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Alcohol and Drug Policy – Newcastle Yard

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[This procedure is property of Smulders, Hoge Mauw 200 – B-2370 Arendonk]

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1 GENERAL PRINCIPLE

Smulders Projects UK, hereinafter referred to as the Company, has an obligation to promote the health, safety and well-being of all individuals on site, in line with statutory regulations. This includes employees, workers, agency workers, contractors, subcontract personnel, clients and visitors.

This policy is intended to prevent, and detect at an early stage, the use of alcohol and drugs in the workplace that can impact on the health and safety of the individual and those affected by their actions. The policy will also assist in remedying work performance problems brought about by the misuse/use of alcohol and/or drugs. **For the avoidance of any doubt, workers must not be under the influence of drugs or alcohol whilst at work or whilst undertaking work related activities.**

2 SCOPE

This policy covers the implications of consumption of alcohol during working hours on Company premises, the use of recreational and illegal drugs and other substances and how the effects of prescribed medication may cause impairment and the impact they can all have on conduct and performance.

The policy will be applicable to all persons working on the Company Newcastle (Wallsend) facility or working at/on other facilities for or on behalf of the Company. This will apply to employees, workers, agency workers, contractors, subcontract personnel, clients and visitors, hereinafter referred to as workers. The Company reserves the right to refuse access to visitors or other third parties where there is reason to believe they may be under the influence of alcohol or other substances as noted above.

3 RESPONSIBILITY

The Company understands its responsibility to provide a safe working environment and recognises that the Company has a duty of care to all workers working on site; therefore, the Company is committed to preventing the use of alcohol, drugs and other substances on site to help ensure and maintain a safe working environment for all.

The Company shall aim to ensure all workers are clear about the rules concerning alcohol and drug misuse and the consequences of breaching those rules.

1. Department heads/managers/supervisors are responsible for identifying signs of behavioural changes which could be related to alcohol or drug abuse/dependency. Where behavioural changes are identified, they should be reported to the HR Manager or Nominated Responsible Person (NRP).
2. The HR Manager or Nominated Responsible Person is responsible for managing concerns raised by department heads, the individual or any outside agencies.
3. All workers are responsible for their own actions and their colleagues' safety. Workers should speak in confidence to their line manager/supervisor or the HR Manager if they are struggling with alcohol or substance dependence, or if they suspect that their colleague has dependence issues.

4 PREVENTION

One ounce of prevention is worth a pound of cure: those who abstain from alcohol and/or drugs have a better chance of a healthier life than users of alcohol and/or drugs. By a multitude of external channels, (radio/television/printed press) we are continuously reminded of the findings of surveys and research studies pertaining to the use, misuse, and abuse of alcohol and drugs.

Within the Company we abide by this policy and we organise awareness programs for our personnel in the form of information sessions by the police and Mensura (Belgium HQ), in an attempt to acquaint our people of the very deleterious consequences of the use of alcohol and/or drugs on safety at the workplace, both for the user and for his or her co-workers.

Where a worker has any concerns about themselves or their coworkers, they should contact the HR Manager (Amanda Young), Health and Safety Manager (Martin Pomery), the relevant supervisor or the Company Director as appropriate.

Externally, you can call:

- UK National Drugs helpline: 0800 77 66 00
- UK National Helpline for Alcoholics Anonymous: 0800 9177 650

5 RULES & REGULATIONS

ZERO TOLERANCE

The following rules exist primarily to protect the safety of the workforce and all other workers on site.

Any breach of the rules will be treated as serious misconduct and may lead to action being taken against workers by the Company. This may result in termination of a worker's contract (either with or without notice, depending on the severity of the case). This action will also vary depending on their employment status.

The introduction of alcohol and/or drugs on Company grounds and premises is prohibited.

All workers working on a Company site, or on Company related activities, must:

- Not report for work under the influence of alcohol or drugs as this may lead to impairment in the performance of their duties.
- Not consume alcohol during working hours (including whilst on standby) or during lunchtime / other work breaks.
- Not drive whilst under the influence of alcohol or drugs. Anyone caught doing so will be subject to formal action and may be reported to the police.
- Report to the HR Manager any medication that has been prescribed by a medical professional which may influence their ability to carry out their work safely. The HR Manager may consult an Occupational Health Provider (OHP)/Practitioner to decide upon fitness for work.
- Workers who are representing the Company outside of working hours e.g. by entertaining or being entertained by clients or who have to stay overnight whilst on business, will be required to take a sensible approach to social drinking and act in a responsible manner. Any behaviour which is seen to damage the reputation of the Company may result in formal action being taken as appropriate.

Possession of or dealing in illegal drugs, alcohol or any substances intended for use on the Company's premises, or while attending Company related activities, will, without exception, be reported to the police.

In connection with any of the above, workers may be required to present themselves for drug and alcohol testing. Failure to abide by these Company requirements may result in formal action being taken against workers, up to and including dismissal (or termination for agency workers).

6 SUSPENSION

Where there is a reasonable basis to believe that an employee may be under the influence of drugs or alcohol, they may be suspended from work pending further investigation. In the case of an agency worker, contractor or subcontractor, they will be required to leave the site. Subject to an assessment of their fitness to drive, they be required to take public transport or a taxi (at their own expense).

7 TESTING

In order to monitor the effectiveness of the policy and ensure compliance, testing may be used as a means to detect any breaches.

A urine or breath sample may be used to detect the following substances:

- a) Alcohol
- b) Stimulants including amphetamines and cocaine
- c) Barbiturates including high strength tranquilisers
- d) Benzodiazepines including high strength tranquilisers and Valium
- e) Cannabinoids including cannabis, grass and resin
- f) Hallucinogens including LSD
- g) Opiates including heroin and morphine
- h) Others

The Company operates a rolling programme of random alcohol and drug testing for workers. Additionally, we may require any worker to participate in a drug or alcohol screening programme where there is reasonable cause to suspect that a worker has been under the influence of drugs or alcohol at work or that their work has been affected by drug or alcohol misuse.

Alcohol or drug screening may be conducted by an external provider. Arrangements will be discussed with affected members of staff at the start of each screening programme.

7.1 Limits

Levels that will determine a non-negative result/positive in accordance with the list above:

- A reading on the company monitor of 0.02% or above, UK equivalent 8.75 micrograms or above of alcohol/100 millilitres of breath.
- In accordance with established legal and medical practice.

7.2 Types of Testing

- At commencement of employment - new starters in a safety critical role (those directly linked to production including workforce, supervision, health and safety, quality and inspection staff) will be advised prior to commencing employment that they may be asked to consent to a drugs and alcohol test during their first four weeks of employment.
- Random testing – all workers under the scope of this policy, as defined in section 2 of this policy, may be asked to consent to testing. Workers will not be notified until their test is about to be carried out.
- With cause or post incident/accident - where there is a reasonable belief that an individual may be under the influence of alcohol or drugs, “with cause” testing may be used. The same process may be applied following an incident/accident which is subject to a safety fact finding investigation.

7.3 Results

Employees will be immediately suspended from duty pending further investigation, or other action as appropriate, following a non-negative (positive) result. In the case of a non-negative result for drugs, the

sample will be sent to an independent laboratory through Chain of Custody testing for confirmation of the result.

In the case of agency workers, contractors or subcontractors, they will be asked to leave site following a non-negative (positive) result, pending further communication with the relevant agency or subcontracting company. In the case of a non-negative result for drugs, the sample will be sent to an independent laboratory through Chain of Custody testing for confirmation of the result.

Results will be considered by the Company in line with individual worker circumstances. If a worker is then subsequently invited to return to site, consideration of any loss of income will be taken by the Company HR Department in consultation with the relevant agency or subcontracting company, where relevant.

7.4 Refusal

Unreasonable refusal by an employee to consent to testing in accordance with this policy will be treated as a 'positive' result and may be dealt with by way of formal disciplinary action. In the case of agency workers, contractors or subcontractors, they may be asked to leave site.

8 REQUESTING ASSISTANCE

Where an employee has admitted to dependency issues relating to drugs, alcohol or substance abuse, the Company may, where appropriate, consider:

- Referral through an OHP and where necessary in conjunction with GP.
- Time off work to attend treatment plans as recommended by OHP/GP. Such periods of absence may be recognised as sickness absence and statutory sick pay paid in accordance with entitlements.
- Adjusting duties or other support measures as recommended by OHP or GP during treatment for an agreed period of time. This is subject to requirements and feasibility.

Those working via an agency or subcontracting company would be referred to their relevant agency or subcontractor nominated contact person.

Your own GP is also there to help and/or refer you to further aid resources.
All collaborators can approach the mediator(s) or ask questions.

As already mentioned in the section "Prevention":

UK National Drugs helpline: 0800 77 66 00

UK National Helpline for Alcoholics Anonymous: 0800 9177 650

9 OTHER DOCUMENTS

Other documents to be read in conjunction:-

P-HSM-SPU-001
P-HSM-SPU-011

Yard Agreement
Code of Conduct