dependence**

### **It is common for people to experience problems with their mental health and alcohol/drug use (co-occurring conditions) at the same time.**

Evidence suggests that about half of people with signs of dependence on drugs other than cannabis are also in receipt of mental health treatment.

The relationship between coexisting substance misuse and mental ill-health can be complex, with one condition influencing the other (although they sometimes coexist independently). For example, people experiencing mental health issues may also use alcohol or drugs to self-medicate, attempting to use them as a coping mechanism.

When people stop using alcohol or substances, underlying symptoms such as depression and anxiety that the substances may have been masking can come to the fore.

There is also a strong link between smoking and poor mental health. It is a common misconception among smokers that smoking relieves stress and anxiety. The evidence shows that stopping smoking improves mental health, with a similar effect size to antidepressants.

**For more specific information on how to tackle mental ill-health in the workplace:**

*“People do not have a drug or alcohol issue in isolation, just as people often do not have a mental health problem in isolation. People manage a number of general health, mental health, psychological, relationship and environmental issues that all interrelate.*

*“It’s important to provide holistic support, including evidence-based and high quality substance misuse interventions. It is also important that employees and managers can choose the support that’s right for them.*

*“By providing such support, we can help ensure that employees are more informed and better supported, helping contribute to a healthier, happier and more productive work force.”*

**Cliff Lee**

Head of Rightsteps, Turning Point



# 5/ Drugs



## Drugs

**Drug misuse and dependence can cause substantial health, social and economic harm to individuals, their families and the wider community. It is an increasing cause of early death in England.**

Analysis of the Global Burden of Disease Survey 2013 shows that drug use disorders are now the third ranked cause of death in the 15-49 age group in England.

Drug misuse is the use of illicit drugs and the misuse of prescribed drugs and substances such as solvents. An estimated 1.5 million people in the UK are addicted to prescription and over-the-counter medicines, and some of these drugs can have a significant effect on performance, concentration or alertness.

It is important that managers and supervisors are trained to recognise the signs of problems with drug misuse, and the approach should aim to support affected employees rather than punish them.

### How to support employees who have a problem with drugs

- Employees with a drug problem should have the same rights to confidentiality and support as they would if they had any other health condition
- It may be very difficult for people to admit they have a problem. They may feel there is a stigma attached to their condition and fear reprisals if they admit to taking illegal drugs or being dependent on alcohol
- Let staff know that you will, as far as possible, treat drug misuse as a health issue rather than an immediate cause for dismissal or disciplinary action (This will of course differ depending on the company's policy: safety-critical industries, such as transport, will face different considerations to other sectors)
- Disciplinary action should be taken as a last resort. In some circumstances, you could be found to have unfairly dismissed employees whose work problems are related to substance misuse if you have made no attempt to help them. However, you may need to temporarily move them to another job if their normal work is safety-critical
- The cost of recruiting and training a replacement may be greater than the cost of allowing someone time off to get expert help
- If one of your employees is misusing alcohol or drugs, you should encourage them to seek help from your organisation's occupational health service (if you have one), their GP or a specialist agency. Some of these can be found online at Talk to Frank, and local authorities will have details of local treatment services
- Employee assistance programmes can also be a source of specialist support
- In taking action, you need to ensure that you have the support of other managers and gain the support of your employees. When you have gathered together your information and consulted relevant people you will be ready to take action

## Prescribed medication

If a member of staff is taking prescribed medication, it is important for managers or HR to understand any possible adverse impacts on performance. Side effects of some commonly prescribed medications can include drowsiness, reduced concentration and nausea.

Line managers also should be aware of the risks of dependency on prescribed medication, including painkillers, which can have serious consequences for health and wellbeing.

The most commonly abused prescription medications include those in the following categories:

- Painkillers
- Sleeping pills
- Weight loss pills
- Antidepressants
- Anti-anxiety medication
- ADHD medication



Dependence on prescription medicines is no harder to treat than other kinds of dependencies. What can make it more difficult is the task of recognising that it exists.

## Drug testing

Whilst drug testing has been widely adopted in some safety-critical industries such as transport and construction, it is a complex area and is certainly not relevant to every organisation.

Employers **must** have consent if they want to test for drugs, and should consider opportunities to consult with unions and/or staff representatives.

Generally, a positive test does not prove an individual to be impaired. It simply indicates the possible presence of certain substances. A positive reading could relate to an activity that took place up to a month before (cannabis may be detected in urine up to five weeks after consumption).

Drug testing requires specialist technical and legal expertise. Employers are advised to seek independent specialist advice, such as that provided by the Health and Safety Executive.

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## Know the law

**Alcohol and drugs policy at work is covered by numerous pieces of legislation, applicable and subject to enforcement at a corporate and personal level. This toolkit is intended for use in England. Different regulations or legislation may apply in Wales, Scotland and Northern Ireland. It is an employer's responsibility to know the law.**

### **Misuse of Drugs Act 1971**

This is the key UK legislation relating to the control and classification of drugs. This Act and its subsequent amendments set down the penalties for possession and supply of various illegal drugs.

### **Psychoactive Substances Act 2016**

Restricts the production, sale and supply of psychoactive substances (often formerly referred to as "legal highs"). The Act makes it an offence to produce, supply, offer to supply, possess with intent to supply, possess on custodial premises, import or export any substance capable of producing a psychoactive effect. The maximum sentence for certain offences is seven years' imprisonment.

### **Health and Safety at Work etc Act 1974**

Sets out the duty of care of employers to employees in the workplace. Section 2 places a duty on employers to provide a safe place of work and competent employees. Failure to deal with an employee who is under the influence of drugs or alcohol, who may constitute a risk to other employees, could leave an organisation open to prosecution.

### **Management of Health and Safety at Work Regulations 1999**

Regulation 3 places a duty on the employer to make a suitable and sufficient assessment of the risks to health and safety of employees and others affected by their undertaking. (See appendix 1 for a sample Risk Assessment.) Common Law places a duty on the employer to take reasonable care of the health and safety of employees.

### **Road Traffic Act 1988**

Makes it an offence for a person to drive, attempt to drive, or be in charge of a motor vehicle on a road or other public place with a controlled drug in the body, if the proportion of the drug in that person's blood or urine exceeds the specified limit.

# 6/ Alcohol

The background of the slide is a dark, textured surface with numerous circular, bubble-like shapes of varying sizes. These shapes are dark and have a slightly glossy appearance, with some showing internal reflections or a grainy texture. They are scattered across the entire frame, creating a sense of depth and movement. The overall color palette is monochromatic, consisting of various shades of black and dark grey.

## Alcohol

**For many, alcohol is associated with positive aspects of life; however the effects of alcohol on individuals, their families, communities and business can be wide-ranging.**

*“With good training, managers can build a win-win for the organisation and employee, resulting in early intervention and support to tackle concerns sooner, before disciplinary action needs to be taken. An organisation-wide approach that regularly promotes alcohol awareness to all enables managers to raise concerns more easily and in tandem with well-communicated policies.”*

**Don Shenker**

Director, Alcohol Health Network

There are more than 10 million people in England who are drinking above the low risk guideline and may be increasing their risk of alcohol related ill-health or death. Within this group, 1.9 million are drinking at levels putting them at significant risk. 600,000 of the adult population are potentially in need for specialist treatment for alcohol dependence.

The National Institute for Health and Care Excellence (NICE) defines harmful drinking as a pattern of alcohol consumption that is causing health problems, including psychological problems such as depression, alcohol-related accidents or physical illness. These higher-risk drinkers can become alcohol dependent, which NICE defines as characterised by craving, tolerance, a preoccupation with alcohol and continued drinking despite harmful consequences.

Estimates of the costs of alcohol misuse to the workplace have been consistently high, with a 2012 Cabinet Office estimate reporting that alcohol misuse costs the English economy £7.3 billion each year.

People can and do reduce their alcohol consumption.

Any business, however big or small, can take practical steps to minimise the risks associated with drinking, and help their staff and colleagues to remain not only productive but also healthy.

This includes the support they offer employees transitioning into retirement, which has been linked to increased levels of alcohol consumption when retired people are not engaged in activities they find fulfilling.

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**For more information, see the UK Chief Medical Officers' guidelines on how to keep health risks from drinking alcohol to a low level:**



## How to support employees who have a problem with alcohol

- Employees with an alcohol problem should have the same rights to confidentiality and support as they would if they had any other health condition
  - It may be very difficult for people to admit to themselves or others that they have a problem. They may feel there is a stigma attached to their condition and they may well fear reprisals if they admit to taking illegal drugs or being dependent on alcohol
  - Disciplinary action should be taken as a last resort. In some circumstances, you could be found by an employment tribunal to have unfairly dismissed employees whose work problems are related to alcohol misuse if you have made no attempt to help them. However, you may need to temporarily move them to another job if their normal work is safety-critical
  - The cost of recruiting and training a replacement may be greater than the cost of allowing someone time off to get expert help
  - If one of your employees is misusing alcohol or drugs, you should encourage them to seek help from your organisation's occupational physician or nurse (if you have one), their GP or a specialist agency; you can find specialist alcohol addiction services online at NHS Choices:
- Local authorities will usually have details of locally commissioned treatment services
- In taking action, you need to ensure that you have the support of other managers and gain the support of your employees. When you have gathered together your information and consulted relevant people you will be ready to take action

***“It’s not always easy for line managers to recognise or address alcohol-related issues among employees, as the drink ‘problem’ sometimes appears intangible and hard to define.***

***“But if an employee’s conduct or work performance is impaired as a result of alcohol or drug use, then it is a manager’s duty to address the issue in a sensitive, trusting and confidential way.***

***“Having the skills to raise your concerns comes from a good understanding of how problematic alcohol issues develop and manifest themselves in the workplace and how you can help motivate change.”***

**Don Shenker**  
Director, Alcohol Health Network

## Know the law

### Road Traffic Act 1988

Sets out the offence of driving or attempting to drive a motor vehicle while unfit through drink or drugs. With regard to alcohol it sets the legal limit (80 milligrams of alcohol per 100 millilitres of blood). Companies should ensure this is reflected within their car policy.

Section 4 of the Road Traffic Act specifies that it is illegal to drive if unfit to do so through drink or drugs.

### Provision and Use of Work Equipment Regulations 1998

Requires employers to assess any additional risk as a result of using work equipment in the conditions that exist in their business, in line with the Management of Health and Safety at Work Regulations 1998.

### The Transport and Works Act 1992

Makes it a criminal offence for specified jobs to be undertaken by those unfit through drink or drugs. Employers may be liable unless they can show 'all due diligence'.

### The Railways and Transport Safety Act 2003

Sets out the limits and numerous offences that can be committed by people working in the field of aviation transport and shipping.

### Health and Safety at Work etc Act 1974

Sets out the duty of care of employers to employees in the workplace. Section 2 places a duty on employers to provide a safe place of work and competent employees. Failure to deal with an employee who is under the influence of drugs or alcohol, who may constitute a risk to other employees, could leave an organisation open to prosecution.

### Management of Health and Safety at Work Regulations 1999

Regulation 3 places a duty on the employer to make a suitable and sufficient assessment of the risks to health and safety of employees and others affected by their undertaking (see appendix 1 for a sample Risk Assessment). Common Law places a duty on the employer to take reasonable care of the health and safety of employees.

# 7/ Tobacco

A black and white photograph of cigarette smoke swirling against a dark background. The smoke is captured in a long-exposure shot, creating elegant, flowing ribbons of white vapor that twist and turn across the frame. The lighting highlights the delicate texture of the smoke, making it stand out sharply against the deep black background. The overall mood is atmospheric and somewhat somber, reflecting the theme of the page.

## Tobacco

**Smoking is the nation's biggest killer. Every year around 79,000 people in England die from smoking. For every death caused by smoking, approximately 20 smokers are living with a smoking-related disease. Smoking causes lung cancer, respiratory disease and heart disease as well as numerous cancers in other organs including the mouth, throat, liver, pancreas, kidney and stomach.**

Although the number of smokers has fallen in recent years, nearly seven million people in England still smoke. Smoking remains entrenched in some sections of society, with the harm concentrated among the most disadvantaged.

Two thirds of smokers say they want to stop smoking and many smokers make repeated attempts to quit. However success rates are low, mainly because most choose to quit unaided, or 'cold turkey', which is the least effective method. Support in the workplace can make a big difference by giving smokers access to the advice and help they need to maximise their chances of success. Employers also benefit if employees stop smoking, because they will be healthier and are likely to take fewer days off work through ill-health.

Your approach to health and wellbeing in the workplace should pay close attention to smoking and tobacco-related harm. Create an environment in which employees will feel supported to make healthier choices, including stopping smoking.

## Quitting support for smokers

The most effective way to stop smoking is with the help of a local stop smoking service (LSSS) – smokers who get this support are up to four times as likely to quit successfully as if they try to quit unaided.

LSSS are free of charge and provide a combination of behavioural support and stop smoking medicines (prescription tablets and/or nicotine replacement therapy (NRT) products such as patches and gums). They can also support smokers who choose to quit with the help of an e-cigarette.

Chances of quitting success are doubled for smokers who use a stop smoking medicine prescribed by a GP, pharmacist or other healthcare professional.

All smokers trying to quit can benefit from the use of stop smoking aids including NRT and e-cigarettes. These help to reduce cravings by replacing some of the nicotine they previously got from cigarettes. There is also a range of free quitting support tools including emails, texts and an app available on the NHS Smokefree website.

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## Make a commitment



**Address each area below and provide employees with the tools to help themselves to improve their health and wellbeing.**

- ☒ Provide information on the benefits of stopping smoking and the range of support available
  - Use notice boards, staff newsletters and intranets
  - See NHS Smokefree and NHS Choices for information and support
  - Use postcode checker on the NHS Smokefree website to identify stop smoking services in the local area and include contact details in staff communications
  - See NICE guidance on workplace interventions
- ☒ Implement a smokefree policy in accordance with UK smokefree laws and ensure all staff are aware of its provisions
  - Your smokefree policy should apply to contractors and visitors, as well as staff. It should cover not only premises but work vehicles, including leased vehicles
  - Reception and grounds staff should receive training on the smokefree policy, including how to report breaches
  - The smokefree policy should include a section on illegal tobacco (the workplace being a common venue for the trading of illegal tobacco). Employers are subject to legal sanctions if they permit such activity on their premises
  - Your smokefree policy should be embedded within corporate advertising, recruitment, induction and training, occupational health provision and disciplinary procedures
- ☒ Display no-smoking signs clearly in premises and company vehicles
- ☒ Make a clear distinction between smoking and vaping (e-cigarette use)
  - E-cigarettes do not burn tobacco or produce smoke, and UK smokefree laws do not cover vaping
  - Employers can choose to prohibit vaping or to permit it in all or part of the premises
  - Signage should be displayed indicating where vaping is prohibited or permitted
  - If the permitted area is outdoors, vapers should be provided with an area away from smokers

**Public Health England has provided advice for organisations to guide the development of vaping policies:**




## How to support employees to stop smoking



**Having put the building blocks in place, take steps to actively encourage employees who smoke to improve their health by quitting.**


- ✔ Offer advice, guidance and support to employees who smoke to help them stop
  - Information provided to staff should include details of help available, when and where, and how to access the services
  - Employees who want to quit smoking should also be made aware that success rates are higher when smoking support services are used
- ✔ Allow staff to attend local stop smoking services during working hours without loss of pay
  - The most effective way to stop smoking is with help and support from specialist stop smoking services
  - The commitment to providing facilitated access to local services should be included in your smokefree policy, in management guidance and in staff communications on stopping smoking
- ✔ Promote national quitting campaigns including Stoptober and regional/local campaigns, and encourage staff who smoke to take part
- ✔ Implement a vaping policy that supports smokers to quit and stay smokefree while managing any identified risks

## Make a smokefree workplace part of corporate culture

**Develop a stop smoking policy, in collaboration with staff and their representatives, as one element of an overall smokefree workplace policy.**

-  Conduct a staff survey to:

    - Identify the number of smokers and find out what quitting support they would find most welcome
    - Identify the number of vapers and find out what arrangements would support them in quitting smoking (if they both smoke and vape) and staying smokefree
  -  Focus groups with smokers and vapers can also assist with policy development
  -  Be responsive to individual needs and preferences. Where feasible, and where there is sufficient demand, provide on-site stop smoking support

    - Consider bringing in a local stop smoking service to deliver group and/or one-to-one sessions
    - Alongside providing access to expert stop smoking support, staff who smoke could be offered free nicotine replacement therapy (NRT) products
- (some of which are available on prescription) to support smoking cessation or temporary abstinence. NICE sets out a series of recommended approaches to reduce the harm from smoking
-  If your premises include outdoor areas, conduct an assessment to determine whether some or all of these areas should be made smokefree

    - Where a decision is taken to make outdoor areas smokefree, communicate this clearly in advance to everyone affected by it
    - The needs of vapers should be taken into account and where possible, arrangements put in place making it an easier and more convenient choice to vape than to smoke

**E-cigarettes and vaping policies**  
**Around 2.9 million people in the UK use e-cigarettes, almost all of whom are smokers and ex-smokers. E-cigarettes have become the most popular stop smoking aid in England and there is growing evidence that they can help smokers to quit.**

E-cigarettes do not burn tobacco and do not produce tar or carbon monoxide, two of the most harmful elements in tobacco smoke. Although not completely risk free, e-cigarettes carry a small fraction of the risk of smoked tobacco. Public Health England's 2018 independent review of the evidence confirms the conclusion that e-cigarette use is likely to be at least 95 per cent less harmful than smoking.

E-cigarettes allow users to inhale nicotine through a vapour rather than smoke. They work by heating a solution that typically contains nicotine, propylene glycol and/or vegetable glycerine, and flavourings. They are 'vaped' rather than smoked and although the vapour has been found to contain some potentially harmful chemicals also found in cigarette smoke, these are at much lower levels.

PHE's 2018 evidence review finds that to date there have been no identified health risks of passive vaping to bystanders. This is in contrast to the strong evidence of harm to bystanders from exposure to second-hand smoke.

Public Health England has published advice to support the development of policies on vaping in public places and workplaces. While there is no 'one-size-fits-all' approach, policies should be based on the evidence and designed to support smokers to quit while managing any risks applying to a particular setting.

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**Click the links below to read the Public Health England reports:**

## Know the law

**Smoking is prohibited by law in virtually all enclosed and substantially enclosed work and public places throughout the UK.**

### **The Health Act 2006**

Smokefree legislation in England forms part of the Health Act 2006. The Act allows for Regulations to be made to: specify the meaning of “enclosed” or “substantially enclosed”; to apply the provisions to workplace vehicles which are used by more than one person at any time; and for the requirement to display no-smoking signs in premises and vehicles.

### **The Smokefree (Premises and Enforcement) Regulations 2006**

The Regulations specify which premises are “enclosed” or “substantially enclosed” for the purposes of the smokefree requirements. “substantially enclosed” means premises or structures with a ceiling or roof (including retractable structures such as awnings) and where there are permanent openings, other than windows or doors, which in total are less than half of the area of the walls. They specify the authorities that will enforce those requirements and they make other provision in relation to enforcement.

### **The Smokefree (Signs) Regulations 2012**

The Regulations set out the requirement for at least one legible no-smoking sign to be displayed in smokefree premises and smokefree vehicles.

**Click on the links below for more information about smoking and the workplace:**

# Next steps & Resources for employers





## Going further: taking the next step

**If you feel your company can and want to go further, become an ambassador for supporting employees to make healthier choices around alcohol, drugs and tobacco.**

Sharing your stories can help other organisations provide support for their employees, and by being part of a supportive network of individuals in a work environment where you spend a large amount of time, you can learn what others are doing, to support the continued development of your own approach.

### Keeping the programme active and current

Successful programmes are ongoing and evolving. Sustain your programme by integrating it into the workplace culture and environment and keeping the programme responsive to changing conditions and people's views.

Workplace alcohol, drug and tobacco policies and programmes are often reviewed and updated. Keep abreast of best practices and programmes by joining local advocacy groups, which can be sourced through your local council. Small-business associations and trade and professional organisations might also provide up-to-date information about drug-free workplace issues.

### Maintain positive and regular communication

Periodically repeating messages in a positive, non-invasive way, is important to ensuring that communication is successful.

Effective ways to communicate include intranet and occasional emails, written materials, charts, meetings, question-and-answer sessions, and suggestion boxes. If you want to maximise your impact, become involved in national campaigns and events such as No Smoking Day and Stoptober.

### Review and evaluate outcomes

Keep records of your activities, tracking:

- How much is being spent, including time
- Where relevant, the number of positive drug tests
- What activities are taking place
- The number of people attending

Obtain feedback on all activities, and revise the programme as necessary to meet the specific and changing needs of the workplace. Determine whether

new messages concerning your workplace policy need to be clarified and revised for employees.

Be sure to evaluate your policy for specific results. For instance, if your goal is to reduce employee absenteeism, use current employee absenteeism records to establish a baseline against which you can measure the results of your programme at a set time period. Evaluation measurements can be used regularly to strengthen your policy. Measurements can also identify trends – both positive and negative – to uncover best practices and improvement opportunities.

### Involve your employees

Ask a group of employees to periodically review the programme and suggest appropriate changes. Some employers and unions survey their employees or members and their families regarding their interest in substance misuse and health and wellness programmes. Many employee assistance programmes also offer or arrange for both general and specialised employee education activities.

### Use your supply chain

Your supply chain, if you have one, can provide a route to becoming a leader in employment practices around alcohol, drugs and tobacco. For example, you could share your best practices and learnings with smaller businesses in your supply chain, which can help make a big difference. This can only improve your relationship with these businesses and help them become part of a wider community with a positive culture.

### Take additional actions



**Here are some other actions that employers can take to help sustain the workplace effort:**

- ✓ Sponsor or help with prevention services in your community that would benefit your employees and their families
- ✓ Include healthy lifestyle articles in your organisation's newsletter to be a resource for those that wish to adopt healthier lifestyles
- ✓ Appoint a corporate representative to serve on and support any local dependency support community partnerships in your area
- ✓ Provide alcohol-free options at events for employees

## Resources for employers

### **The business impact of alcohol, drugs and tobacco:**

**Department of Health – Towards a smokefree generation: a tobacco control plan for England**

[www.gov.uk/government/publications/towards-a-smoke-free-generation-tobacco-control-plan-for-england](http://www.gov.uk/government/publications/towards-a-smoke-free-generation-tobacco-control-plan-for-england)

**Public Health England – The Public Health Burden of Alcohol**

[www.gov.uk/government/publications/the-public-health-burden-of-alcohol-evidence-review](http://www.gov.uk/government/publications/the-public-health-burden-of-alcohol-evidence-review)

**Smoking and absence from work: systematic review and meta-analysis of occupational studies**

[www.ncbi.nlm.nih.gov/pubmed/23078132](http://www.ncbi.nlm.nih.gov/pubmed/23078132)

### **Employee confidentiality and data protection:**

**Information Commissioner's Office (ICO) – The employment practices code**

[https://ico.org.uk/media/for-organisations/documents/1128/quick\\_guide\\_to\\_the\\_employment\\_practices\\_code.pdf](https://ico.org.uk/media/for-organisations/documents/1128/quick_guide_to_the_employment_practices_code.pdf)

### **Tobacco dependence:**

**NHS Smokefree**

[www.nhs.uk/smokefree](http://www.nhs.uk/smokefree)

**NHS Choices – Stop Smoking**

[www.nhs.uk/live-well/quit-smoking/10-self-help-tips-to-stop-smoking](http://www.nhs.uk/live-well/quit-smoking/10-self-help-tips-to-stop-smoking)

**NICE public health guidance PH5 – Smoking: workplace interventions**

[www.nice.org.uk/guidance/ph5](http://www.nice.org.uk/guidance/ph5)

**NICE public health guidance PH45 – Smoking: harm reduction**

[www.nice.org.uk/guidance/ph45](http://www.nice.org.uk/guidance/ph45)

**Gov.uk – Use of e-cigarettes in public places and workplaces: advice to inform evidence-based policy making**

[www.gov.uk/government/publications/use-of-e-cigarettes-in-public-places-and-workplaces](http://www.gov.uk/government/publications/use-of-e-cigarettes-in-public-places-and-workplaces)

**National Centre for Smoking Cessation and Training (NCSCT)**

[www.ncsct.co.uk](http://www.ncsct.co.uk)

**Gov.uk – Smoking at work: the law**

[www.gov.uk/smoking-at-work-the-law](http://www.gov.uk/smoking-at-work-the-law)

**Action on Smoking and Health (ASH) Fact Sheet: Smokefree Legislation**

<http://ash.org.uk/category/information-and-resources/fact-sheets>

**Gov.uk – Smokefree (Signs) Regulations 2012**

[www.legislation.gov.uk/uksi/2012/1536/introduction/made](http://www.legislation.gov.uk/uksi/2012/1536/introduction/made)

**Gov.uk – The Smokefree (Premises and Enforcement) Regulations 2006**

[www.legislation.gov.uk/uksi/2006/3368/contents/made](http://www.legislation.gov.uk/uksi/2006/3368/contents/made)

## Resources for employers *continued*

### Alcohol and drug dependence:

#### Adfam – Families, Drugs and Alcohol

[www.adfam.org.uk/families/find\\_a\\_local\\_support\\_group](http://www.adfam.org.uk/families/find_a_local_support_group)

#### Talk to Frank: A to Z of drugs

[www.talktofrank.com/drugs-a-z](http://www.talktofrank.com/drugs-a-z)

#### Health and Safety Executive (HSE) – Drug Misuse

[www.hse.gov.uk/alcoholdrugs/drugs.htm](http://www.hse.gov.uk/alcoholdrugs/drugs.htm)

#### NHS Choices – Addiction: What is it?

[www.nhs.uk/live-well/healthy-body/addiction-what-is-it/](http://www.nhs.uk/live-well/healthy-body/addiction-what-is-it/)

#### NHS Choices – Alcohol Addiction Services

[www.nhs.uk/service-search/Alcohol-addiction/LocationSearch/1805](http://www.nhs.uk/service-search/Alcohol-addiction/LocationSearch/1805)

### The relationship between mental health and alcohol, drugs and tobacco:

#### Change in mental health after smoking cessation – systematic review and meta-analysis

[www.ncbi.nlm.nih.gov/pmc/articles/PMC3923980](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3923980)

#### NHS Digital – Survey of Mental Health and Wellbeing, England, 2014

<https://digital.nhs.uk/data-and-information/publications/statistical/adult-psychiatric-morbidity-survey/adult-psychiatric-morbidity-survey-survey-of-mental-health-and-wellbeing-england-2014>

#### Public Health England – Better care for people with co-occurring mental health and alcohol/drug use conditions

[www.gov.uk/government/publications/people-with-co-occurring-conditions-commission-and-provide-services](http://www.gov.uk/government/publications/people-with-co-occurring-conditions-commission-and-provide-services)



# Case studies





## Forster Communications

### Kate Parker, Wellbeing and HR Manager

As a PR agency, you could be forgiven for thinking we're deeply rooted in a wine and dine culture. We're a service industry with deadlines and jobs that don't always fit into the nine-to-five model, and much of our work depends on making and maintaining connections. Yet we're committed to challenging this stereotype and showing that there really is a different way to do business.

We take active steps to improve our employees' health and help them live well using a holistic approach, ensuring that mental health is recognised with equal priority to physical health. This is demonstrated both in our policies and through the workings of the whole company, and is one of the reasons we've been named Britain's Healthiest Workplace two years in a row.

There is never an expectation that alcohol will automatically be involved when we meet clients or socialise as colleagues. Our flexible working ethos encourages morning meetings over a coffee instead of post-work drinks, something that we've found our clients often prefer.

We know that stress and mental health problems can present serious health issues, and are one of the greatest challenges facing employers. Whilst our alcohol, drugs and smoking policies are firm, we understand that substance issues can be symptomatic of an underlying medical condition, illness or even stress-related issue.

Employees' ability to manage substance use issues can depend to a significant degree on the support available from their workplace. We aim to rehabilitate any employee back into the workplace as soon as possible.

It's really important that all our line managers remain alert to the possible early signs of alcohol or substance misuse, and that we allow individuals every opportunity to overcome their difficulties.

We do our utmost to be supportive within the workplace, but we're also very much aware of specialist external services. We may encourage any employees who believe they may have a drug or alcohol issue to go to their GP for advice, and/or contact our Employee Assistance Programme to speak to a therapist.

Whilst this sympathetic approach is important to us, one-off alcohol or drug related behaviour, unrelated to a dependency issue, is regarded as misconduct and is dealt with under our disciplinary policy. If we suspect an employee issue, any information is collected confidentially.

There is no simple way of predicting what will cause harmful levels of stress or mental health problems. Work is one dimension of people's lives, and the interplay of domestic circumstances, financial security and physical health also has a significant bearing on people's mental state. People respond to different types of pressure in different ways.

We are committed to ensuring that all employees are treated fairly, sensitively and with respect, and are offered the support they need to deal with their particular situation.

## Integrity Print

Julie Harrington, Smoking Cessation Lead, Bath and North East Somerset Community Health and Care Services

My role involves providing a range of employers with local authority funded smoking cessation services. I recently had the very rewarding experience of supporting several employees to stop smoking at Integrity Print, a small packaging and printing company near Bath.

Integrity Print wanted to support its employees to reduce or completely stop smoking. My involvement with them was first triggered by the smokefree legislation coming into force, and the need for the workplace to adapt. I then returned to provide further support when a new requirement for employees to wear protective clothing began causing disruption, as it was unfeasible for employees to repeatedly get out of their protective clothing and take a cigarette break away from their work space.

The organisation invited me to run drop-in programmes for staff to help them stop smoking, which I held once a week during lunchtimes. Integrity Print helped promote these sessions through posters around the workplace, and through their internal company newsletter.

The stop smoking scheme – which ran for around eight weeks – was very successful, with most people who participated quitting completely and one significantly cutting down.

The consultations started by talking through why the employees smoked in the workplace, and their relationship with smoking. We also encouraged staff to keep a diary marking when in the day they smoked; this helped people to identify which cigarettes were easiest for them to cut out of their daily routine.

I worked with the employees to focus on the positives around stopping smoking, and they came up with their own plan for how they would quit. This might for example mean identifying their habits and associations around smoking, and how can they tackle them.

Giving people the tools to empower them to change their smoking habits is vital – the change needs to be driven and owned by them in order for it to be successful.

I still speak on the phone with some of the employees who quit, and I'm so pleased to have been able to support them. It's a pleasure to support people through such an important and life changing event.

***“As an organisation based in an area of heavy smoking, we wanted to take action to support employees to cut down or quit – both for their own health benefits and to help the organisation’s productivity. We’re so pleased by the success of the support services that Julie provided – and we know that our employees are thrilled too.”***

Integrity Print

## London South Bank University

Ed Spacey, Head of HR Business Services

London South Bank University (LSBU) recognises the importance of wellbeing for our staff and students.

In 2015 we began developing an overarching wellbeing programme and set out our vision to be recognised as a leading UK university in the field of staff and student wellbeing.

LSBU achieved the Mayor of London's Healthy Workplace "Excellence Level" Award in 2017 and the University is now spearheading the promotion of wellbeing across our academic community.

At LSBU there is a fundamental link between staff wellbeing and student satisfaction.

We take the view that engaged, committed healthy and motivated staff will be those whose enthusiasm for their subject and their job shines through and helps to promote the best learning environment, quality of education and life chances for our students.

Following our work with the Mayor of London's office, we were invited by The Health Innovation Network to launch an alcohol awareness campaign in 2017.

We devised an online alcohol awareness survey and support toolkit which was made accessible to all staff and students. From May to December 2017, 200 people accessed this facility. (Source: Drinkchecker product from the Alcohol Health Network). We also devised and launched a new alcohol awareness policy.

The policy was designed with criteria that looked at support mechanisms for staff, instead of laying blame or being punitive. The focus was on empowering people. Additionally, our programmes aim to help with staff mental health issues too, and all employees are given access to 24/7 counselling.

We owe our success to a number of factors including excellent executive support, trade union support, Wellbeing Champions and student union support and the input of many individuals. Engagement and ownership of, and with, the programme were ensured through briefing key stakeholders at the development stage, and continuously.

While digital campaigns are effective, we found great success in taking physical action, too. We ran an effective communications programme including face to face meetings, messaging conveyed to staff via the Intranet, newsletters and stapling details of the initiative to all staff payslips. A promotional stand was present at Wellbeing Conferences, and we continually promoted awareness of non-alcoholic beverages.

To this day we continue to monitor anonymised surveys to measure the programme's success. Our approach has been a success and contributed to the overall wellbeing programme for staff.

## National Grid

### Anna Rowland, Physical Wellbeing Advisor

The misuse of drugs or alcohol can affect the safe running of our business and put at risk the health, safety and welfare of our workers, customers and the general public. National Grid wants all workers to be safe in their working environment, and have access to the necessary training, information, resources and support. We are always looking to find better ways of protecting the safety of our workers and the people we work with.

As part of this commitment, we developed a UK Drugs and Alcohol Policy and Procedure, to enhance our wellbeing support and encourage everyone to make positive choices, ensuring we provide a safer place to work.

The policy, which was developed after consultation with recognised Trade Union Representatives and has the full support of Senior Managers and Directors, includes training, education and rehabilitation to help support our staff. We have also extended our health and wellbeing resources portal to support the new policy.

#### The policy aims to:

- Ensure a working environment free from the influence of drugs and alcohol;
- Raise awareness of the risks and potential harm associated with the misuse of drugs and alcohol;
- Ensure compliance with our general duties and legal obligations;
- Explain the different circumstances when drug and alcohol testing will be conducted, including our testing process (we have introduced random testing of employees across all sites);
- Assist in the early identification of drug and alcohol dependency and provide support for workers who seek and accept our help;
- Achieve an environment where workers feel comfortable in asking for support with a drug or alcohol dependency;
- Provide a consistent process in how we handle the misuse of drugs and alcohol;
- Set out the standards expected of all workers, and the requirements for training and education.

The training and education we offer is an essential part of our approach to effectively managing drug and alcohol misuse at work, and also helps us explain the support we offer to an employee with drug or alcohol issues.

We provide a library of resources for our staff to access on our intranet, which includes the policy and supporting information covering manager and staff guidance, access to training and wellbeing.

A minimum five per cent of workers who are in scope of this Policy and Procedure will be randomly selected and tested throughout the course of each calendar year. This process is regardless of job function or grade. Testing includes reasonable cause, post incident, assurance and random testing.

## Political consultancy agency

### Anonymous

I am a 25 year old man that works as a political consultant to FTSE100 businesses for a strategy consultancy.

While not a part of my core job description, in practice my job involves a lot of networking with political stakeholders and entertaining clients. Although this is not absolutely required by my company, it is encouraged, and is a factor that is taken into account for progression. The accepted logic is that in a 'word of mouth business', good client relationships and networks are essential to support longstanding contracts. Entertaining is seen as a key part of this.

Socialising with clients, contacts or prospects usually takes place over lunch or in the evenings, and these meetings are more often than not accompanied by drinking. This is not a quirk of my company but an industry norm.

I have a significant expense account for entertaining, and I am encouraged to use meetings to build a closer bond with the client, or to prompt contacts to share information. Having a few drinks together is one means to this end. When I put in my expenses at the end of each week, no-one bats an eyelid at a large bar bill: it's expected. Clients or prospects know this and usually maximise the opportunity for a lunch or night out on the town for free.

Although it's not strictly compulsory, the expectation to drink is always there. For example, if a client ordered an alcoholic drink, I wouldn't want them to feel awkward about drinking alone, so I would always order one for myself, even if I didn't feel like one. In addition, because I'm a young man with no dependants and few responsibilities, it is assumed, if not expected, that I drink readily in my social life and that drinking as a part of work is not a burden.

I do like to drink alcohol sometimes, and on the whole I like the company of my clients. But the constant socialising and accompanying expectation of alcohol is exhausting and often challenging. Since I started my job three years ago, I've had to change my lifestyle to accommodate it. Because so many meetings take place over three course dinners with two or three bottles of wine, I have to exercise regularly to ensure I keep in shape. Another drawback is that my desk work often takes considerably longer as a result of lengthy lunches involving alcohol, which extends my working hours.

Mixing alcohol and business brings tensions. While it is accepted and encouraged that I should go out and drink to maintain client relationships – whether during or outside of the business day – being drunk in the office is unacceptable. And while alcohol can help facilitate a strong bond with clients, it can also cause relationships to spill over into the unprofessional and inappropriate. This can be very tricky to navigate.



## Transport for London

Nick Shields, Drug and Alcohol Assessment and Treatment Service Manager, TfL Occupational Health

Given the significance of the services Transport for London (TfL) staff provide to those living, working and visiting London, our customers' health and safety is our key priority. Therefore, it is of no surprise that we have a rigorous and robust approach to drug and alcohol consumption.

While alcohol and drug misuse is minimal at TfL, we are proactive. We would rather support someone who is struggling before the problem worsens. That's why we engage with our staff in a number of ways, including meeting with employees and offering them the appropriate information and help. The alternative – doing nothing – would make it harder for employees to address any alcohol or drug problems, leading to greater risk. We also ensure that staff are accountable, with all operational employees being subject to random unannounced drug testing.

I manage TfL's Drug and Alcohol Assessment and Treatment Service (DAATS). Employees are able to refer themselves or be referred by their manager and the entire process is overseen by qualified addiction counsellors. Once a referral is received and as long as there are no other factors, the employee is offered an initial assessment appointment within five days. This includes a number of tests and the focus is on identifying the level of the problem and the formulation of the correct treatment plan.

Following this initial assessment appointment, most employees will then begin a formal assessment process, typically three weeks in duration – they report to DAATS three days a week while being suspended from their normal duties. The programme consists of twice weekly assessment groups. Additionally, participants have a weekly acupuncture session and also a "peer share". This is where an ex-DAATS user comes to talk about their own experience and ongoing recovery. These sessions are operated in an environment that enables attendees to talk openly about their problems.

After these initial three weeks, the employee's manager will be called in for a meeting and presented with a bespoke treatment plan for the member of staff. Typically, the employee will return to work or be referred to residential treatment (rehab), which can last from six to 12 weeks. If they return to work, without the need for external treatment, they could be offered further help from DAATS if needed. When an employee returns to work, they sign a monitoring agreement, which allows for regular random testing for six months on top of general testing. In addition, those that have been to residential treatment are required to attend a weekly aftercare group to support their recovery and to monitor progress. Following this they are reviewed annually for five years.

By taking this approach we are not only ensuring safety and reducing operational risk, we are giving employees the opportunity to tackle their problems and in most cases, they turn their lives around.

**Thank you to the following for providing expert review of this toolkit:**

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- [Addaction](#)
- [Association of Directors of Public Health](#)
- [Bank Worker's Charity](#)
- [Council for Work and Health](#)
- [Dr Fiona Adshead](#)  
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- [Drinkaware](#)
- [Drink Wise, Age Well](#)
- [Health and Safety Executive](#)
- [Improving Performance in Practice \(iPiP\)](#)
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- [MTS Cleansing Services](#)
- [The Gr@nd: Healthy Living Centre](#)
- [Transport for London](#)

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## Resources for employers

Business in the Community and Public Health England have developed a range of toolkits to support employers with employee health and wellbeing:



Drugs, alcohol and tobacco: a toolkit for employers

This report was written, designed and produced by Forster Communications.

**BUSINESS  
IN THE  
COMMUNITY**



**THE PRINCE'S  
RESPONSIBLE  
BUSINESS NETWORK**