

# **Alcohol and Drugs in the Workplace Policy**



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## **INTRODUCTION**

**ASH Integrated Services Ltd** aims to actively promote the well-being and good health of its employees. Drug, alcohol and other substance abuse may have an undesirable impact on the personal and working lives of employees. Problems arising from alcohol or drug misuse may include long term health issues for staff, absenteeism, lower productivity and enhanced safety risks for the individual and for others involved in our business as employees, customers and contractors.

### **POLICY STATEMENT: OBJECTIVE & SCOPE**

**ASH Integrated Services Ltd** has developed this policy to ensure that employees:

- are aware of the risks which are associated with drugs and alcohol misuse;
- understand the Company's rules regarding the consumption of drugs, alcohol and other intoxicating substances;
- understand that support will be offered to help employees who want to stop substance misuse; and
- provide a fair and consistent process for the handling of substance abuse allegations at work.

**ASH Integrated Services Ltd** will use the policy to:

- support employees who identify that they have a substance misuse problem;
- maintain the health and safety of employees and others with whom they come into contact; and
- preserve the reputation of the Company.

This policy covers the use and misuse of intoxicating substances, such as drugs (including prescription, over-the-counter and illegal drugs), alcohol, solvents and any other substances that could adversely affect productivity and/or health and safety.

This policy applies to all employees, temporary workers, contractors and volunteers.

### **Definitions**

For the purpose of this policy substance misuse is defined as:

The habitual taking of drugs or substances (other than those prescribed by a medical professional), or the drinking of alcohol which affects:

- the employee's ability to carry out their work effectively and efficiently;
- attendance at work;
- the reputation of the business; and
- the safety of the employee and others.

### **Responsibilities**

1. Our managing director have been briefed on this subject and take responsibility for implementing this policy.
2. Our managers are responsible for ensuring that all those who report to them understand and comply with this policy.

3. Staff at all levels are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries are encouraged and should be addressed to managing director.
4. The managing director is responsible for maintaining this policy and keeping it current.

### **Misuse of Drugs Act 1971**

**ASH Integrated Services Ltd** recognises that the **Misuse of Drugs Act 1971** states that anyone occupying or managing a premise commits an offence if they knowingly allow possession, supply or production of controlled substances on that premises.

### **MANAGERS' RESPONSIBILITIES**

Managers are required to:

- be responsible for the application of this policy in their work area;
- be aware of the signs of alcohol and substance misuse and the effects on performance, attendance and health of employees;
- be responsible for the health, safety and welfare of employees and others with whom they come into contact;
- ensure that staff understand the rules and consequences regarding the use of alcohol, drugs and other intoxicating substances at work;
- to reassure employees that they will be treated fairly and that any misuse problems disclosed will be treated in strict confidence;
- ensure that staff are given the opportunity and support to seek help;
- monitor the performance, behaviour and attendance of employees;
- intervene at an early stage where there is changed work behaviour to establish whether alcohol or drug misuse is an underlying cause;
- seek advice from HR or a senior manager to establish the process that should be adopted;
- provide support and assistance to staff who are dependent upon intoxicating substances to help their recovery;
- treat the matter with confidentiality as far as legally possible;
- if there is no blanket zero-alcohol policy: identify any jobs which are subject to a zero tolerance policy for the consumption of alcohol or other substances prior to attending for work and notify the employee (and staff representatives, if appropriate) where their job is concerned. Managers should involve the Health and Safety Officer where one is appointed; and
- instigate disciplinary action where appropriate to do so.

### **EMPLOYEES RESPONSIBILITIES**

#### **Who Does the Policy Apply to?**

1. All staff must read, understand and comply with this policy.

#### **All Employees Have Responsibility for Health and Safety Matters**

1. Employees are responsible for their safety and the safety of others at work. They must be able to carry out their work competently and with due regard for the safety of members of the public, their colleagues and themselves.

2. Employees are expected to present a professional image at work at all times. They should therefore not consume alcohol or other substances when at work, or prior to attending work, or when on call. (Adjust wording according to the working pattern in your work place or if you have a zero-tolerance policy on alcohol use for all or part of your workforce).
3. Employees must check whether any prescription or over-the-counter drug(s) they are taking may affect their performance, conduct and/or attendance. This is particularly important if they occupy a safety-critical post. If unsure, they should seek medical advice from a healthcare practitioner and/or managing director if side effects from prescribed, or over the counter medication is experienced the employee must notify their line manager immediately.
4. Employees are not permitted to possess, store, trade or sell controlled drugs on company premises. The only exception is that an employee may have with them drugs prescribed for their own use.

### **Employees Must Report Concerns**

1. All employees should report to their line manager, or a senior manager, at the earliest opportunity if they are experiencing drug or alcohol-related problems, or have concerns about the alcohol or drug which may impact upon:
  - the health and safety of the public, colleagues, customers and others;
  - the reputation of the company; and
  - work performance, behaviour and attendance.
2. Colleagues should encourage those with a drug or alcohol problem to seek help. If help is not sought, employees have a responsibility to inform their line manager or senior manager in strictest confidence if they have concerns about a colleague's alcohol or substance misuse.

### **Support Available to Employees**

1. Employees should seek support from their GP, other health professionals and managing director
2. Further support and/or treatment options may be available from the company on request; this may include paid time off work for therapies advised by healthcare practitioners, referral to occupational health or treatment agencies.
3. Employees are expected to co-operate with any support and assistance provided by the company to address an alcohol or drug misuse problem

### **Disciplinary Action**

**ASH Integrated Services Ltd**, where possible, will endeavour to support employees who are experiencing problematic drug and alcohol use. The company's aim will be to help an employee to resolve a drug and alcohol problem and to return to normal work attendance and performance.

However, in some cases, disciplinary action may be taken under the Performance Policy or Disciplinary Policy, up to and including dismissal.

This may include cases where:

- an employee is suspected, or convicted, of criminal activity relating to a controlled substance on work premises or outside of work;
- there has been disregard for personal safety and that of others;
- there has been gross misconduct in the workplace;
- the employee has been disqualified from driving as a result of alcohol or drug related offences (where required to drive a vehicle for their duties);
- the employee is not able to conduct normal work performance due to drug and alcohol use;
- where an employee has consumed drugs and/or alcohol at work or prior to work or when on call;
- where an employee has not requested, or accepted, support and the employee's work, approach to health and safety, or the company's reputation has been adversely affected by alcohol consumption or substance abuse; and
- where, despite support, the employee's work performance and/or approach to health and safety has been adversely affected by alcohol consumption or substance abuse.

This list above is not exhaustive.

Where there is evidence of illegal drug or alcohol use the police must be notified. For example, this may include evidence of the use or sale of controlled drugs on company premises or an alcohol-related car accident on work premises.

## **RULES**

### **Alcohol**

- Employees must maintain sensible and safe drinking levels.
- Employees are not allowed to drink alcohol during working hours, including breaks and when on-call.
- No employee should report to duty within any period of time that could risk you reporting for work under the influence or in a condition that could lead to you failing a breath test.
- There must be no consumption of alcohol on company premises, other than at the authorised by a Director (e.g., retirement parties, evening social events).

### **Drugs**

- No employee may report for work while under the influence of illegal drugs.
- No employee may possess, consume or provide drugs while working (except prescription drugs prescribed to the individual).
- Actual, or suspected, drug possession or dealing will be reported to the police.
- Those employed in safety-critical work who are discovered to be under the influence of illegal drugs may be dismissed, regardless of the circumstances.
- Employees on prescribed medication that may affect their ability to perform their duties must notify managing director reporting to work.

## **SUPPORT AVAILABLE TO EMPLOYEES**

The company recognises alcohol or drug misuse as a treatable condition. We aim to help support employees who suspect they have alcohol or drug dependency, and who seek advice and treatment, in the following ways:

1. **Treatment options:** The Company understands that early identification improves the likelihood of recovery from drug and alcohol dependency. It also recognises that specialised treatment can be helpful.
2. **Sick leave:** Employees seeking help, or who have been diagnosed as having a drug or alcohol problem, will be allowed reasonable time off with pay as set out in the sickness policy. The time off must be used for treatment and recovery, the company will support those striving to return to good health and work performance.
3. **During treatment:** During the period of treatment, the managing director will keep the line manager updated regarding the employee's progress (note, this does not mean that confidential medical information should be shared), the likely date for a return to work and whether alternative employment should be offered or considered.
4. **Confidentiality:** ASH Integrated Services Ltd will maintain strict confidentiality as far as practical, and within the law.
5. **Returning to work:** After the return to work the managing director and the line manager will jointly review the employee's progress.
6. **Alternative employment:** alternative work, on a permanent or temporary basis, may be considered where this would assist recovery.
7. **Relapses:** **ASH Integrated Services Ltd** recognises that recovery may not be straightforward, and relapses sometimes occur for individuals who are undertaking, or have completed, a course of treatment. In these circumstances, the organisation will consider whether to support another period of treatment or to commence the disciplinary procedure.

## **EDUCATION AND TRAINING**

**ASH Integrated Services Ltd** is committed to raising the profile of drugs and alcohol misuse at work. In addressing problematic drug and alcohol use, we aim to improve our health and safety record at work, increase workplace productivity and improve staff health. We recognise that awareness-raising activities will need to be revisited and revised to keep the problem, and the support available, in the minds of both current and future staff.

1. Information and publicity about drugs and alcohol in the workplace are communicated through e-mail (e.g. Company intranet, pamphlets, posters, notice board information, periodic staff emails or meeting agenda items).
2. Induction training will include reference to the company Drugs and Alcohol in the Workplace policy.
3. Support and training will be provided to managers to enable the policy to be effectively communicated and implemented.

## Information on Screening Procedures

**ASH Integrated Services** has a '**Duty of Care**' to protect not only our employees, clients but also the public against the influence of '**Drugs and Alcohol**' especially as we have a predominately mobile workforce driving company vehicles.

**ASH Integrated Services** reserves the right to conduct drugs and alcohol testing when workplace safety is at risk.

This policy applies to all employees and we would carry out '**Drugs and Alcohol Tests**' for the following:

- **An employee will be tested for drugs and alcohol whenever there is any involvement in an accident or incident at work with implications for health and safety.**

*Or*

- **An employee will be tested for drugs and alcohol whenever there is reasonable cause to believe, or suspect, that an employee is intoxicated.**

## Carrying out Tests

Employees are reminded that a request for an employee to be tested for alcohol and drugs does not necessarily imply that there is a suggestion of misuse of alcohol or drugs.

Alcohol and drug testing will be carried out only by qualified and competent personnel from an expert external provider.

The external provider (*who must be accredited by United Kingdom Accreditation Service - UKAS*) has robust processes in place to ensure that it meets all criteria for providing drug screening test results.

The company places the highest importance on safeguarding confidential personal and medical information. We therefore use a robust testing procedure in line with the advice given by our specialist provider. The provider will ensure that:

- reliable methods are used;
- tests are carried out with the least possible intrusion into employee privacy;
- confidentiality is ensured; and,
- checks take place to ensure robust accuracy.

## Process and Safeguards

Employees will be informed of the results of the tests before the result is passed to management.

If an employee refuses to agree to an alcohol and drug test without good reason, then they may be subject to disciplinary action.

## **CONFIDENTIALITY**

1. Results from drug and alcohol tests are sensitive personal information under the Data Protection Act 1998. As a result, any discussion, written records, or results generated through testing are confidential.
2. Breaking this confidentiality (including informal discussions with colleagues) may result in disciplinary action.

3. **ASH Integrated Services Ltd** will keep records confidential with our HR Consultant and the Data Protection Act 1998, which allows the release the information to certain people if you ask. The act states that we should only keep information that we still need. As a result, we will delete any information we no longer need.

### **Action after a Positive Test**

If a test result is positive, an employee will be asked to attend an interview with a senior manager. The employee will have the right to be accompanied by a colleague or trade union official at this interview.

The outcome will depend on the circumstances but could include:

- the employee being offered a programme of counselling and treatment;
- a written disciplinary warning, with re-testing to take place on several occasions over the next 12 months (where there are no safety issues involved);
- dismissal (in more serious situations where the employee's alcohol or drug taking could affect safety considerations) or where a test within the previous two years) has been positive.

A prospective employee will also be offered a meeting and is likely to have any employment offer withdrawn.

### **COMPLAINTS AND GRIEVANCES**

An employee who wishes to complain about the conduct of a test may discuss the matter with their line manager, and/or raise a formal grievance through the grievance procedure.

### **Additional Sections**

Other sections that you may want to cover in the policy could include links to further advice and information; links to other company policies such as Performance, Disciplinary, Grievance, Whistleblower and Sickness Absence.

### **Review**

This policy will be reviewed 1<sup>st</sup> June 2025

Signed: 

**Antony Grace (Managing Director)**

**Date: 1<sup>st</sup> June 2024**

**Review: 1<sup>st</sup> June 2025**