

# DRUGS & ALCOHOL POLICY



## PURPOSE

This policy defines the standards of safety and conduct required by all employees of SCCS within the course of their employment and more particularly sets out the Company's commitment to provide a safety and healthy workplace.

The Company recognises that the use/ misuse of substances can result in diminished workplace safety and undermine the Company's ability to fulfil its legal and moral obligations set out within The Health and Safety at Work Act 1974. Additionally, it impinges on the Company's business mission and goals.

As a result, it is committed to:

1. Protecting all employees and any person who may be affected by the actions of any person acting on behalf of the Company in the pursuit of its business activities.
2. Supporting those employees who seek treatment for conditions resulting from substance use/misuse.

## SCOPE

This policy applies to all SCCS Personnel and persons acting on its behalf.

## DEFINITIONS

Company:	Shall mean SCCS Survey Equipment Ltd (or SCCS).
Vicarious Liability:	Legal (financial) liability for the acts and/or omissions of an employee who undertakes an act/omission in the course of their employment.
Management:	Senior Management at SCCS

## Relevant legislation and standards

- Health & Safety at Work Act 1974
- The Management of Health & Safety at Work Regulations 1999
- The Misuse of Drugs Act 1971
- The Road Traffic Act 1988 (which applies to alcohol and drug misuse)
- The Transport and Works Act 1992
- CIPD Guidance: Managing drug and alcohol misuse at work
- Network Rail Standard: NR/L2/OHS/003 (all applicable revisions and additions) applicable to all personnel working in/on Network Rail infrastructure, assets & systems
- Network Rail Standard: NR/L2/CPR/302- *as applicable* (such as control of unsafe behaviours)

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Reference:	013.3.2013.PL
Revision No:	14
Date of 1 <sup>st</sup> Issue:	12/03/2014
Current issue date:	13/03/2023

- S1552 QUENSH Contract Conditions- as/when applicable
- Transport and Works Act 1992 Part 2 Section 27
- Such other legal standards and Network Rail guidance issues from time to time during the validity of this policy such as safety bulletins/alerts

## 1. Prohibited Conduct

- The Company strictly prohibits the following conduct:
  - Using, selling, manufacturing, distributing, possessing, storing, or dispensing of alcohol or any other controlled substance on/within Company premises/property.
  - The use/misuse of any substance which, whilst used or taken outside of working hours or outside of the workplace may impact and/or impair the employee in the performance of the employee's duties (or attendance at work).
  - Employees are not, under any circumstances, permitted to remain within the workplace and/or perform any duties on behalf of the Company where such individual is under the influence of any substance which the Company feels impairs that individual from performing the essential functions of their role, or where they pose a health & safety threat to themselves or others. This applies even where the substance in use is legally prescribed.
  - Employees are not, under any circumstances, permitted to remain within the workplace and/or perform any duties on behalf of the Company where that individual fails any drug or alcohol test or engages in any other conduct which may be prohibited under the Company's drug and alcohol testing procedures.

## 2. Employee Obligations- General

- Employees must notify the Company of any alcohol or drug problem.
- Employees must notify the Company when taking any drug (prescription or otherwise) which may affect their ability to effectively or safely undertake duties for which they are employed.
- The Company may request to undertake a medical report where it feels it appropriate to investigate the ability of an employee to carry out duties for which they are employed, on medical (and safety) grounds. Employees must not unreasonably refuse such requests.
- Employees are encouraged to report observed (suspected) alcohol or drug misuse/abuse in accordance with Company Whistleblowing Policy.

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### 3. Employee Obligations- Specific

#### Rail Personnel

- All rail personnel that are primary sponsored by the business or are holders of safety critical posts, working on Network Rail Managed Infrastructure are subject to additional legislation and/or standards. This includes but is not limited to:
  - Transport and Works Act 1992 Part 2 Section 27
  - Network Rail Standard NR/L2/OHS/0020 (all applicable issues)
  - Network Rail Standard NR/L2/OHS/00120- Drugs, Alcohol and Substance Misuse in the Workplace
- Rail employees attending customer site, even if not trackside, must adhere to all site safety rules advised to them and report any concerns to both the person responsible for site safety and to SCCS in accordance with Company Policy (SCCS Worksafe Policy).
- Direct employees and sponsored personnel should:
  - Not present themselves for work if they are unfit, due to alcohol or drugs.
  - Not present themselves for work if they have just consumed or taken alcohol or drugs.
  - Not be in possession of alcohol or drugs in the workplace including in vehicles.
  - Not consume/take alcohol or drugs whilst at work
- If employees or sponsored personnel are taking prescribed medications, they should consult with their General Practitioner to ascertain their ability to continue working in a rail environment safely without compromising themselves or others. All medications must be reported to Management and/or the SCCS Health & Safety Manager.
- If employees and primary sponsored personnel are considered unfit for work, then we, with Network Rail, have a duty to test blood, urine or breath for alcohol or drugs. Testing will be conducted in accordance with current relevant testing standards applicable to the business operations of the Company.

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- In the event of a positive test result the individual's Sentinel card (where applicable) will be removed, and that person will be immediately suspended (removed from infrastructure) before being reported to Sentinel and Network Rail.
- Testing will be carried out by an approved provider which meets the current requirements of Network Rail/ London Underground.
- All new candidates who wish to commence work on Network Rail Infrastructure will be required to undertake full pre-employment screening for drugs and alcohol before sponsorship or training is arranged. In addition, the Company will ensure that all existing PTS cardholders status is checked using the Sentinel database and arrange re-testing where appropriate.
- All new rail personnel (regardless of Sentinel status) will be required to complete an annual medical self-assessment.
- Rail personnel will be subject to annual random drug testing in accordance with all rail infrastructure requirements and the requirements of Company RISQS accreditation criteria.
- Rail personnel will be subject to "For Cause" drug testing where there is reason to believe that individual is under the influence of alcohol and/or drugs.
- A refusal to undertake any of the tests/assessments mentioned in this policy would be deemed to be a positive result as though that person had been tested and received a positive test result. If you fail to turn up for an arranged test without good reason (accepted by Management) you will be considering as having refused the test/assessment. The sponsored post holder has the right to appeal against a positive result upon request. Any appeal, however, will be at the post holders own expense.
- Rail personnel must make every reasonable effort to attend required screening. Inability to attend screening must be notified to Management and/or the Company Health & Safety Manger with reasons. Refusals may result in further action being taken by the Company depending on circumstances. This may include suspension from site or work in general pending investigation or outright dismissal if appropriate.

#### 4. Company Obligations- General

- The Company will take suitable and appropriate steps to support employees who inform it (or it suspects) to be under the influence of, or in any way suffering the effects of substance use/abuse.

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- Any support offered will be done in conjunction with all relevant employment law, health & safety law, and accepted best standard practices (to ensure the protection of the individual affected and any other person who may be reasonably affected).
- Steps taken by the Company might reasonably require the intervention of appropriate externally qualified bodies but will always start with a supportive “open door” consultation approach between the parties (whilst at the same time ensuring immediate safety).
- The Company’s main priority will always be the safety on the individual and any person who may reasonably be affected by the acts or omissions of that person (in the course of employment).
- The Company is committed to meeting all legal requirements and the requirements of its client infrastructure

### 5. Company Obligations – Specific

#### Rail

- During the course of the calendar year the Company will carry out unannounced drug and alcohol testing in accordance with the current requirements of Network Rail Infrastructure which is more generally set out within Network Rail Standard NR/L2/OHS/0020.
- Testing referred to above is usually on a percentile basis of total rail staff during the calendar year. For the purpose of this revision of this policy this is currently set at 20%.
- For cause screening will be carried out with no notice where there are reasonable grounds to suspect an individual of being under the influence of alcohol and/or drugs. This might be triggered by observed/reported unsafe acts/omissions, whistleblowing reports, an accident, incident or near miss.
- The drug testing 12 month reference period will run from the 01<sup>st</sup> January each calendar year.

### 6. Recognising signs of misuse of alcohol and drugs

Signs and symptoms of drug and/or alcohol misuse can vary from individual to individual so can be difficult to pin down, but some common signs might include:

- A (uncharacteristic) change in work performance of the individual
- Poor physical coordination
- Slurred speech
- Lack of inhibition
- Watery and/or blood shot eyes
- Dilated or constricted pupils

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- Hyperactivity or paranoia
- Frequent work absence or lateness
- Moody or irritability
- Inability to maintain attention.
- Lack of care to personal hygiene
- Lack of engagement with normal work activities

### 7. Consequences of using/mis-using drugs and alcohol

- Placing the safety of yourself and others at risk
- Increased risk of accidental injury
- Placing a strain on working relationships
- Decrease in productivity
- Tarnished reputation of the Company
- Loss of current or future business
- Depending on circumstances- dismissal from employment

### 8. Seeking help before a problem develops

- Speak to your line manager
- Speak to HR
- Refer to the Company Welfare Policy
- Use the Company Employee Assistance Programme
- For help with alcohol misuse find further advice and help from the NHS as follows:  
<https://www.nhs.uk/conditions/alcohol-misuse/>
- For help with drug misuse find further advice and help from the NHS as follows:  
<https://www.nhs.uk/Live-well/addiction-support/drug-addiction-getting-help/>

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### 9. Monitoring & Compliance

- The Company Management Team will have responsibility for managing compliance of the remit of this policy.
- The day-to-day administration of the remit of this policy may be delegated to suitably competent personnel as required.
- The Company reserves the right to inspect the workplace for alcohol, controlled substances, or such other paraphernalia relating to alcohol or controlled substances as it deems necessary.
- The Company reserves the right to question any employee of the Company who it reasonably suspects may be in breach of this or any other of its associated policies.

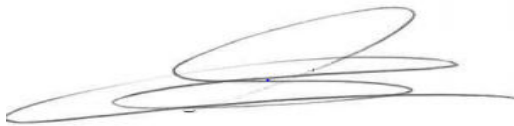
### 10. Records/Confidentiality

All records generated for the purpose of complying with the remit of this policy will be held in accordance with schedule 1 (Document Retention) of the Company Quality Manual. Records will be held confidentially and personnel will be able to make any GDPR data requests in accordance with Company GDPR policy arrangements.

### 11. Review

This policy will be reviewed (at least) annually or as otherwise required.

**Signed:**



**Print name:** Kevin Smith

**Position:**

Managing Director

**Revision**

14

**Date:**

13/03/2023

**Next review:**

13/03/2024