

Alcohol, Drugs & Substance Misuse Policy

Jarvis Group Ltd ("the company") has a general duty under Health & Safety at Work Legislation to ensure, as far as is reasonably practicable, the health, safety, and welfare of all its employees. Therefore, if an employer knowingly allows an employee under the influence of alcohol, drugs or other substances to continue working and his/her behaviour places the individual or others at risk, then the employer could face prosecution. It must be noted that all employees are also required to take reasonable care of themselves and others who could be affected by what they do at work.

The principal legislation in the U.K. for controlling the misuse of drugs and substances is the Misuse of Drugs Act 1971. Nearly all drugs and substances with misuse or dependence liability are covered by this act. The Act makes the production, supply and possession of these controlled drugs and substances unlawful. If an employer knowingly permits the abuse of illegal drugs and substances and/or the production supply of any controlled drugs and substances to take place on its premises, then the employer could be committing an offence.

Alcohol and substance misuse are issues for all society. They have consequences for the individual concerned, the organisation for whom they work, as well as family, friends and work colleagues. Successfully tackling the problem can benefit both the organisation and its employees by:

- Creating a better, safer working environment, whilst safeguarding the wellbeing of our staff,
- Reducing the cost of absenteeism or impaired productivity,
- Reducing the risk of accidents caused by impaired judgement,
- Contributing to society's efforts to combat alcohol, drug and substance abuse,
- Enhancing the public perception of the organisation as a responsible employer, and
- Creating a more productive environment by offering support to those employees who have an alcohol, drug or substance related problem and thereby improving employee performance, self-esteem and well-being.

Purpose of policy

The purpose of this Policy is to make clear to all staff the company's position on alcohol and substance abuse while at work and the action to be taken if such circumstances arise.

Aims of this policy

This policy aims to contribute to a safe and healthy work environment by:

- Preventing drugs, alcohol and other substance problems through awareness raising and providing guidance on the symptoms, effects on work and health consequences of drugs, alcohol and substance abuse,
- Identifying problems at an early stage, thus minimising risks to the health and safety of employees and potentially safeguarding the health and safety of fellow employees and others,
- Recognising drug, alcohol and other substances problems as medical conditions that are potentially treatable and providing the means whereby those who have a problem can seek and be offered help in confidence,
- Providing assistance and a supportive environment to employees with problems with the aim of maintaining them in and, where appropriate, reintegrating them into the workplace, AND
- Clearly defining the Company's position on these matters

Responsibility

This policy is applicable to all employees or agents working on our behalf. All managers and supervisors have a responsibility for implementing this policy with appropriate support from Human Resources. All employees have a responsibility to adhere to the policy, and a duty to co-operate with management to ensure correct implementation of the policy.

It should be noted that while employees are free to do what they choose in their own time, this freedom brings with it the responsibility of ensuring that they do not engage in any activity which would bring into question their loyalty and reliability, weaken public confidence in the conduct of the business or in any other way prevent the efficient performance of their official duties. Employees are reminded that inappropriate behaviour outside working hours (including

at company functions) may constitute misconduct in some circumstances and will be dealt with in accordance with the company's **Disciplinary Procedure**.

What is alcohol or substance abuse?

In this policy, "substance abuse" refers to the use of illegal drugs and substances and the misuse of prescribed and "over the counter" drugs and substances including solvents. Substance misuse can harm the user both physically and mentally and, through the user's actions, harm other people. Alcohol problems are defined as "any drinking, either intermittent or continual, which impairs an employees' work performance and/or interferes with attendance."

For those reasons, the following rules will be strictly enforced:

- The company will comply with current legislation such as The Health and Safety at Work Act 1974, the Misuse of Drugs Act 1971, the Transport and Works Act 1992,
- All our employees and others working with us are expected to arrive at our workplaces fit to carry out their roles and to be able to perform their duties safely without any limitations due to the use or effects of alcohol or drugs,
- Measures to prevent our employees and others working with us from attending workplaces under the influence of alcohol or illegal drugs will include post incident/for cause and random testing, and
- The company will operate a zero-tolerance policy in respect of illegal drugs and will observe the current legal drink drive limit in respect of alcohol. These can be found at <https://www.gov.uk/drug-driving-law>

In addition, employees, workers or contractors must:

- Ensure they are aware of the side effects of any prescription drugs,
- Advise their line manager or a member of the management team immediately of any side effects of prescription drugs, which may affect work performance or the health & safety of themselves or others, such as drowsiness,
- Comply with drink-driving laws and drug-driving laws at all times,
- Comply with the manufacturer's guidance (e.g. not operating plant or machinery/driving),
- Notify their line manager/manager in charge if they have any suspicions of co-workers who they believe are under the influence of alcohol, drugs or other substances, and
- Advise line manager/HR if they are prescribed any medication that may impair their ability to work.

Alcohol or substance abuse – what are the signs?

All kinds of people are involved in alcohol and substance abuse and many people who are involved in such misuse are in employment. Alcohol and substance abusers do not conform to any stereotype so it is unwise to make any assumptions about who may be abusers. Alcohol reduces physical co-ordination and reaction speed, as well as affecting thinking and judgement. Excessive alcohol consumption can lead to arguments, mood swings, emotional problems including depression and violence.

Particular care must be given when interpreting behaviour and symptoms, which may in fact constitute the side-effects experienced by people on medication for a condition encountered as a result of Disability as defined by the Disability Discrimination Act.

Guidance on Dealing with alcohol, drug or substance abuse problem

Employees with an alcohol or substance abuse problem have the same rights to confidentiality and support as they would have if they had any other medical or psychological problem. As far as possible, save for the provisions of the law, alcohol and substance abuse as identified by the Occupational Health Service shall be treated initially as a health issue rather than an immediate cause for disciplinary action or dismissal. The movement into Disciplinary Procedure will be dependent on the circumstances of each case and managers should seek advice from Human Resources before initiating the formal **Disciplinary Procedure**.

Managers should ensure that any member of staff with a drug, alcohol or substance problem has access to appropriate advice, information and help in getting treatment. Employees who

think they have such a problem are encouraged to seek help voluntarily at the earliest possible moment. If there is an immediate danger, the person should be safely removed from the workplace. Every effort should be made to ensure the person does not endanger others, for example, by driving home. Employees who, because of the deterioration in their work or behaviour, come to the attention of management as having such a problem, will be required to discuss the situation confidentially with the manager, a representative from Human Resources, and a Trade Union representative, if necessary. They will also be offered professional advice and help through the auspices of the Employee Assistance Programme. Time off will be allowed for such treatment as is deemed necessary and, as long as treatment is being provided and accepted, job security will be protected in the same way as for employees experiencing other health problems.

Treatment of alcohol, drug and substance misuse may require long-term support, and members of staff who begin a course of treatment will be given encouragement to continue, despite possible relapses. Each case will be considered on its own merits in conjunction with professional advice, and sympathetic consideration will be given to absences for treatment and rehabilitation under normal sick-leave provisions, although this cannot be continued indefinitely in the case of chronic conditions. Should employees persistently refuse help or fail to complete a treatment programme, and this is reflected in poor performance or behaviour at work, this will lead to disciplinary action which may lead to dismissal. Cases of gross misconduct e.g. possession and/or dealing in drugs and substances will also lead to disciplinary action which may result in dismissal.

Possession and/or dealing in drugs or other substances is a criminal offence, and will be reported immediately to the Police, without exception. Where the job of an employee with a drug, alcohol or substance related problem carries an element of risk from a health and safety point of view, it may be necessary to reassign them to other duties for a temporary period. This may include withdrawal from driving duties. Any employee who attends work showing signs of being under the influence of alcohol, drugs or other substances and is deemed unfit for work, will be removed from their working environment. Disciplinary action will also be taken in accordance with the Disciplinary Procedures.

Help and support

The Company will endeavour to ensure that advice and help are made available to any employee who feels they have a problem with alcohol or drug misuse. In the first instance, individuals will be encouraged to seek help from their General Practitioner. Under these circumstances, and with the employee's consent, a referral will be made to the GP and we may engage the services of an Occupational Health Service provider to assist us. It may occasionally be necessary to request that the employee refrains from work temporarily, or undertakes restricted duties to ensure their own safety and that of others. The company may also, at its complete discretion, allow additional time off (normally unpaid) for employees to obtain treatment or attend support groups.

The company will aim to ensure that the confidentiality of any employee experiencing alcohol or drug-related problems is maintained appropriately. However, it needs to be recognised that, in supporting staff, some degree of information sharing is likely to be necessary. Similarly, if there are any underlying matters affecting the individual's wellbeing, we would encourage the employee to engage with the company's wellbeing programme.

Signed



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Useful links:

EAP

0117 934 0105

www.aviva.co.uk/health-products-for-smes/group-risk/group-income-protection/employee-assistance-programme.html

Alcoholics Anonymous

Tel 0845 769 7555

www.alcoholics-anonymous.org.uk

ACAD

(Advice and Counselling on Alcohol and Drugs)

www.acad.org.uk

FRANK

Tel 0800 776 600 (24 hours)

www.talktofrank.com

NHS

(Information and advice from the National Health Service)

www.nhs.uk