

NWB Group Ltd Drugs & Alcohol Misuse Policy and Procedure

1. Specific Legislation

- 1.1 Management of Health and Safety at Work Regulations 1999

2. Purpose

- 2.1 To ensure that staff can identify the characteristics of personnel affected with an alcohol or drug-related problem.
- 2.2 To ensure that reasonable arrangements have been made to handle alcohol and drug misuse fairly.
- 2.3 To ensure that all staff are aware of their responsibilities in relation to complying with the policy.
- 2.4 To seek to ensure safe and capable working practice in relation to alcohol and drugs and in line with the Health and Safety at Work Act 1974.

3. Policy

- 3.1 NWB Group Ltd will ensure:

- Adequate resources are available for the implementation of this policy.
- This policy and procedure are effectively communicated.
- There are arrangements for the reporting and management of alcohol a drug misuse.
- Employees who are experiencing alcohol or drug related problems are encouraged to seek appropriate assistance at the earliest opportunity.
- Adequate information, instruction and training is given so that employees are aware of the policy and their roles and responsibilities.
- Periodic monitoring of performance against these standards

- 3.2 This policy will be reviewed and revised at least every two years.

4. Procedure

Who is responsible for implementing this procedure?

- 4.1 The Director has overall accountability for the management of health and safety.
- 4.2 The Health and Safety Coordinator will be responsible for ensuring that employees within their control comply with the policy.

What is Alcohol or Drug Misuse?

- 4.3 Alcohol misuse: refers to an alcohol related problem which is defined as any drinking, either intermittent or continual, which interferes with a person's health and social functioning and/or work capability or conduct.
- 4.4 Drugs: refers to any psychoactive drug whether illegal, over the counter from pharmacies and other retail outlets, or legal substances such as solvents. In the case of prescribed drugs, their possession and proper use is acknowledged as legitimate.

- 4.5 Drug Misuse: refers to use of illegal drugs and the misuse, whether deliberate or unintentional, of prescribed medicines or solvents.

What needs to be done?

- 4.6 This Drugs & Alcohol Policy is to be communicated to all Employees and Contractors working on behalf of NWB Group Ltd.
- 4.7 Make known that the possession of certain drugs is illegal, exposing the abuser to criminal charges. Jeff Williams will also be breaking the law if they knowingly allowed drug-related activities on their premises and they failed to act.
- 4.8 Make known to Employees that they are expressly forbidden to consume alcohol when at work or to bring it onto company premises.
- 4.9 Make known to Employees who misuse drugs which have not been prescribed on medical grounds will, in the absence of mitigating circumstances, be deemed to be committing an act of gross misconduct and will thus render themselves subject to the company's disciplinary procedures. This also applies to employees believed to be buying or selling drugs or in possession of unlawful drugs.
- 4.10 Managers & Supervises are to monitor Employees / Contractor performance for signs of alcohol or drug abuse and act on the findings – this in line with their specific training.
- 4.11 Employees are to be made aware that the company reserve the right to carry out random alcohol and drug testing – the finding of which being confidential (Data Protection Act). Random Alcohol and Drug Tests are to be carried out by a competent Independent Specialist Company.
- 4.12 The Management Team are to be made aware of the procedures to be taken if they become aware of or have concerns regarding an employee being under the influence of alcohol or illicit substances whilst at work, such procedures being outlined as but not exclusive to –
- Immediate cessation of their work activities
 - Initial investigation of the facts – these being recorded, or
 - Suspension of the employee from their work duties/site with pay/without pay until a full investigation can be arranged by the Senior Management Team/Human Resource Department
 - Dependent on the findings of the initial investigation, the employee is to be removed from the site until the full facts have been established
- Note:** *The employee must not be allowed to continue working as they are putting themselves at risk and others alike who may be affected by their work activities*
- In instance of an employee being removed from site and whereby the employee is planning to use their own transport to leave the work premises, they must be provided with alternative means of travel
- Note:** *The company must demonstrate 'duty of care' as they have knowledge/ suspicions of the employee being under the influence of alcohol or illicit substances and allowing the employee to drive/ride (etc.) may put them or others alike (the public) at risk of injury or death; in such instances, the company may find themselves liable for any subsequent prosecution and/or civil claims.*
- The companies 'duty of care' being discharged in this instance when the employee has been safely transported to a safe place or handover to a responsible person (family member etc.)*

- 4.13 Where the employee is found to be dependent on alcohol or illicit substances the company will wherever possible support the employee by assisting them in seeking assistance – in such instance appropriate action will be taken to control their work activities, if they are allowed to return to work (specific Risk Assessment to be implemented accordingly)

Role of Management:

- To be familiar with policy procedures relating to alcohol and drug misuse.
- To ensure that their staff / employees understand the policy and their own responsibilities.
- To be alert to and to monitor changes in employees such as:
 - Impaired work performance
 - Unexplained and increased absenteeism
 - Unusually high level of sickness/absence for colds, flu/stomach upset
 - Instances of unauthorised absence of leaving work early
 - Poor time keeping i.e. lateness, especially after lunch
 - Unusual irritability, aggression, and mood changes
 - Tendency to be confused and fluctuations in concentration and energy
 - Accidents
- To arrange/implement/oversee random alcohol and drug testing and act on the findings in conjunction with the Human Resource Department and/or qualified medical supervision.
- To take an objective and non-judgmental approach when counselling or interviewing staff.
- To identify any aspect of the working environment which could lead to alcohol or drug abuse problems and, if possible, change them.
- To intervene early when there are signs or problems.
- To escort employees from the premises immediately, pending further investigation, if an employee is known to be or strongly suspected of being intoxicated by alcohol or drugs during working hours.

Role of the Employee

- To arrive at work free from the effects of alcohol and drugs
- To ensure alcohol is not consumed during work hours (this includes lunch and break times) except where approval has been granted in advance by the Directors. Equally when external entertaining, employees consuming alcohol must not return to duty while under the influence of alcohol.
- To avoid covering up or colluding with colleagues
- To urge colleagues to seek help if they have problems arising from alcohol or drug misuse.
- To seek help where they themselves have problems from alcohol or drug misuse.

Making Reasonable Adjustments

- 4.14 Jeff Williams is aware that a person suffering from these problems will be dealt with fairly.
- 4.15 Absence for treatment and rehabilitation will be regarded as normal sickness.
- 4.16 If the employee rejects an offer of referral to an approved counselling service or does not comply with a rehabilitation programme, normal disciplinary measures will be applied.

Information, Instruction and Training

- 4.17 Managers who carry out implementing and operating the policy will receive regular training.
All staff will be trained in the operation of the policy and alcohol and drug awareness.

Monitoring

- 4.18 This policy will be monitored to keep up to date with the changes involved in dealing with all aspects of substance abuse.

Review

- 4.19 This procedure must be reviewed at least every two years or sooner if legislation changes or if there are changes with work processes. Any changes will be communicated to the workforce.