



## Drugs Alcohol and Other Substances Policy & Procedure

**Note:** The generic term “Drug(s)” is used herein to refer to any/all Drugs, Medications and/or Other Substances.

### 1. Policy Scope and Compliance

The Organisation is committed to providing a safe and productive work environment for all Employees and other Workers. This Policy and Procedure has been designed to mitigate the risks associated with Drug Misuse and to ensure compliance with legal standards, while looking to offer support to those willing to confront and overcome Drug/Alcohol-related challenges.

It aims to ensure compliance with the Health and Safety at Work Act (1974), Misuse of Drugs Act (1971), Management of Health and Safety at Work Regulations (1999) and the Employment Protection (Consolidation) Act (1998).

The term ‘Company’ herein refers to the relevant Operating Company of the Organisation.

It applies to all Employees of the Organisation’s Operating Companies (which include without limitation CA Drillers Ltd, CA Fire Protection Ltd and CA Telecom UK Ltd), including Apprentices, Operatives, Management, Directors and most particularly, to those in safety critical roles. It also applies to other Workers (see ‘3.’, below).

The Organisation’s Operating Companies work within the Construction Industry which is among the most highly-regulated in the UK. Having given careful thought to their legal duty to take all reasonable steps to protect Employees and other Workers in the workplace the Organisation’s Officers carried out a Risk Assessment and concluded that its Yard, Company Vehicles and Vehicle Parking Areas and the whole of any Construction Site (with the exception of offices, etc. lying outside the ‘Hard Hat Area’) are Safety Critical; and that many of the decisions made/tasks performed by Employees and other Workers are safety-critical. In the circumstances the Organisation and its Operating Companies have no alternative but to operate a policy of zero tolerance in relation to alcohol, illegal drugs and other substances and inappropriate use of prescription drugs/other medications in all safety-critical locations and in the performance of all safety-critical tasks.

For guidance...

- All presence at Site (except when exclusively visiting a Site Office which is outside the ‘hard hat’ zone) is safety-critical.
- All presence in or near to the Workshop and/or in the Vehicle Parking Areas at the Organisation’s premises is safety-critical.
- All operation/repairing/maintenance of Plant & Machinery is safety-critical.
- All driving of Company Vehicles is safety-critical.
- Being a passenger is also safety-critical as there could be distraction of/interference with the Driver.
- Working in the Organisation’s Offices is not safety-critical. Nevertheless, entry/exit to/from the Offices involves crossing a safety-critical area.

This Zero Tolerance Drugs Alcohol and Other Substances Policy & Procedure therefore applies in full to all of the above.



## 2. Policy Objectives

The over-riding objective of this Policy & Procedure is to promote health and safety in the workplace:

- To ensure awareness of, and compliance with Drug & Alcohol Legislation.
- To establish clear terms and conditions regarding Drug/Alcohol Misuse in relation to the Company's business, premises, vehicles, etc. in order to prevent incidents occurring that may result in harm, disruption and/or disciplinary action.
- To minimise safety risks created by Drug/Alcohol Misuse at work and/or prior to attending for work.
- To set a clear deterrent that Drug use will not be tolerated within the organisation (other than the use of medications of which the Company has been informed and which are taken as directed).
- To provide clear rules in relation to Alcohol consumption including an absolute prohibition in the workplace.
- To encourage individuals concerned about their own Drug/Alcohol use to seek help.
- To provide a secure and confidential environment in which an individual concerned about a coworker's Drug/Alcohol Misuse can safely & confidentially report concerns to the Company.
- To support early identification of Drug/Alcohol Misuse at work.
- To facilitate the handling of incidences of Drug/Alcohol Misuse in a manner which is appropriate in the circumstances and to outline to Employees/other Workers both the potential consequences of Drug/Alcohol Misuse and the support available.
- To alert all Employees and other Workers to the risks associated with Drug/Alcohol Misuse and to promote good practice and, where appropriate, a progressive change of behaviour and attitude.
- To provide guidance as to the proper procedures for reporting use of medicinal drugs.
- Where appropriate, to offer an Employee a referral to an appropriate agency or department for assessment and, if necessary, specialist help.
- To familiarise Employees/Workers with the rules regarding testing, searches, and confiscation.

## 3. Scope

This Policy applies to all Employees who hold a contract of employment with one of the Organisation's Operating Companies including Apprentices, Operatives, Managers and Directors. It also applies to an appropriate extent to others working for/on behalf of the Organisation (including without limitation Sub-Contractors, Agency Workers, Consultants, etc.).

## 4. Key Definitions

- 'Other Substances': Illegal drugs and other chemicals, preparations, medications, etc. whether legal or illegal including without limitation solvents which are taken in order to alter the taker's mental or physical state.
- 'Drug/Alcohol Misuse': The inappropriate/potentially problematic use of Drugs or Alcohol which affects, or might reasonably be expected to affect attendance/performance at work; ranging from long term misuse to intermittent occurrences including without limitation unauthorised possession/



consumption of Alcohol on the Organisation's premises (including in Company Vehicles) or on Site, consumption of harmful amounts of Alcohol, dependence on Alcohol, frequent/excessive use of Drugs (whether illegal, prescription or 'over-the-counter'), dependence on Drugs, etc.

#### 5. The Law

- Health and Safety at Work Act (1974): Outlines the employer's duty to protect the health, safety, and welfare of employees and anyone else affected by their behaviour.
- The Misuse of Drugs Act 1971 (Amendment) Order 2023 (S.I. 2023/1029): Prohibits the production, supply, and/or possession of illegal drugs.
- Management of Health and Safety at Work Regulations (1999): Requires risk assessments to identify potential workplace hazards, including those relating to drug and alcohol use.
- Road Traffic Act (1988): Prohibits driving or attempting to drive a motor vehicle on a road or other public place while unfit through drink or drugs.
- Employment Protection (Consolidation) Act (1998): Staff will be provided with 12 weeks' notice of any changes to this Policy (other than as stated in '18.', below).

#### 6. Alcohol & Drug-Related Training

- New Employees are required to read and sign this Policy and Procedure during their induction.
- It is the duty of every Employee to ensure that they are fully familiar with and understand this Policy and Procedure. Ignorance thereof is no excuse and any Employee who is uncertain of their responsibilities should request guidance from HR or their Line Manager without delay. At its absolute discretion the Company may offer (additional) training.
- Others Workers are required to read this Policy and Procedure and adhere to the standards set out herein, and may be offered training.

#### 7. Identifying Drug/Alcohol Misuse

- Managers should use the 'reasonable suspicion' symptom checklist and document any observations. Indicators include:
  - o Smells (alcohol, body odour, urine)
  - o Unusual movements or eye conditions (e.g. jittery, wobbly, dilated pupils)
  - o Emotional state (e.g. aggressiveness, paranoia, lethargy)
  - o Speech (e.g. slow, slurred, rapid, incoherent, etc.)
  - o Work performance issues
- Managers are encouraged to consider all information when identifying potential misuse.

The Organisation's Operating Companies are contractually obliged to ensure that Operatives, Supervisors & Management accept the Principal Contractor's Zero Tolerance Policy and their right at their absolute discretion to carry out random/'suspicion-based'/'post-incident' testing. **The Organisation is therefore unable to offer certain types of, or perhaps any work to anyone who is unwilling to undergo such testing.**

#### 8. Reporting

Employees and others working for/on behalf of the organisation should encourage a colleague they suspect of Drug/Alcohol Misuse to speak with their Manager or HR. If the colleague refuses - particularly if they are in safety critical role - the suspicion should be reported.



All matters concerning Drug/Alcohol Misuse will be kept confidential as far as possible though in certain circumstances it will be necessary to inform an Employee's Line Manager and occupational health services of the alcohol/drug issues.

#### **Reporting Use Of Medicinal Drugs/Medications:**

- The Employee/other Worker must advise the doctor/hospital prescribing medication of the safety-critical nature of their work/location and note/follow the advice given.
- Employees/other Workers using 'over-the-counter' medicinal drugs/medications must read the accompanying information taking note of any potential side-effects (e.g. drowsiness) and warnings (e.g. 'may affect driving or using machinery').
- **The Employee/Worker must exercise a high level of personal responsibility in deciding whether to inform the Company that they are using prescription- or over-the-counter medicinal drugs/medications. If there is an advisory or warning which is relevant to their ability to work safely such use must always be reported at the first available opportunity... to their Line Manager/the person to whom they report; or in order to ensure privacy... in strict confidence to HR or to a Director/the Company Secretary.**

#### 9. Prohibited Behaviour

**For the absolute avoidance of doubt... Employees and others working for/on behalf of the Organisation are prohibited from possessing, consuming, purchasing, selling, or dispensing Alcohol or Drugs in the workplace or elsewhere during work hours, including breaks. Working under the influence of Drugs/Alcohol and/or acting in a manner likely to damage the Organisation's reputation is prohibited and may constitute gross misconduct.**

#### 10. Manager and Supervisor Responsibilities

Managers and Supervisors must ensure Employees and other Workers understand this policy, initiate discussions regarding Drug/Alcohol Misuse, and raise concerns with HR for investigation, maintain confidentiality and provide ongoing support.

#### 11. Disciplinary/Other Action

Any violation of this Policy by an Employee will result in disciplinary action and may involve dismissal.

For all persons who will enter a safety-critical area or perform a safety-critical task the standards are as follows:

- Failing a test for a 'controlled drug' or alcohol or a prescribed/'over-the-counter' drug/medication (the use of which has not already been reported to the Company's Management prior to the Shift) is a very serious disciplinary offence which may - depending on the circumstances and evidence - constitute gross misconduct.
- The consumption of Drugs/Alcohol when working, or prior to reporting for work where performance might be adversely affected and/or there is a safety risk and/or it is reasonably likely that a test would provide a positive result is a very serious disciplinary offence which may - depending on the circumstances and evidence - constitute gross misconduct.



- Dispensing, distributing, possessing, using, selling or offering to buy controlled drugs at work is very serious disciplinary offence which - depending on the circumstances and evidence - will in all probability constitute gross misconduct; and where appropriate, will be reported to Police.

Employees are reminded that certain types and/or quantities of Alcohol/Drugs may remain detectable in a test after the effects have 'worn off'; and that this is not an acceptable 'excuse' for a positive test.

**Following an investigation, a Hearing and completion of any Appeal Process an Employee found to have been involved in gross misconduct (which may include testing positive at work or possessing illicit substances) is liable to summary dismissal (i.e. Dismissal Without Notice/Pay In Lieu Of Notice).**

Policy violations by other Workers shall in all reasonably foreseeable circumstances constitute a repudiatory breach of contract which is incapable of remedy; and the Company reserves the right to terminate the Worker's engagement forthwith.

#### 12. Support and Rehabilitation Assistance

- In relation to Employees, misconduct or poor performance will always be addressed under the Disciplinary and Capability Procedures respectively. Other than where there has been gross misconduct, in cases directly or indirectly involving matters covered by this Policy the Organisation encourages those chairing Disciplinary, Capability and Appeal Hearings to consider support as an alternative or an accompaniment to sanction. Unless dismissed under the Disciplinary or Capability Procedure, Employees willing to seek help will be offered support which may include:

- o Medical referral
- o Up to six free counselling sessions
- o Access to Drug/Alcohol Misuse charities
- o Alternative work arrangements if needed during recovery

- Absence for treatment will be treated as normal sickness.

Other workers will be given information on request.

#### 13. Relapse

The Organisation recognises relapse as being a common occurrence during recovery. Employees may receive support through two relapses, with subsequent relapses considered on a case-by-case basis.

#### 14. Drug/Alcohol Testing

- Drug and/or Alcohol screening may be required:
  - o When an offer of employment is made
  - o Annually
  - o Randomly or due to 'reasonable suspicion' or 'post-incident' by medically-qualified personnel of the Principal Contractor



- o Randomly or due to 'reasonable suspicion' or 'post-incident' by medically-qualified personnel appointed by the Organisation if there is 'reasonable suspicion'
- o Routinely, for special, highly safety-critical roles such as Rail- or Highway- working

- Where testing is required, the individual will be expected to sign written consent. Failure to give consent or to undergo testing (e.g. supply a urine sample, etc.) when requested to do so may at the Company's absolute discretion be treated as a positive result leading to disciplinary action potentially leading to dismissal (Employees)/termination for repudiatory breach of contract (other Workers).

15. Searches and Confiscation

The Organisation retains the right to search premises (including Company Vehicles) for prohibited items. Searches may include personal belongings where there is 'reasonable suspicion'.

Depending upon circumstances, in the case of an Employee, refusal to comply with the search procedure may after a full disciplinary process including Appeal be held to constitute gross misconduct resulting in summary dismissal. In the case of other Workers, refusal will constitute repudiatory breach of contract resulting in summary termination.

Confiscated Alcohol may be photographed for reference in disciplinary proceedings and will be returned at the end of the Shift. Unreported 'legal' Drugs (e.g. medication) will be photographed for reference in disciplinary proceedings and will be returned immediately. Illegal material will be destroyed/handed over to Police.

16. Medical Examination/Referral

See Appendix 1 which is always applicable to Employees... and may apply to other Workers.

17. Organisational Responsibility

See Appendix 2.

18. Policy/Procedure Review

This Policy & Procedure will be reviewed annually to remain effective and compliant. **Amendments may be made without delay/prior notification in response to legislative changes or workplace incidents.**

James Amos  
09th May 2025

I hereby certify that I have received, read, and understood this Policy & Procedure and agree to abide by it.

Signature..... Name.....

Continued...



## Drugs Alcohol and Other Substances Policy & Procedure

### APPENDIX 1

**Applicable to all Employees of an Operating Company of the Organisation.  
At the absolute Discretion of the Company it may apply to other Workers  
(and in that case, for convenience only, 'Employee' herein shall refer to a Worker)**

#### **A. Medical Examination**

Where there is 'reasonable suspicion' of a breach of this Policy the Company has a contractual right at its absolute discretion to require an Employee to undergo a medical examination.

If a medical examination confirms that the Employee has tested positive for a controlled drug, or the employee admits to having a drug and/or alcohol problem, the Company will deal with the matter under its Disciplinary Procedure which may in certain circumstances lead to dismissal: either for gross misconduct or due to there being no available work which is not by its nature and/or location safety-critical. However, other than in cases of gross misconduct the Organisation encourages the Chair of any Disciplinary/Appeal Hearing to consider opting instead to suspend the Employee from work on full pay whilst the Company decides whether to offer to refer the Employee for treatment and rehabilitation pursuant to Section B. below. The Company's absolute discretion in this matter will be exercised on a case-by-case basis. A decision made in a particular case does not create a precedent: nor is the Company obliged to follow any purported precedent.

#### **B. Referral**

##### 1. Identifying the need for referral...

i. An Employee may choose to seek help on a completely voluntary basis. Employees who believe that they have an alcohol and/or drug problem are encouraged to seek specialist help as soon as possible. An Officer of the Company (i.e. Director or Secretary) will initiate such help if requested. Where an employee requests assistance voluntarily, then, as far as is reasonably possible the matter will be kept confidential. However, there may be some circumstances in which the Employee's Line Manager will need to be informed: e.g. where time off work is needed for a recovery programme, or there is a requirement to change an Employee's duties or working environment.

ii. An Employee's Line Manager may identify them as having poor health, attendance and/or work performance which may be due to a drug- or alcohol-related problem. An external occupational health service may be made available to provide advice and assistance to management and the Employee, as required.

iii. A colleague or Manager who identifies a possible drug- or alcohol-related problem should draw this to the attention of the Employee's Line Manager and/or a Director.

Where there is an allegation of gross misconduct there will be no consideration of referral until the disciplinary process is complete. In other situations, the Company may arrange to interview the Employee. The purpose of such an interview is to:



- discuss with the Employee their deteriorating work and/or behaviour and ask if they wish to comment;
- inform the Employee of the possible disciplinary consequences in continuing with the present pattern of work/behaviour;
- consider referral to an occupational health service for medical advice;
- determine whether disciplinary action will be taken with regard to the original incident.

If the Employee rejects an offer of referral to an occupational health service, then the Company should make a full assessment of the situation deciding whether it is appropriate to take disciplinary action.

## 2. Referral

i. Where the Employee in the course of the interview accepts referral to an occupational health service for assessment, a Director or the Secretary should immediately telephone the occupational health service to arrange an appointment.

ii. If the occupational health service does not confirm the existence of an alcohol- or drug-related problem or any other health problem about which it may become involved, the Director should make a full assessment of the situation and decide whether it is appropriate to take disciplinary action.

iii. If the occupational health service confirms the existence of an alcohol- or drug-related problem, it will refer the employee to a specialist agency, if necessary. If the Employee rejects an offer of referral by the occupational health service or specialist agency, the Company should make a full assessment of the situation, deciding whether it is appropriate to take disciplinary action.

iv. The specialist agency may recommend a treatment programme which might be:

- on an in-patient basis;
- on a day-care basis;
- on an out-patient basis; or
- at home.

If the Employee rejects the treatment programme offered by the occupational health service or specialist agency, the occupational health service will inform the Company who should make a full assessment of the situation and decide at its absolute discretion whether disciplinary action is appropriate in relation to the original incident(s).

v. If the Employee accepts the treatment programme offered by the specialist agency or the occupational health service and is considered unfit to work, the occupational health service should inform a Director that the person has a problem which contributes to their impaired work performance, specifying the time recommended that they be off work. It may recommend that relocation to a different area of work may enable the Employee to remain at work. However, the Company may at its absolute discretion conclude that there is no alternative available work and/or location which is not safety-critical by its nature and may place the Employee on sick leave (receiving Statutory Sick Pay) or commence the Capability Procedure which may lead to dismissal on capability grounds. If the Employee drops out or fails to keep an appointment the Company may at its absolute discretion commence/recommence a disciplinary procedure which may result in dismissal with or without notice.



vi. Following treatment, a Director should interview the Employee. In the course of such interview management's expectations of work performance and/or behaviour in future should be conveyed and it should be emphasised that disciplinary action can be started or resumed at any time if work performance or behaviour warrants such action.

vii. Where an Employee is taking part in a recovery programme and is not on sick leave, but the occupational health service considers that in the meantime a return to post or continuation in post carries with it a risk of recurrence of the problem or may jeopardise the health and safety of staff and/or the general public, then the Employee may be put on paid/unpaid leave and a Capability Procedure commenced which may lead to dismissal on capability grounds.

viii. If the treatment programme is discontinued - whether by the Employee, or by the treatment agency due to use of lack of progress - the occupational health service (if any) should inform a Director who should interview the Employee and determine whether disciplinary action should be taken.

ix. The Company will consider taking disciplinary action under its disciplinary procedure which may lead to dismissal where either:

- a relapse occurs after encouragement/support from an organisation providing help; or
- an Employee:
  - (a) declines to accept referral for assessment and/or specialist help; or
  - (b) discontinues help before the satisfactory completion of the treatment programme and continues to put in an unsatisfactory level of work performance or conduct at work.

## APPENDIX 2

### Organisational Responsibility

a. The Organisation will periodically review this Policy and at its absolute discretion make amendments to it.

b. The Organisation's Officers will:

- promote the Policy and ensure its effective implementation;
- ensure that Managers understand their responsibilities regarding action and confidentiality and ensuring consistency of approach;
- be alert to the signs of Drug/Alcohol Misuse and deal with individual cases in accordance with this Policy.

c. All Employees and other Workers are expected to:

- take personal responsibility for their own alcohol consumption and/or drug use; and
- co-operate with management in assisting colleagues who have a Drug/Alcohol Misuse problem.