

Policy Drug and Alcohol Misuse

Status	Approved
Document reference	SOPOP410PO
Date document written/amended	September 2009

STATUS (Draft/Approved/Updated/Archived)	REFERENCE
Approved	SOPOP410PO

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Version Number	Date Amended	Comments	Date Approved	Author	Approved by
1	July 09	New policy	8.9.09 14.9.09	P Watts	C Sledge (SHA) A Murphy (SCP)

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1. Purpose

This policy applies to Signpost Housing Association and Signpost Care Partnerships' (the Associations) properties and any accommodation directly managed by the Associations and applies to substance misuse including the use of drugs and alcohol. The Associations neither condones, nor approves the possession, use, or supply of illegal drugs.

This policy applies to the Associations' customers including:

- residents living in the Associations' properties
- clients who are not resident in a property owned by the Associations but who receive a service from the Associations
- any person visiting the Associations' properties.

This policy has been developed to ensure the Associations comply with current legislation, Supporting People Framework, Tenant Services Authority Standards, regulatory code and guidance and good practice, and includes:

- ensuring where criminal activity is beyond the remit of the Associations, the Associations will alert the Police and/or relevant agency
- ensuring that, where drug and/or alcohol abuse is reported this is acted upon
- recognising that some residents/customers will have involvement with drugs and/or alcohol and where appropriate working with individuals to promote well-being and reduce harm
- pro-actively managing incidents of alleged drug and/or alcohol abuse by working in partnership with other agencies, and the wider community.

The Associations strive to achieve the Spectrum Group Mission:

'To be recognised and respected for providing quality homes and services. Empowering people, supporting active communities and building better futures'.

This policy supports the Associations' overarching plans and strategies to deliver quality services and ensure accessibility to these services for all the Associations' customers.

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1.1 Exceptions

Where a member of the Associations' staff is involved in possession, supply or misuse of illegal drugs this will be dealt with in accordance with the Spectrum Housing Group Staff Code of Conduct and Disciplinary Policy and Procedure

The Spectrum Housing Group, Staff Code of Conduct details the obligations of staff members on the consumption of alcohol in relation to their employment.

2. Definitions

2.1 Illegal drugs

Illegal drugs are controlled drugs which are held illicitly. The Misuse of Drugs Act 1971 is the main piece of legislation covering drugs and categorises drugs as class A, B and C.

These drugs are termed as controlled substances, and Class A drugs are considered to be the most harmful.

Offences under the Misuse of Drugs Act include:

- possession of a controlled substance unlawfully
- possession of a controlled substance with intent to supply it
- supplying or offering to supply a controlled drug (even where no charge is made for the drug)
- allowing premises you occupy or manage to be used unlawfully for the purpose of producing or supplying controlled drugs.

The Medicines Act 1968 governs the manufacture and supply of medicine. There are three categories within this Act:

- prescription only drugs can be sold by a pharmacist if prescribed by a doctor
- pharmacy medicines may be sold by a pharmacist without prescription
- general sales list medicines may be sold without a prescription in any

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shop.

Possession of Prescription Only medicines without a prescription is a serious offence.

2.2 Drugs not covered by the Misuse of Drugs Act

Other drugs such as solvents and amyl & butyl nitrates (poppers) are not covered by the Misuse of Drugs Act. These drugs have mood altering properties. The retail supply of these drugs is controlled by law but possession is not illegal.

2.3 Home Office, Drug Strategy, tackling drugs, changing lives

The Associations are committed to working towards and contributing to the Home Office drug strategy which aims to reduce the harm that drugs cause to society, to communities, individuals and their families.

The 2008-2018 drug strategy comprises four strands:

- protecting communities through tackling drug supply, drug-related crime and anti-social behaviour
- preventing harm to children, young people and families affected by drug misuse
- delivering new approaches to drug treatment and social re-integration
- public information campaigns, communications and community engagement.

3. Legislation, Regulatory and Good Practice Requirements

- Anti-social Behaviour Act 2003
- Drugs Act 2005
- Data Protection Act 1998
- Home Office Drug Strategy 2008-2018
- Housing Act 2004 & Housing Act 1996 (as amended by the Housing Act 2002)

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- Housing and Regeneration Act 2008.
- Housing Corporation Regulatory Code and Guidance
- Human Rights Act 1998
- Key Lines of Enquiry Diversity and Tenancy and estate management
- Misuse of Drugs Act 1971
- Public Order Act 1986
- Supporting People Quality Assessment Framework
- The Respect Standard for Housing Management.

3.1 Relationship with other Strategies, Polices and Procedures

- Access and Customer care Strategy (SHA/SCP)
- Anti-social Behaviour Policy and Procedure (SHA/SCP)
- Allocations and Lettings Policy and Procedure (SHA/SCP)
- Community Involvement Strategy (SHA/SCP) Confidentiality, Privacy and Data Protection Policy (SHG)
- Health & Safety Policy (SHG)
- Homelessness Policy (SHA/SCP)
- Lone Working Policy (SHA/SCP)
- Equality, Diversity and Inclusion Policy (SHG)
- Homelessness Policy (SHA/SCP)
- Financial Inclusion Strategy (SHA/SCP)
- Professional Conduct and Boundaries Policy (SHA/SCP)
- Resident Involvement Strategy (SHA/SCP)
- Safeguarding and Protection from Abuse, Vulnerable Adults and Children Policy and Procedure (SHA/SCP)
- Starter Tenancy Procedure (SHA)
- Support Needs and Risk Assessment Policy and Procedure(SHA/SCP)
- Value for Money Strategy (SHA/SCP).

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4. Drug and Alcohol Misuse Policy

The Associations will not at any time condone, or approve of the possession, use, or supply of illegal drugs.

4.1 The impact of drug and/or alcohol misuse

Drug and/or alcohol misuse can have a major impact on individuals, families the wider community and the Associations' business.

The Associations recognise that the behaviour of drug users or behaviour relating to alcohol misuse may cause no problems whatsoever to other residents. The Associations also recognise that often drug and/or alcohol misuse can result in the supply and use of illegal drugs or other criminal activity such as theft. Drug and/or alcohol misuse can also lead to a wide range of tenancy issues and problems including:

- problems accessing and keeping accommodation
- victimisation by other tenants or neighbours
- crime and anti-social behaviour
- contribution to neighbourhood decline.

The Associations recognise the benefits of working with other agencies to work towards ensuring communities are not adversely affected by the consequence of illegal drug use and/or alcohol misuse while recognising that drug users need support in their treatment and rehabilitation.

The benefits of effectively managing drug and/or alcohol misuse can include:

- reduction in rent arrears
- less damage to the Associations' properties
- reduction in anti-social behaviour
- reduction in the number of evictions
- reduction in the number of abandoned properties
- more successful treatment outcomes.

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4.2 Access to the Associations' services

Previous or recent substance misuse may not prevent individuals from accessing the Associations accommodation or support services.

Allocations will be dealt with in accordance with the Allocations and Lettings Policy and Procedure.

The assessment for the provision of a support service from Signpost Care Partnerships will be dealt with in accordance with the Support Needs and Risk Assessment Policy and Procedure.

4.3 Risk and support planning

The Associations will manage potential risks and will identify support needs including:

- undertaking comprehensive risk assessments and support planning prior to, and during the tenancy, to achieve tenancy sustainability
- ensuring appropriate support is identified by working in partnership with other service providers and agencies, and that where appropriate this support is on-going
- ensuring staff are fully aware of the Health and Safety, and other associated policies
- ensuring staff are aware of the Safeguarding and Protection from Abuse, Vulnerable Adults and Children Policy and Procedure.

4.4 Dealing with drug misuse

The Associations will take appropriate action where there is reported or known misuse of drugs including:

- where staff become aware of any individual using or supplying illegal drugs immediately reporting this to the Police
- ensuring new residents are fully aware of the obligations of their tenancy agreement and the Associations' position in relation to drug misuse
- considering the action that best delivers a proportionate and flexible response to the drug misuse including legal action such as, Anti-Social Behaviour Orders, Injunctions, Demotion Orders, and Possession Proceedings or using other powers available to the Associations

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- signposting or referring the resident or client to either Signpost Care Partnerships, or the relevant support agency
- working with residents, communities and other agencies, such as Drug Action Teams, to restrict access to areas where there is risk of drug use or supply.

4.4.1 Staff dealing with drug misuse

The Associations staff are not expected to meet with any resident or client who is under the influence of drugs and whose behaviour may put the staff member at risk. Each individual circumstance must be considered by the staff member as detailed in Section 4.11.

4.5 Harm minimisation, support services

The Associations recognise that some individuals will continue to use illegal drugs or alcohol away from the Associations accommodation.

4.5.1 Support provision, harm minimisation, Signpost Care Partnerships

Where Signpost Care Partnership provides the support and the aim of the service is harm minimisation rather than abstinence the member of staff will support individuals to protect their health with a view to the individual ultimately ceasing to use illegal drugs or reducing or ceasing alcohol consumption. To reduce the risk to the individual the support may include:

- safe use of, and disposal of syringes
- support during blood borne virus screening
- encouraging health checks
- providing information on and making referrals specialist support agencies.

4.5.2 Support provision, harm minimisation, other support provider

Where other agencies provide support and the aim of the service is harm minimisation rather than abstinence the Associations will liaise closely with the partner agency to ensure appropriate support is provided to reduce the risk to the individual.

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4.6 Dealing with alcohol misuse

4.6.1 Alcohol misuse, residents or clients

The Associations recognise that alcohol may be legally purchased and consumed by persons aged 18 years or over. While the Associations recognise an individual's right to consume alcohol exceptions will be applied in specific circumstances as detailed in Section 4.6.2. The Associations will encourage residents and clients to consume alcohol without detriment to their health or to the detriment of others including:

- ensuring new residents are fully aware of the obligations of their tenancy agreement and the Associations' position in relation to anti-social behaviour which may be the result of alcohol misuse
- liaising with other agencies to identify support and harm minimisation as in Section 4.5
- signposting or referring the resident or client to either Signpost Care Partnerships, or the relevant support agencies
- considering the action that best delivers a proportionate and flexible response to anti-social behaviour that is the result of alcohol misuse including legal action such as, Anti-Social Behaviour Orders, Injunctions, Demotion Orders, and Possession Proceedings or using other powers available to the Associations.

4.6.2 Alcohol bans and restriction on use, the Associations properties

The Associations may impose a ban or restrict the use of alcohol on the Associations' premises due to the nature of the scheme or to protect the welfare of residents, this may include:

- supported accommodation schemes for under 18 year olds
- where the age criteria is above 18, restrictions on alcohol use may still be applied, for example in Dual Diagnosis schemes
- where house rules restrict the use of alcohol in communal areas that have been agreed in consultation with residents
- where good neighbour agreements restrict the use of alcohol in communal areas that have been agreed in consultation with residents.

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4.6.3 Alcohol bans and restrictions on use, other land

Where bye-laws or other legislation applies to the consumption of alcohol in public places the Associations will work in partnership with the Police or other relevant agency to the prevention of alcohol use within the communities within which the Associations operate.

4.6.4 Staff dealing with alcohol misuse and intoxication

The Associations' staff are not expected to meet with any resident or client who is under the influence of alcohol and whose behaviour may put the staff member at risk. Each individual circumstance must be considered by the staff member as detailed in Section 4.11.

4.7 Dealing with drug misuse not covered by the Misuse of Drugs Act

Where the use or supply of such substances may impact on the well being of individuals, other residents or the community, the Associations will not permit the use of or supply of such substances including:

- within any individual property or communal area belonging to Signpost Care Partnerships
- within any communal area belonging to Signpost Housing Association..

4.8 Multi-agency and Partnership working

The Associations will contribute to, and work in partnership, with other agencies to prevent and manage alcohol misuse including:

- forming and maintaining links with statutory and other agencies to work towards preventing and reducing drug and alcohol misuse.
- being active members of key local partnerships such as Drug Action Teams
- being part of formal information sharing protocols, and other appropriate protocols to facilitate the exchange of relevant information.

4.9 Community involvement

The Associations will work with communities to reduce and prevent drug misuse including:

- promoting diversionary projects for young people

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- directing residents to the Association’s community fund to assist with community activities
- contributing to, and taking part in, partnerships that work towards the prevention, management and protection of the wider community.

4.10 Publicity and information

The Associations will use publicity to raise awareness of drug and alcohol misuse, to provide information about how to report drug and alcohol misuse and to provide details of support that may be available from specialist agencies including:

- providing information in the residents’ newsletter ‘Your Voice’
- making the Associations’ policies and procedures available on the Associations’ website
- contributing to, and taking part in community events
- using other publicity opportunities such as newspaper articles, posters in communal areas, and website information.

4.11 Data protection, communication and information sharing

4.11.1 Disclosure of information

The Associations will not disclose information to other agencies without the prior consent of the resident/client, except where a person is considered to be at risk, or if there is a risk of serious harm to anyone involved in the situation, or when required to do so by law or by an order of a court.

The Associations will be party to relevant protocols and formal agreements to ensure that, where appropriate, information can be shared with other agencies. Any disclosure of information will be undertaken in accordance with the relevant policy, procedure, protocol or formal agreement.

4.11.2 Recording incidents of alcohol or drug misuse

The Associations will maintain records of any reports or incidents of drug or alcohol misuse which result in anti-social behaviour on the Associations housing management software system.

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4.11.3 Storage of information

All data and resident/client files will be managed and stored in accordance with the relevant policies and procedures.

4.12 Health and Safety

The Associations are committed to the security and health and safety of all staff, residents, clients as well as the wider community and will take a co-ordinated approach to the management of health and safety.

Actions in relation to health and safety are detailed in the following policies and procedures:

- Lone Worker Policy (SHA/SCP)
- Support Needs and Risk Assessment Procedure (SHA/SCP)
- Health and Safety Policy (SHG)
- Health and Safety Procedures (SCP)
- Statement of Professional Conduct and Boundaries (SHA/SCP).

4.13 Training

The Associations will ensure staff have ongoing training with regard to the range of remedies and services that are available and how to use them, as well as, an understanding of the cost and the limitations of invoking those remedies. It is the aim that all relevant staff will be trained to take the most appropriate and effective action in all circumstances. The training will include:

- where appropriate, detailed training of the current Drug and Alcohol Misuse Policy and related procedures is undertaken as part of the planned induction programme for new staff
- training staff who may initially receive reports of drug and/or alcohol misuse to understand the requirements of the Drug and Alcohol Misuse Policy and Procedure
- ensuring best practice, new legislation and case law is disseminated to relevant staff and is communicated effectively by either service area team meetings, Operational Management Team briefings, legal briefings or the internal intranet
- identifying on-going training needs and arranging appropriate training,

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as required, for staff, residents and Board members.

4.14 The Right to Appeal

Any appeal against the decision to take action, or otherwise, against a perpetrator of drug and/or alcohol misuse will be dealt with in accordance with the Associations' Appeals procedure.

4.15 Monitoring and Control

Incidents of drug and/or alcohol misuse will be monitored and included in the anti-social behaviour performance management reports and will be reported to the Associations' Boards as part of the Performance Information pack.

4.16 Equality, Diversity and Inclusion

This Policy has been developed to ensure the Associations provide equality of access and service delivery and includes:

- ensuring that no customer is disadvantaged irrespective of their race, gender (including gender reassignment), religion or belief, colour, ethnic or national origin, sexual orientation, marital status, age, disability, or social position in accordance with Spectrum Housing Group Equality, Diversity and Inclusion Policy
- ensuring specific communication or support requirements and equal access to the service is available
- identifying and addressing any inequality of access to the service
- recording and monitoring incidents of drug and alcohol misuse and actions taken to ensure no individual or group is excluded.

4.17 Equality Impact Assessment

This Policy has had an equality impact assessment that has concluded that this Policy does not discriminate either directly or indirectly and does not disadvantage any individual or group.

4.18 Responsible Officers

The Divisional Director Housing Services, Signpost Housing Association, and the Divisional Director Support Services, Signpost Care Partnerships will be responsible for monitoring and implementing this Policy.

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