

## NHS Education for Scotland

### Occupational Health and Wellbeing Policy

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# Introduction

## 1. Occupational Health and Wellbeing Policy Statement

Clear links exist between employment and health. NES is committed to working in partnership to improve the current and future health of all employees, and strongly believes that developing a focus on health and wellbeing will enable the organisation to become more successful and resilient in the future.

The Occupational Health and Wellbeing Policy aims to deal positively and constructively with health related issues that may impact on the work life of employees, and, through early identification, aims to support employees before issues develop into problems for both the employer and the employee.

It incorporates separate policies on:

- ❖ **Occupational Health and Employee Assistance**
- ❖ **Mental Health & Wellbeing**
- ❖ **Alcohol and Substance Misuse**
- ❖ **Health Promotion**

Other policies, for example, the Managing Health, Safety and Welfare Policy, Managing Sickness Absence Policy, Disability Policy and the Home Working Policy should be read in conjunction with this policy.

NES supports the principle of achieving a work/life balance for staff and this includes giving staff wherever practicable, the opportunity to work more flexibly. Its separate Home Working Policy has been designed as a mutually advantageous arrangement and another tool in supporting staff welfare.

HR & OD will provide advice on return to work, rehabilitation, job modification, home working arrangements, transfer or early retirement on request.

NES is committed to promoting equality, valuing diversity, and to ensuring that all employees are treated fairly.

# Occupational Health and Employee Assistance Policy

## 1. Introduction and Policy Statement

NHS Education for Scotland (NES) recognises that the health and wellbeing of employees are matters of paramount importance both to the individual and to the organisation and that employees who have concerns about health issues may not be able to make an effective contribution to their work.

NES is committed to ensuring that an occupational health service which is accessible and convenient is available to all employees and line managers. The occupational health service is responsible for giving advice at an early stage in matters of long and short term ill-health through appropriate contact with the employee and the employee's medical adviser.

Additionally, NES will ensure the provision of independent support for employees in the form of a comprehensive Employee Assistance Scheme, accessible to all employees and their immediate family 24 hours a day, 365 days a year.

## 2. Occupational Health Service (OHS)

### ***2.1 Role of the Occupational Health Service***

The role of the Occupational Health Service is to advise both employee and employer of the impact of the employee's work on their health and welfare, and the effect of the employee's health on their ability to perform their work satisfactorily. Advice from the Occupational Health Provider may be requested by either the employee or the employer, and will be given on a confidential basis.

### ***2.2 Current Occupational Health Provider***

The Occupational Health provider currently used by NES is

National Services Scotland  
Occupational Health  
Healthy Working Lives  
Gyle Square  
Area 107B  
1 South Gyle Crescent  
EDINBURGH  
EH12 9EB

Email: [nss.occupationalhealth@nhs.net](mailto:nss.occupationalhealth@nhs.net)

Tel: 0131 275 6360

Fax: 0131 275 7607

## **2.3 Types of Occupational Health Referral**

### **2.3.1 Pre-employment Referral**

In accordance with the NHSScotland PIN Guideline “Safer Pre and Post Employment Health Checks” candidates who have been selected for appointment by NES (“preferred candidates”) may be requested to undergo a health assessment which complies with equal opportunities legislation and good occupational health practice in order to:

- ❖ Ensure that the preferred candidate has the capacity and capability to meet the demands of the post;
- ❖ Provide the preferred candidate and the organisation with expert independent advice and recommendations for adjustments to the job or the environment that would enable the preferred candidate to achieve effective performance in the role and the employer to comply with the obligations imposed by equal opportunities legislation;
- ❖ Identify anyone at risk of developing work-related diseases from hazardous agents in the workplace.

As the majority of positions within NES are office-based, and since work-related hazards are rare, it is generally the case that pre-employment health assessments will only be used in cases where expert occupational health advice is required to enable NES to make adjustments to the role or working environment which will allow the preferred candidate to achieve effective performance.

Individuals should be assured that **no prospective employees will be refused employment on health grounds unless:**

- ❖ Expert occupational medical advice has been sought;
- ❖ The individual has had the opportunity to discuss issues raised with an occupational health professional; and
- ❖ All facts have been considered by the employing manager and HR.

A referral may be requested by the employer to investigate the health of an employee who has developed a pattern of absence or who is absent from work for an extended period.

Advice may be sought on any of the following:

- ❖ An up-to-date prognosis on the health of the employee;
- ❖ A prospective date of return to work if appropriate;
- ❖ Advice on rehabilitation or redeployment; or
- ❖ A review of existing arrangements for home working.

In such cases a report would be prepared by the Occupational Health Service and made available for the Line Manager or nominated individual for consultation with the HR Business Partner.

### **2.3.3 Self-referral**

Employees can seek assistance through self-referral to the Occupational Health Service or to the Employee Assistance Provider, AXA ICAS, for help with issues such as managing work-related stress, smoking, bereavement and alcohol and substance misuse etc.

A Self Referral is confidential between the employee and the provider and a report will not be provided. Should an employee wish a detailed consultation they should raise this with their Line Manager who will instigate a management referral where appropriate. Line Managers should then contact their HR Business Partner.

Contact details for the Occupational Health Service can be found in section 2.2, above, and contact details for the Employee Assistance Provider can be found in section 4.1, below.

#### ***2.4 Additional Therapeutic Services, including physiotherapy***

The Occupational Health Service may recommend an additional therapeutic service such as Physiotherapy or Occupational Therapy.

NES will support an initial assessment and a further 5 appointments where appropriate (a total of 6 appointments in all) for additional therapeutic services.

***Employees should note that they will be unable to access additional therapeutic services through self referral; an initial management referral will be required.***

### **3. Eye Tests**

In line with legislative requirements, eye tests will be made available for employees who regularly use Display Screen Equipment every two years. For staff with specific eye disorders, such as Glaucoma, eye tests will be made available on an annual basis.

NES undertakes to pay for the costs of occupational eye tests and to meet the basic cost of any special corrective appliances (usually spectacles), that are recommended for DSE use as a result of the test, up to a maximum of £70.00.

The costs for this service will be based on a charge for a test to the standard of current legislative requirements. The charge for the test will be independent of the charge for any spectacles required as a result of the eye test. A standard form for applications and guidance on the process for the provision of eye tests and corrective appliances for users of DSE is attached at Appendix A

Where bifocal or varifocal spectacles are prescribed as special corrective appliances NES will contribute to meet the cost required for DSE work to a maximum of £70.00.

## 4. Employee Assistance Programme (EAP)

### 4.1 EAP Services

NES is continually striving to improve its “duty of care” to employees. The organisation believes that providing employees with an effective Employee Assistance Programme (EAP) will enhance the support provided by existing policies, services, initiatives and HR structures.

The NES EAP provider is AXA ICAS who can provide confidential advice and information on a range of issues including

- Consumer issues
- Alcohol/drug abuse
- Stress
- Personal/Family relationships
- Managerial Consultancy
- Debt
- Violence
- Illness
- Work-related issues
- Bereavement

AXA ICAS can be contacted on Free Phone **0800 072 7072** at any time.

Alternatively, colleagues may wish to refer to the intranet for information in the first instance:

[http://intranet.nes.scot.nhs.uk/hands/nes\\_eap\\_icas/default.asp](http://intranet.nes.scot.nhs.uk/hands/nes_eap_icas/default.asp)

### 4.2 AXA ICAS Counselling Service

AXA ICAS also provides a one-to-one confidential counselling service which is available for employees and their immediate family members who wish help to cope with issues such as smoking, alcohol and substance misuse, bereavement, work-related stress or where aspects of their personal lives are affecting performance.

*Types of support available:*

- **Telephone** – employees and family members gain direct, unlimited and confidential free phone access, 24 hours a day to a team of highly qualified professional counsellors.
- **Face-To-Face** – where appropriate, either following self or a managed referral, an individual can access face-to-face counselling through a national affiliate network of professional counsellors. EAP Counselling is a short-term focused model, delivering a pragmatic approach to empower individuals to take control of their situation.
- **Individual Trauma Counselling** – This forms part of the face-to-face service, delivered off-site, for those individuals assessed as having suffered a trauma. With instant access to trained trauma specialists through the EAP, staff will



receive immediate clinical support. This is aimed at reducing Post Traumatic Stress Disorder (PTSD), allowing individuals to get on with their life and work in a timely fashion.

- **Managerial Consultancy** – This service is designed to support and reinforce people management skills, offering the opportunity for NES managers and senior colleagues to make a quick referral to the EAP to support them in dealing with difficulties which they can see are beginning to impact on work performance or have already lead to absence. The manager will receive coaching if required to better their people skills, but always in line with NES requirement.

### ***4.3 Confidentiality***

AXA ICAS provides NES with anonymised statistical reports regarding service uptake rates for the organisation on a quarterly basis. No information regarding individual ICAS service users is shared with NES; this is to maintain strict confidentiality and to ensure that colleagues can have faith in the integrity of the Employee Assistance Scheme.

# Mental Health and Wellbeing Policy

## 1. Introduction and Policy Statement

### 1.1 Policy Statement

NHS Education for Scotland (NES) believes that people are its most important asset and is committed to protecting employees from the risks to mental health which arise from the workplace, and to providing a supportive working environment for those experiencing or recovering from mental ill health.

By working in partnership with relevant agencies and service providers, NES aims to preserve and enhance all aspects of employee health and wellbeing by providing staff with access to a range of health-related policies, services and information. NES anticipates that this will lead to clear benefits for both individual members of staff and the organisation as a whole.

This policy has been developed to provide employees and line managers with advice and guidance regarding how to protect and promote mental health and wellbeing in the workplace. It is anticipated that this document will also fulfil an important signposting role, directing individuals to help and assistance should they encounter any issues relating to mental health and wellbeing.

### 1.2 Scope

The Mental Health and Wellbeing Policy applies to the following individuals:

- ❖ All NES employees regardless of grade, length of service or working pattern/hours;
- ❖ All staff on secondment to NES from external organisations;
- ❖ All temporary, agency and contractual workers.

### 1.3 Mental health awareness and training

NES is committed to providing mental health awareness and training activities for all employees.

## 2. Definitions

### 2.1 Mental Health & Wellbeing

Mental health is a wide-ranging concept with a variety of definitions which relate to how people think, feel and behave. It is an integral aspect of an individual's overall health and wellbeing and it is widely accepted that poor mental health can lead to physical illness and disease.

A number of mental health conditions such as stress, depression and anxiety can manifest as a result of issues that individuals experience in the workplace. Moreover, negative workplace issues also have the potential to make it more difficult for individuals to manage existing mental health conditions.

## **2.2 Work-related Stress**

The Health and Safety Executive defines work-related stress as “the process that arises where work demands of various types and combinations exceed a person’s capacity and capability to cope”. Work-related stress is a significant cause of illness and disease and is known to be linked with high levels of sickness absence, staff turnover and other indicators of organisational underperformance, including human error.

## **3. Policy Aims and Benefits**

### **3.1 Aims**

The aims of this policy are:

- ❖ To promote positive mental health and wellbeing for all staff;
- ❖ To enable individuals and line managers to recognise and tackle organisational issues that negatively affect mental health;
- ❖ To ensure that any member of staff who is experiencing mental health problems is aware of how to access help and support in the workplace;
- ❖ To ensure that all employees are aware of legislation and NES policies which protect the rights of employees and job applicants with mental health problems.

### **3.2 Benefits**

The intended benefits of this policy are two-fold and it is anticipated that positives will be experienced by both individual staff members and the organisation as a whole:

- | <u>Benefits for individuals</u>   | <u>Benefits for NES</u>   |
|---|---|
| ❖ Individuals feel more supported at work   | ❖ Increased staff engagement levels, leading to improved staff efficiency and effectiveness                                       |
| ❖ Increased job satisfaction and a more positive workplace experience for staff   | ❖ Reduced turnover rates  |
| ❖ Individuals find it easier to access the policies and services that will benefit them   | ❖ Reduced sickness absence levels as employees and line managers learn how to better manage mental health issues in the workplace |
| ❖ Reassurance that NES has in place a formal policy framework to protect and enhance the mental health and wellbeing of all staff | ❖ Maintenance of the positive image of NES as an employer   |

## **4. Legal Framework**

**Health & Safety at Work Act 1974:** Employers have a general duty under this Act to ensure, as far as is reasonably practicable, the health and safety of their employees at work. This covers risks to physical and mental health and employers are obliged to take steps to make sure that employees do not suffer stress related illness as a result of their work.

**Management of Health & Safety at Work Regulations 1999:** Employers have specific legal duties to assess health and safety risks and to introduce prevention and control measures based on the outcome of their risk assessments. These Regulations acknowledge work-related stress as being a potential health and safety risk and priority is given to assessing the causes of work-related stress and introducing prevention and control measures.

**Equality Act 2010:** The Equality Act harmonises and in some cases extends protection from discrimination. It continues the pro-active approach taken by the Race Relations (Amendment) Act 2000, the DDA and the Equality Act 2006 which places duties on public sector bodies to promote race, disability and gender equality. The Equality Act retains the focus on taking active steps to tackle discrimination and promote equality, and extends it to other protected characteristics.

The Equality Act will undergo a phased implementation to allow organisations time to prepare. Most of the provisions came into force in October 2010, with further significant elements becoming law in April 2011. The final phase will take place in April 2012.

## **5. Support for employees with mental health problems**

NES recognises that the mental and physical health of employees is equally important. The organisation has signed the “see me” pledge, further strengthening its commitment to protecting and enhancing the mental health and wellbeing of employees and ending the stigma and discrimination of mental ill-health. To this end, an action plan has been developed which supports the ongoing health promotion agenda, and aims to contribute to embedding employee health and wellbeing into the wider organisational culture. This clearly demonstrates that the organisation is steadfast in its support of employees experiencing mental health problems, and concerned to ensure that individuals are treated fairly and consistently across the board.

### **5.1 Management of sickness absence**

It may be the case that employees suffering from mental health problems are required to take a period of time away from work to support their wellbeing and recovery. The Managing Sickness Absence Policy outlines the processes and procedures relating to sickness absence and applies to staff who are absent from work for any reason.

NES is committed to supporting the return to work of all members of staff who have been on a period of sickness absence and the organisation uses a range of methods to help employees become re-integrated into the workplace. These include:

- ❖ Return to work interviews;
- ❖ Encouraging employees to maintain contact with their Line Manager during periods of sickness absence;
- ❖ Assessing the needs of employees and making any necessary adjustments to enable a return to work;

- ❖ Negotiating with employees to agree a planned approach to their return after an extended period of absence.

### **5.3 Reasonable adjustments on return to work**

As mentioned above, NES is committed to making reasonable adjustments to support staff with a disability as defined by the Equality Act 2010. In the case of staff with disabilities related to their mental health, it is likely that the reasonable adjustments may take one or more of the following forms:

- ❖ Reconfigured work pattern;
- ❖ Temporary removal of duties;
- ❖ Buddying up with a colleague;
- ❖ Mentoring;
- ❖ Temporary reduction in contractual working hours;
- ❖ Phased return (as per advice from individual's GP/Occupational Health Service).

For further information, please refer to the NES Disability Policy which is available on the NES Intranet.

### **5.4 Confidentiality and storage of absence records**

Records containing information pertaining to the physical and mental health of employees are stored securely and confidentially by the Human Resources Directorate. Information regarding attendance and absence levels is stored separately from these records.

NES uses procedures to record personal information which conform to the Data Protection Act 1998.

## **6. Stress**

### **6.1 Recognising stress**

The experience of undue pressure in the workplace can lead to stress, which has a significant impact on the physical and psychological wellbeing of sufferers. Although a formal definition of the term stress is provided above, it may be helpful to further define the concept as a negative emotion or physical response to factors in the environment (stressors).

It is now widely accepted that stress can lead to a range of behavioural effects, such as depression, increased anxiety and irritability, and inability to concentrate, as well as to physical effects such as back pain, gastrointestinal disturbances and minor illnesses.

In principle anyone can suffer from work-related stress, and, as stress is an individual reaction it is perfectly possible that similar pressures may lead to stress in one individual but not in another. Managers must recognise that the trigger for work-related stress is an individual's perception that they cannot cope at work. The issue here is not whether the Manager considers that the individual should be able to cope.

## **6.2 The difference between stress and pressure**

The HSE definition of stress as “the adverse reaction people have to excessive pressures or other types of demand placed on them” makes an important distinction between the beneficial effects of reasonable pressure and challenge (which can be stimulating, motivating and provide a “buzz”), and work-related stress which is the natural but distressing reaction to demands or pressures that the person perceives they cannot cope with at a given time.

## **6.3 Support and training for Line Managers in recognising stress**

Managers play a crucial role in the identification and management of workplace stress. NES is aware of its responsibility to provide Managers with appropriate support and training to enable them to fulfil this role and, to this end, Managers have access to information and support via the Employee Assistance Scheme provider to help in identifying physical and mental signs of stress and in its management. In addition, all Managers have the opportunity, and indeed are encouraged wherever possible, to attend the Mentally Healthy Workplace Training Course which is run in-house by NES.

## **6.4 Support for employees suffering from stress**

NES provides a range of policies, services and initiatives which are intended to support the health and wellbeing of employees. Employees who feel that they may be suffering from stress are strongly encouraged to speak, in confidence, to their Line Manager or HR Business Partner in the first instance. Employees should be assured that NES will take all appropriate steps to support and assist them.

Alternatively, individuals may wish to contact the Employee Assistance Scheme which is open 24 hours, 365 days a year, or arrange a confidential self-referral to Occupational Health (please see the NES Occupational Health Policy, above, for information on how to go about this).

# **7. Bullying and harassment in the workplace**

NES takes issues of bullying and harassment very seriously and appreciates that individuals suffering from mental health issues may be vulnerable to bullying and/or harassment in the workplace. A comprehensive Dignity at Work Policy is currently in place within the organisation to provide information and guidance. Individuals in this situation are advised to consult the Dignity at Work Policy or contact their HR Business Partner for informal and confidential discussion and advice.

## **7.1 Definitions of bullying and harassment**

**Bullying** can be defined as persistent, offensive, abusive, intimidating, malicious or insulting behaviour, or the abuse of power or use of unfair personal sanctions which make the recipient feel upset, threatened, humiliated or vulnerable, which undermines their self confidence and which may cause them to suffer stress.

**Harassment** can be defined as unwanted behaviour which a person finds intimidating, upsetting, embarrassing, humiliating or offensive. It can take many forms, occur on a variety of grounds and may be directed at one person or a group of people.

## **8. Fair and equitable recruitment and selection practices**

NES is committed to ensuring that only fair and equitable recruitment practices are employed across the organisation. The organisation possesses a comprehensive suite of policies to ensure that this is the case, including the Recruitment and Selection Policy and the Equal Opportunities Policy. These policies are reviewed regularly, in partnership, to ensure that they comply with legislation and reflect best practice.

## **9. Policy Implementation**

In order to ensure the correct application and implementation of this policy, the particular responsibilities of employees, line managers and HR & OD are outlined below:

### **9.1 Employee responsibilities**

It is the responsibility of all individual employees to protect their own mental health in the workplace. Employees can do this by:

- ❖ Ensuring that they are familiar with the contents of this policy;
- ❖ Maintaining an awareness of how to access the support mechanisms which are in place within NES should they experience any issues regarding their mental health and wellbeing;
- ❖ Communicating with their Line Manager or HR Business Partner should they experience any feelings of work-related stress;
- ❖ Maintaining lines of communication during any periods of sickness absence (as defined by the Managing Sickness Absence Policy);
- ❖ Complying with all appropriate organisational policies.

### **9.2 Line Manager responsibilities**

The primary responsibility of Line Managers is to understand that risks to mental health can arise from the workplace, and make reasonable provision to protect employees from this by:

- ❖ Ensuring that they complete any available NES training courses (e.g. Mentally Healthy Workplace Training course) and become familiar with relevant intranet/e-learning resources (e.g. Intranet Wellness Zone) which have been designed to assist with recognising the signs and symptoms of stress;
- ❖ Ensuring their employees are aware that NES has a Mental Health & Wellbeing Policy and know how to access it;
- ❖ Being approachable and accessible to employees who wish to discuss issues relating to their mental health and wellbeing;
- ❖ Maintaining strong lines of communication with employees at all times

- ❖ Working in partnership with HR, relevant agencies and service providers where appropriate to support members of staff.

### **9.3 HR & OD responsibilities**

HR & OD is responsible for providing professional advice and support to individuals and line managers with regard to issues relating to mental health and wellbeing. HR & OD enacts this responsibility by:

- ❖ Advising employees, line managers and staff representatives on organisational policy;
- ❖ Advising employees, line managers and staff representatives on the services, resources and policies available to support those with mental health problems.
- ❖ Working in partnership with relevant agencies and service providers to support line managers and individuals where appropriate;
- ❖ Ensuring that this policy is kept under review and that it is applied consistently across NES.

## **10. Monitoring and review of the Mental Health and Wellbeing Policy**

### **10.1 Consultation and communication**

NES is committed to developing policies in partnership and to consulting with staff during the policy development process. All NES policies are circulated to staff for consultation and required to undergo comprehensive equality impact assessment before their ratification by the Staff Governance Committee.

Feedback is welcomed on this policy at any time and may be emailed to [hr.support@nes.scot.nhs.uk](mailto:hr.support@nes.scot.nhs.uk) .

This policy will be reviewed biennially with amendments, to meet legal compliance, being made as appropriate following consideration by employees, staff representatives and management.



# Alcohol and Substance Misuse Policy

## 1. Introduction and Policy Statement

NES recognises the contribution of its employees to the success of the organisation and as such considers their well being of paramount importance. It is accepted that employees may, for a variety of reasons, develop alcohol and substance misuse problems. Drinking and drug use can be a direct cause of ill health, even when consumed at modest levels. It can affect behaviour at work by impairing judgement and co-ordination, it can cause problems in relationships and may even put lives in danger. These can prove extremely damaging in terms of the effects on work colleagues and NES due to sickness absence and deterioration in work performance.

NES recognises that alcohol or substance misuse related problems are areas of health and social concern, and want to offer staff with such problems access to help.

## 2. Aims

The aims of the policy are to:

- prevent and reduce the prevalence of alcohol and substance related work impairment;
- reduce the personal suffering of employees with drinking and substance misuse problems; and create a climate which removes the tendency to conceal, deny, and cover up the problem.
- provide management, employees and Trade Unions/Professional Organisations with confidence when confronting alcohol induced loss of capacity.
- educate employees on the dangers of alcohol and substance misuse and offer support and assistance to employees who believe they may be affected. This assistance will be with a view to restoring the employee's well being and effectiveness at work on an agreed time scale as well as ensuring a safe and healthy work environment.
- in support of the aims of the policy NES recognises that alcohol and substance misuse can have a detrimental effect on the performance at work reducing the service provided to the organisation and the individual's capacity to work safely. For this reason no consumption of alcohol is permitted on NES premises or during working hours unless expressly agreed in advance by the Chief Executive.

### **3. Definition**

Alcohol or substance misuse related problems are defined as any drinking or substance misuse, either intermittent or continual, which definitely and repeatedly interferes with a person's health, social functioning and work capability or conduct.

### **4. Dealing with a Problem**

Employees are encouraged to seek assistance where they consider they may be affected by an alcohol and substance misuse problem. Assistance can be sought from Human Resources staff, the appropriate line manager or by direct self-referral to AXA ICAS. Where an employee makes a direct referral to the AXA ICAS that referral will be on a confidential basis. The line manager will not be made aware of the problem without the express approval of the employee.

Where an alcohol and substance misuse problem is suspected or admitted, the employee will be referred to the Occupational Health or AXA ICAS as appropriate for confirmation or otherwise of the problem and to make arrangements for support and treatment where appropriate.

Problems of this nature may be brought to light because of problems with health or with work performance or behaviour, or other signs which may lead to action under the Disciplinary Policy and Procedures. Where a manager identifies a possible problem, and if the employee agrees, the opportunity for assessment and counselling can be given.

It is recognised that managers and trade union representatives are not qualified to come to conclusions about whether an alcohol/substance misuse problem exists. The Occupational Health/EAP Provider will undertake the critical role in determining whether a problem exists and what help is appropriate.

The encouragement, or offer of an opportunity, to seek and accept help and treatment are made on the clear understanding that, on resumption of duties, or on return to work following a period of treatment, the employee will be able to return to the same job, unless the effects of the alcohol or substance misuse problem makes him or her unfit or unsuitable to resume the same job, or where resuming the same job would be inconsistent with the long-term resolution of the employee problem. When the same job cannot be resumed, every consideration will be given to finding suitable alternative employment. The employee will be encouraged to seek Trade Union/Professional Organisation representation in discussions regarding alternative employment.

Having accepted help or treatment and resolved the problem, the employee's normal promotional prospects will not be impaired.

Confidentiality of all records, interviews and any matters associated with the employee's problem and treatment is guaranteed.

## **5. Consumption of alcohol/drugs during working hours**

NES recognises that drugs and alcohol misuse can have a detrimental effect on performance at work, reducing the service provided to the organisation and the individual's capacity to work safely.

For this reason no consumption of alcohol is permitted on NES premises or during working hours unless expressly agreed in advance by the Chief Executive.

NES also prohibits the consumption of alcohol during meal breaks.

## **6. Provision of Assistance**

Where alcohol or substance misuse is confirmed, the following assistance will be provided where necessary:

- Special paid leave to attend an initial appointment and any subsequent treatments. Where treatment involves significant time off work then access to occupational sick pay will normally apply.
- Where the duties of the post are seen to impact on the problem, a review of duties or possible redeployment on a temporary or permanent basis will be pursued where possible. The employee has a right to be accompanied by an appropriate representative or work colleague, not acting in a legal capacity, to any discussion with management.
- Sympathetic review of individual cases where a relapse follows apparently successful treatment.
- Where the employee has been referred to the Occupational Health or AXA ICAS by management, the line manager will be kept advised of progress with treatment and will provide local support where necessary. All discussions and information relating to employees and their treatment will remain confidential. No information will be disclosed to a third party without the prior agreement of the employee.
- The employee has a right to be accompanied by an appropriate representative or work colleague, not acting in a legal capacity, to any discussions with management.

## **7. Disciplinary Policy and Procedures**

Whilst an alcohol or substance abuse problem does not excuse misconduct or poor performance, it may be considered as a mitigating factor where action under the Disciplinary Policy and Procedures is being considered. Where such a problem is confirmed by the Occupational Health/EAP Provider, the disciplinary action may be set aside on the condition that the employee accepts and complies with treatment arranged by the Occupational Health Provider.

Where an employee refuses to participate in treatment this may lead to disciplinary action. Each case will be determined on its own merits.

## **8. Preventative Measures**

Line managers and trade union representatives are advised to seek advice and guidance from HR&OD should they suspect that a member of staff may have a drug or alcohol misuse problem.

Colleagues are also encouraged to discuss with HR&OD any suspicions they may have of an alcohol/substance misuse problem. These discussions will be treated in the strictest confidence.

Employees will be made aware through the provision of literature on staff noticeboards and in staff rooms of the potentially damaging effects of alcohol and substance misuse and of the assistance available to them. Activities undertaken by the Health Promotion Group will be a further avenue for educating employees on preventative measures; details of ongoing activities are available on the Intranet.

# **Smoking Policy**

## **(Including the use of Electronic Cigarettes)**

### **1.0 Introduction**

- 1.1 NHS Education for Scotland (NES) is committed to providing a safe and healthy environment for all users of its premises including staff members, volunteers, contractors and visitors.

NES recognises that it has a duty under the Health and Safety at Work Act 1974 and the Smoking, Health and Social Care Act Scotland 2005 to protect staff members, volunteers, contractors and visitors from harmful substances in the workplace and take all reasonable and practicable measures to secure their health, safety and welfare.

This Policy has been developed to promote health, reduce risk and protect all users of NES premises from the harmful effects of second-hand smoke by providing a smoke-free environment for all and supporting staff who wish to give up smoking through offering smoking cessation support. In support of these aims all smoking including the use of electronic cigarettes (e-cigarettes) is prohibited on NES premises.

This policy will support the achievement of the Scottish Government's Tobacco Control Strategy 2013, that all NHS Scotland grounds will be smoke free by 2015.

- 1.2 All staff members should help to ensure compliance by bringing the policy and legislation to the attention of their colleagues, volunteers, contractors and visitors by the use of appropriate communication, in addition to the relevant signage, while ensuring their own safety in the process.

Where an immediate risk to others is imposed (eg where it constitutes a health and safety hazard) or where smoking is taking place in contravention of the legislation (i.e. indoors or in partially enclosed areas), this should be reported immediately to management. The potential difficulty of enforcing the NES Smoking Policy is acknowledged and staff members will receive full management support.

- 1.3 As the largest preventable cause of ill health and premature death in Scotland, the harmful effects of both tobacco smoking and passive smoking and the considerable costs to the NHS of treating smoking-related disease, are well documented.

Each year in Scotland smoking:

- kills around 13,500 (one in five of all deaths)
- is responsible for around 33,500 hospital admissions
- costs around £400 million to treat smoking-related illness

## 1.4 E-cigarettes

E-cigarettes are subject to the same restrictions as conventional cigarettes and will not be permitted on NES premises or grounds.

## 2.0 Aims of the Policy

2.1 NES has a responsibility to promote health and healthy lifestyles. The NES Smoking Policy recognises that passive smoking adversely affects the health of all staff members.

2.2 The specific aims are as follows:

- To protect and improve the health of all staff members, volunteers, contractors and visitors to all NES premises by providing a smoke-free environment.
- To ensure that no staff member or user of NES premises are exposed to tobacco smoke or any substance of which the health effects are as yet unknown.
- To strengthen Public Health initiatives which reduce the harm associated with smoking.
- To comply with the Smoking, Health and Social Care (Scotland) Act (2005) and the associated Prohibition of Smoking in Certain Premises (Regulations) 2006.
- To offer practical advice and smoking cessation support (Appendix B).

## 3.0 Scope

3.1 This policy covers all NES occupied premises including:

- Buildings
- NES areas within other buildings
- Grounds owned by or attached to NES premises
- Entrances to NES buildings
- In any vehicle on NES premises
- NES vehicles (leased cars) or privately -owned vehicles if transporting non-smoking staff members on NES business

## **4.0 Roles and Responsibilities**

4.1 The Chief Executive has overall responsibility for the implementation of this policy but may delegate responsibility for particular areas to other staff eg Director of Workforce.

4.2 Managers will ensure that:

- they take responsibility for adhering to and facilitating the implementation of this policy
- the application of the policy is monitored in their own work area
- individual staff members, volunteers, contractors and visitors understand and comply with this policy
- action is taken against anyone contravening this policy
- those wishing to stop smoking are given encouragement to do so
- they set an example of health promotion by not bringing the organisation into disrepute by failing to observe the standards set by NES, or other organisations, during the course of their business

4.3 Staff members will ensure that:

- they take responsibility for adhering to and facilitating the implementation of this policy
- colleagues, volunteers, contractors and visitors are aware of and comply with this policy
- they report any breaches of the policy
- they seek support if they wish to discontinue smoking (Appendix B)
- they set an example of health promotion by not bringing the organisation into disrepute by failing to observe the standards set by NES, or other organisations, during the course of their business
- if they smoke, they do so only during designated breaks and they do not take longer or more frequent breaks than non smoking colleagues.

## **5 Smoking Cessation**

- 5.1 In recent years there have been major developments in smoking cessation and tobacco control in Scotland, including recognition of the important role that it can play in improving the health and wellbeing of the workforce. Recently there has been a focus on helping people to give up smoking and in Scotland, free of charge smoking cessation services are available. Staff who wish to stop smoking can access support using a free local NHS Stop Smoking Service. Full information on smoking cessation is listed in Appendix B.

## **6 Non-Compliance with the Policy Rules**

- 6.1 Any NES staff member who breaches the rules of this policy will be offered smoking cessation support in the first instance to assist them in stopping smoking (Appendix B).

Staff should note that repeated non-compliance with the Smoking Policy will be grounds for disciplinary action in accordance with NES Disciplinary Policy.

If there is a clear breach of the NES Health and Safety Policy, action may also be initiated under this policy.

- 6.2 Volunteers, contractors and visitors who smoke on NES premises and grounds should be asked not to smoke, advised of this policy and informed that it is an offence to allow them to smoke. If the warning is ignored, they will immediately be asked to leave the premises and grounds.

The approach should be one of clarifying the policy and providing support for staff members, contractors and visitors. Any confrontational situations will be dealt with in line with existing guidance on managing violence and aggression.

## **7 Monitoring and Review**

- 7.1 NES is committed to developing policies in partnership and to consulting with staff during the development process. All NES policies are circulated to staff for consultation and required to undergo comprehensive equality impact assessment before their ratification by the Staff Governance Committee.

- 7.2 Feedback is welcomed on this policy at any time and may be emailed to [hr.support@nes.scot.nhs.uk](mailto:hr.support@nes.scot.nhs.uk)

- 7.3 This policy will be reviewed biennially with amendments, to meet legal compliance, being made as appropriate following consideration by employees, staff representatives and management.



# Health Promotion Policy

## 1. Introduction and Policy Statement

NHS Education for Scotland (NES) is committed to providing a healthy and safe working environment for all employees. It recognises that a healthier workforce provides positive benefits to the organisation. In addition, NES, through partnership working with relevant agencies, wishes to promote wherever appropriate the benefits of a healthy lifestyle. In adopting this aim, NES undertakes to promote a healthy working environment and provide opportunities for employees to have access to information about health events throughout the regions.

NES also recognises that much can be done to encourage employees to adopt and maintain a healthy lifestyle, although the range of activities may differ from Region to Region. In order to facilitate this, a Health Promotion Group has been convened to address all of the issues covered in this policy. The remit of the Health Promotion Working Group is to exist as a sub-group of the Managing Health, Safety and Welfare Committee and to identify, recommend and report to the Committee on the actions required to be taken by NES to promote health within the organisation.

## 2. Aims of the Working Group

- Raise and support issues relating to health within NES;
- Prepare annual Action Plan documents showing how NES promotes the health of its employees;
- Provide information, co-ordination and support for local and central health promotion events;
- Achieve and maintain the Healthy Working Lives Award Programmes;
- Report to the Managing Health, Safety and Welfare Committee regularly on the above;
- Support health awareness issues raised by management.

The NES Health Promotion Working Group will meet quarterly and the membership will consist of HR representatives and an employee(s) from each region to ensure equal representation.

The objectives are part of the overall NHS Scotland Occupational Health and Safety strategy "Safe and Well at Work" (2011) which demonstrates

commitment to developing a comprehensive, accessible and inclusive Occupational Health and Safety Service for all employees.

**Ratified by the Staff Governance Committee 25 April 2008**

**Revised Policy Ratified by the Staff Governance Committee 16 October 2012**

**Revised Policy ratified by the Staff Governance Committee 24 July 2014**

# APPENDIX A

NHS Education for Scotland

## PROVISION OF EYE TEST AND SPECTACLES FOR USERS OF DISPLAY SCREEN EQUIPMENT

*(see overleaf for instructions for completing form)*

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### PART A: AUTHORISATION FOR EYE EXAMINATIONS

This authorisation entitles a NES employee, who is a regular user of display screen equipment, reimbursement towards the cost of an eye test. If a special corrective appliance is prescribed for DSE use, then a maximum of £70.00 towards the cost of spectacles and eye test will be reimbursed by NES.

Name of Employee: ..... Payroll No: .....

Department: .....

Signature of Line Manager: ..... Date: .....

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### PART B: AUTHORISATION FOR PROVISION OF CORRECTIVE SPECTACLES – TO BE COMPLETED BY OPTICIAN

Address of Opticians .....  
or Opticians Stamp .....

Name of Examining Optician .....

Complete as appropriate:

- I confirm that the cost of the eye test is £ .....
- I confirm that a portion of this prescription is for DSE use.
- I confirm that the cost of spectacles are £ ..... (Receipt attached)

Signature ..... Date .....

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### PART C: AUTHORISATION OF PAYMENT – TO BE COMPLETED BY BUDGET HOLDER

Name of Budget Holder: .....

- I authorise payment of spectacles and eye test, where appropriate, at a cost of: £ .....  
(Maximum £70.00)

Signature of Budget Holder: .....

Date .....

**INSTRUCTIONS FOR COMPLETING AUTHORISATION FORM**

1. **The Line Manager should sign PART A.**
2. The employee should take the signed form to the optician when attending for an eye test.
3. The optician is responsible for the completions of **PART B**. If this is not completed then a letter from the optician detailing the outcome of the test is also acceptable.
4. The form (with Part B or letter signed by the optician) and a receipt for the spectacles and eye test should be forwarded to your department budget holder for authorisation and to complete **PART C**.
5. The completed form should then be submitted as an eExpense claim.

## **APPENDIX B - SMOKING CESSATION SUPPORT**

Support is available from the following sources:

Smoke line freephone telephone helpline 0800 848484

Pharmacies

GP Practices

Smoking cessation self-help materials are widely available in NES premises – see Health Promotion Boards

Free local NHS Stop Smoking Services

<http://www.nhs.uk/smokefree/help-and-advice/local-support-services-helplines>

[www.healthyworkinglives.com](http://www.healthyworkinglives.com)

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

[www.clearingtheairscotland.com](http://www.clearingtheairscotland.com)

[www.ashscotland.org.uk](http://www.ashscotland.org.uk)

[www.wecanstopsmoking.com](http://www.wecanstopsmoking.com)