

J S Wright & Co Ltd is committed to providing a safe, healthy and productive working environment for all our staff, customers and visitors. This includes ensuring that all staff can carry out their duties safely and effectively in a working environment which is free from alcohol and drug misuse. All staff are expected to arrive at work fit to carry out their duties and to be able to perform them safely without any limitations due to the use or after effects of alcohol or drugs (whether prescribed, over the counter or illegal). The policy applies to all individuals working at all levels and grades, including senior managers, officers, directors, employees, consultants, sub-contractors, trainees, home workers, part time and fixed time employees, casual and agency staff (collectively referred to as staff in this policy).

This policy sets out our aims in reducing and managing alcohol and drug problems in the workplace.

Policy Objectives

- To state our position on alcohol and drugs within the workplace
- To ensure compliance with appropriate legislation
- To minimise the creation of risks caused by or associated with alcohol and drugs at work
- To define clear rules regarding alcohol substance misuse in the workplace
- To provide employees with training and information on the adverse health effects of alcohol and drugs
- To encourage the early identification of substance misuse
- To support employees experiencing alcohol and drug problems

Definitions

Alcohol abuse

- We define alcohol abuse as any drinking, either intermittent or continual, which interferes with health and/or social functioning and/or work capability or conduct.

Drugs

- We define drugs as illegal, prescribed and over the counter medicines and solvents. In the case of prescribed and over the counter drugs, we recognise that their possession and use by the employee is legitimate.

Drug abuse

- We define drug abuse as the use of illegal drugs, the deliberate misuse of prescribed or over the counter drugs, and the use of solvents, either intermittent or continuous, which interferes with health and/or social functioning and/or work capability or conduct.

Legal

Under the Health and Safety at Work Act 1974, we recognise our duty to protect the health, safety, and welfare of employees and others who are (or may be) affected by their activities, as far as is reasonably practicable, and we are committed to taking measures to ensuring this protection.

Under the Management of Health and Safety at Work Regulations 1999, we will carry out a risk assessment to identify workplace hazards and put measures in place to minimise these risks.

Under the Misuse of Drugs Act (1971), it is illegal for anyone to produce, supply or be in possession of illegal drugs.

Testing

The Company operates a programme of drugs and alcohol testing carried out either by an external provider or in house via the Health and Safety Department. Arrangements will be discussed with affected members of staff at the start of each test. If you fail the alcohol test or have a non-negative drug test result or refuse to take a test, the Company reserves the right to bring disciplinary procedures against you.

Conditions where a drug and alcohol test may be carried out:

- On recruitment into the company
- When your job role changes into a safety critical role
- On a random selection and unannounced basis
- 'For Cause' testing
- After an accident/incident.
- Follow up testing for a previous failure

Disciplinary

If an employee shows a fail on the alcohol test or non-negative test drugs, disciplinary action will be taken. The first stage will be for us to offer support and guidance where possible. This will be recorded onto the individual's personnel file. A second failure or non-negative offence will result in further disciplinary procedures. A third failure or non-negative offence will be treated as gross misconduct and will result in instant dismissal.

If a drug test is non-negative, then the samples will be sent off for further analysis. An employee could show non-negative on certain prescribed medication, but the full results will identify this. No disciplinary action will be taken if the employee being tested has indicated before the test that the medication he or she is prescribed could show up on the test. If the employee cannot produce the evidence for this then it will be treated as a non-negative and disciplinary action will be taken. In addition, if the employee has declared themselves to be taking a prescribed medication but the test additionally identifies an illegal substance, this will be deemed to be misconduct and disciplinary action will be taken.

Any employee who fails a test for alcohol or returns a non-negative drug test will be required to undertake further testing to run alongside the support we will offer. The duration of testing will be decided based on the severity of the results or the substances taken.

Our external provider or our internal Group Health and Safety Team will visit sites and offices and randomly choose 20% of the site operatives, to be tested; this includes any subcontractors under our control.

'For Cause' testing may be carried out when reporting for work/following an accident or serious occurrence where there are reasonable grounds to suspect that an employee/subcontractor has drugs/alcohol in their system. This will be discussed and approved prior to the test with the Managing Director and the Group Health and Safety & Wellbeing Manager.

We have set the limit for alcohol at 35 micrograms of alcohol per 100 millilitres of breath. This is the same as the legal limit for driving. This is superseded by our client's policies if they have a lower limit. For drugs, the test will be a simple pass or fail.

All failures will be reviewed at on a case-by-case basis when undertaking disciplinary action and we will also consider the needs of the department and the business needs of the organisation.

General

All members of staff are required to support this policy by:

- Participating in alcohol or drugs screening when requested
- Informing Line Managers or the HR department about any alcohol or drug-related problem they have, or think they may be developing
- Informing Line Managers about any prescription or over the counter medication they are taking which may affect their ability to work safely
- Not coming to work in an unfit state as a result of consuming alcohol or taking drugs
- Not possessing or supplying any illegal drug or other drug of abuse in the workplace or while at work
- Not consuming illegal drugs or any other drug of abuse in the workplace, while at work or at any other time.

The Managing Director has overall responsibility for the suitability and effective operation of this Policy. Directors, Associate Directors, Managers and Foremen have an important role to play in identifying problems at work that are being caused or contributed to by alcohol or drug misuse.

Where a Line Manager considers that a deterioration in work performance and/or changes in patterns of behaviour of any member of staff may be due to alcohol or drug misuse, they should seek advice and assistance from HR.

If the Line Manager considers the person to be unfit by reason of alcohol or drugs, the person must be stopped from working and advice must be immediately sought from HR.

If any employee notices a change in a colleague's pattern of behaviour, they should encourage them to seek assistance either through recognised support agencies or through their Line Manager. If they will not seek help themselves, the matter should be drawn to the attention of their Line Manager. No employee should attempt to cover up for a colleague whose work or behaviour is suffering as a result of an alcohol or drug-related problem. Such behaviour is misguided as it could result in disciplinary action and will not help to resolve the problem.

If you are prescribed medication you must seek advice from your GP or pharmacist about the possible effect on your ability to carry out your job safely. If such possible effects are identified, this should be communicated to HR before carrying out your role.

If your Line Manager has reason to suspect that you have brought alcohol or drugs on to the premises, we reserve the right to conduct searches, including, but not limited to, searches of lockers, filing cabinets and desks, packages sent to our office and site addresses and company vehicles. Any alcohol or drugs found as a result of a search will be

confiscated and action may be taken under our disciplinary procedures. Any search will be conducted either in the presence of a witness or by the Police.


Staff with an alcohol or drug problem are encouraged to seek help voluntarily and the company can assist with their rehabilitation, provided help is sought prior to failing a test. Personnel with alcohol or drug problems will be treated in strict confidence, subject to the provisions of the law. Absence for treatment and rehabilitation will be regarded as normal sickness.

Disciplinary action may be taken where help is refused and/or impaired performance continues and in cases of gross misconduct. Instances of possession/dealing drugs will be reported to the police.

We will provide staff with general information and relevant training about the effects of alcohol and drugs on health, safety and welfare.

If you do have any issues that you need to discuss please contact your Line Manager, HR or the Health and Safety Department.

This policy will be reviewed by the IMS team along with Senior Management and signed by the Managing Director on an annual basis.


[Peter Grierson \(Jan 6, 2023 10:33 GMT\)](#)

Peter Grierson
Managing Director
January 2023