

Drug and Alcohol Policy

For

Wallace Groundworks Ltd

Purpose

The purpose of this policy is to increase awareness of the effects of alcohol and drug misuse and its likely symptoms, and to ensure that:

- All staff are aware of their responsibilities and the importance of alcohol and drug misuse related problems.
- Staff who have an alcohol or drug-related problem are encouraged to seek help, in confidence, at an early stage.
- Staff are aware of drug and alcohol screening in the workplace to ensure drug and alcohol misuse is identified and acted upon quickly to minimise any risks to the business and staff.
- Staff who have an alcohol or drug-related problem affecting their work are dealt with fairly and consistently.

This policy sets to outline the expectations, code of conduct, and methods of vigilance for drugs of abuse and alcohol consumption within the workplace.

Introduction

We are committed to providing a safe, healthy and productive working environment. This includes ensuring that all staff are fit to carry out their jobs safely and effectively in an environment which is free from alcohol and drug misuse.

Wallace Groundworks Ltd wish to promote a culture which understands the problems associated with alcohol and drug misuse in which staff are encouraged to come forward to seek help. However, the Company also appreciates that it has a responsibility to all its employees and other stakeholders to ensure that any risks to safety, employees, or the organisation are minimised. Intoxication from drugs and/or alcohol can be the cause of life-threatening incidents, which is why Wallace Groundworks Ltd take this policy very seriously.

Accordingly, our policy involves two approaches:

- Providing reasonable assistance to the member of staff with an alcohol or drug abuse problem who is willing to co-operate in treatment for that problem.
- Disciplinary rules, enforced through disciplinary procedures, where use of alcohol or drugs (other than on prescription) affects performance or behaviour at work, and where either an alcohol or drug dependency problem does not cease, or where treatment is not possible or has not succeeded.

This policy covers all employees, officers, consultants, contractors, volunteers, interns, casual workers and agency workers. This list is non exhaustive and may be added to by the company at any time.

Drug classifications and UK law is subject to change over time. This policy remains enforceable regardless of any such change in legislation. If any part of the policy is deemed unenforceable due to change in government legislation or employment law, this does not invalidate any of the other parts of this policy.

This policy does not form part of any employee's contract of employment and Wallace Groundworks Ltd reserve the right to amend it at any time.

Wallace Groundworks Ltd believes that effective workplace drug and alcohol policies are a better way of achieving results than drug/alcohol testing alone and that providing an environment where employees can discuss any drug/alcohol problems they have, with the prospect of gaining help and support will be more effective in the productivity and health of the organisation, and the safety, welfare and well-being of its employees and stakeholders.

Service Provider

We will use an established company in the Drug and Alcohol testing arena, who have vast experience in the implementation of fair and legal drug and alcohol screening.

Personnel responsible for this policy

The Managing Director department has overall responsibility for the effective operation of this policy.

All managers have a specific responsibility to operate within the boundaries of this policy, to ensure that all staff understand the standards of behaviour expected of them, and to take action when behaviour falls below its requirements.

Managers will, where appropriate, be given training in:

- The nature and causes of alcohol and drug problems.
- The effect of alcohol and drug misuse on workplace safety and performance.
- Drug screening methods and how to conduct these fairly.
- The assistance that can be provided.

Alcohol and drugs at work

Misuse of alcohol and drugs can lead to reduced levels of attendance, reduced efficiency and performance, impaired judgement and decision making and increased health and safety risks for you and other people. Irresponsible behaviour, or the commission of offences resulting from the misuse of alcohol and/or drugs may damage our reputation and, as a result, our business.

It is company policy that staff may not bring to work, be under the influence of, or consume, any drugs or alcohol in the workplace (apart from medication prescribed by a doctor to that individual – which should be declared to the Managing Director. This includes business related activities where the employee is representing the Company at any time.

Special rules may apply in relation to alcohol, where the Company sponsors an event for staff outside working hours (e.g. the Christmas party.) In these circumstances any variation to the no-alcohol policy will be communicated and expectations set in advance of the event. This policy complements other aspects of the company's health and safety policy, and should be read in conjunction with that policy.

You are expected to arrive at work fit to carry out your job and to be able to perform your duties safely without any limitations due to the use or after effects of alcohol and/or drugs (whether prescribed over the counter or illegal).

You should not drink alcohol during the normal working day, at lunchtime, at other official breaks, and at official work-based meetings and events. Drinking alcohol while at work without authorisation or working under the influence of alcohol may be considered serious misconduct and may result in disciplinary action.

You must comply with drink-driving laws and drug-driving laws at all times. Conviction for drink-driving or drug-driving offence may harm our reputation and, if your job requires you to drive, you may be unable to continue to do your job. Committing a drink-driving or drug-driving offence while working for us [or outside working hours] may lead to action under our Disciplinary Procedure and could result in dismissal.

If you are taking prescribed medication, you must seek advice from your GP or pharmacist about the possible effect on your ability to carry out your job and whether your duties should be modified, or you should be temporarily reassigned to a different role. If so, you must inform [your line manager OR the Human Resources Department] without delay.

Wallace Groundworks Ltd drug limit is set at zero tolerance. The alcohol limit is set at UK legal driving limit.

Identifying a problem

If you notice a change in a colleague's pattern of behaviour you have a responsibility to encourage them to seek assistance immediately through their manager, or the Human Resources Department. If they will not seek help themselves, you should draw the matter to the attention of your manager immediately.

You should not attempt to cover up for a colleague whose work or behaviour is suffering as a result of an alcohol and/or drug related problem. Knowing of a problem and doing nothing, or condoning that problem is an offence that can result in separate disciplinary action.

If you believe that you have an alcohol or drug-related problem yourself, you should discuss this with your manager and seek specialist advice and support as soon as possible.

Searches

We reserve the right to conduct searches for alcohol and/or drugs on our premises, including, but not limited to, searches of lockers, filing cabinets and desks, bags, clothing and packages.

Any alcohol and/or drugs found as a result of a search will be confiscated and action may be taken under our Disciplinary Procedure.

Drug screening

Wallace Groundworks Ltd takes this policy very seriously and will ensure it is being followed. To ensure that this policy is enforced, Wallace Groundworks Ltd will conduct drug and alcohol screening at the company's discretion, across all staff in the following ways:

- Pre-employment testing
- Random spot checks
- For cause, or any reasonable suspicion
- Post-accident or incident
- Before critical or particularly hazardous work is undertaken
- During a rehabilitation period
- Under stipulation by a client or site owner for off-site work

Drug screening will be conducted internally by trained staff. A workforce drug testing management system will be used to ensure that testing is random, accurate, fair, and is conducted with correct chain of custody procedure. Arrangements will be discussed with affected members of staff at a suitable time during the screening programme.

OR

Drug screening will be conducted by using an external company's on-site testing and collection service. Arrangements will be discussed with affected members of staff at a suitable time during the screening programme.

Screening will primarily be done with rapid point of care testing kits. Any 'non-negative' results recorded from these kits will be sent to a laboratory confirmation testing for further analysis. Samples which are confirmed as positive may result in disciplinary action against you. We also reserve the right to send samples straight to the laboratory for testing where appropriate or required.

Primarily, screening will be conducted on site. In some circumstances, you may be required to visit a local clinic, or independent organisation to provide a sample for testing.

To ensure that screening is undertaken to best practice principles, the following arrangements will apply:

- Screening is only to be carried out as a part of this policy, and only by trained staff who will conduct the screening in a non-invasive way – usually by oral fluid, urine or hair sample for drug testing and breath for alcohol screening.
- Screening is to take place in a controlled environment with due care taken to means of adulteration of samples before conducting screening.
- Samples are to be collected under supervised conditions but respecting human dignity. Two identical samples are taken either on site or split in the test laboratory.
- Transit and handling of samples must adhere to "Chain of Custody" principles at all times.
- Any non-negative results from screening should be confirmed via laboratory service using GC/MS or equivalent method.
- Results are to be reviewed by an expert and reported back. The expert is to conduct a medical review to consider all aspects of declared prescription medication, over the counter medication etc. and its effects on the results.
- A second sample is to be kept for further analysis as part of any appeal by the employee.
- Confidentiality will be maintained at all times.

- Breathalyser instruments must be regularly recalibrated in line with recommended intervals.
- Drug screening tests are to be in date and stored in line with manufacturers recommendations.

Procedures and methods for screening are based on those advised by the European Workplace Drug Testing Society. Temple Safety also reserve the right to test for drugs outside these guidelines or at different cut off levels at the company's discretion.

Due to areas of the business being higher risk than other areas (e.g. drivers relative to office staff,), the company may randomly screen members of staff who are considered in higher risk roles/environments on a more frequent basis, or with a higher percentage chance of being selected than lower risk roles/environments. Ultimately it is our desire to minimise risk in the workplace, and screening more proportionately in higher risk areas of the business may help to achieve this.

Whilst Wallace Groundworks Ltd will do all it can to ensure no major breach of this policy and procedure, it accepts that in practice there may be occasion where a problem or breach may occur. In these circumstances, Wallace Groundworks Ltd will review the situation on a case by case basis, and reserve the right to pursue further screening or action based on screening results or findings from any such investigation.

Managing suspected substance misuse

Where a manager considers that a deterioration in work performance and/or changes in patterns of behaviour may be due to alcohol or drug misuse they should immediately seek advice and assistance from their line manager.

If you are involved in an incident at work, or a manager reasonably believes you are under the influence of alcohol or drugs whilst at work, they shall immediately contact the workplace manager in order that an investigation can be undertaken. The purpose of the investigation is to: discuss the reason for the investigation and seek your views on, for example, the incident or the deterioration of your work performance and/or behaviour. Where appropriate, a medical and/or drug and alcohol screen may be conducted before you are able to resume work. This will be conducted under normal practice to the guidelines outlined in this policy.

If your screen is found to be 'non-negative', you will be suspended from work immediately on full pay, whilst the sample is submitted to the laboratory for confirmation analysis. Following the confirmation result from the laboratory, you will be invited to a further investigation meeting.

If, as the result of the investigation, your manager has reason to believe that you were suffering the effects of alcohol or drugs misuse or you refuse an offer of support in relation to this matter, this may be dealt with under the Disciplinary Procedure.

Providing support

Alcohol and drug-related problems may develop for a variety of reasons and over a considerable period of time. We are committed, in so far as possible, to treating these problems in a similar way to other health issues. We will provide support where possible with a view to a return to full duties. This may include:

- Helping the member of staff to recognise the nature of the problem
- Support during a period of treatment. This may include a period of sick leave or approved other leave, continuation in post or transfer to other work, depending upon what is appropriate and reasonable in terms of the staff member's condition and needs of the Company.
- The opportunity to remain or return to work following the completion of a course of treatment, as far as is practicable, in either the employee's own post or an alternative post.

If you do not finish a programme of treatment, or your recovery and return to work does not go as planned, [your Line Manager] will meet with you to decide what further action if any should be taken.

The Company's assistance will depend upon diagnosis of a drug and/or alcohol problem from a Health Professional. The member of staff should recognise that he/she is suffering from an alcohol or drug abuse problem, come forward with the information and be prepared to co-operate fully in referral and treatment from appropriate sources.

The Company and its employees must recognise the following limits to the assistance the Company can provide:

- Where a member of staff fails to co-operate in referral or treatment arrangements, no special assistance will be given and any failure in work performance and behaviour, or drug and alcohol abuse will be dealt with through the Disciplinary Procedure.
- If the process of referral and treatment is completed but is not successful, and failure in work performance or behaviour occurs or drug and alcohol abuse continues, these will be dealt with through the Disciplinary Procedure.
- A member of staff's continuation in his/her post or an alternative post during or after treatment will depend upon the needs of the Company at that time.

Any support provided to an individual will be decided on a case-by-case basis, depending on the circumstances of the information coming to light, and any other relevant circumstances will also be taken into account. Ultimately the company provide support at their discretion and have no obligation to offer this kind of support to employees, particularly if they have not come forward and/or are in breach this policy. Any breach of this policy may result in disciplinary action.

The Company has not the internal resources to provide or arrange treatment or other forms of specialist assistance. Such services are provided by GPs, hospitals and other agencies. Through this policy the Company will seek both to assist a member of staff in obtaining such specialist help where reasonable.

Confidentiality

We aim to ensure that the confidentiality of any member of staff experiencing alcohol and/or drug related problems is maintained appropriately. However, it needs to be recognised that, in supporting staff, some degree of information sharing is likely to be necessary.

If you seek help with an alcohol or drug-related problem directly from the Managing Director and you wish to keep matters confidential from your manager and colleagues, this will be respected unless there is reason to believe that this could put you, your colleagues or anyone else at risk or carries some other material risk for the business. In those circumstances the Managing Director will encourage you to inform your manager and will give you sufficient time to do so before discussing the matter with them.

Any data kept with regards to drug and alcohol testing will be kept in very secure locations. Any paper copies will be kept in locked filing cabinets with controlled access to the keys. Wallace Groundworks Ltd may make information available to other sites or areas owned or associated with the company, if it means improving the safety of the workplace.

Disciplinary Action

In line with the Company's disciplinary rules, the following will be regarded as serious misconduct:

- Attending work and/or carrying out duties under the influence of alcohol or drugs.
- Consumption of alcohol or drugs whilst on duty (other than where prescribed or approval has been given).
- Refusal to carry out a drug or alcohol test when requested.

Breach of these rules will normally result in summary dismissal, and only in exceptional cases will either notice or the reduced disciplinary action of a final written warning be applied.

Temple Safety at its discretion may take into account if you are currently enrolled or ask to undertake appropriate treatment and/or rehabilitation for an acknowledged alcohol or drug-related problem. If this is the case, the company may decide to suspend any ongoing disciplinary action against you for any related misconduct or poor performance, pending the outcome of the treatment.

Legislation

Drug testing in the workplace helps to ensure that all employees work within the laws of the UK; the UK laws on use of drugs and alcohol are clear:

- It is a criminal offence for certain workers, such as drivers or operators of public transport systems, to be unfit for their work due to taking drugs or alcohol.

- It is a criminal offence to be unfit to drive, attempt to drive or be in charge of a motor vehicle when under the influence of drugs or alcohol.
- The possession, supply or production of controlled drugs (including prescription medication) is unlawful except for in special circumstances (e.g. when they have been prescribed by a doctor for your own use).

Employees are also legally required to take reasonable care of themselves and to behave in a way that does not pose risks to the health and safety of themselves or others in and outside the workplace. This includes consideration of the effects that intoxication through taking alcohol or drugs may have both while at work and also socially while away from work, due to the adverse effect this has on health, safety, welfare of yourself and others and the reputation of the company.

Appendix 1 - Definitions

Substance

Alcohol, illegal drugs under the classification of the Misuse of Drugs Act 1971, prescription drugs, over the counter medication, solvents or any other substance which when used may affect an individual's perception, attitude or actions.

Drug

A substance which may affect the brain and/or the body in a number of ways. Drugs cause change in an individual's thinking, perception or feelings and can thus lead to impairment of their judgement, concentration or behaviour.

Abuse

The use of illegal drugs and/or misuse, deliberate or unintentional, of prescribed drugs (or over the counter medication) or other substances such as solvents or alcohol.

Permissible Drugs

Over the counter medication and prescription drugs (supplied for your personal use by a doctor) when used as directed, are defined as permissible drugs.

Authorised Person – Substance Abuse

Persons who have the necessary training to carry out substance abuse screening in line with this procedure.

Negative result

No substance found when screening for drugs and alcohol.

Non-negative result

Term given to a result when a substance is found in the sample during drug testing, prior to having the sample confirmed by a laboratory test.

Procedure

Drug and alcohol testing will be carried out on the following occasions:

Pre-employment (urine or hair test)

To ensure that all prospective employees are aware of the Wallace Groundworks Ltd policy and that they are free from substance abuse at the time of employment.

“With Cause” (urine test)

Where there is cause for concern that an employee is suspected of drug and/or alcohol abuse as a result of appearance or behaviour. Also, where alcohol or drug materials are found at the workplace which are suspected for use or sale.

Post accident or incident (oral fluid or urine)

Conducted when there is reason to believe drugs and/or alcohol may have been a contributory cause (after any required medical attention has been provided).

Sensitive/Critical

When total assurance is required that personnel concerned are drug and alcohol abuse free.

A Client or Site Owner

When working under contract or onsite for a customer, and drug and alcohol testing is required before conducting the work.

Rehabilitation

To monitor compliance during any agreed rehabilitation programme following drug and/or alcohol misuse.

Random

To provide assurance of continuing compliance with the Company's stated requirements.
Refusal to undergo a test will be considered circumstantial evidence against a positive result.
(Unless a valid medical or other reason acceptable to the Company is evidenced e.g. Inability to provide samples due to accident)

Appendix 2 – Statistics and External Resources

Drug and Alcohol Use Statistics

UK Government Drug Use Statistics

<https://www.gov.uk/government/collections/drug-misuse-declared>

Institute of Alcohol Studies report on alcohol in the workplace

<https://www.ias.org.uk/report/alcohol-in-the-workplace/>

Help for Alcohol Dependence

Drinkline

Helpline: 0300 123 1110

Drinkline runs a free, confidential helpline for people who are concerned about their own drinking, or someone else's.

NHS alcohol advice pages

[Alcohol misuse - NHS](#)

Drinkaware

<https://www.drinkaware.co.uk/>

Drinkaware works to reduce alcohol misuse and harm in the UK.

WithYou

[Drug and Alcohol Support | WithYou](#)

WithYou (formerly Addaction) is the UK's leading drug and alcohol charity, helping over 100,000 people a year to recover from their addiction problems.

Al-Anon

<http://www.al-anonuk.org.uk>

Provide support to anyone whose life is, or has been, affected by someone else's drinking, regardless of whether that person is still drinking or not.

Alcoholics Anonymous Great Britain

<http://www.alcoholics-anonymous.org.uk>

AA is an organisation of men and women who share their experience with each other hoping to solve their problems and help others to recover from alcoholism.

Help for Drug Dependence

NHS drug misuse resources

[Drug addiction: getting help - NHS](#)

WithYou

[Drug and Alcohol Support | WithYou](#)

WithYou (formerly Addaction) is the UK's leading drug and alcohol charity, helping over 100,000 people a year to recover from their addiction problems.

Talk to Frank

[Honest information about drugs | FRANK](#)

National drugs awareness site for young people and parents/carers.

Narcotics Anonymous

<http://ukna.org/>

Helpline for the UK: 0300 999 1212

N.A. is a non-profit fellowship of recovering addicts. NA exists solely so that its members can support each other to stay drug free and to help others achieve and maintain a drug free recovery and lifestyle..