**DRUG & ALCOHOL POLICY**

**INTRODUCTION**

The Health and safety at Work Act etc 1974 places a duty on employers to provide a safe and healthy working environment and to ensure the health, safety and welfare at work of their employees or visitors to the company premises and anyone else who may be affected by the Company’s actions.

Nationwide Cleaning & Support Services are responsible employers and we take our obligations to our employees very seriously. Therefore, we have set out this policy to help us ensure the health, safety and welfare of our employees and to help us comply with our legal duties. Employees who have or develop drug or alcohol related problems can have their performance at work impaired and as a result can present a danger to themselves and to others and impair their performance.

This policy applies to all employees and sub-contractors working on behalf of Nationwide Cleaning & Support Services.

This policy aims to:

• Comply with the Company’s legal obligations to provide a safe and healthy working environment for all staff

• Comply with all the requirements imposed by Law

• Set out restrictions on the use of controlled and prescription drugs or alcohol at work

• Raise awareness of the dangers and penalties associated with the use of controlled drugs or alcohol

• Guarantee the right of all staff to work in an environment unaffected by controlled drugs or alcohol

• Protect employees from the dangers of controlled drug and alcohol abuse; and

• Support employees with a drug or alcohol related problem

Nationwide has the following requirements of its employees and sub-contractors:

• No one will report for duty or during their working shift under the influence of drugs

• No one will report for duty or during their working shift under the influence of alcohol over the prescribed limit

• No one will report for duty or during their working shift in an unfit state due to the use of alcohol or drugs

• No one will report for duty or during their working shift in possession of alcohol or prohibited drugs

• No one will consume alcohol or prohibited drugs whilst on duty

Nationwide will not tolerate any departure from these rules and any infringement will be treated as Gross Misconduct.

Nationwide have in place a programme of screening and procedures to:

• Detect the use of drugs by both existing and potential employees

• Detect the use of drugs and alcohol where abnormalities of behaviour prompt managerial intervention (which may include a request for screening)

The Company reserves the right to complete random drug and alcohol tests on any employee at any

time during working hours. If it is confirmed an employee has been positively tested for being under

the influence of alcohol over the prescribed limit and / or under the influence of prohibited drugs,

the Company reserves the right to suspend you from your employment and deal with the matter under

the terms of the Company’s disciplinary procedure and will be treated as Gross Misconduct.

Whilst you have the right to refuse to be tested, your refusal will be dealt with under the Company’s

disciplinary procedure and will be treated as Gross Misconduct.

The Operations Director will monitor the effectiveness of this policy and review and amend, as necessary, if any part is deemed to be failing to achieve the standards set out in the policy.

All testing will be carried out by a third party provider.

**ALCOHOL**

In a social environment the consumption of alcohol in moderation is an accepted part of life. In the workplace however it can impair performance, result in inappropriate behaviour, and can place both the individual and those around them in danger, as well as affect health.

In the workplace alcohol abuse can take two different forms:

• Occasional inappropriate drinking; and

• Consistently inappropriate drinking

Problems arising from the first category are more likely to be behavioural whilst the second will be more likely to involve long term health and performance issues. In either case, the health of the individual employee will be affected and quite possibly the health and safety of those around them.

Symptoms of alcohol abuse may include:

• Unusually high rates of absenteeism;

• Unkempt appearance/Lack of hygiene;

• Intermittent work patterns and lower productivity; or

• Poor relations with others

**It is Nationwide Cleaning and Support Services policy when reporting for duty and / or whilst at work your breath alcohol level should not be in excess of 9 micrograms of alcohol in 100 millilitres of breath.**

• Alcohol must not be consumed in excess or in enough quantities to impinge on the exercise of any individual’s duties when on Company business outside normal working hours, for example when involved in functions or in providing hospitality.

• Employees are not obliged to work with anyone they consider to be incapable through the consumption of alcohol and should immediately report the matter to the Operations Manager, H&S Manager or Area Manager of the employee concerned.

• Employees who are incapable of working through the consumption of alcohol should be immediately removed from duty and the matter reported to the Operations Manager, H&S Manager or Area Manager.

• Employees will be held to be contributorily negligent if whilst on Company business they cause an accident or damages to anyone or anything, and that the incident occurred due to the employee’s consumption of alcohol.

• Alcoholic drinks must not be consumed by employees wearing uniform, when they are on company property or in public places. In this context “public places” includes employee transport.

• Alcoholic drinks, unsealed bottles, cans or other unsealed containers of alcoholic beverages may not be taken onto company premises at any time. This would include lost property.

• Unless it is formally approved by a Senior Manager for specific reasons (for example, entertaining outside guests) alcoholic drinks must not be consumed by employees during the eight hours before reporting for work.

This policy applies to employees on standby as well as on operational duties.

**DRUGS**

Controlled substances often possess side effects that could not only adversely affect employee’s health but also that of their colleagues at work as well as their performance. The prescribed limit for controlled substances for an employee is zero. Employees should be aware that anyone under the influence of drugs whether controlled or prescription, is a risk to everyone around them and should be alert to possible signs of drug abuse. Such indicators commonly include:

• Sudden changes in behaviour;

• Confusion;

• Irritability;

• Fluctuations in mood and energy;

• Impairment of performance;

• Increase in short term sickness absence;

• Inability to concentrate;

• Repeatedly leaving/deserting the area of work

Employees should report any concerns they may have about a colleague displaying any or all these symptoms to the Operations Manager, H&S Manager or Area Manager but should not under any circumstances approach the person displaying the symptoms or discuss their concerns with any other colleagues.

The Law

• Misuse of Drugs Act 1971 (as amended) states - it is an offence to supply, produce, offer to supply or produce, or permit use of controlled drugs. It is also an offence to aid or abet any of these offences.

• Section 2(1) of the Health and Safety at Work etc Act 1974 states - It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.

• Section 3.(l) Health and Safety at Work etc Act 1974 states - It shall be the duty of every employer to conduct his General Duties (s2) undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.

**Nationwide Cleaning and Support Services have a zero tolerance to any employee being under the influence of prohibited drugs when reporting for duty and / or whilst on duty.**

• No non–prescription drugs can be consumed in or brought onto company premises, land or vehicles at any time by any person irrespective of their status in, or business with, the Company. Non-prescription drugs must not be sold or distributed on company premises.

• The prohibition of non–prescription drugs extends to all activities carried out by staff whilst they are at work. These activities include but are not restricted to driving on Company business, when on call or standby duties or when on trips for Company business, training or social events

• It is a criminal offence in the United Kingdom to import, export, manufacture, supply or possess "controlled drugs" as defined by the Misuse of Drugs Act 1971. Similar, and in some cases, more restrictive legislation, exists in most other countries.

• If, as a result of the effects of drugs, an employee is incapable of discharging his duties, or his ability to carry them out is impaired, or has been convicted in any jurisdiction for a drugs offence the employee will be liable to disciplinary action

• Furthermore, the employee will also be liable to disciplinary action if involved in the import, export, manufacture, supply or possession of controlled drugs or if taking drugs, even if not convicted of a criminal offence. (e.g. found in unlawful possession of drugs when going through Customs but not prosecuted.)

• Narcotic substances can remain in the body for extended periods of time and have significant long-term side effects. Therefore, for the purposes of this policy any employee taking, selling or otherwise involved with illicit drugs during their free time will be subject to disciplinary action

• In all cases where there is an allegation of misuse of "controlled drugs", the charge is one of Gross Misconduct. The sanction, if the case is found, is dismissal.

• Employees must not have any drugs in their system when they arrive at work or at any time throughout the working day. Individuals taking illegal drugs at any time are breaking UK law and increasing the risks to their health and safety, this includes controlled drugs covered by the Misue of Drugs Act 1971 and the Psychoactive Substances Act 2016. Whilst there are some psychoactive substances which are not illegal (including but not limited to glues, gases and solvents), they mimic the effects of illegal drugs and therefore pose the same risks to health and safety. Because of this, they are treated by the Company in the same way as illegal drugs for the purposes of this policy.

Any reference in this Policy to a non-prescription drug refers only to controlled or illegal substance and does not refer to medicines, supplements and similar substances that are legally and commercially available in the United Kingdom.

**Prescribed and over the counter medication**

Employees on prescribed drugs must ask the doctor if they will affect their fitness for work. Employees must inform their Line Manager if they are taking a course of prescribed drugs. The company must assess any risks to safety on the employee taking prescribed drugs and consult the occupational health service for advice if appropriate. Specific attention must be made to medication which could cause a drop in performance, situational awareness or alertness.

IT IS A SPECIFIC RESPONSIBILITY OF EMPLOYEES TO ENSURE THEIR LINE MANAGER IS MADE AWARE OF ANY PRESCRIBED OR OVER THE COUNTER MEDICATION WHICH MAY CAUSE SUCH SIDE EFFECTS OR CAUSE A POSITIVE RESULT ON A DRUG TEST.

**Testing and Control**

To support this policy a programme of screening for drugs and alcohol shall be put in place this may include:

i. Prior to employment.

ii. Transfer to safety critical tasks.

iii. Unannounced tests for staff carrying out safety critical tasks.

iv. Following an incident where drugs and alcohol may have a contributing factor.

v. Where behaviour indicates a suspicion drugs or alcohol may have been consumed

vi. Random testing

vii. Following incidents if there is any reason to believe that their actions or omissions might have contributed to the causation.

a. Any accident resulting in a fatality.

b. Collisions between vehicles.

c. Excessive speed around depots.

d. Damage to infrastructure.

• Testing for compliance with the above policies may be carried out at random, as part of a structured programme of testing or at the request of an employee’s manager as a result of reasonable suspicion that an employee may have failed to comply with the requirements of this policy.

• All employees are required to consent to providing a sample of breath (or saliva or urine, as required by the testing process) upon demand by an authorised company official (or contracted official of a company designated to carry out such testing)

• Samples may be required to go to the RTS laboratory for confirmatory testing following a presumptive positive result.

• Such testing shall be carried out in accordance with the relevant approved procedures and may be witnessed by any such available independent witness as requested by the employee.

• In any 12-month period the company will test at least 20% of its staff within the Transport Division and in alignment with any other client requirements identified within the Premises Division, an up to date database of screened employees will be kept and maintained by the Operations Manager.

• Employees for screening will be given minimum notice and taken to an appropriate area by a member of management. Their work will be covered by the onsite manager/supervisor.

• Nationwide have in place procedures to monitor the effectiveness of the screening.

• If an employee is diagnosed with a drug/alcohol related problem the Company will treat it as a health matter. However, this does not excuse the employee from any of the disciplinary matters that may fall within the scope of the Company disciplinary policy.

• All drug/alcohol related issues will be dealt with in a constructive and sympathetic manner. The individual responsible for all such issues is the Operations Manager who will also provide any interested employees in confidence with details of where to seek more information or help.

• All requests for help or advice will be treated in the strictest confidence and all information gathered as a result will be held in accordance with the Data Protection Act 2018.

• After receiving any appropriate medical reports, the Company will provide support to any affected employees.

• The Company reserves the right to give affected employees lighter duties at the same rate of pay, or require them to take paid leave if it is deemed appropriate.

• Following effective treatment and in the absence of any disciplinary action the Company will endeavour to return an affected employee to the same role previously fulfilled by the employee [and where this is not possible, to a suitable alternative].

• If an employee following successful treatment for an alcohol related problem suffers a relapse the Company is under no obligation to make provision for any further treatment and the employee in question may face summary dismissal.

• If it is considered that the working environment or culture is the cause or a contributor to an alcohol or drug related problem, the Company will take all reasonably practical steps to ensure a reduction of such problems.

**Help**

If an employee comes forward voluntarily and seeks help for an alcohol or drug problem they will be

given help and support by the Company. If an employee thinks they have a problem and may be

violating the policy as a result, it is very much in their interest to come forward and seek help

voluntarily. The Company will be sympathetic and will ensure they get the help and support they

need.

If an employee asks for help, the Company will be supportive in every way possible and can suggest

professional advice and help. If an employee volunteers to the Company that they have an alcohol or

drug problem they will be treated with dignity, at all times. Any discussions will be in the strictest of

confidence.

Signed: 

Gary Nourse

Director

1st February 2024