

DRUGS & ALCOHOL POLICY

1.0 Policy Statement

- 1.1 Lynx Precast Ltd (“The Company”) is concerned to protect and improve the general welfare and health of its Employees. We are committed to ensuring the highest possible safety standards in all of our operations and that all employees are fit to undertake their work.
- 1.2 As Employers we have a statutory responsibility towards Employees, contractors, visitors and members of the public working on the Company’s premises or working on behalf of the Company off or on Company premises.
- 1.3 We recognise that alcohol and drugs have an impact on an individual’s ability to work safely and correctly and, as such, aim to provide an environment free from the misuse of drugs and alcohol. This Policy is designed to protect the safety of all those working on our behalf by enforcing strict protocols regarding drugs and alcohol.
- 1.4 Drugs and alcohol impair judgement, can make people over-confident and more likely to take risks. Reactions can be slowed, judgement of distance is affected, and your field of vision may be reduced.
- 1.5 Many of our work activities are safety critical and involve lifting operations, prestressing operations, operation of mobile plant, portable work equipment and other potentially hazardous activities. Drug and alcohol misuse can harm the misuser both physically and mentally, and through the misuser’s acts or omissions, other people.
- 1.6 Employees who have Alcohol and/or Drug dependency and seek help from the Company will receive, wherever possible, appropriate help and assistance. In contrast individuals who conceal an Alcohol or Drug dependency issue and only declare they have a dependency problem when a serious misconduct issue has arisen are more likely to face disciplinary proceedings or dismissal, even if it is their first offence.

2.0 Definitions

In this policy the following words and phrases have the following meanings: -

- 2.1 “Substances” – includes but is not limited to Alcohol, Drugs and Solvents and extends to include all substances that can affect judgment, understanding or coordination;
- 2.2 “Alcohol” – includes, but is not limited to distilled spirits, liquor, beer, wine, malt liquor, or any other beverages containing alcohol;
- 2.3 “Drugs” – includes any psychoactive substance (those drugs that affect mood, thought process or perception), available both legally and illegally. A non-exhaustive list would include all those drugs covered by the Misuse of Drugs Act (1971) and The Medicines Act (1968);
- 2.4 “Illegal Drugs” – means all those drugs covered by the Misuse of Drugs Act (1971);

- 2.5 “Dependency/Addiction” – occurs where the user has adapted physically and/or psychologically to the presence of a substance and would suffer if it were withdrawn abruptly;
- 2.6 “Company Premises” – includes all premises the Company has responsibility for and includes all Company vehicles. This policy also applies to all occasions where employees are on Company business unless prior approval is obtained in the event of a Company organised function.
- 2.7 “Company Business” – means the business or work which the employee is engaged or employed to undertake or any other work which he or she is undertaking on the Company’s behalf.
- 2.8 “Intoxicated” – means a Blood Alcohol Content (BAC) equal to or in excess of current drink driving limits which are as follows: -
- A breath alcohol concentration that exceeds 35 micrograms per 100 millilitres of breath or
 - 80 milligrams of alcohol per 100 millilitres of blood, or
 - 107 milligrams of alcohol per 100 millilitres of urine (to be confirmed by an appropriate test).
- 2.9 “Impaired” – means that a person found to have consumed illegal drugs or used drugs in an unsanctioned or unreported way (to be confirmed by an appropriate test) shall be deemed to be impaired through drugs.
- 2.10 “Misuse” (of substances) means using substances in an unsanctioned way. For example, any illegal drug use, or using drugs for non-medical purposes without proper direction from an appropriately qualified person such as a medical doctor or pharmacist.

3.0 Aim of the Policy

The aim of this Policy is to create a safe working environment for all employees which reduces the risk of drug and alcohol misuse and abuse in so far as it impairs employees’, contractors’ and hauliers’ performance and judgment in the workplace.

4.0 Scope

- 4.1 The Policy is designed to prevent the inappropriate use and presence, in an employee’s body, of Alcohol in excess of 35mcg/100ml breath alcohol concentration and to prevent the use of Illegal Drugs and their presence in an Employee’s body, as defined in the current Misuse of Drugs Act 1971.
- 4.2 For the purposes of this Policy, Alcohol/Drug Misuse is defined as any situation in which a person’s consumption of Alcohol/Drugs or other intoxicants, whether continuously or in isolation, is in excess of legal limits, contravenes legislation or in any way detrimentally affects the work performance or health and safety of any persons.

- 4.3 This Policy DOES NOT cover social drinking outside working time or drinking within the guidelines set down in this Policy, although if someone drinks heavily in the evening before attending work, they may still be over the Company's limit the following morning.
- 4.4 The Policy does not apply to the taking of Drugs prescribed by a registered medical practitioner, except where this may affect an employee's ability/judgment.
- 4.5 Because of the serious nature of the problems connected with the Misuse of Alcohol and Illegal Drugs and the impact which the Misuse of such substances has on Employees' health, work performance and safety of themselves and others, the Company has a procedure for work place screening for alcohol and drugs.

5.0 Employee's Responsibilities and Rules

Employees must: -

- 5.1 Never bring to work, consume, possess or sell Illegal Drugs or other intoxicants on Company Premises or during working hours.
- 5.2 Not attend work or undertake Company business, either on or off Company premises, with alcohol in their body in excess of, 35mcg/100ml breath alcohol concentration.
- 5.3 Not attend work or undertake Company business, either on or off Company premises, with Illegal Drugs present in their body (as defined in the current Misuse of Drugs legislation).
- 5.4 Notify their Manager before starting work, if they are taking medication which may affect their work performance.
- 5.5 Render themselves and their property on Company premises liable to search at any time, if there are reasonable grounds to believe that the prohibition of substances is being or has been infringed. If they refuse, they are liable to disciplinary action, up to and including dismissal.
- 5.6 Participate in individual screening for Substances, which may involve providing a breath, urine sample or other appropriate means of testing for laboratory analysis.
- 5.7 Participate in individual screening for Substances following any involvement in or association with an accident or dangerous occurrence on Company Premises or whilst on Company Business as soon as practicable after the incident where a Manager has cause to believe that the person/s involved may be intoxicated or impaired.
- 5.8 Participate in individual screening for substances if required by a Manager acting on behalf of the Company who has cause to believe that the employee may be intoxicated or impaired.
- 5.9 Participate in individual screening for substances if required by a Manager acting on behalf of the Company as part of the Random testing process which will be carried out periodically.

6.0 Screening Procedure

- 6.1 Screening will be undertaken by trained Collectors and to the standard of screening known as the "Chain of Custody". Therefore, all samples collected will follow these standards and where samples are sent to the accredited laboratory, they travel in a secure manner. This will ensure the whole sample process from the individual to the laboratory and all the way through the analysis process including the reporting of results.
- 6.2 Employees have the right to be accompanied by a work colleague or nominated person who is on site and close by when they are being tested. The test procedure will be explained to them before they undergo the test.
- 6.3 If an Employee refuses to undertake a screening test, he or she will be given a short period of time i.e. ten minutes to reconsider and be advised that continued refusal will lead to a disciplinary investigation which may result in disciplinary action being taken, and potentially summary dismissal. The Company reserves the right to treat a test refusal as a positive test result.
- 6.4 If an Employee fails to attend a prescheduled screening test without acceptable reason, this will lead to a disciplinary investigation which may result in disciplinary action being taken, and potentially summary dismissal. The Company reserves the right to treat non-attendance of prescheduled screening as a test refusal and subsequently as a positive test result.
- 6.5 For the purposes of this Policy a 'positive' result will be a test result showing that the employee was Intoxicated or had Drugs in his or her system when the screening test was undertaken.
- 6.6 In certain situations, employees required to undergo screening procedures may be suspended on full pay, until the tests have been carried out and the results confirmed.
- 6.7 Employees must co-operate fully in any investigation involving Alcohol, Drugs or other substance issues in the workplace and understand that any breach of these rules and responsibilities will normally be treated as gross misconduct under the Company's Disciplinary Procedure and may therefore result in summary dismissal.
- 6.8 Employees are permitted to drink alcohol beyond the Company's set limit only at appropriate industry, customer or Company functions and only then subject to the following minimum standards: -
- They do not drive a vehicle, or return to work, or enter any of the Company's premises/sites whilst over the limit.
 - Their behaviour is appropriate, lawful and does not offend, harass or irritate others present, nor bring the Company into disrepute.
 - Their consumption of alcohol has the prior agreement of their line manager.
- 6.9 An employee who is breathalysed whilst undertaking Company business and is subsequently prosecuted by the Police for (over 35mcg/100ml BrAC), will be deemed to have automatically breached the Company's Policy and will face disciplinary action, which may result in summary dismissal.

6.10 An employee who is disqualified from driving as a result of a drink related offence, who was not undertaking Company business at the time will not be deemed to be in breach of the Company's Policy. However, disciplinary action will be based upon whether an employee's contract has a specific or implied condition that driving is part of the job. Employees disqualified from driving who are required to be mobile in order to carry out their job may wish to employ a driver during the course of their driving ban. All associated costs must be at the employee's own expense.

6.11 The Company may inform the Police of any suspicions it may have with regard to the use of controlled drugs by any Employee on our premises.

7.0 Managers' Responsibilities

Manager's responsibilities under this policy are as follows: -

- 7.1 Vigilance in ensuring, as far as possible, the principles and procedures contained in this policy are upheld and followed in their workplace.
- 7.2 Seeking advice from Senior Management and/or a Safety Advisor at the earliest sign/notification of an Alcohol, Drugs or other substances issue at their workplace
- 7.3 Arranging for Drugs and Alcohol test(s) to be undertaken as soon as possible after an accident or reportable dangerous occurrence. All Employees who appear to have an involvement in the accident must be tested. Only if injuries are too severe, or other preventing factors are present, should tests be postponed. In such circumstances the test must be completed as soon as possible thereafter.
- 7.4 Arranging for individual test(s) as soon as possible, where there is reason to believe that an employee may be Intoxicated or Impaired as evidenced by:
 - a) mental or physical impairment
 - b) acting in an unusual manner
 - c) inability to perform work in a usual, safe manner or productive manner
 - d) involvement in violence or where behaviour or language is threatening, intimidating or abusive
 - e) being found asleep during normal working hours
 - f) evidence of inappropriate alcohol or drugs is detected on Company premises.

Andrew Teasdale, Paul Cutler (Managing Directors)

 

1st March 2022

This policy will be reviewed every 3 years.