

# **Penny Hydraulics Ltd - Drugs and Alcohol Policy**

## **PH\_CW\_PD\_007 Rev 1**

The Company has a duty to ensure the general welfare and health of all its employees and to this end aims to provide a safe and healthy working environment for all personnel.

As part of that duty this Substance Misuse Policy provides information and aims to give clear guidelines on the procedure to be adopted where it is suspected that substance misuse may be an issue.

The primary aim of this policy is to be supportive to individuals, whilst at the same time ensuring the health, safety and welfare of employees and to others. It should be made clear that when illegal activity by our employees whilst on Company business is identified e.g. the production, supply or intent to supply of any substance is suspected then the matter will immediately be referred to the Police. This also includes the consumption of an illegal substance, and the supply of tranquillisers, sleeping tablets and anabolic steroids.

Substance misuse is described as the problematic use of alcohol or drugs and other substances, such as:

- Misuse of alcohol – when the consumption of alcohol is creating problems through binge drinking or regular heavy drinking;
- Misuse of a drug – usually refers to the non – medical use of a drug. However sometimes the use of medically prescribed drugs is problematic;
- Dependency – where an individual uses a substance so regularly or in such quantities they start to depend on it just to feel normal in everyday life or in particular situations. All drugs have the potential for dependence;
- Addiction – where day to day life focuses on obtaining and regularly taking a substance to maintain a physically stable state or to maintain a preferred mental state.

The misuse of substances can have serious effects on an employee's ability to perform their job and may lead to unsafe practices that can cause accidents to the individual, colleagues or outside parties.

The aims of this policy are to:

- Provide a working environment which is 'as far as reasonably practicable', safe and without the risk to the health of employees or persons in the communities in which we serve;
- Ensure the safe and efficient operation of the Company by preventing and reducing substance misuse problems;
- Provide an environment which encourages employees to seek help voluntarily and encourages staff to seek help for a colleague;
- Affirm our commitment to upholding our legal obligations in relation to applicable legislation.

This policy does not apply in relation to the recreational consumption of alcohol outside of work premises where it does not affect work performance. However if there are reasonable grounds to believe that an individual's work performance or safety, or the health and safety of other employees or members of the public is threatened, we will seek advice and then take appropriate action.

### **Employee Support**

Individuals suffering from such problems are encouraged to seek help and treatment. The Company will do all that is reasonable in order to facilitate a programme of help and support whilst maintaining the confidentiality of the individual at all times.

It must be understood by all that the Company may use disciplinary procedures where either:

- The terms of this policy have been breached;
- An employee places themselves and the safety of others at risk by working under the influence of drugs and/or alcohol;
- The employee, having come to notice as possibly suffering from substance misuse or dependency, declines to accept referral for diagnosis and/or specialist help, or discontinues a course of treatment before its satisfactory completion, and continues to put up an unsatisfactory level of work performance;
- Whilst undergoing treatment it is suspected that illegal activity is taking place whilst on Company business, for example the supply of illicit substances.
- Employees should be aware that copies of all correspondence and/or documents referring to the above shall be filed confidentially. At all times an employees progress in relation to treatment will be monitored by our external advisors.

### **Voluntary Referral**

It is preferable that employees who feel that they have a substance dependency or addiction refer themselves voluntarily to the Company and a health professional.

Following voluntary referral where it is determined that the safety and wellbeing of the individual, or that of their colleagues or members of the public is potentially at risk by them carrying out their duties the Company is at liberty to place the individual on sick leave or redeploy them to other duties in a safer environment.

### **Management Responsibilities**

Managers at all levels will have a wide range of responsibilities under this policy. Those responsibilities are as follows:

- All information regarding an individual's circumstances who may be given help and assistance under this policy will remain confidential;
- Management will fully support this policy in all aspects in a manner evident to employees;
- The policy is communicated effectively and is administered fairly and consistently to all;
- That all appropriate treatment procedures and other measures recommended are actively supported before disciplinary procedures are considered;
- To ensure that all employees are aware of this policy and these guidelines are adhered to.

### **Employee Responsibilities**

All employees have a duty to ensure that:

- When reporting for duty their performance is not impaired as a consequence of the use any substance. If an employee is using medicines that have been prescribed to them by a GP or bought by themselves from a chemist which may provoke an adverse reaction, then this fact should be notified to their immediate superior;
- They do not produce, supply or engage in the intent to supply any substance in the terms of the Misuse of Drugs Act 1971 on Company premises. Employees do not supply or engage in the intent to supply of any prescription drug, e.g. anabolic steroids;
- They exercise a duty of care towards all members of the workforce as detailed in the Health and Safety at Work Act 1974 and within common law;
- They do not take any substance that would affect their abilities whilst at work;
- When returning to work after treatment for substance misuse they are aware that if they relapse back to substance dependency or misuse then support maybe withdrawn and they may be subjected to disciplinary action;
- That all prescribed medicines or those purchased from a chemist must be taken in accordance with the doctor's or supplier's instructions for the person they are intended for;

- Fully co-operate with a request from the Managing Director or their nominated deputy to subject themselves to testing for an illicit substance.

### **Substance Misuse Testing**

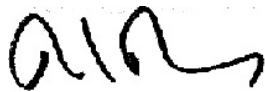
The Company will arrange for substance misuse testing to be carried out if this becomes necessary. Such testing will take place as follows:

- 'With Cause' – When an employee is at work, or on work premises and there are reasonable grounds to suspect that an individual is suffering from the effects of drugs and/or alcohol use.

If an employee is required to provide a test for drug or alcohol misuse then the request will be at the earliest opportunity. Testing will be administered by an independent third party. The Company will accept the testing criteria of the third party to ensure the robustness of the testing system. Employees who work on sites which employ their own substance misuse testing regime are expected to submit themselves to the clients testing regime if requested.

If though the protracted use of drugs or alcohol the employee considers themselves disabled then the Company will seek advice from independent employment advisors on the action to be taken.

Signed  
R. Penny MD



Date 16/01/2023