



Drug and Alcohol Policy

Department	HR	Ref No.:	PO/08/03
Authorised By	HR&H&S	Revision	5
Date Published	19/5/25	Date Last Reviewed	

1. Purpose

- 1.1 Lindum Group Ltd (the Company) takes seriously its duty under the Health and Safety at Work Act to protect the health, safety and welfare of employees and others engaged by the Company and anyone else affected by their behaviour, as far as is reasonably practicable.
- 1.2 This Policy aims to clarify the Company's position on drugs and alcohol, testing arrangements, mutual expectations and the consequences of breaches. It also covers the support offered to employees who seek or are referred for assistance for a substance misuse or dependency problem.

2. Definitions

Alcohol	Any beverage, food or other consumable containing alcohol in any form.
Drugs	Illegal drugs, controlled drugs taken otherwise than in accordance with medical instructions, legal highs and other substances such as solvents which may affect an individual's behaviour.
Substance Misuse	Problematic use of a substance, whether long term or intermittent, leading to harmful effects and/or dependency.
Dependency Problem	When a person is physically dependent on a substance such as alcohol or drugs to the extent that their body adapts to it and develops a tolerance to it, resulting in withdrawal symptoms when they stop using it.
Impairment	When an individual is affected by drugs or alcohol to the point where physical or mental control is markedly diminished, making them unable to function normally or safely.
Under the influence	Means drugs or alcohol are detectable with the relevant testing method. For alcohol, being under the influence refers to being over the prescribed limit.
Employee	Refers to any individual directly employed by Lindum Group.
Worker	Refers to an individual who provides work or services under a contract or other agreement, including direct employees or those employed by an agency, subcontractor or a self-employed individual.
At work	Includes whilst on work premises at any time, at any time or location when you are expected to be undertaking work-related duties including driving and commuting, on call, working from home or remotely, at work events and any other occasion when an individual is acting on behalf of the company in the course of employment.

3. Responsibilities and Scope

3.1 All workers are responsible for:

- Maintaining an awareness of this policy and its requirements
- Complying with this policy and cooperating with testing arrangements
- Declaring any relevant medications and checking potential impact on fitness to work
- Reporting concerns regarding others suspected to be impaired or under the influence

3.2 Breaches of this policy include:

- Being under the influence of alcohol or drugs whilst at work
- Possession, dealing or any other drink or drug-related offences whilst at work
- Either of the above whilst in a company vehicle *at any time*, including private use where permitted
- Refusal or failure to cooperate with testing procedures

3.3 The above includes investigations and testing performed by or on behalf of the Company directly, or by or on behalf of a client, main contractor or other organisation whose policy you are expected to comply with, as well as the police. Where a worker is found to be under the influence, there is no requirement to prove impairment.



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- 3.4 Where workers are undertaking duties on sites, premises or other projects for external organisations, the Company requires them to comply with any alternative or additional requirements of that organisation's policies relating to drugs and alcohol (for example, their testing procedures or a lower prescribed alcohol limit). Any breach of their policies will be treated in the same way as a breach of the Lindum Group Policy.
- 3.5 Breaches of this policy are considered Gross Misconduct and will be subject to disciplinary action up to and including dismissal. For others engaged by the Company, a breach will result in the individual's immediate removal from site and the individual will be issued with a Red Card and barred from working on any Lindum site for a specified period – please refer to the Red and Yellow Card Policy for details and note that if appropriate, a breach or multiple breaches involving workers employed by the same organisation may also result in termination of their services.
- 3.6 The Company reserves the right to conduct searches for alcohol and drugs including, but not limited to, Company vehicles, lockers and storage, site cabins, desks and packages sent to our address and/or our sites/premises. Any alcohol or drugs found as a result of a search will be confiscated. Use, possession, purchase or sale of illegal and/or controlled drugs will also be reported to the Police.
- 3.7 Employees who commit drink or drug-related criminal offences outside work may also be subject to disciplinary action up to and including dismissal depending on the individual circumstances. Where any employee receives an endorsement, conviction or any other sanction on their driving licence for drink or drug related offences, the Company also reserves the right to review the employee's continued employment, taking into account their job role and any restrictions of the Company's motor insurance policy.
- 3.8 This Policy applies to employees and all other workers engaged by the company. Whilst other individuals on a Lindum Group site or premises (for example visitors, clients or members of the public) are not subject to the Company's testing procedure, if there is any cause for concern or reasonable suspicion that they could be under the influence of alcohol or drugs, they will be assisted with leaving the premises or if appropriate, accompanied to a place of safety and/or medical or police assistance sought. Use, possession, purchase or sale of illegal drugs or attempting to drive whilst thought to be under the influence will be reported to the Police.
4. **Declaring Medication**
- 4.1 Employees are required to complete the Personal Medical and Emergency Contact Details Form FO/01/10 at the start of employment and periodically thereafter, including if they are required to take any regular medication and any possible side effects. Changes to medication must be confirmed immediately. Other workers should inform their Supervisor/Site Manager of their medical information including medication taken. Workers must also inform their manager if they are temporarily taking any other prescribed medications or over the counter medications which may have significant side effects or cause impairment.
- 4.2 Workers must not drive, operate machinery or equipment or undertake any tasks which may compromise their own safety and that of others, if potentially impaired by any substance. If in any doubt, the individual should check with their GP, Pharmacist or other medical professional. If Managers have any doubt about medication which a worker has informed them about, they should contact the HR Team without delay for further advice.
- 4.3 All drivers are personally responsible for making sure they comply with statutory obligations when driving on public highways and ensuring they are fit to drive. Since 2015, specific regulations have been in place regarding driving whilst taking specific prescription drugs: amphetamine (for example dexamphetamine or selegiline), clonazepam, diazepam, flunitrazepam, lorazepam, methadone, morphine or opiate and opioid-based drugs (for example codeine, tramadol or fentanyl), oxazepam or temazepam. It is illegal in England, Scotland and Wales to drive if you have over the specified limit of these controlled drugs in your blood if they have not been prescribed to you. If they have been prescribed to you, it is illegal to drive with these legal drugs in your body if it impairs your driving and/or you have over the specified limits in your blood. Therefore, you must talk to your doctor about whether you should drive. You can drive after taking these drugs if you've been prescribed them and followed advice on how to take them by a healthcare professional and they are not causing you to be unfit to drive.



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5. Testing Arrangements

5.1 All Lindum Group workers are potentially subject to alcohol and drug testing. Testing will be carried out by a trained tester at the place of work. Arrangements will be explained to individual(s) during a pre-testing interview before being asked to consent to the testing procedure. Refusal to consent to and/or or failure to cooperate with the testing procedure will be treated in the same way as a final positive result, as will attempts to tamper with the testing equipment, adulterate a sample or any actions of a similar nature.

5.2 Whilst a saliva, urine or sweat sample would generally be required for drug testing, workers may be asked to consent to other methods of testing, such as analysis of a blood or hair sample, in appropriate circumstances (for example, to prove or disprove a serious historical allegation, where a backup form of testing is required or to show behaviour over an extended period); this would be carried out by an independent external provider.

5.3 It should be noted that a direct admission, reliable evidence or reasonable belief by the Company that a worker has breached this policy are grounds for further formal action, even in the absence of a positive test result.

Pre-Start Testing

5.4 The Company reserves the right to conduct testing as part of the pre-employment selection or at induction stage. Any candidate receiving a positive result or who refuses to provide a sample will have their offer withdrawn and/or contract of employment terminated.

Random Testing

5.5 As part of our proactive approach to safeguarding the health and safety of our workforce, the Company reserves the right to randomly test workers at any time. If both results are negative, the worker can return to work.

Post-Accident / Incident Testing

5.6 Where an accident or incident has occurred, individuals involved will be asked to undergo drug and alcohol testing, to determine whether alcohol or drugs may have been a contributory factor. If both results are negative, the investigation will continue and the worker can return to work if appropriate.

With Reason / For Cause Testing

5.7 Lindum Group Ltd reserves the right to perform a test on any worker whilst they are at work or on Company sites / premises, where there is cause for concern. A non-exhaustive list of behavioural signs include; being unsteady or un-coordinated, confused, hyperactive, lethargic or excessively tired, being aggressive or violent, slurred speech or difficulty communicating. Behavioural signs may be observed with physical symptoms such as unusually small or dilated pupils, shaking or sweating. Symptoms of impairment may be created by other conditions such as exhaustion, hypothermia, sunstroke, diabetes or the person may be exhibiting effects of taking or failing to take medication. Even if there appears to be a legitimate explanation for the concerns, a test will normally be required, except if an individual requires immediate medical attention or it is not safe to conduct the testing procedure.

5.8 Concerns could instead/also include reasonable suspicion such as smell or sight of a substance or paraphernalia, other proof or admission. Concerns could also relate to a change in an individual's mood, demeanour, a decline in performance or attendance, or any other change in behaviour which could be related to drugs or alcohol.

5.9 If both the drug and alcohol test results are negative, the situation will continue to be investigated. Where appropriate, a worker may be referred to an Occupational Health Advisor/their GP or other medical professional for assessment, where there are ongoing concerns that cannot be properly explained.

5.10 Individuals undergoing or having previously undergone treatment for substance misuse or a dependency problem, who have been subject to disciplinary proceedings or a criminal sanction relating to drugs and alcohol may be subject to scheduled or selective random testing, if it is considered reasonable and necessary to do so.

6. Drug Limits & Testing Methods



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- 6.1 The Company uses drug testing methods which take a sample of saliva, urine or sweat. The test detects specific drugs or drug groups; either a substance itself and/or its metabolite(s). The substances tested for will depend on equipment specification, but could include any illegal or controlled substances including amphetamine, barbiturates, marijuana, benzodiazepines, cocaine, ketamine, methamphetamine, methadone, opiates, propoxyphene, phencyclidine, tramadol and buprenorphine. The detection window and cut-off level for each substance will also be specific to the equipment being used.
- 6.2 Instant testing is only an indicative result. A **negative** result indicates that no substance has been detected above the detection limit. A **non-negative** result indicates a substance above a detectable limit may be present and laboratory analysis is required to confirm the presence of a substance, and if so, exact levels in the sample.
- 6.3 In the event of a non-negative result, the Company will contact an independent provider to come to the workplace within 2 hours. During the waiting time, the individual should remain fully supervised and where a further urine sample will be required, fluid intake should be limited to one small glass of water per hour. The external tester will taking a further sample using a strict chain of custody, which will be sealed and sent for laboratory analysis. Donors will be asked for full details of any medication that they have taken. Laboratory analysis may take several days, during which time workers will be suspended from work if necessary. Employees will continue to receive full pay during this time and no further action will be taken until the result is confirmed. Others engaged by the Company should contact their employer to confirm arrangements during this time.
- 6.4 There are two possible outcomes of laboratory analysis of a sample. A **negative** result indicates no substance is present and/or prescription or over the counter medication consistent with prescribed/recommended dose. A **positive** result confirms presence of an illegal substance(s) in the sample and/or prescription or over the counter medication that is not consistent with the prescription or recommended dose, following medical review by the tester company.

7. Alcohol Limit & Testing Methods

- 7.1 For alcohol testing, a breath sample is usually taken using a digital breathalyser to provide an instant and final result; a breath alcohol reading that is either below the prescribed limit (**negative**) or at or above the prescribed limit (**positive**). Where an instant test is used, such as urine or saliva, which indicates alcohol may be present, this is an indicative test only and a digital breathalyser test will then be required.
- 7.2 The Lindum Group prescribed alcohol limit is 22µg per 100ml breath. This limit is lower than the current drink driving limit of England, Wales and Northern Ireland and is equivalent to the current drink driving limit of Scotland and most EU countries:

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

- 7.3 When a worker blows a result above 0 using a digital breathalyser, a further two readings may be taken at 15 minute intervals to establish if alcohol levels are rising (indicating recent consumption) or falling (indicating less recent consumption). However, any single reading above the prescribed limit is a breach of this policy.
- 7.4 The company may also use 'back calculations' to estimate if an individual was likely over the prescribed limit at an earlier time whilst at work. If it is reasonably believed that this was the case, the Company considers this a breach of the policy in the same way as a positive result.



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7.5 Having alcohol, other than in a sealed container, with a view to inappropriate consumption 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.

7.6 Where alcohol is permitted by the Company, for example at specific social events, normal alcohol testing procedures do not apply but expectations regarding conduct and behaviour remain the same with workers expected to act appropriately and comply with drink driving rules.

8. **Employee Support**

8.1 We recognise that substance misuse and dependency can have a detrimental effect on an individual's health and wellbeing and the company is committed to supporting employees who seek or accept assistance. Individuals not employed by Lindum Group are encouraged to contact or refer to the policy, or policies, of their own employer.

8.2 Where support is offered, the Company will refer the employee to a qualified medical professional for assessment and recognition of the nature of the problem. Where a dependency problem is diagnosed and the individual is willing to cooperate and receive treatment, support via rehabilitation and counselling services during an agreed period of treatment will be provided.

8.3 During treatment, where it is possible for the employee to remain at work, time off during normal working hours may be granted (normally as 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. Where it is not appropriate for an employee to remain at work during treatment, the Company's normal sick pay arrangements will apply and absence will be treated as normal sickness (unless otherwise agreed).

8.4 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. The Company reserves the right to make regular testing a condition of employees being allowed to return to work. If the employee fails to remain cooperative throughout treatment or where treatment is not possible, D&A misuse will be dealt with under Lindum Group's capability or disciplinary procedures, which may result in dismissal.

8.5 We aim to ensure that the confidentiality of any employee receiving treatment for a substance misuse or dependency problem, however, it needs to be recognised that some degree of information sharing is likely to be necessary.

8.6 There is no automatic right to support when a drug or alcohol problem comes to light when an employee fails a drug or alcohol test, is involved in a serious accident, incident or near miss or is subject to disciplinary action. Support may be offered, at the Company's absolute discretion, instead of or in addition to/as a condition of disciplinary action, however, the facts of the specific case will be considered. Where assessment is offered and a substance misuse or dependency problem does not exist or where treatment is not appropriate, the Company's disciplinary or capability procedure will resume.

