



Drug and Alcohol Policy

Department	HR	Ref No.:	PO/08/03
Authorised By	WRG	Revision	-
Date Published	31/08/16	Date Last Reviewed	25/10/18

Lindum Group Ltd (the Company) is committed to providing a safe, healthy and productive work environment and protecting the health, safety, and welfare of all employees and all others engaged by the company or affected by our activities.

Alcohol and drug abuse and dependency can have a detrimental effect on an individual's health, work performance and behaviour and this policy seeks to ensure that all employees and others engaged by the company are fit to carry out their roles safely and effectively.

1. Definitions

- 'Alcohol' is defined as any beverage, food or any other consumable which contains alcohol in any form.
- 'Alcohol misuse' is defined as any consumption (intermittent or continual) of alcohol that affects an individual's performance, attendance or behaviour and/or threatens their own health, safety or wellbeing, or the health, safety or wellbeing of others.
- 'Drugs' are defined as illegal substances, prescribed and over the counter medications, or legal drugs or substances (such as glues and solvents) which may affect an individual's behaviour or performance.
- 'Drug misuse' is the use (intermittent or continual) of drugs or other substances that affects an individual's performance, attendance or behaviour and/or threatens their health, safety or wellbeing or the health, safety or wellbeing of others.
- A 'drug problem', 'alcohol problem' or 'dependency problem' is when a person needs alcohol, drugs, or any other substance to function normally and when abruptly stopping the intake of the substance leads to withdrawal symptoms.

2. Purpose and Scope

- 2.1. The purpose of this policy is to ensure the safeguarding of the health, safety and wellbeing of all employees and others engaged by the company from the dangers of drug, alcohol and other substance misuse.
- 2.2. This policy also aims to clarify the standards expected of all workers and to ensure that drug and alcohol misuse is dealt with appropriately. Any breach of this policy may result in disciplinary action up to and including dismissal.
- 2.3. Where employees are working on sites, premises or other projects for external organisations (e.g. railway projects), the Company requires them to comply with that external organisation's policies relating to drugs and alcohol, as well as this Lindum Group Ltd's policy. Any breach of their policies may also result in disciplinary action up to and including dismissal.

3. Searches

- 3.1. The Company reserves the right to conduct searches for alcohol and drugs including, but not limited to, company vehicles, lockers, filing cabinets, site cabins, desks and packages sent to our address and/or our sites/premises.
- 3.2. Any alcohol or drugs found as a result of a search will be confiscated and this may result in disciplinary action. Use, possession, purchase or sale of illegal and/or controlled drugs will also be reported to the police, which may result in prosecution.



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3.3. Having alcoholic drink (other than in a sealed container) with a view to inappropriate consumption, or having or using illegal drugs at your place of work, in a company vehicle, on your person or otherwise in your possession, custody or control on Lindum Group premises and/or whilst on company business is forbidden and considered to be Gross Misconduct and may lead to disciplinary action being taken.

4. Drink and/or Drug Driving

4.1. We expect all our employees to comply with the Drink and Drug Driving legislation at all times. All drivers are responsible for making sure they comply with statutory obligations when driving on the highways. As with Drink Driving, when found to be over the legal alcohol limit, you can now also be prosecuted for Drug Driving, if drugs are detected in your system or you are deemed impaired by drugs, including illegal drugs or over-the-counter or prescription medication (over the prescribed limit).

4.2. Should you be found to be over the Drink Driving alcohol limit and/or driving whilst under the influence of drugs during working hours, whilst on company business whether in a company vehicle or your own vehicle being used for company business, this will be dealt with as Gross Misconduct under the Company's disciplinary procedure, which may lead to dismissal without notice or pay in lieu of notice.

4.3. If you are convicted of a Drink or Drug driving offence outside working hours and/or you are disqualified from driving, you should notify the Company immediately and we reserve the right to review your continued employment, in line with your job role.

5. Prescription and Over-the-Counter Medication

5.1. Workers should not drive, operate plant or machinery or undertake any tasks which may compromise their own safety and that of others, if impaired by any substance including legally prescribed or over-the-counter medicines.

5.2. If in any doubt, the individual should check with their GP or pharmacist and advise their Supervisor or Manager of any medication that they are taking that may affect their performance at work, including possible side effects. If Managers have any doubt about medication which an employee has informed them about, they should contact the HR department without delay for further advice and/or clarification.

6. Lindum Group Ltd Testing Programme

6.1. All Lindum Group employees and all others engaged by the Company are potentially subject to alcohol and drug testing as follows:

Pre-employment

6.2. The Company reserves the right to conduct drug and alcohol testing as part of the pre-employment selection. Any candidate receiving a confirmed positive result or who refuses to provide a sample will have their application/offer of employment withdrawn.



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Post-Accident/Incident

- 6.3. Where a serious accident or incident has occurred, individuals involved will be asked to undergo drug and alcohol testing, to determine whether or not alcohol or drugs may have been a contributory factor.
- 6.4. In the case of minor accidents, incidents or near misses, these will be investigated and if an individual is suspected of being impaired through drink or drugs, they will be required to undergo testing to determine the facts in that case.

With Reason

- 6.5. Lindum Group Ltd reserves the right to perform a test on any employee whilst they are at work or on company sites/premises or anyone engaged by the company, where:
 - there is serious alleged or actual misconduct at work and where there is suspicion of alcohol and/or drug misuse/abuse
 - an individual demonstrates physical or other signs of alcohol and/or drug misuse/abuse
 - there is reasonable suspicion and/or proof or admission of alcohol/and or drug misuse/abuse
 - there is a falling in standards of performance or behaviour and alcohol or drug misuse/abuse may be a possible cause
 - there is a client requirement for testing
- 6.6. In all such cases, the individual must be referred to the appropriate Line Manager, Site Manager or Director who must arrange for that person to be removed from the place of work (e.g. site, workshop or office) and tested without unnecessary delay.
- 6.7. It must be noted that symptoms suggesting that a person is under the influence of alcohol, drugs or solvents may be created by other conditions e.g. heat exhaustion, hypothermia, diabetes etc. and the person may be affected by legitimate medication prescribed by a doctor.
- 6.8. These conditions will, for safety reasons, still require the person to be removed from the workplace. Therefore, if there is any doubt about a person's condition or cause of their condition, medical advice should be sought immediately.
- 6.9. Where unusual behaviour or unacceptable performance is observed or there is reasonable suspicion that an employee is under the influence of alcohol and drugs, the employee will be asked to explain their behaviour.
- 6.10. In the absence of a satisfactory explanation for the behaviour or performance, or where the employee is suspected of, or admits to, being under the influence of drugs or alcohol, a drug and alcohol test will be performed.

Random Testing

- 6.11. As part of our proactive approach to safeguarding the health and safety of our workforce, the Company reserves the right to randomly test employees or anyone engaged by the company.



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6.12. Arrangements will be discussed with individuals at the start of each random testing programme.

7. Testing Process

7.1. Initial breath or saliva tests will be carried out by a trained and competent member of staff at the place of work. There are two possible outcomes of this initial test:

- Negative – which indicates there is no evidence of drugs or alcohol in the sample.
- Non-negative – which indicates that there may be evidence of drugs or alcohol in the sample.

7.2. A non-negative outcome for workers other than employees, will result in the individual being asked to leave the site or premises immediately and the employing organisation will be notified.

7.3. For employees, in the event of a non-negative result, we will appoint an external independent provider to come to the workplace and take a urine sample, which will be sent for laboratory analysis using a strict chain of custody. There are two possible outcomes of this independent test:

- Negative – which indicates there is no evidence of drugs or alcohol, or the level of drugs or alcohol is below the detectable and/or prescribed limits.
- Positive – which confirms the presence of drugs above the detectable limit or alcohol above prescribed limit.

8. Refusal to take a test, or failure to cooperate with testing or refusal to allow company to access test results

8.1. If any individual does not consent to testing, the company may draw such conclusions from the refusal as it sees fit. For employees, the company's disciplinary procedure will be applied. Failure to cooperate with procedures to safeguard health and safety could be regarded as Gross Misconduct and may lead to dismissal.

8.2. Anyone else engaged by the company (e.g. subcontractors) who does not consent to testing or fails to cooperate will be asked to leave the site or premises immediately and the employing organisation will be notified.

9. Dealing with the Result

Negative

9.1. If the test result is negative, in the event of a random test, the employee will be allowed to return to work. This includes the situation where a non-negative test result is subsequently confirmed to be negative after further testing.

9.2. In the event of post-accident/incident or with reason test, the investigation will continue and the employee will only be allowed to return to work, if appropriate.

9.3. Where there was suspicion of drug and/or alcohol misuse or abuse or cause for concern, where appropriate an employee may be referred via the HR department to an Occupational Health Advisor / GP or other appropriate organisation for a medical



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assessment, to ensure that there is no underlying medical reason for the unusual behaviour or unacceptable performance and that the employee receives appropriate care.

- 9.4. Unacceptable behaviour or performance that gave rise to concern or suspicion will continue to be investigated and may also be grounds for disciplinary action, and depending on the seriousness of the misconduct, this could result in dismissal.

Non-negative

- 9.5. If the initial test result is non-negative, a further test by an external independent provider will be carried out and the employee will be suspended on full pay until the test result of the further test has been confirmed to the Company. On no account, should an individual who has received a non-negative test result be allowed to drive.
- 9.6. The employee will be informed that they are being suspended pending further investigation. The HR department must be contacted immediately with the relevant details and HR will confirm suspension to the employee in writing and await final confirmation of the further test result.
- 9.7. Anyone else engaged by the company (e.g. subcontractors) will be asked to leave company, site or premises immediately and the employing organisation will be notified.

Positive (Confirmed after laboratory analysis)

- 9.8. If the final test result is confirmed positive, the employee will remain on suspension and invited to an investigatory meeting by the HR department, during which the possible existence of an alcohol or drug misuse and/or dependency problem will be explored.
- 9.9. The Investigating Manager is not required to diagnose the existence of an alcohol or drug problem.
- 9.10. If the meeting fails to lead to a conclusion that an alcohol, or drug abuse problem exists, or the employee rejects or fails to co-operate, disciplinary action may be taken which could lead to dismissal.
- 9.11. Should the meeting conclude that an alcohol or drug abuse problem might exist, the company may, at its absolute discretion, offer an employee (but not subcontract, agency or non-employee workers) reasonable assistance and access to treatment for rehabilitation.

10. Referral

- 10.1. **Self-Referral:** where an employee feels that they do, or may, have a drug or alcohol problem or dependency, they are encouraged to speak to the HR Department for advice and assistance.
- 10.2. **Management Referral:** where an employee can be advised to seek assistance by a member of Management.



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11. Support

- 11.1. Should an employee seek support or be advised to seek assistance and accept referral, the Company will refer them to a qualified medical professional for assessment and recognition of the nature of the problem. If appropriate and the individual is willing to cooperate and receive treatment, support via rehabilitation and/or counselling service during an agreed period of treatment will be provided.
- 11.2. If the employee fails to remain cooperative throughout treatment or where treatment is not possible, drug and alcohol misuse will be dealt with under Lindum Group Ltd's disciplinary procedures, which may result in dismissal without notice. In other cases where treatment has been unsuccessful, termination of employment on the grounds of ill health may result.
- 11.3. Following assessment by a qualified medical professional, where a dependency problem does not exist or where treatment is not appropriate, the company's disciplinary rules will apply in cases where an employee's behaviour or performance at work is affected by the misuse of alcohol, drugs (other than prescription drugs issued by a GP) or any other substance. This may result in dismissal without notice or pay in lieu of notice.
- 11.4. Employees whose alcohol or drug dependency comes to light in the course of disciplinary proceedings should be aware that the admission of dependency may be a mitigating factor, but will not necessarily result in the suspension of disciplinary proceedings. All cases will be dealt with on an individual basis.

12. Time Off for Rehabilitation

- 12.1. During treatment, time off during normal working hours may be granted (this may include sick leave or approved unpaid leave) and the individual may remain in their post or another suitable post, if deemed appropriate and in accordance with the company's requirements, at that time. Employment rights and benefits will normally be protected during this time, as long as the individual remains cooperative with the treatment programme.
- 12.2. During any period of absence from work for agreed treatment, the company's normal sick pay arrangements will apply and absence for treatment will be treated as normal sickness (unless otherwise agreed – e.g. unpaid leave). Further testing may be carried out to ensure compliance with the treatment and recovery programme and this will be monitored by the HR department. The company reserves the right to review the programme and its timescales at any point.

13. Confidentiality

- 13.1. We aim to ensure that the confidentiality of any employee experiencing alcohol or drug-related problems is maintained appropriately by Managers, Supervisors and (where it is necessary to inform them), other colleagues. However, it needs to be recognised that, in supporting employees, some degree of information sharing is likely to be necessary.



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14. Others engaged by the company - agency workers, consultants and contractors

14.1. Agency workers, consultants and contractors are required to comply with this Lindum Group Ltd Drug and Alcohol Policy, including requirements for post incident/accident and for cause testing for their own employees, subcontractors and agents. In the case of agency workers or contractors, services will be terminated immediately upon a breach of these rules and the employing organisation will be notified. Support outlined in this Policy is only available to employees.

15. Policy Review

15.1. We will monitor the effectiveness of this policy and as part of continual improvement, the policy will be reviewed periodically.

Related Documents

Health and Safety Policy

Driving Policy - Cars and Vans (PO/04/01) and LGVs/LCVs (PO/04/10)

Mental Health and Wellbeing Policy PO/08/09

The 'Drug and Alcohol Information Leaflet' below is provided to all new employees during their Induction and is also available on Lindum Connections. It provides a simple and straightforward summary of the policy and testing arrangements, as well as guidance on alcohol units, side effects of prescription medication and useful sources of information.

SHORT TERM EFFECTS OF DRUGS AND ALCOHOL

Drugs and alcohol can affect our work performance and behaviour in a number of ways including coordination, judging distance, reaction speed, short-term memory and decision making.

ILLEGAL DRUGS

The use of banned drugs is forbidden by law and Lindum Group. Amongst others, examples of illegal drugs include:

Opiates	Benzodiazepines
Methadone	Cocaine
Cannabis/Marijuana	MDMA (Ecstasy)
Ketamine	Amphetamines

LEGAL DRUGS AND SUBSTANCES

Abuse of substances that may be considered legal, such as solvents, glues or medicines is also forbidden.

THE LAW

Use, possession, purchase or sale of illegal and/or controlled drugs will also be reported to the police, which may result in prosecution.

We expect all our employees to comply with the Drink and Drug Driving legislation at all times. All drivers are responsible for making sure they comply with statutory obligations when driving on the highways.

It is a criminal offence under section 27 of the Transport and Works Act to undertake safety critical work while unfit to do so through alcohol or drugs; so you may also be subject to 'for cause' testing by a police officer. A conviction for a criminal offence of this nature may result in imprisonment.

ALCOHOL

The Lindum Group alcohol limit is 50mg alcohol per 100ml of blood.

This equates to less than 1 unit of alcohol

This is lower than the England drink-drive limit of 80mg per 100ml of blood.

Should you be working on a Client's site whose policy sets a lower, more stringent alcohol limit, then this lower limit will apply.

Cut off levels	Breath µg/100ml	Blood mg/100ml	Urine mg/100ml
UK Rail Sector	13	29	39
Lindum Group Limit	22	50	67
Scotland & Most EU Countries Drink Driving Limit			
England, Wales and N. Ireland Drink Driving Limit	35	80	107

WHAT IS A UNIT OF ALCOHOL?

Half pint of 12% glass beer, lager or cider
 125ml of spirit
 50ml glass of wine
 50ml spirit of any strength

HOW QUICKLY DO OUR BODIES PROCESS ALCOHOL?

Our bodies eliminate alcohol at about 1 unit per hour, which does not begin until 1 hour after your first drink. However, this depends on many factors such as gender, age, weight, metabolism if you have eaten.

RECOMMENDED ALCOHOL LIMITS

Units of Alcohol Per Week

60
50
40
30
20
10
0

The current recommended weekly limits are 14 units for women and 21 units for men.

This works out as an average of 2 units a day for women and 3 units a day for men.

THE FACTS ARE...

If you drink a 750ml bottle of wine (12.5%), around 8.6 units, finishing at 11.00pm, at 6.00am the next day you will still have at least two units of alcohol in your blood.

If you drink 6 pints of 5% beer or lager in the course of an evening finishing at 11.00pm, you will probably still be over the limit the next morning.

The only safe limit of alcohol is zero.

MYTHS

Cold showers, strong coffee and other 'sobering up' remedies have no effect on the amount of alcohol in your blood!

LONG TERM AFFECTS OF ALCOHOL

You should be aware that long-term heavy drinking can damage your health and cause:

- Brain damage
- Mouth Cancer
- Throat Cancer
- High blood pressure
- Muscle disease
- Vitamin deficiency
- Stomach disorders
- Sexual problems
- Pain in limbs

SCRIPTION DRUGS

your work performance

Antidepressants, stimulants and hay fever pills for cold and flu and

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TO ASK

oping, an alcohol or drug nselling, rehabilitation and appropriate.

Drug and Alcohol Policy Guidance

Lindum Group is committed to providing a safe, healthy and productive work environment and to protecting the health, safety and welfare of all employees and all others engaged by the company or affected by our activities.

Alcohol and drug abuse and dependency can have a detrimental effect on an individual's health, work performance and behaviour and we seek to ensure that all staff are fit to carry out their roles safely and effectively.

We want to make sure that all workers are not impaired in their ability to perform their duties safely, and to reduce accidents and injuries in the workplace.

We are also committed to providing assistance to employees who may have a drug or alcohol dependency problem.

This leaflet is to be read in conjunction with the Lindum Group Drug and Alcohol Policy, copies of which are available from the HR Department.

your health, safety, confidentiality and dignity and is fully defensible in a court of law.

You must give the faster details of any medication you have taken, however trivial it may seem, before the test is carried out. Prescription and over the counter medicines can cause non-negative results. A laboratory test will confirm if the level of drug detected is consistent with a medicinal dose and you have declared this prior to testing.

WHAT HAPPENS IF I TEST POSITIVE?

Your result will be confirmed once the sample has been analysed in a laboratory.

A confirmed positive result will be classed as Gross Misconduct and will result in disciplinary action being taken, which would result in your dismissal from employment.

Refusal to take a test or cooperate with screening will be treated as a positive result.

Contact the HR Team on 01522 852427.

It will be too late to seek help if you are involved in an incident OR you are called for a test and the result is positive.

If you suspect a colleague may be under the influence of drink or drugs, notify their Line Manager or report the matter to the HR Team on 01522 852427 without delay.

USEFUL CONTACTS

Alcoholics Anonymous 24-hour helpline 08457 697555

FRANK Free confidential drug information and advice helpline 0800 77 6600 www.talktofrank.com

NHS Direct www.nhs.uk

Drink Aware www.drinkaware.co.uk

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