

JACHIN GROUP (SOLUTIONS) LTD

DRUGS AND ALCOHOL POLICY

Jachin Group (Solutions) Ltd aims to actively promote the well-being and good health of its employees. Drugs, alcohol, and other substance abuse may negatively affect the personal and working lives of our employees. Problems arising from alcohol or drug misuse can include long-term health issues for staff, absenteeism, lower productivity, and increased safety risks for the individual and for others involved affected by our business activities.

Policy Statement: Objectives and Scope

- Jachin Group (Solutions) Ltd has developed this policy to ensure that employees:
- Are aware of the risks associated with drugs and alcohol misuse.
- Understand the Company's rules regarding the consumption of drugs, alcohol and other intoxicating substances.
- Understand that support will be offered to help employees affected by substance misuse.
- Provide a fair and consistent process for the handling of substance abuse allegations at work.

Jachin Group (Solutions) Ltd will use the policy to:

- Support employees who identify that they have a substance misuse problem.
- Protect the health and safety of employees and others.
- Preserve the reputation of Jachin Group (Solutions) Ltd.

This policy covers the use and misuse of intoxicating substances, such as drugs (including prescription, over the counter and illegal drugs), alcohol, solvents and any other substances that could adversely affect health and safety.

This policy applies to all employees, temporary workers, contractors, and volunteers.

Definitions

For the purpose of this policy substance misuse is defined as:

The habitual taking of drugs or substances (other than those prescribed by a medical professional), or the drinking of alcohol which affects:

The employee's ability to carry out their work effectively and safely.

- Attendance at work.
- The reputation of the business.
- The health and safety of the employee and others.

Responsibilities

1. Our board and managers take responsibility for implementing this policy.
2. Our managers are responsible for ensuring that all those who report to them understand and comply with this policy.
3. Staff at all levels are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions, and queries are encouraged and should be discussed with your line manager.
4. Paul Hewett is responsible for maintaining this policy and keeping it current.

Misuse of Drugs Act 1971

Jachin Group (Solutions) Ltd recognises that the Misuse of Drugs Act 1971 states that anyone occupying or managing a premise commits an offence if they knowingly allow possession, supply or production of controlled substances on that premises.

Managers' Responsibilities

Managers are required to:

- Be responsible for the application of this policy in their work area.

- Be aware of the signs of alcohol and substance misuse and the effects on performance, attendance, and health of employees.
- Be responsible for ensuring the health, safety and welfare of employees and others they encounter.
- Ensure that staff understand the rules and consequences regarding the use of alcohol, drugs, and other intoxicating substances at work.
- Ensure that staff are given the opportunity and support to seek help.
- Monitor the performance, behavior, and attendance of employees.
- Intervene at an early stage where there is changed work behavior to establish whether alcohol or drug misuse is an underlying cause.
- Seek advice from HR or a senior manager to establish the process that should be adopted.
- Provide support and assistance to staff who are dependent on intoxicating substances to help their recovery.
- Treat the matter with confidentiality within legal constraints.
- Identify any jobs which are subject to a zero-tolerance policy for the consumption of alcohol or other substances prior to attending work and notify the employee where their job is concerned. Managers should involve the Health and Safety Adviser where one is appointed.
- Instigate disciplinary action where appropriate to do so.

Employee Responsibilities Who the Policy applies to?

- All staff must read, understand, and comply with this policy.
 - All Employees Have Responsibility for Health and Safety Matters
1. Employees are responsible for their safety and the safety of others at work. They must be able to carry out their work competently and with due regard for the safety of members of the public, their colleagues and themselves.
 2. Employees are expected to always present a professional image at work. They should

therefore not consume alcohol or other substances when at work, or prior to attending work, or when on call.

3. Employees must check whether any prescription or over-the-counter drug(s) they are taking may affect their performance, conduct and/or attendance. This is particularly important if they occupy a safety-critical post. If unsure, they should seek medical advice from a healthcare practitioner and/or line manager. If side effects from prescribed, or over the counter, medication are experienced the employee must notify their line manager immediately.
4. Employees are not permitted to possess, store, trade or sell controlled drugs on company premises. The only exception is that an employee may have with them drugs prescribed for their own use.

Employees Must Report Concerns

All employees should report to their line manager, or a senior manager, at the earliest opportunity if they are experiencing drug or alcohol-related problems, or have concerns about a colleague's alcohol or drug -related problems which may impact upon:

- The health and safety of the public, colleagues, customers, and others.
- The reputation of the company.
- Work performance, behavior and attendance.

Colleagues should encourage those with a drug or alcohol problem to seek help. If help is not sought, employees have a responsibility to inform their line manager or senior manager in strictest confidence if they have concerns about a colleague's alcohol or substance misuse.

Staff are reminded that there are systems in place to encourage the reporting of concerns and to protect whistleblowers.

Support Available to Employees

1. Employees should seek support from their GP, other health professionals and Occupational Health/Employee Assistance Programme if they are experiencing drug

or alcohol-related problems.

2. Further support and/or treatment options may be available from the company on request, this may include paid time off work for therapies advised by healthcare practitioners, referral to occupational health or treatment agencies.
3. Employees are expected to co-operate with any support and assistance provided by the company to address an alcohol or drug misuse problem.

Disciplinary Action

Jachin Group (Solutions) Ltd, where possible, aims to support employees who are experiencing problematic drug and alcohol use. Jachin Group (Solutions) Ltd aim will be to help an employee to resolve a drug and alcohol problem and to return to normal work attendance and performance.

However, in some cases, disciplinary action may be taken up to and including dismissal. This may include cases where:

- An employee is suspected, or convicted, of criminal activity relating to a controlled substance on work premises or outside of work.
- There has been disregard for personal safety and that of others.
- There has been gross misconduct in the workplace.
- The employee has been disqualified from driving as a result of alcohol or drug related offences (where required to drive a vehicle for their duties).
- The employee is not able to conduct normal work performance due to drug and alcohol use.
- Where an employee has consumed drugs and/or alcohol at work or prior to work or when on call.
- Where an employee has not requested, or accepted, support and the employee's work, approach to health and safety, or the company's reputation has been adversely affected by alcohol consumption or substance abuse.

- Where, despite support, the employee's work performance and/or approach to health and safety has been adversely affected by alcohol consumption or substance abuse.

This list above is not exhaustive.

Where there is evidence of illegal drug or alcohol use the police must and will be notified. For example, this may include evidence of the use or sale of controlled drugs on company premises or an alcohol-related car accident on work premises.

Rules:

Alcohol

- Employees must maintain sensible and safe drinking levels.
- Employees are not allowed to drink alcohol during working hours, including breaks and when on-call.
- No employee should report to duty within 12 hours of drinking alcohol.
- There must be no consumption of alcohol on company premises, other than at special events, authorised by a senior manager (e.g. retirement parties).

Drugs

- No employee may report for work while under the influence of illegal drugs.
- No employee may possess, consume or provide drugs while working (except prescription drugs prescribed to the individual).
- Actual, or suspected, drug possession or dealing will be reported to the police.
- Those employed in safety-critical work who are discovered to be under the influence of illegal drugs may be dismissed, regardless of the circumstances.
- Employees on prescribed medication that may affect their ability to perform their duties must notify their line manager before reporting for work.

Support Available to Employees

Jachin Group (Solutions) Ltd recognises alcohol or drug misuse as a treatable condition. We

aim to help support employees who suspect they have alcohol or drug dependency, and who seek advice and treatment, in the following ways:

1. **Treatment options:** Jachin Group (Solutions) Ltd understands that early identification improves the likelihood of recovery from drug and alcohol dependency. It also recognises that specialised treatment can be helpful.
2. **Sick leave:** Employees seeking help, or who have been diagnosed as having a drug or alcohol problem, will be allowed reasonable time off with pay in line with the sickness policy. The time off must be used for treatment and recovery, the company will support those striving to return to good health and work performance.
3. **During treatment:** During the period of treatment, the 'occupational health practitioner' will keep the line manager updated regarding the employee's progress (note, this does not mean that confidential medical information should be shared), the likely date for a return to work and whether alternative employment should be offered or considered.
4. **Confidentiality:** The company will maintain strict confidentiality as far as practical, and within the law.

Returning to work: After the return to work, the HR department and the line manager will jointly review the employee's progress.

Alternative employment: Alternative work, on a permanent or temporary basis, may be considered where this would assist recovery.

Relapses: Jachin Group (Solutions) Ltd recognises that recovery may not be straightforward, and relapses sometimes occur for individuals who are undertaking, or have completed, a course of treatment. In these circumstances, the organisation will consider whether to support another period of treatment or to commence the disciplinary procedure.

Education and Training

Jachin Group (Solutions) Ltd is committed to raising the profile of drugs and alcohol misuse at work. In addressing problematic drug and alcohol use, we aim to improve our health and safety record at work, increase workplace productivity and improve staff health. We recognise that awareness- raising activities will need to be revisited and revised to keep the problem, and the support available, in the minds of both current and future staff.

- Information and publicity about drugs and alcohol in the workplace are communicated through the company intranet and publicity materials displayed on noticeboards.
- Induction training will include reference to the company Drugs and Alcohol in the Workplace policy.
- Support and training will be provided to managers to enable the policy to be effectively communicated and implemented.

Testing for Drugs and Alcohol

Testing will take place on a random basis, Review and disciplinary action will be subject to an investigation subject to a positive result after testing.

Information on Screening Procedures

An employee will be tested for drugs and alcohol whenever there is any involvement in an accident or incident at work with implications for health and safety.

Or

An employee will be tested for drugs and alcohol whenever there is reasonable cause to believe, or suspect, that an employee is intoxicated.

Or

An employee may be randomly tested for drugs and alcohol. Individuals subject to such testing will be notified in advance that random testing applies to them by their managers and are likely to be involved in the operation of safety-critical equipment and machinery, or in safety-critical aspects of company work, e.g. overseeing the care and safety of others.

Carrying Out Tests

Employees are reminded that a request for an employee to be tested for alcohol and drugs does not necessarily imply that there is a suggestion of misuse of alcohol or drugs.

Alcohol and drug testing will be carried out only by qualified and competent personnel from an expert external provider accredited by UKAS.

The external provider has robust processes in place to ensure that it meets all criteria for providing drug screening test results.

Jachin Group (Solutions) Ltd places the highest importance on safeguarding confidential personal and medical information. We therefore use a robust testing procedure in line with the advice given by our specialist provider. The provider will ensure that:

- Reliable methods are used.
- Tests are carried out with the least possible intrusion into employee privacy.
- Confidentiality is ensured.
- Checks take place to ensure robust accuracy.

Process and Safeguards

Employees will be informed of the results of the tests before the result is passed to management.

If an employee refuses to agree to an alcohol and drug test without good reason, then they may be subject to disciplinary action.

Confidentiality

1. Results from drug and alcohol tests are sensitive personal information under the General Data Protection Regulations 2018. As a result, any discussion, written records, or results generated through testing are confidential.
2. Breaking this confidentiality (including informal discussions with colleagues) may result in disciplinary action.

Jachin Group (Solutions) Ltd will keep records confidential within our HR department and in line with the General Data Protection Regulations 2018, which allow the release the information to certain people if they ask. The regulations state that we should only keep information that we still need. As a result, we will delete any information we no longer need.

Action After a Positive Test

If a test result is positive, an employee will be asked to attend an interview with a senior manager. The employee will have the right to be accompanied by a colleague or trade union official (if applicable) at this interview. The outcome will depend on the circumstances but could include:

- The employee is being offered a programme of counselling and treatment.
- A written disciplinary warning, with re-testing to take place on several occasions over the next 12 months (where there are no safety issues involved).
- Dismissal (in more serious situations where the employee's alcohol or drug taking could affect safety considerations) or where a test within the previous 1 year has been positive.
- A prospective employee will also be offered a meeting and is likely to have any employment offer withdrawn.

Complaints and Grievances

An employee who wishes to complain about the conduct of a test may discuss the matter with their line manager, and/or raise a formal grievance through the grievance procedure.

Additional Sections Review

This policy will be reviewed annually.

For Jachin Group (Solutions) Ltd

Date: 31st January 2024