

Equality at work: flexible working and disability

Alcohol Change UK is one of the leading UK charities working to reduce alcohol harm. **We are not anti-alcohol. We are anti-alcohol harm.** Our vision is a society free from alcohol harm, delivered through five key changes: improved knowledge, better policies and regulation, shifted cultural norms, improved drinking behaviours, and more and better support and treatment. We focus on evidence and compassion.

We produce research, deliver the incredible Dry January[®] challenge as part of the year-round behaviour change programme: Try Dry[®], provide leading edge training to public-facing professionals including on our award-winning Blue Light approach, provide independent information to the public, and share our expertise with Governments to help them to improve the nation's health and wealth.

We welcome the opportunity to provide evidence to the Women and Equalities Committee as part of the Equality at work: Flexible working and disability inquiry. Due to the nature of our work, our response provides evidence as to why the exclusion of alcohol dependence from the Equality Act (2010) should be removed, as this will help people access and stay in work.

Exclusion of alcohol dependence in the Equality Act (2010)

Despite the widespread nature of alcohol harm in UK society, people with a history of alcohol dependence are heavily discriminated against, even if they have stopped drinking alcohol. The Equality Act (2010) protects people with certain characteristics, including disability, against discrimination.

However, the Act does not provide protection for the mental health and addiction aspects of substance dependence, despite this being at the heart of the discrimination that people often face.¹ 'Addiction to alcohol' was specifically excluded from the disability protections of the Act in August 2010, via secondary legislation. In 2021, the Government Equalities Office justified the exclusion of alcohol dependence on the basis that it is 'self-induced'.² The secondary legislation which accompanies the Act (the Equality Act 2010 (Disability) Regulations 2010, No. 2128, Part 2, Regulation 3) states "addiction to alcohol, nicotine or

any other substance is to be treated as not amounting to an impairment [disability] for the purposes of the Act". This means that people with alcohol dependence receive no protection from discrimination.

The Equality Act is designed to protect people from inequality. Removing this deliberate exclusion would help to reduce stigma associated with alcohol harm. This will make it easier for people to seek support for problems with alcohol, receive inclusive healthcare support, access housing and ask for reasonable adjustments at work. It will also improve the lives of families and those who support people with alcohol problems. Tackling discrimination will create a fairer society for us all.

Supporting people with alcohol dependence in the workplace

Stigma and discrimination have a profound impact on people with alcohol dependence. This works differently to stigma related to other mental health problems, as people who are dependent on alcohol are more likely to be blamed for their problems.^{3 4} These ideas about alcohol dependence underpin serious social and structural discrimination including in the workplace.⁵

Discrimination against people with alcohol dependence can prevent people getting employment, even if they are the best person for a job. When working, people with current or previous alcohol dependence can face discrimination in interactions with colleagues and during promotion processes. In addition, problems with alcohol dependence can result in dismissal, even though national and international workplace guidelines recommend treating substance dependence as a health issue which requires support.^{6 7 8}

The stigmatisation of alcohol dependence can prevent people asking for help, for fear of being negatively labelled or excluded by workplaces, housing, healthcare providers, friends or family.⁹ As with other forms of discrimination, the effects can ripple out more widely, impacting children of parents with alcohol dependence through discrimination by association.¹⁰

Work is not an option for everyone with active alcohol dependence but some people are able to stay in work. If alcohol dependence was included in the Act employers would have a duty to make reasonable adjustments for people with alcohol dependence. Most adjustments would be simple, cost nothing or be inexpensive. They might include allowing that employee to take time off for alcohol assessment, treatment or rehabilitation, the temporary re-allocation of tasks that the employee was finding stressful or difficult or ensuring that the employee did not have to do client entertaining involving alcohol.

If alcohol dependence was included in the Act, employers would not have to appoint or retain a person with alcohol dependence who, even with reasonable adjustments in place, was unable to carry out the essential requirements of the job. Employers could still hold an employee to the same standards as other employees even if the unsatisfactory performance or behaviour was related to their alcohol dependence.

Public support

Researchers from the University of Bedfordshire conducted a citizen's jury with Ipsos Mori in 2021. This involved a group of people who reflect the demographics of the population in Britain, deliberating and discussing whether they think alcohol dependence should be excluded from the Equality Act.

Three quarters of the jury voted that alcohol dependence should not be excluded. The remaining quarter who thought it should be excluded, still thought that people who are dependent on alcohol should have protection from discrimination.¹¹

We are happy to provide further details on the above and help the Women and Equalities Committee with its development of policies for a fairer society.

References

¹ Wadd, S. and Dutton, M. (n.d.) [Frequently asked questions about alcohol dependence and the Equality Act](#). Alcohol Change UK.

² Government Equalities Office, COGEO-003979 email reply to Sarah Wadd. 2020. Cited in Wadd, S. and Dutton, M. (2021) *Equality for All? A citizen's jury on whether alcohol dependence should be included as a disability in the Equality Act*. University of Bedfordshire <https://www.beds.ac.uk/media/u3thzenz/uob-citizens-jury-final-report.pdf>

³ Kilian, C., Manthay, J., Carr, S., Hanschmidt, J., Rehm, J., Speerforck, S. and Schomerus, G. (2021). [Stigmatization of people with alcohol use disorders: An updated systematic review of population studies](#). *Alcoholism: Clinical and Experimental Research*, 45(5), pp. 893-1160.

⁴ Schomerus, G., Lucht, M., Holzinger, A., Matschinger, H., Carta, M. G. and Angermeyer, M.C. (2011). [The Stigma of Alcohol Dependence Compared with Other Mental Disorders: A Review of Population Studies](#). *Alcohol and Alcoholism*, 46(2), pp.105–112.

⁵ Roche, A., Kostadinov, V. and Pidd, K. (2019). The Stigma of Addiction in the Workplace in J. D. Avery and J. J. Avery (eds). *The Stigma of Addiction: An Essential Guide*. Cham: Springer.

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⁷ Heath and Safety Executive (2023). [Managing drug and alcohol misuse at work](#).

⁸ International Labour Organization (1996). [Management of alcohol- and drug-related issues in the workplace: An ILO code of practice](#).

⁹ Vilsaint, C.L., Hoffman, L.A. and Kelly, J.F. (2020). [Perceived discrimination in addiction recovery: Assessing the prevalence, nature, and correlates using a novel measure in a U.S. National sample](#). *Drug and alcohol dependence*, 206, 107667.

¹⁰ Appleseth, H.S., Moyers, S.A., Crockett-Barbera, E.K. et al. (2023). Language considerations for children of parents with substance use disorders. *Substance Abuse Treatment, Prevention and Policy* 18 (28) <https://substanceabusepolicy.biomedcentral.com/articles/10.1186/s13011-023-00536-z#citeas>

¹¹ Wadd, S. and Dutton, M. (2021). [Equality for All? A citizen's jury on whether alcohol dependence should be included as a disability in the Equality Act](#). University of Bedfordshire.