

Health, work and wellbeing



booklet

inform

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work
with you

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We offer hands-on practical help and support to tackle issues in your business with you. This might be through one of our well-known problem-solving services. Or a programme we have worked out together to put your business firmly on track for effective employment relations. You will meet your Acas adviser and discuss exactly what is needed before going any go-ahead.

Health, work and

wellbeing

1	Introduction	2
2	The connection between health and work	3
	Is work good for your health?	3
	What makes a healthy workplace?	4
3	Promoting health and wellbeing	6
	The role of line managers	6
	Getting employees involved	10
	The positive impact of work	12
	Developing an attendance culture	13
	Promoting workforce health	13
	Job design and flexibility	14
	Dealing with common health problems	15
	Mental Health	15
	Musculoskeletal Disorders	16
	Stress	17
4	Your checklist to health, work and wellbeing	19
	Summary	19
	Health, work and wellbeing checklist	20
5	Appendix 1: 'How' to implement policies and procedures	22
6	Appendix 2: Sample policies on drugs and alcohol	25
7	Appendix 3: Further sources of advice and information	28

Introduction

Work can have a positive impact on our health and wellbeing. Healthy and well-motivated employees can have an equally positive impact on the productivity and effectiveness of a business.

This booklet helps you to understand the interaction between health and wellbeing and work by focusing on:

- the relationships between line managers and employees
- the importance of getting employees involved
- job design, flexible working and the use of occupational health.

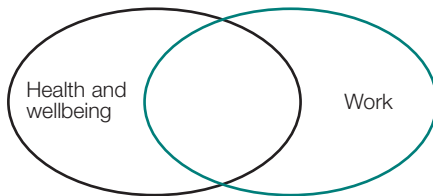
Managing health, work and wellbeing is the responsibility of both the employer and the employee.

We also take a closer look at mental health, musculoskeletal disorders and stress. There are sample policies for managing alcohol and drug problems at Appendix 2. The booklet does not deal in detail with an employer's statutory health and safety responsibilities. For more information about health and safety, visit the Health and Safety Executive's website at www.hse.gov.uk.

The connection between health and work

For many people the connection between health and work is largely restricted to concerns with physical hazards. Employers protect their staff by looking after their health and safety.

Traditional health issues – such as noise, dust and chemical hazards – are vitally important. However, the growing awareness of work-life balance has also made us aware of the relationship between our mental and physical wellbeing and the job we do.



Is work good for your health?

Yes, studies show that work is generally good for your health. As well as a financial reward it gives many of us self-esteem, companionship and status.

Research has shown that this 'feel good' factor is strongly influenced by the amount of control we have over our working lives. Having an element

of control over the way we do our jobs makes us feel more committed to an organisation.

But while the benefits of work greatly outweigh any disadvantages, work can also be bad for your health. According to Government figures, two million people suffer an illness they believe has been caused or made worse by their work ('Choosing Health' White Paper).

This can take the form of stress, anxiety, back pain, depression and increased risk of coronary heart disease.

People in high status jobs are often thought to be more at risk of heart disease due to stress. Research by the Cabinet Office dispels this myth. *The Whitehall II* study of public sector workers, published in 2004, found that men in the lowest employment grades were more likely

According to research by the **Confederation of British Industry**, non-work related mental ill health is the most significant cause of long-term absence in the UK – and musculoskeletal problems the second most significant cause.

to die prematurely than men in the highest grades. In contrast, higher rates of absence – and illness – were associated with low levels of work demands, control and support.

An unhealthy workplace is usually quite easy to recognise. It often has:

- poor management
- a bullying culture
- poor customer service
- high levels of absence
- reduced productivity
- unreasonably high work demands.

You may have experienced these kinds of workplaces – either as an employee or a customer. Sickness absence is often rife and there is little commitment to the organisation.

What makes a healthy workplace?

Good relationships have the potential to make workplaces healthy and productive. But, promoting a healthy and productive workplace is not just about being nice to each other (although this obviously helps). Good employment relations are built upon:

- effective policies for managing people issues such as communication, absence, grievance and occupational health

Healthy and motivated people will:

- go that extra mile
- give good customer service
- take fewer 'sickies'
- provide commitment and creativity.

- high levels of trust between employees and managers. Trust is often nurtured by involving employees in decision-making and developing an open style of communication.

Don't worry if you can't 'tick' all the boxes in this list – it **does not** mean you have an unhealthy workplace. These are guideline principles and you must decide what works best for you. For example, while larger organisations may offer formal training in people skills, smaller businesses might rely on mentoring or briefing from managers.

Similarly, not all organisations will be able to afford to use occupational health services. However, many small firms operate schemes such as Employee Assistance Programmes to help their staff with work or non-work problems and these are often found to be cost-effective.

There is a checklist at p19 to help you assess how well you are doing against these indicators.

How can you tell how healthy your workplace is? Acas believes that there are six indicators of a healthy workplace:

✓	line managers are confident and trained in people skills
✓	employees feel valued and involved in the organisation
✓	managers use appropriate health services (eg occupational health where practicable) to tackle absence and help people to get back to work
✓	managers promote an attendance culture by conducting return to work discussions (for more information on this subject see the Acas guide <i>Managing attendance and employee turnover</i> , available at www.acas.org.uk/publications)
✓	jobs are flexible and well-designed
✓	managers know how to manage common health problems such as mental health and musculoskeletal disorders.

Promoting health and wellbeing

The *Acas Model Workplace* describes the 11 building blocks that every business needs to make them effective. These include:

- the **attitudes and values** that can help healthy relationships to flourish
- the **techniques** that can help build trust between management and employees
- the **policies and procedures** needed to reward fairly, work safely, communicate, and manage discipline and grievance issues.

All of these building blocks focus on getting the best out of the people in your organisation. No matter how well-organised you are and how many policies and procedures you have in place, if you don't get the 'people' bit right then your business is not going to achieve its full potential.

Promoting health and wellbeing will include:

- helping line managers play a crucial role in setting the tone for **the way people interact** with each other

- **involving employees** in decisions you make about their jobs and how things are done in the workplace
- managing **organisational change** effectively in order to minimise the potentially negative impact on employees' health
- redesigning working practices and jobs to enable workers to have **greater control** in the way they do their day to day work.

The role of line managers

The role of line managers is often underestimated. In many organisations they are responsible for tackling problems that directly affect an employee's health and wellbeing, such as disciplinary and absence problems.

However, many line managers are only trained to focus on the specific tasks relating to their job. They often feel ill-equipped to manage issues such as:

- absence
- conduct
- mental health problems
- personal medical conditions
- poor working relationships.

Tackling these issues involves having a dialogue with employees. This may sound simple but having difficult conversations can arouse strong emotions and require a great deal of patience and understanding. Faced with such strong emotions managers are often apprehensive and lack confidence. The temptation is to avoid situations which feel uncomfortable.

Acas has specialist guidance on:

- Tackling discrimination and promoting diversity
- Managing conflict at work
- Team building.

Training in interpersonal skills and conflict management can help managers to build confidence in their own abilities and prevent conversations turning into confrontations. For example, many people assume that listening just means being quiet while someone else is talking. However, **active listening** is much more participative and takes practice. Acas runs a training event called 'Having difficult conversations', which aims to improve a manager's interactive skills and help them to choose the right option for dealing with challenging situations. For more information on Acas training, go to www.acas.org.uk/training.

When to act

Faced with an awkward or difficult dilemma at work line managers react in various ways. If you are a line manager do you:

Option 1:	AVOID the situation? A common response that can work if you have decided it is not time to intervene – problems do sometimes go away or resolve themselves. But do keep an eye on things.
Option 2:	HESITATE? Sometimes managers want to say something but lose their nerve and end up sending out coded messages in the form of jokes or quips which make things worse. For example, a flippant ‘The part-timer is back’ to a regular absentee.
Option 3:	CONFRONT the issue? It’s good to face up to a problem but try to avoid a knee-jerk reaction. Focus on the issues involved rather than reacting to the personalities.
Option 4:	FORCE matters to a head? A manager might decide ‘enough is enough’ but be careful – issuing edicts and threatening sanctions can leave you with little room to manoeuvre.
Option 5:	DISCUSS the issues fully and frankly? Talking about problems in an open but honest way can be the hardest route to take but is often the most productive. You may have to use your disciplinary procedure to resolve a problem, but you may also be able to reach a consensus about the best way forward.
Managers may find it useful to get some training in mediation to manage conflict. For more information see the Acas guide <i>Managing conflict at work</i> at www.acas.org.uk .	

Acas advisers use roleplay effectively in their training sessions. This helps managers to test out how they might talk to a colleague about very sensitive issues, like those experienced by Tracey in the case study (opposite).

It can be tempting for line managers to talk to employees only when there is a specific problem. However, developing healthy relationships

involves ongoing:

- dialogue
- support
- respect for diversity
- personal development and mentoring
- conflict management
- team building.

Early intervention can help employers to solve or manage problems and maintain attendance and levels of motivation. Employees who are absent are also more likely to return to work quickly if they feel there is a supportive and understanding environment to come back to.

Absence can also put pressure on work colleagues. They will be encouraged to see attendance issues tackled in a constructive way.

Case Study

The Manager says:

“I run a medium-sized, fairly up-market restaurant. Tracey is one of my most experienced and professional waiting staff. She is extremely customer-focused and requires only minimum supervision – something of a bonus in such a busy place!

Tracey has always been overweight. In recent months her weight has visibly increased and some staff have commented on her lack of personal freshness.

One particularly hot day I did try to raise the issue but it was very awkward.

The situation has not improved. I have noticed reactions from customers when Tracey is serving them and I feel she is having a negative impact on the business.

I don't want to lose her – but what do I do or say?”

Tracey says:

“I enjoy my job and take a pride in providing excellent customer service. My manager has often praised my professionalism and the way I interact with customers. I get on well with colleagues and the Manager can leave me to get on with things.

I live close by with my elderly mother. Since her health started to deteriorate I have begun to feel the strain. She hates the idea of a nursing home and I want to care for her but money is tight. I am often too tired to cook and rely on takeaways. To cap it all my washing machine has finally given up the ghost just when I can least afford a new one.

The launderette is a bit of a trek and very expensive. I manage by cutting down on how often I launder my own things (giving priority to mother's washing).

Despite everything I feel I am coping. I still do my job well. I believe that the key to success at work is to keep your private life private."

Acas says:

You need to have a conversation with Tracey no matter how awkward it feels. Prepare yourself for her reaction: she may initially say that it is none of your business. If she feels very upset or embarrassed she may offer to resign.

If you have been trained to actively listen and empathise with her there may be a solution: is there any specialist support and advice Tracey could get to help her care for her mother?

If you develop a good rapport with employees you will often spot something is wrong before it gets out of hand. Showing employees that they are valued and you are able to support them when they are going through difficulties outside of work can have benefits for both the individual and the organisation. A valued employee is more likely to be a loyal employee.

Getting employees involved

Recent research suggests that health, wellbeing and productivity are strongly linked to a range of factors including:

- the degree of control employees have over the way they carry out their jobs, and
- the amount of support employees receive from managers.

Employees feel happier if they know what is going on and why. They feel happier still if they have a say in the decisions that are made or at least have the chance to express their opinions. Employee 'control' doesn't have to mean employees having total autonomy over when and how they do their work; it might just be allowing the employee some flexibility in what order they complete a range of tasks or giving them a say in when breaks are taken.

What kind of manager are you?

1. Reactive

You sort problems out as best you can as they arise.

2. Proactive

You use your interpersonal skills to manage difficult situations and reach consensus

3. Creative

You develop rapport with your employees by talking to them and involving them in the decisions you make.

Most managers use all three approaches at different times, depending on the situation.

However, the more creative you can be the more likely you are to engage employees and get them committed to your business.

The way you manage is particularly important at times of organisational change. The Health and Safety Executive (HSE) has identified change as one of the six main causes of stress at work (the other five causes are: the 'demands' made on employees; the level of 'control' employees have over how they carry out their work; the 'support' employees get from their managers; the clarity of an employee's 'role' in an organisation; and the nature of 'relationships' at work).

To help reduce stress managers should inform and consult employees on changes that are likely to affect them. Where appropriate allow employees to ask questions **before, during and after** their jobs or prospects change (see p17 for more information on managing stress).

As a manager you can help promote health and wellbeing by setting an example. Try to:

- manage your working hours
- use your full holiday entitlement, and
- take proper lunch breaks

and encourage your staff to do all of the above.

You can also encourage employees to look after their own health. This might mean encouraging exercise, and providing information and advice on diet, and the risks of smoking and alcohol abuse.

The positive impact of work

There is a clear connection between ill health and inactivity. In other words, it is generally better for your health to be in work than out of work.

However, the way that work is managed influences how it affects your health and wellbeing. Acas' experience is that work is likely to

have a positive impact on employee wellbeing if it is based on the principles set out in the Acas Model Workplace, and focuses on the need to develop high levels of trust between managers and employees.

Can you recognise your workplace by the characteristics and descriptions listed below?

GOOD MANAGEMENT

- Line managers confident in their roles
- Employees have a say in what they do and go 'that extra mile'
- Considers flexible working patterns
- Effective job design
- Good 'attendance culture'
- Respect for diversity

POOR MANAGEMENT

- Rising absence and employee turnover
- More incidents of bullying
- Less employee engagement
- Line managers who can't cope with all the people issues

Health,
work and
wellbeing



Developing an attendance culture

Since it is better for your health and wellbeing to be in work than it makes sense to:

- be off work as little as possible and
- to get back to work as soon as you can.

“If you have been off work for six months you have an 80 per cent chance of being off for five years.”

Is Work Good for your Health and Wellbeing?

The Health and Safety Executive, 2006

Promoting workforce health

As an employer you can do a great deal to promote an attendance culture in your organisation. As well as training managers to have difficult conversations and to manage conflict, managers need training in order to make appropriate health interventions. This might mean getting the best out of available occupational health services.

A key part of encouraging an attendance culture is to be proactive. This means regular case reviews of individuals on sickness absence and focusing as much as possible on rehabilitation.

In the past the focus tended to be on a person's incapacity rather than their capacity to work. Today there is

much more emphasis by both doctors and managers on what someone **can** do at work. An employee can often make a valuable contribution to work before they are 100 per cent fit. Indeed, the psychological and emotional sense of wellbeing that an employee gets from doing their job may speed recovery.

Many people with common health problems should be encouraged to remain in work or return to work as soon as possible, according to recent research. *Is Work Good for Your Health and Wellbeing?* (commissioned by the Department for Work and Pensions and published in 2006) found that work:

- is therapeutic
- helps people recover more quickly
- minimises the harmful physical, mental and social effects of long-term sickness absence.

However, employees who suffer from illness or who have a disability will often need the support of their employers to help them stay at work or return to work quickly. Where practicable, employers should consider offering their employees:

- the support of **occupational health advisers**, physiotherapists or counsellors
- a **modified work routine** – usually involving a temporary change to duties, hours worked or expectations of targets to be met

- **adjustments to equipment**, for example to aid access or reduce the risk of repeat injuries.

Job design and flexibility

The way a job is designed can have a big impact on your health and

wellbeing. Thoughtful job design and flexible working are important characteristics of ‘good management’ (see p12). Poorly designed jobs can lead to stress and physical injury.

Start by asking the following questions:

Does the job:	Yes	No
Make a significant contribution to the completion of a product or service?		
Provide variety – in terms of pace, method, skill?		
Allow for some employee discretion and control?		
Include some responsibility?		
Provide opportunity for learning, problem-solving and personal development?		
Provide feedback on performance?		
Lead towards some desirable future?		

If the answer is ‘no’ to any of these questions you should consider reviewing how the job is designed. Always consult with employees and, where appropriate, employee representatives, as they will have first-hand experience of what is good or bad about the job.

Flexible working is another creative way of giving employees some control over their working life. Giving employees the chance to have a say in the hours they work or their place

of work is also likely to improve their commitment and loyalty to the organisation.

Some forms of flexible working, such as part-time working, can also be an ideal way of:

- easing employees back into work after a period a long-term absence or injury
- allowing parents and carers to balance their working and home lives.

The law

Parents of young and disabled children and carers of adults have the right to apply to work flexibly.

Employers are responding positively to employee requests to work more flexibly. A survey from the Department for Business, Enterprise and Regulatory Reform (BERR), published in 2006, showed that four out of every five flexible working requests were either fully or partly accepted.

Flexible working covers anything from part-time work to job-sharing and shiftwork to homeworking. For more information see the Acas guide *Flexible working and work-life balance*.

Dealing with common health problems: mental health, MSDs and stress

Employers cannot be expected to have specific policies for dealing with every health problem. However, mental health, musculoskeletal disorders (MSDs) and stress are three of the most common causes of long-term sickness absence.

“By 2020 depression will rank second only to heart disease as the leading cause of disability worldwide.”

The global burden of disease,
Cambridge, Murray and Lopez

Mental health

Mental health problems can affect anyone regardless of their age, gender, ethnicity or social group. The most common forms of mental ill health are anxiety, depression, phobic anxiety disorders and obsessive compulsive disorders.

Mental illness is classed as a disability (at the point of diagnosis) under The Disability Discrimination Act 2005. The Act makes it unlawful for an employer to treat a disabled person less favourably for a reason relating to their disability, without a justifiable reason. HIV and progressive conditions such as cancer and MS are also now defined as disabilities.

Many employers take a very practical approach to managing an employee with a physical disability. They quickly identify the kind of adjustments that might give a disabled person equal opportunity to apply for a job or stay in a job. For example, providing a wheelchair ramp or specialist IT equipment is quite common.

However, employers are often less sure how to react to someone with mental health problems. They may see mental illness as something very sensitive and difficult to understand. Unfortunately many employers ignore the issue, which only adds to the sense of isolation experienced by those with mental health problems.

Manage mental health by:

- ✓ keeping an open mind
- ✓ learning the facts about mental health disorders
- ✓ being flexible
- ✓ seeking expert advice and guidance
- ✓ listening: giving an employee the time to talk about their concerns can be very therapeutic.

Every year three in ten employees experience mental health problems, according to the charity Shaw Trust. Education is often the best way of tackling the stigma associated with conditions such as bipolar disorder and schizophrenia.

A line manager's listening skills can be particularly useful for helping to manage mental health problems. However, it may help to provide managers with specialist training in how to interact with an employee suffering from severe anxiety or depression. Some of the organisations offering specialist support and advice are listed in 'useful contacts', p28.

Musculoskeletal disorders

Musculoskeletal disorders (MSDs) – such as back pain and arthritis – account for a third of all GP referrals and cause 9.5 million lost working days each year.

The main reason for being proactive in tackling MSDs is that you can do something about these disorders before they happen. The Health and Safety Executive (HSE) has identified some of the risks that can often lead to musculoskeletal disorders. These include physical risks, such as:

- repetitive and heavy lifting
- uncomfortable working position
- working too long without breaks
- bending and twisting repeatedly
- exerting too much force.

Manage back pain by:

- ✓ assessing the risk of back pain – involve employees
- ✓ keeping in touch with employees who are off sick
- ✓ encouraging employees to stay active where at all.

There are also psychological and social factors that might put employees at greater risk of developing MSDs. These include the job demands and time pressures placed on an employee, as well as a lack of control over the way their job is organised.

For further information on how to prevent and manage back pain and other MSDs visit the HSE website at www.hse.gov.uk.

Stress

The Health and Safety Executive (HSE) define stress as "the adverse reaction people have to excessive pressures or other types of demand placed on them". There are many factors, both inside and outside of the workplace, which can lead to stress.

In the workplace, it can be easy for managers to confuse positive pressure, which can create a 'buzz', and the harmful effects of pressure that is beyond a person's ability to cope.

CAUTION:

As an employer you have **duties under health and safety law** to assess and take measures to control risks from work-related stress.

You also have a duty to take reasonable care to ensure the health and safety of your employees. If one of your employees suffers from stress related ill-health and the court decides that you should have been able to prevent it, then you could be found to be negligent. There is no limit to the compensation your employee could get from this.

Outside the workplace, factors such as relationship, family or debt problems can create stress or turn the otherwise normal pressures of work into excessive ones for particular individuals. Employees should take steps to manage these issues, communicate with their managers, and seek help where necessary (some useful contacts are at the back of this guide).

As well as anxiety and depression, stress has been associated with heart disease, back pain and gastrointestinal illnesses.

Acas can help you to tackle stress at work. In a recent focus group run by an Acas Stress Advisor a group of employees came up with some positive ideas for beating stress:

- an 'open door day' for the manager
- more relevant training
- greater involvement in future changes
- more effective job design
- a consistent policy for dealing with bullying.

To find out more see the Acas guide *Stress at work* or contact your nearest Acas office (they are listed in the phone book).

As well as mental health, MSDs and stress you should also be aware of the following issues that can seriously affect the health and wellbeing of your employees:

Checklist for managing occupational health	
Drug and alcohol abuse	Have clear guidelines for dealing with drug and alcohol addiction – see p22 for more details.
Hazardous substances	The Health and Safety Executive website at www.hse.gov.uk has information on how to manage the hazards posed by chemicals and dangerous substances.
Bullying and harassment	Bullying and harassment can severely damage your health and wellbeing. Acas has written two guides (one for employers and one for employees) to help recognise and tackle bullying and harassment (visit www.acas.org.uk/publications).
Work-life balance	Flexible working can help employees achieve a measure of control over their working lives and balance the demands of family and work.
Disability	Under the Disability Discrimination Act employers are required to make 'reasonable adjustments' to jobs and workplaces for disabled workers. This is to ensure disabled people have equal opportunities in applying for and staying in work. For more information visit the Equality and Human Rights Commission website at www.equalityandhumanrights.com .

The Acas guide *Managing attendance and employee turnover* has detailed guidance on how to manage long and short-term absence. It gives particular attention to the need to conduct effective return to work discussions.

Your checklist for *health, work and wellbeing*

Summary

At the beginning of this booklet we asked you the following question:
how healthy is your workplace?

We offered six indicators to help you measure the health and wellbeing of your employees:

1. Line managers are confident and trained in **people skills**
2. Employees feel **valued and involved** in the organisation
3. Managers use appropriate **health services** (eg occupational health where practicable) to tackle absence and help people to get back to work
4. Managers promote an **attendance culture**
5. Jobs are **flexible and well-designed**
6. Managers know **how to manage common health problems** such as mental health and musculoskeletal disorders (MSDs).

All six of these indicators are based around the need to listen and talk effectively with your employees. Indeed some of the indicators go beyond communication and towards

building a rapport with individuals and developing higher levels of trust and cooperation.

Acas can help you to:

- improve the way you communicate
- develop policies on managing attendance, discipline and grievances and health issues
- manage conflict
- implement flexible working.

For further information on our range of products visit www.acas.org.uk or contact your local Acas office (they are listed in the phone book).

The following checklist asks you a series of questions around Acas' six health and wellbeing indicators. To answer the questions you need to talk to your employees and line managers.

However, it is not purely a manager's responsibility to promote health and wellbeing. **Individual employees also have a responsibility** to talk to you and raise any concerns they might have.

Health, work and wellbeing checklist

Yes

No

1 Line managers are confident and trained in people skills

Talk to your line managers. Do they:

- need training in having difficult conversations?
- feel confident about dealing with emotional employees?
- set a good example in the way they manage their own health and stress levels?
- need help in understanding any complex health issues?
- know about the Health and Safety Executive Stress Standards?

2 Employees feel valued and involved in the

Talk to your employees. Do they:

- have some control over when and how they do their jobs?
- feel that their managers listen to their views?
- have enough support or advice on health and safety issues?
- feel well-informed about future changes within the organisation?

3 Managers use appropriate health services (eg occupational health where practicable) to tackle absence and help people to get back to work

Talk to your managers. Do they:

- use occupational health professionals, where appropriate, to help employees return to work?
- recognise the importance of tackling bullying and harassment?
- understand the need to make reasonable adjustments to help accommodate disabled workers?

		Yes	No
4	Managers promote an attendance culture Talk to your line managers. Do they:		
	● conduct return to work discussions following sickness absence?		
	● recognise the importance of rehabilitation following long-term absence?		
	● focus on an employee's capacity rather than their incapacity to carry out their work?		
5	Jobs are flexible and well-designed Talk to managers and employees. Do they:		
	● have the chance to discuss flexible working?		
	● have ideas about how their jobs could be improved?		
	● feel they receive suitable training for their job and are helped to develop their skills and abilities?		
6	Managers know how to manage common health problems such as mental health and musculoskeletal disorders Talk to your line managers. Do they:		
	● know the key facts about important health issues such as depression, back pain, drugs, alcohol and HIV?		
	● talk to their employees about how to implement policies?		
	● feel they have management support in implementing policies?		
	● know the law on issues such as discrimination and victimisation?		

Appendix 1:

'How' to implement policies and procedures

Drugs and alcohol

In this section we will focus on how to implement policies on drugs and alcohol.

Many employers deal with drugs and alcohol abuse in a similar way. For example, some organisations now treat drug and alcohol dependence as an illness and frame policies aimed at rehabilitation. This approach can encourage employees to seek treatment.

Drugs differ from alcohol in that their use is generally not socially acceptable and is often illegal. The

*"Our experience tells us that **the way you do something** is just as important as what you do. Having the right policies and procedures is vital but they won't work properly unless they are introduced and used in the right spirit."*

**Ed Sweeney,
Acas Model Workplace**

use of some drugs can also more rapidly affect physical and mental health than alcohol abuse, so the earlier the problem can be dealt with the greater chance of rehabilitation.

THE LAW ON DRUGS AND ALCOHOL AT WORK

Health and Safety at Work Act 1974:

- All employers have a general duty to ensure the health, safety and welfare of their employees. If an employer knowingly allowed an employee under the influence of alcohol or drugs to continue working and this placed the employee or others at risk, the employer could be liable to charges.
- Employees are also required to take reasonable care of themselves and others who could be affected by what they do. They, too, could be liable to charge if their alcohol consumption or drug-taking put safety at risk.

The Transport and Works Act 1992:

- It is a criminal offence for certain workers to be unfit through drink and/or drugs while working on railways, tramways and other guided systems.
- The operators for whom such employees work would also be guilty of an offence unless they had shown 'all due diligence' in trying to prevent these offences being committed.

The Misuse of Drugs Act 1971:

- Makes it an offence to possess, supply, offer to supply or produce controlled drugs without authorisation.
- It is also an offence for the occupier of premises to permit knowingly the production or supply of any controlled drugs or allow the smoking of cannabis or opium on those premises.

Under common law:

- It is an offence to 'aid and abet' the commission of an offence under the Misuse of Drugs Act.

Recognising there is a problem

Drinking alcohol is an accepted part of social life and it can be hard for a manager to draw a line between:

- appropriate social drinking, and
- an employee who consistently drinks heavily.

In some industries, such as transport, it is a criminal offence for certain workers to be unfit for work through drink or drugs. Other workplaces allow social drinking during breaks in working hours.

Although managers often take a very firm line on the issue of drugs, recognising the signs of drugs abuse can be more difficult. If managers have a good rapport with their employees they are more likely to pick up on:

- sudden changes in behaviour
- abnormal fluctuations in mood and energy

- deterioration in relationships with other people.

Employees with a drink or drugs problem are likely to have higher absence levels than their colleagues. A manager should focus on how an employee's addiction is affecting their performance and how they can get to the root of the problem.

The purpose of any alcohol or drugs policy is to ensure problems are dealt with effectively and consistently. They should **protect workers** and encourage sufferers to **seek help**.

Your disciplinary procedure may prove very important when dealing with drugs and alcohol. If you need help drawing up disciplinary or grievance procedures Acas offers training courses, an elearning programme and a guide *Discipline and grievances at work* (visit www.acas.org.uk).

Dealing with a drugs or drink problem:

- ✓ keep **accurate, confidential records** of instances of poor performance or other problems
- ✓ **interview the worker** in private
- ✓ concentrate on the instances of **poor performance** that have been identified
- ✓ ask for the **worker's reasons** for poor performance and question whether it could be due to a 'health' problem, without specifically mentioning alcohol or drugs in the first instance
- ✓ if appropriate discuss the organisation's **alcohol and drugs policy** and the help available inside or outside the organisation
- ✓ agree **future action**
- ✓ arrange regular meetings to **monitor progress** and discuss any further problems if they arise.

Education

An education programme is particularly important to the success of any health policy. The programme may include signs to look for, how to deal with workers who seek help and where expert advice and help may be obtained. Managers don't have to have all the answers but being able to signpost people to where they can get help is an important step (see Appendix 3). This may help individuals to recognise the dangers of alcohol, drug and other substance misuse and encourage them to seek help.

It may also persuade management and colleagues that covering up for a person with a drugs problem is not in that individual's long-term interests.

Appendix 2:

sample policies

Alcohol Policy

Checklist of items to consider when drawing up a policy on alcohol at work:

- the rules on alcohol at work
- a statement that the organisation recognises that an alcohol problem may be an illness to be treated in the same way as any other illness
- a statement that the rules on alcohol at work will apply to any contractors visiting the organisation
- the potential dangers to the health and safety of drinkers and their colleagues if an alcohol problem is untreated
- the importance of early identification and treatment of an alcohol problem
- the help available – for example, from managers, supervisors, company doctor, occupational health service or outside agency
- the disciplinary position – for instance, an organisation may agree to suspend disciplinary action in cases of misconduct, where an alcohol problem is a factor, on condition that the worker follows a suitable course of action. Where gross misconduct is involved, an alcohol problem may be taken into account in determining disciplinary action
- the provision of paid sick leave for agreed treatment
- the individual's right to return to the same job after effective treatment and any conditions that may apply
- an assurance of confidentiality
- whether or not an individual will be allowed a second course of treatment if he or she relapses
- termination of employment on grounds of ill health where treatment is unsuccessful
- a statement that the policy applies to all workers
- a statement that the policy will be kept under regular review to evaluate its effectiveness.

Drugs Policy

Checklist of items to consider when drawing up a policy on drug misuse at work:

- the purpose of the policy – for example: 'This policy is designed to help protect workers from the dangers of drug and other substance misuse and to encourage those with a drugs problem to seek help'
- a statement that the policy applies to everyone in the organisation
- the rules on the use of drugs and other substances at work
- a statement that the organisation recognises that a drugs problem may be an illness to be treated in the same way as any other illness
- the potential dangers to the health and safety of drug misusers and their colleagues if a drugs problem is untreated
- the importance of early identification and treatment
- the help available – for example, from managers, supervisors, company doctor, occupational health service or outside agency
- the disciplinary position – for example, an organisation may agree to suspend disciplinary action, where drug misuse is a factor, on condition that the worker follows a suitable course of action
- the provision of paid sick leave for agreed treatment
- the individual's right to return to the same job after effective treatment or, where this is not advisable, to suitable alternative employment wherever possible
- an assurance of confidentiality
- whether an individual will be allowed a second period of treatment if he or she relapses
- the provision for education on drug misuse
- a statement that the policy will be regularly reviewed, has the support of top management and that, where appropriate, worker representatives have been consulted.

Under the Misuse of Drugs Act drugs are classified according to their perceived danger. Class A drugs include ecstasy, cocaine, heroin, LSD, mescaline, methadone, morphine, opium and injectable forms of class B drugs. Class B includes oral preparations of amphetamines, barbiturates, codeine and methaqualone (Mandrax). Class C includes cannabis, cannabis resin, most benzodiazepine (for example, Temazepam, Valium), other less harmful drugs of the amphetamine group, and anabolic steroids.

Appendix 3:

Further sources of advice and information

Health and Safety

Advice on everything from hazardous substances to musculoskeletal disorders and stress can be found at the Health and safety Executive:

- **Health and Safety Executive (HSE)**

Infoline: 0845 345 0055

www.hse.gov.uk

Equality issues

The Equality and Human Rights Commission – formerly the Equal Opportunities Commission, the Commission for Racial Equality, and the Disability Rights Commission – works to eliminate discrimination, reduce inequality, and protect human rights.

- **Equality and Human Rights Commission (EHRC)**

Disability Helpline (England)

Tel: 08457 622 633

Textphone: 08457 622 644

Race, age, gender, sexual orientation, religion and belief and human rights Helpline (England)

Tel: 0845 604 6610

Textphone: 0845 604 6620

EHRC Wales

Tel: 0845 6048810

Textphone: 0845 6048820

EHRC Scotland

Tel: 0845 6045510

Textphone: 0845 6045520

www.equalityandhumanrights.com/

Mental Health

Information and advice on a wide range of mental health problems, including depression, anxiety, phobias, bipolar disorder, and schizophrenia.

- **Rethink**

Rethink is the largest national voluntary sector provider of mental health services with 340 services and more than 130 support groups. It helps over 48,000 people every year through its services, support groups and by providing information on mental health problems.

Helpline: 0845 456 0455
www.rethink.org

- **Employer's Forum on Disability**

The Employers' Forum on Disability is the world's leading employers' organisation focused on disability as it affects business. Funded and managed by over 400 members, it aims to make it easier to recruit and retain disabled employees and to serve disabled customers.

Tel: 020 7403 3020
www.employers-forum.co.uk

- **Mind**

Mind is the leading mental health charity in England and Wales. It campaigns to create a better life for everyone with experience of mental distress

Tel: 020 8519 2122
www.mind.org.uk

- **Sainsbury Centre for Mental Health**

The Sainsbury Centre for Mental Health works to improve the quality of life for people with mental health problems by influencing policy and practice in mental health and related services. It focuses on criminal justice and employment.

Tel: 020 7827 8300
www.scmh.org.uk

- **Shaw Trust**

Shaw Trust is a national charity that provides training and work opportunities for people who are disadvantaged in the labour market due to disability, ill health or other social circumstances.

Tel: 0800 085 1001
www.shaw-trust.org.uk

Drugs

- **Drugscope**

DrugScope is the UK's leading independent centre of expertise on drugs. It aims to inform policy development and reduce drug-related risk.

Tel: 020 7940 7500

www.drugscope.org.uk

- **Re-Solv**

Re-Solv is a national charity dedicated to the prevention of solvent and volatile substance abuse.

Tel: 01785 810762 (helpline)

www.re-solv.org

HIV

- **National AIDS Trust (NAT)**

NAT is a national charity and the leading independent policy and campaigning voice on HIV and AIDS.

Tel: 020 7216 6767

www.nat.org.uk

- **Terence Higgins Trust**

Terrence Higgins Trust is the leading HIV and AIDS charity in the UK, and the largest in Europe.

Tel: 0845 1221 200 (helpline)

www.tht.org.uk

Alcohol

- **Alcohol Concern**

Alcohol Concern is the national agency on alcohol misuse. It works to reduce the incidence and costs of alcohol-related harm and to increase the range and quality of services available to people with alcohol-related problems.

Tel: 020 7264 0510

www.alcoholconcern.org.uk

Bullying and harassment

- **The Andrea Adams Trust**

The world's only charity dealing with workplace bullying.

www.andreadamstrust.org

Conflict management

- **The Advice Services Alliance**

The Advice Services Alliance (ASA) was established in 1980, and is the umbrella organisation for independent advice services in the UK.

Membership of ASA is open to national networks of independent, not-for-profit advice services in the UK.

www.adrnow.co.uk

- **The Scottish Mediation Network**

The Scottish Mediation Network 'aims to put mediation into the mainstream as a widely available and clearly understood option for resolving disputes of all kinds in Scotland'.

www.scottishmediation.org.uk

- **National Mediation Helpline**

Run by the Civil Mediation Council, the helpline aims to explain the basic principles of mediation, answer general enquiries relating to mediation and put you in contact with one of their accredited mediation providers.

Tel: 0845 6030809

www.civilmediationcouncil.co.uk

Other useful helplines

- **Samaritans**

Samaritans provides confidential non-judgemental emotional support, 24 hours a day for people who are experiencing feelings of distress or despair, including those which could lead to suicide.

Helpline: 08457 909090

www.samaritans.org

inform

advise

train

work
with you

Notes

Information in this booklet has been revised up to the date of the last reprint – see date below.

Legal information is provided for guidance only and should not be regarded as an authoritative statement of the law, which can only be made by reference to the particular circumstances which apply. It may, therefore, be wise to seek legal advice.

Acas aims to improve organisations and working life through better employment relations. We provide up-to-date information, independent advice, high quality training and we work with employers and employees to solve problems and improve performance.

We are an independent, publicly-funded organisation and many of our services are free.

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Leeds LS2 8ER

www.acas.org.uk

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08457 47 47 47

08456 06 16 00

helpline for Minicom users

08456 00 34 44

for questions on managing equality in the workplace

08702 42 90 90

for ordering Acas publications



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