


Drugs & Alcohol Policy

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RCP011	Drugs & Alcohol Policy
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Version Change Summary		
New Version ID	Date of Change	Summary of Changes
1	3/12/2020	Creation
2	22/06/2023	Review

1. PURPOSE

1.1 This policy sets out the principles for managing issues surrounding the use and misuse of drugs, alcohol and other substances in order to ensure a fair and reasonable approach is applied to all covered by this policy. Behaviour which falls short of the expectations as outlined in this policy will be subject to the Disciplinary Policy; or where mitigating circumstances apply a supportive environment will be provided in line with the procedures in this policy. This policy aims to create a safe and professional environment for everyone by:

- Clarifying the rules surrounding the use of intoxicating substances and ensuring colleagues are aware of the consequences to their employment if misusing them
- Creating an environment where colleagues who may be misusing intoxicating substances feel safe to come forward, seek help and accept treatment where necessary
- Providing a transparent framework for all colleagues to work from to ensure that all instances of misuse and/or suspected misuse are handled appropriately and consistently
- Promoting a healthy and safe work environment

1.2 Rock Compliance Ltd. (referred to as “The Company”) has a legal obligation under the Health and Safety at Work Act (1974) to ensure, as far as is reasonably practicable, the general health, safety and welfare of its employees and others. The Company recognises the risk to health and safety that the use and misuse of intoxicating substances can have on a colleague’s health, work performance, conduct and working relationships.

1.3 It is an offence under the Misuse of Drugs Act (1971) for an employer to allow its premises to be used for the production, supply, or possession of controlled drugs and reasonable action to prevent this should be taken.

2. SCOPE

All permanent and temporary employees of the Company and subcontractors who are working on behalf of the Company who are working on contracts that are under the control of the Company. For the avoidance of doubt – this policy and procedure does not form part of an employee’s contract of employment and the Company may amend or withdraw the policy and procedure from time to time.

3. POLICY STATEMENT

The Company has a responsibility towards employees, contractors, subcontractors and the general public to provide a safe and healthy working environment and recognises that this may be jeopardised by those who abuse alcohol or drugs. The Company will, therefore, take appropriate action to combat alcohol and drug abuse to protect the health, safety and welfare of all employees, and any others that may be affected by their acts or omissions, company property and the efficiency and success of our business.

The Company is aware that in some instances, alcohol and/or drug dependency is defined as an illness. We actively encourage those employees who are experiencing difficulties with alcohol or drugs to seek help. Where appropriate, we will offer assistance in seeking relevant and evidence based treatment. Confidentiality is assured in these cases.

This Policy will be reviewed periodically to ensure it reflects current legislative requirements and best practice. Any changes will be brought to the attention of all employees.

Any breach of this Policy may result in disciplinary action being taken, up to and including summary dismissal.

4. PRINCIPLES

4.1 It is prohibited for colleagues to report to work whilst unfit due to the consumption of alcohol, drugs or other intoxicating substances. This includes heavy consumption the night before work and we would encourage colleagues to be aware of the time it takes for substances to leave their system.

If you find yourself unfit for work, you must contact your Line Manager in line with the Absence Management Policy.

4.2 On such occasions where an employee is suspected to be under the influence of an intoxicating substance whilst at work, the Drugs And Alcohol Testing Policy may apply. Guidance on what may raise suspicion of being under the influence can be found in Appendix i.

Should a colleague have reasonable belief to suspect another colleague of being under the influence of an intoxicating substance at any given time, they should inform their Line Manager immediately. There will be no repercussions for the individual who has raised a concern.

The Company reserves the right to apply the Disciplinary Policy based on legitimate suspicion without applying the Drugs And Alcohol Testing Policy in such cases where a reasonable and fair decision can be made on the evidence at hand.

4.3 If your role requires you to drive for work purposes, you must be under the relevant legal drink drive limit at all times.

4.4 If you have been prescribed medication that may affect your ability to perform your job safely, or have a medical condition that may replicate the signs of intoxication, please discuss this with your manager as soon as possible and before you start work. Your Line Manager will then seek guidance from the HR Team on appropriate next steps.

4.5 Colleagues must not bring alcoholic drinks on to any Rock Compliance premises (including Company Vehicles) or Rock Compliance client premises for consumption. The Company actively discourages the purchase of alcohol as gifts for colleagues and endorses non-alcoholic alternatives as gifts. Any alcohol that is brought into the above locations is expected to be stored responsibly, i.e. out of sight.

4.6 The Company prohibits the possession, transfer, sale or use of unauthorised drugs or illegal substances on its premises. Any colleague found to be in possession of such substances will be suspended from work with immediate effect and the Disciplinary Policy will apply. Under the Misuse of Drugs Act (1971), the Company has a duty to deal with such issues and all drug related concerns will be reported to the Police and could lead to criminal proceedings.

5. GUIDELINES

5.1 During Work

During working hours, you must not consume alcohol, illegal drugs or any substances while you are working on a Rock Compliance site, a Rock Compliance client site, or in any vehicle being used for Rock Compliance Ltd. business. This applies to all Colleagues, including those working remotely and working from home.

Colleagues are discouraged from consuming alcohol while on their lunch break, however, this may be permitted in exceptional circumstances. Colleagues must not return to work or drive if their judgement is impaired following the consumption of alcohol and should make alternative travel arrangements to return home, in line with the Road Traffic Act (1988).

Should a colleague return from their lunch break and are suspected of being under the influence of an intoxicating substance, the Drugs And Alcohol Testing Policy may apply.

5.2 Work-Related Events

If you are attending a work-related event, such as a Fun Day or festive party, and you choose to drink alcohol, we trust that you will behave responsibly and appropriately at all times. Colleagues should only drink in moderation. It is important to note that colleagues are representing Rock Compliance at such events, regardless of whether it is held at a Rock Compliance location or not.

You must not be in possession of, sell or purchase illegal drugs or other substances while you are at a work-related event or activity.

If you are at a work-related event and you are found to be in possession or having taken drugs, or your behaviour or judgement is impaired due to the consumption of alcohol, you may be asked to leave the event and you may be invited to attend an investigation meeting to discuss the matter in further detail.

Any inappropriate behaviour will be investigated as outlined in the Disciplinary Policy and may lead to disciplinary action being taken against you, up to and including summary dismissal.

5.3 Nights Away For Work

Should you be required to spend nights away from home due to business requirement, you may claim for food and drink as outlined in the Expenses Policy.

Colleagues must ensure that they are fit for work on the following day and must not be over the relevant legal drink and drive limit when they present for work. The Company encourages colleagues to be mindful of the length of time it takes for alcohol to process through their system.

6. SUPPORT

Alcohol, drug and substance misuse issues are all recognised as health issues which may affect a colleague's ability to carry out their duties effectively. The Company will treat all those who have a misuse problem in an empathetic and consistent manner. Every reasonable effort will be made to offer support and adjustments in line with other medical concerns, while maintaining the health and safety of the colleague and those around them.

In circumstances where the colleague accepts responsibility for their behaviour and agrees to seek help, this clause will apply. Where they do not accept responsibility and/or do not agree to follow/sustain a rehabilitation programme, the Disciplinary Policy will apply.

6.1 Managing A Concern

Information regarding alcohol, drug and substance misuse may come to the attention of the Line Manager in lots of different ways. For example, it could come from the colleague themselves, through information supplied by fellow colleagues, misconduct, absenteeism and reduction in performance. Please see Appendix i for some potential indicators of a concern.

Should a colleague arrive or return to work under the suspected influence of intoxicating substances, they should be removed from duties immediately and the Drugs And Alcohol Testing Policy may apply. Alternatively, a reasonable decision will be made based on the evidence at hand in line with the Disciplinary Policy.

It is important that there is early intervention when alcohol or substance misuse is suspected and it is affecting an individual's performance. Line Managers are encouraged to seek advice from HR for further guidance.

Once aware of a suspected concern, the Line Manager should meet with the colleague at the earliest opportunity to raise the concerns and establish if there is underlying concern to be aware of. They should also establish if there are any other mitigating factors that may be negatively impacting performance or conduct. If the colleague admits to having a problem with alcohol, drug and/or substance misuse, a referral should be made to Occupational Health and

the misuse will be dealt with as a medical concern. If the colleague does not accept that they have an alcohol, drug and/or substance misuse problem the Disciplinary Policy may apply.

6.2 Occupational Health

Line Managers, Colleagues and HR should work closely with the support provided by Occupational Health in outlining a support and rehabilitation programme for the colleague.

It may be deemed necessary to refer the colleague to a specialist rehabilitation professional in order to support with this programme. In such instances, colleagues are expected to follow and sustain the rehabilitation programme as agreed with them. Any failure to do so may result in the Disciplinary Policy being applied.

7. RELATIONSHIP TO OTHER POLICIES

7.1 Absence Management Policy

Where a problem has been identified with the Colleague, the Line Manager should ensure that any steps taken in order to manage the concern are in line with the Absence Management Policy, where the issue is considered a health matter. Colleagues have a responsibility to inform their Line Manager of any medical or other condition which may prevent them from attending work or performing their duties effectively, i.e. prescribed medication.

7.2 Disciplinary Policy

The Disciplinary Policy makes clear reference to the Company's stance regarding being unfit for work through drug or alcohol abuse which is likely to be regarded as gross misconduct and which may result in summary dismissal. Whilst colleagues with an issue of alcohol, drug and/or substance misuse should be regarded as having a medical concern and should be treated as such, there may be occasions when such colleagues commit offences of misconduct for which the Disciplinary Policy must apply. Due consideration will be made as to whether the Colleague has sought treatment or help.

7.3 Drugs And Alcohol Testing Policy

The Drugs And Alcohol Testing Policy outlines the procedure for testing a Colleague who is suspected of being under the influence of an intoxicating substance. It is important to note that the Drugs And Alcohol Testing Policy may not be applied in all circumstances and the Company reserves the right to apply the Disciplinary Policy based on legitimate and reasonable concerns of intoxication. In such circumstances, a decision on outcome will be made based on the evidence at hand.

7.4 Health And Safety Policy

Under the Health And Safety At Work Act (1974) The Company has a duty of care to ensure the health, safety and welfare at work of all its colleagues and other persons, including those on client sites, sub-contractors and any other third parties.

Colleagues also have a responsibility to ensure their own health and safety and that of those who may be affected by their acts or omissions at work. Health and Safety and the impact on the Company must be taken into consideration when a Colleague is known to have a problem related to alcohol, drug and/or substance misuse which could potentially affect the way that they work. Where risks are foreseeable, the Company has a duty to implement measures which provides a safe working environment for all.

8. RECORD KEEPING

Confidential records will be kept to demonstrate that the Company has taken all reasonable and practicable precautions to safeguard the health, safety and welfare of its employees. Where it has become necessary to discuss an alcohol or drug dependency issue with an employee, written notes will be retained, but the Company acknowledges it has an obligation to maintain medical confidentiality.

9. RESPONSIBILITY

9.1 Colleagues

It is the responsibility of colleagues and all those that this Policy applies to, to ensure that they:

- Report for work and remain in a condition to perform their duties free from the effects of alcohol, drugs or any other substance, whether on Company premises or external locations.
- Inform their Line Manager or another appropriate manager if they have an alcohol, drug and/or substance misuse problem.
- Co-operate with any support and assistance provided by the Company to assist with an alcohol, drug and/or substance misuse problem.
- Inform an appropriate manager if they know or strongly suspect that another colleague is under the influence of alcohol or drugs at work.
- Encourage colleagues to take personal responsibility should they have an alcohol, drug and/or substance misuse problem.

9.2 Line Managers

It is the responsibility of Line Managers to ensure that they:

- Make sure that colleagues understand the Policy and are aware of the rules and consequences regarding the use of alcohol, drugs and other intoxicating substances.
- Are alert to any changes in behaviour which may indicate alcohol, drug and/or substance misuse and to monitor performance, conduct and absenteeism.
- Obtain advice from HR in managing a situation where there is a concern or a suspected concern of alcohol, drug and/or substance misuse.
- Promote an honest and open culture where colleagues feel able to take personal responsibility for their own health and safety in relation to alcohol, drug and/or substance misuse and support others to do so.
- Encourage colleagues to seek help voluntarily.
- Provide support to colleagues who are being rehabilitated and engage appropriately with Occupational Health and HR in order to support an individual with a problem and enable them to continue to carry out their role.
- Identify and refer disciplinary matters connected to the misuse of alcohol, drugs and/or intoxicating substances as appropriate.



9.3 HR Team

The HR Team will provide advice and guidance on all aspects of this policy to ensure appropriate application and support.

HR will work with the Health and Safety Team to review this Policy to reflect current legislative requirements and best practice.

SIGNS OF ALCOHOL/DRUGS/SUBSTANCE MISUSE

Signs of alcohol/substance misuse is not always obvious and can be confused with other conditions or problems. It is reasonable to consider the possibility of alcohol, drug and/or substance misuse when the following behaviours are observed. It is important to note that this list is not exhaustive.

Please note that not all individuals with alcohol, drug and/or substance misuse problems display any and/or all of these behaviours. Some of these behaviours may indicate other problems which are not associated with alcohol, drugs or other intoxicating substances.

- Abnormal fluctuations in mood and energy, irritability, impaired concentration, lethargy
- Tendency to become confused
- Poor timekeeping
- Repeated absences for trivial or inadequate reasons
- Increase in short-term absence
- Impairment of job performance
- Accident proneness, increased evidence of mistakes or errors of judgement
- Deterioration of relationships with other people
- Dishonesty and theft (arising from the need to maintain an expensive habit)
- Hand tremors, slurred speech, facial flushing, bleary eyes, poor personal care and hygiene
- Smelling of alcohol and/or other substances