S&D SERVICES

COMPLETE
DRAIN CARE, TANK CLEANING & INDUSTRIAL SERVICES

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DRUG AND ALCOHOL POLICY

Reviewed and agreed by the board January 2016 Reviewed January 2025 next review January 2026

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Introduction

1. S.W.D. Ltd recognises that alcohol and drug abuse related problems are an area of health and social concern. The Company also recognises that alcohol and drug abuse problems can have a detrimental effect on work performance and behaviour.
2. It is therefore Company policy that staff may not bring to or consume alcohol or any unlawful drugs in the workplace during work time or during a period prior to work where the effects may carry over to the workplace. This includes business functions where the employee is representing the Company. Special rules may apply in relation to alcohol, where the Company sponsors an event for staff e.g. the Christmas party. In these circumstances any variation to the no-alcohol policy will be communicated in advance of the event.
3. S.W.D. Ltd recognises that a member of staff with alcohol or drug abuse problems needs help and support from his / her employer. However, the Company also understands that it has a responsibility to all its employees and other stakeholders to ensure that any risks related to this are minimised.
4. Accordingly, Company 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 (1) an alcohol or drug dependency problem does not exist or (2) where treatment is not possible or has not succeeded.
5. 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, and to protect his/her employment.

Assistance for a Member of Staff

1. The Company will, where possible, provide the following assistance to a member of staff:
    - Helping the member of staff to recognise the nature of the problem, through referral to a qualified diagnostic or counselling service.
    - 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 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.
2. The Company's assistance will depend upon the following conditions being met:
    - The Occupational Health Service or Company Approved Doctor diagnoses an alcohol or drug dependency related problem.
    - The member of staff recognises that he/she is suffering from an alcohol or drug abuse problem and is prepared to co-operate fully in referral and treatment from appropriate sources.
3. 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 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, 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.

Disciplinary Action

1. In line with the Company's disciplinary rules, the following will be regarded as serious misconduct:
    a) Attending work and/or carrying our duties under the influence of alcohol or drugs.
    b) Consumption of alcohol or drugs whilst on duty (other than where prescribed or approval has been given).

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.

2. Where a breach of these rules occurs, but it is established that an alcohol or drug abuse related problem exists, and the member of staff is willing to co-operate in referral to an appropriate service and subsequent treatment, the Company will **suspend** application of the Disciplinary Procedure and provide assistance as described above. Staff who do not comply with the treatment suggested or continue to abuse alcohol or drugs will be subjected to the application of the Disciplinary Policy.

Procedures

Nature of the Procedures

1. The procedures define management responsibilities and provide guidelines on:
    a) Where assistance to a member of staff should be provided and the nature of and limits to such assistance.
    b) The application of the Company's Disciplinary Procedure.
2. Through the Occupational Health Service or Approved Company Doctor the Company will provide:
    a) Advice and support to managers on
        i) Whether an alcohol or drug related problem exists
        ii) progress in treatment
        iii) re-establishment or continuation at work of a member of staff or other appropriate arrangements.
    b) Assistance to members of staff with alcohol or drug abuse related problems.
3. This does not include directly providing treatment or specialist help which is the responsibility of GPs, hospitals and other agencies working in the field. The Occupational Health Service or Company Approved Doctor, in close liaison with these persons and agencies, will assist staff referred in the following ways:
    a) through counselling encourage them to come to a better understanding of their problem and the benefits of seeking treatment or help.
    b) providing advice and direction regarding obtaining treatment and specialist help.
    c) assisting in continuing at or achieving a return to work.
4. Alcohol or drug abuse related problems can come to the notice of management through:
    a) Failures in work performance or behaviour necessitating use of the Disciplinary Procedure. In such situations the procedure described above should be followed.
    b) Other means, where a member of staff seeks or agrees to accept assistance on a voluntary basis. In such situations, the procedures described above should be followed.

Situations where use of the Disciplinary Procedure is Appropriate

Recognition of the existence of a possible alcohol or drug abuse problem.

1. Abuse of alcohol or drugs can affect performance and behaviour at work, ie, either through serious misconduct at work, (where there is a direct and demonstrable breach of the disciplinary rules regarding alcohol or drug abuse at work), or where there is a falling off of standards of work performance or behaviour, and abuse of alcohol or drugs is a possible cause.
2. The immediate line manager will be responsible for responding to such situations, carrying out either counselling or disciplinary investigations and interviews, supported as appropriate by a more senior Manager.
3. In such interviews the possible existence of an alcohol or drug abuse problem should be explored. The line manager is not required to diagnose the existence of an alcohol or drug abuse problem, merely to assess whether such abuse is a possible factor.
4. Any requirements of the Disciplinary Procedure regarding allowing the member of staff representation will be observed.

Diagnosing the existence of an alcohol or drug abuse problem.

1. Should the interviews lead to the conclusion that an alcohol or drug abuse problem might exist and the member of staff accepts referral, the manager should refer the matter to the Occupational Health or Company Approved Doctor, who will be responsible for establishing whether or not a diagnosis of alcoholism or drug dependence can be made.
2. Disciplinary action should be suspended until diagnostic advice is obtained. Where appropriate, suspension arrangements in the Disciplinary Procedure should be followed.
3. If the interview fails to lead to the conclusion that an alcohol or drug abuse problem exists, or the member of staff rejects, or fails to co-operate in referral, disciplinary action should be continued, where and as the situation justifies.

Confirmation that an alcohol or drug abuse problem exists and treatment arrangements.

1. If a positive diagnosis of an alcohol or drug abuse problem is made, and the member of staff agrees to co-operate in treatment, treatment arrangements should commence.
2. Where necessary, the Occupational Health Service or Company Approved Doctor will advise the member of staff regarding treatment and will be responsible for monitoring progress with treatment and advising the manager concerned. This advice should be available at least monthly following commencement of treatment and thereafter as appropriate. (Disciplinary action should be discontinued unless the member of staff fails to co-operate on the treatment arranged.) Should a diagnosis of alcoholism or drug dependence not be confirmed or should the member of staff refuse to co-operate in treatment, disciplinary action should be continued.
3. The Occupational Health Service or Company Approved Doctor will advise on whether a situation has been reached where there is a lack of progress with treatment or lack of co-operation by the member of staff. Managers must review the facts and consider whether or not there needs to be a return to the use of Disciplinary Procedures.
4. Where medical certificates are submitted, sick leave should be given. Should the employee continue to be fit for work during the period of treatment, he/she should be permitted to continue in his/her post or alternative work unless such an arrangement would have an adverse effect on Company services. In such circumstances, annual or unpaid leave should be approved or, exceptionally, suspension arranged.
5. If a member of staff has been off work during the period of treatment, before returning to duty, he/she will be seen by the Occupational Health Service or Company Approved Doctor who will advise management regarding capability for continuation in his/her own post and whether any special supervision or other arrangements are required.
6. Every effort should be made to comply with the advice provided by the Occupational Health Service / Company Approved Doctor. If it is not reasonably practicable to do so and as a result the member of staff is not able to resume duty, employment may be terminated on the grounds of incapacity (ill health).
7. If a member of staff is again involved in disciplinary situations resulting from alcohol or drug abuse related problems, a second referral to the Occupational Health Service / Company Approved Doctor and suspension of the disciplinary procedure may be appropriate. If they advise positively on the possibilities of further treatment or help and the willingness of the member of staff to co-operate, the disciplinary procedure may be suspended again to permit treatment

   and help to be undertaken. This second referral will not apply if the further disciplinary problems involve serious misconduct. Third and subsequent referrals are not permissible.

Situations where a Disciplinary Situation does not exist

1. There may be situations where the possible existence of alcohol or drug abuse problems affecting a member of staff comes to a manager's attention, although there is, or has been, no discernible effect on work performance or behaviour. This could arise if a member of staff confides in his/her manager about an alcohol or drug abuse problem, or a manager could see a need to approach a member of staff after observing possible "indicators" of an alcohol or drug abuse problem e.g. an absence pattern, information provided by the member of staff's colleagues, etc.
2. In such situations, the Company would wish staff to feel they could seek help from their employer (in complete confidence) without worry that their job security would be in jeopardy. Accordingly, if managers should be faced with a situation of this type they should:
    a) seek the advice of the Occupational Health Service / Company Approved Doctor regarding whether and how the matter could be dealt with.
    b) counsel the member of staff and, if appropriate, arrange for the member of staff to be interviewed by the Occupational Health Service / Company Approved Doctor.
    c) as in the procedure described above, the Occupational Health Service / Company Approved Doctor will play a facilitating role i.e. seeking to establish whether a problem exists, advising and directing the member of staff towards appropriate forms of treatment and help.
3. These steps cannot be taken without the co-operation of the member of staff. If the member of staff does not wish to co-operate, no further action should be taken. There are however a number of external organisations which provide help and support for individuals with an alcohol or drug related problem – a list of contacts is provided at **appendix 1**.
4. Should a member of staff take up the opportunity of assistance on this voluntary basis there need be no further formal involvement of management in terms of action or the right to learn of progress with treatment. It may be however that the member of staff would wish, or agree to, further involvement of management as a means of assisting progress with treatment.
5. Use of the disciplinary procedures and/or the application of the approach described above would only be appropriate if subsequently, the member of staff is involved in a breach of disciplinary rules.
6. Should the problems of the member of staff develop to an extent that his/her continuation in post or employment became impossible, it may be necessary to identify alternative work or arrange for termination, on the same basis as the Company operates for staff with problems of incapacity due to ill health.

Drug & or Alcohol Testing

1. S.W.D. Ltd will ensure that all its employees work within the laws of the land. 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 is unlawful except for in special circumstances (e.g. when they have been prescribed by a doctor).
    - 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 the workplace. This includes consideration of the effects that intoxication through taking alcohol or drugs may have.
2. In order to ensure compliance with the law, S.W.D. Ltd reserve the right to undertake drug / alcohol testing for certain key jobs within the Company. These will be carried out pre-employment, as part of a random testing scheme or as a result of an incident. These jobs are:
    - Where safety is vital such as driving or machine operating SWD Ltd reserves the right to add to or amend this list as appropriate.
    - Individuals in these posts will be asked to agree to testing as part of their contract of employment.
3. To ensure the testing is legal and safe the following arrangements will apply:
    - Testing only to be carried out as a part of this policy, and only by trained persons who will carry out the test in a non-invasive way – usually by urine sample, exhalation, hair strand or oral drug testing.
    - Samples to be collected under supervised conditions but respecting human dignity. Two identical samples are taken either on site or split in the test laboratory.
    - Samples to be kept under “Chain of Custody” at all
    - Screening test for alcohol / common drugs to be carried out on one sample with either positive or negative results.
    - Any positive results from screening to be confirmed by approved scientific techniques.
    - Results to be reviewed by an expert and reported back;
    - Second sample to be kept for further analysis as part of any appeal by the employee.
    - Confidentiality will be maintained at all times.
4. S.W.D. Ltd believes that effective workplace drug and alcohol policies are a better way of achieving results than drug/alcohol testing 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 than a testing regime. Therefore, the undertaking of drug / alcohol testing in the workplace will be minimal and used only where the Company has a reasonable belief that abuse is taking place.

Appendix 1 – Sources of External Support

Alcohol Dependence

Drinkline
Helpline: 0800 917 8282
Drinkline runs a free, confidential helpline for people who are concerned about their own drinking, or someone else's.

NHS Choices Website
http://www.nhs.uk/conditions/Alcohol-misuse/Pages/Introduction.aspx
National Health Service advice page.

Drinkaware
https://www.drinkaware.co.uk/
Drinkaware works to reduce alcohol misuse and harm in the UK.

Addaction
http://www.addaction.org.uk/default.asp
Addaction is the UK's leading drug and alcohol charity, helping over 40,000 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.

Drug Dependence

NHS Choices Website
http://www.nhs.uk/Livewell/drugs/Pages/Drugtreatment.aspx
National Health Service advice page.

Addaction
http://www.addaction.org.uk/default.asp
Addaction is the UK's leading drug and alcohol charity, helping over 40,000 people a year to recover from their addiction problems.

Talk to Frank
http://www.talktofrank.com/
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 who meet regularly to help each other stay clean. Membership is open to anyone with a drug problem seeking help, regardless of what drug or combination of drugs have been used, and irrespective of age, sex, religion, race, creed or class. The only requirement for membership is a desire to stop using drugs.