

Drugs, Alcohol & Substance Abuse Policy

Site based Employees & Workers

Policy Statement

Carmichael^{UK} aims to provide a working environment that is safe, and which minimises any risks to the health and welfare of our employees, our workers, our colleagues, our clients, or the general public. Part of our strategy for ensuring that the working environment on site is as safe as possible, is the zero tolerance approach to the use of drugs, alcohol and other substances whilst working under contract with us.

The use or abuse of certain substances, including drugs or alcohol, has the potential to impair performance and create a risk which could seriously compromise health and safety on site. This policy is not contractual, instead it is intended to clarify our position and to confirm that Carmichael^{UK} will act in accordance with the highest standards and in line with Network Rail standards of operation in relation to Drugs and Alcohol. This policy should be read in conjunction with any drug, alcohol and substance abuse policies that are in force on the client's site.

Policy Scope

Carmichael^{UK} recognises that moderate consumption of alcohol is not likely to cause harm and is part of social life. Additionally, prescribed drugs may often play a crucial role in treating certain medical conditions. However, substance misuse (which includes alcohol, drugs and other substances) can lead to incidents, increased levels of absence, and reduced productivity.

This policy therefore aims to clarify the responsibilities of those employed or contracted to work at any of our client's sites in relation to the use of alcohol and drugs; raise awareness of the impact of misuse of alcohol and drugs, how it can be recognised and what support is available; and to clarify at what point we regard alcohol, drug or substance use as a disciplinary matter rather than a health problem.

This policy applies to all Carmichael^{UK} employees and workers irrespective of status, who work at any of our client's sites. All employees and workers are engaged on the basis that they will always provide the business with their best endeavours. As judgment and the ability to make decisions are an essential element of all jobs at all levels, and as alcohol and other substances affect judgement and the ability to make decisions, it is important that no category of employee or worker is excluded from this policy.

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Policy Elements

For the avoidance of doubt, the following information outlines the meaning of alcohol and drugs or substance abuse:

“Alcohol” means any ethyl-alcohol containing product, which if consumed, has the capacity to induce intoxication.

"Drugs or substance abuse" means any substance capable of causing intoxication. This includes all controlled drugs contained in the Misuse of Drugs Act 1971 and specifically includes: cannabis (marijuana), opiates (including heroin), cocaine, any prescription drugs (including amphetamines and barbiturates) which are not obtained and used in a legally issued medical prescription, and any over-the-counter medicine or substance which is deliberately misused so as to impair the individual.

The "workplace" includes all land, property, car parks, buildings, structures, installations, lockers, toolboxes, vehicles or equipment owned, leased or used by either Carmichael^{UK} or its clients for the purpose of conducting business.

Use of alcohol and illegal drugs whilst at work

The use, possession, distribution, purchase, sale, consumption, taking of, or being under the influence of illegal drugs whilst at work is never permitted and will be regarded as gross misconduct. Employees and workers must not under any circumstances bring illegal drugs into the workplace or to any work related event they may attend.

In the interests of their own and their colleagues' safety, any employee or worker believed to be under the influence of either alcohol or illegal drugs will be taken to a safe location where a representative of the client, or a representative of Carmichael^{UK} will explain their concerns. The employee or worker will be asked to leave the site pending further investigation.

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Legal substances

From time-to-time employees or workers will suffer ailments or illnesses for which legally prescribed or legally over the counter drugs are required, either to rectify the ailment itself or to relieve the symptoms. As these drugs may also have some form of side effect, it is important that if this is likely to affect job performance in any way (e.g. drowsiness), any employee or worker taking such medication should notify their Carmichael^{UK} consultant and their site line manager of this fact and the details of the specific side effects. The aim is to protect the safety of employees and workers, and in certain cases it may be necessary to restrict some activities or move the employee or worker to other less risky work until they are fully recovered. Employees or workers with long-term health conditions which require medication to control these are advised to inform Carmichael^{UK} of what medication they take so that these details may be kept on file and made available to any medical staff or first-aiders called in the case of a medical emergency or accident.

Workplace inspections and searches

Carmichael^{UK} reserves the right to inspect and search the site workplace and, with their consent, to search any person or personal property to enforce this policy. Additionally, all employees and workers engaged through Carmichael^{UK} must comply with the client's right to carry out an inspection or search of the workplace. Whilst Carmichael^{UK} and the client has no legal power to enforce a personal search, failure to comply will be taken into account when considering whether disciplinary action is necessary.

Site based Drugs and Alcohol testing

It is a criminal offence for employees or workers to carry out safety-critical works on a railway under the influence of drugs and alcohol, under Section 27 of the Transport and Works Act 1992. It is also an offence for employers to fail to carry out all due diligence to prevent workers from carrying out works under the influence.

In order to comply with the law and to maintain the highest standards of health and safety, Carmichael^{UK} and our clients may from time to time carry out random as well as planned drug and alcohol testing across the workforce.

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Carmichael^{UK} and the client reserves the right to conduct or require a medical screening test for Alcohol and Drugs on any person whilst at work or in the workplace. All affected employees and workers, or those taking up specific job roles will be advised of the purpose of the screening, exactly what information will be collected and held, and for how long, the reasons for this, and the consequences of the tests.

Refusal to provide the necessary biological samples despite reasonable request may be regarded as gross misconduct and will be dealt with under the Carmichael^{UK} disciplinary procedure in conjunction with the client.

All matters relating to medical assessment, test results and management communications will be treated in a confidential manner. In addition, if it is suspected that the work performance or conduct of an employee or worker has been impaired through substance abuse, both Carmichael^{UK} and our clients reserve the right to require the employee or worker to undergo a medical examination to determine the cause of the problem and temporarily exclude the employee or worker from accessing the site pending further investigation.

Rehabilitation

Carmichael^{UK} will aim to provide employees who seek help for substance abuse problems, with support internally and through external agencies (where appropriate).

Employees must recognise that it is their responsibility and in their best interests to seek help at the earliest possible stage. Carmichael^{UK} recognises that sometimes substance and alcohol abuse can be part of a wider mental health issue. All permanent Carmichael^{UK} office based consultants are qualified mental health first aiders and are trained to provide signposting to any employee who may be struggling with a mental health issue. This support can be provided initially and confidentially to any employee who may require assistance.

If Carmichael^{UK} is providing support to an employee undergoing rehabilitation, and the employee either disobeys an instruction given by the company with regard to rehabilitation or suffers a relapse during or following treatment, the company reserves the right to withdraw such support and will deal with the matter under its disciplinary procedure. Employees enrolled in a rehabilitation programme will be subject to the normal sickness absence rules.

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If it is believed that an employee is under the influence of either alcohol or drugs because of an abuse problem, then the outcome of any disciplinary procedure (excluding, where appropriate, dismissal for gross misconduct) will generally include requiring that the person seek help from one or more of the national organisations set up to advise on overcoming this.

Enforcement of this policy

Breach of this policy by any employee or worker will be fully investigated and dealt with under the Carmichael^{UK} disciplinary procedure in conjunction with the client. To meet legal obligations, Carmichael^{UK} and or our client will inform the police and any other appropriate authorities if there is reasonable suspicion that a criminal act has been committed in the workplace.

Any employee or worker concerned about the implementation of this policy, or who has concerns for their health and safety, should raise these in the first instance with their Carmichael^{UK} consultant. If appropriate action is not taken to resolve the situation within five working days, then they should raise the issue with a director of Carmichael^{UK}.

As a responsible employer, Carmichael^{UK} always reserves the right to inform the police of any suspicions it may have about the use of illegal drugs or other substances by employees or workers whilst carrying out their duties at work.

Responsibilities of Carmichael^{UK}

In applying this policy Carmichael^{UK} recognises its responsibilities by placing the highest importance on the health, safety and welfare of all employees and workers who carry out duties at our client's sites. Specifically, Carmichael^{UK} :

- recognises the legal and moral obligation to provide and maintain a safe and healthy workplace
- is committed to support employees who require help and rehabilitation for health problems and to ensuring that employees who place their trust in the company by admitting to a substance abuse problem have their case treated with the utmost sensitivity and confidentiality
- will provide information to employees and workers about the harmful effects of substance abuse to promote preventative action

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Responsibilities of Site Based Employees & Workers

Employees and workers must take personal responsibility for their personal health and their actions insofar as they affect the health and safety of themselves and others who may be affected by their acts or omissions. Specifically, employees and workers :

- must not bring alcohol or drugs (other than drugs prescribed for a medical condition) to work
- must not report to work if under the influence of drugs or alcohol
- must not supply others with illegal drugs or alcohol in the workplace
- should raise concerns to their consultant or a director if they do not understand this policy
- should be prepared to speak in confidence to their consultant or a director or Carmichael^{UK} if they have concerns relating to the compliance with this policy of a work colleague.

Approval & Review

The directors of Carmichael^{UK} have overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation, at least annually and may be changed from time to time outside of this annual review. Employees and workers will be consulted about any proposed changes, and adequate notice given of these.

Any queries or comments about the operation of this policy should be addressed to the directors.

