

# Drugs and Alcohol Policy

## 1. Introduction

Morson Group is committed to providing a safe and healthy working environment for all employees and those affected by our activities. Morson Group's operations will be carried out to ensure, so far as is reasonably practicable, that the Health, Safety or Conditions of any person or property will not be adversely affected. The misuse of drugs or alcohol by individuals can lead to an increased risk of accidents or incidents; the Morson Group aims to reduce these risks by means of the policy, procedures and guidance set out in this document (together, this "policy").

The aim of this policy is to:

- Ensure that Morson Group complies with relevant legislation relating to substance abuse at work (including without limitation The Health and Safety at Work etc. Act 1974, The Transport and Works Act 1992, The Misuse of Drugs Act 1971 and The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS)).
- Take a proactive approach to ensure that our workplaces are safe and productive, by ensuring that all relevant individuals are aware of this Policy and that anyone who declares (pre-testing) a drug, alcohol or substance related addiction or habit is given the necessary support.
- Undertake measures to prevent persons attending work under the influence of illegal drugs, misused prescribed or over-the-counter medication, or alcohol, using a testing regime.
- Provide clarity on the repercussions of a breach of this policy.

## 2. Scope

This policy covers all individuals working at all levels and grades, including senior managers, officers, directors, employees (whether permanent, fixed term or temporary) consultants, contractors, trainees, seconded staff, home workers, casual workers and agency staff (collectively "colleagues").

## 3. Definitions

### Alcohol

For the purpose of this policy, "under the influence of alcohol" is defined as detection by testing of:

In England, Wales and Northern Ireland, equal to or greater than:

- 80 milligrams of alcohol per 100ml of blood
- 35 micrograms of alcohol per 100ml of breath
- 107 milligrams of alcohol per 100ml of urine

In Scotland, equal to or greater than:

- 50 milligrams of alcohol per 100ml of blood
- 22 micrograms of alcohol per 100ml of breath
- 67 milligrams of alcohol per 100ml of urine

### Prohibited Substance Use

The substances for which relevant individuals may need to be tested include:

- Amphetamines, including Ecstasy
- Cocaine
- Benzodiazepines
- Barbiturates
- Opiates including heroin
- Methadone
- Cannabis
- Propoxyphene
- Phencyclidine

This list is not exhaustive.

### Prescription and Over-the-counter Medication

Also prohibited are any legal substances which may affect performance at work, which include but are not restricted to, antidepressants, sleeping pills, tranquilisers, antihistamines and medicines which are used in excess of legitimate usage levels as prescribed.

This prohibition includes medication prescribed by medical practitioners or purchased over-the-counter. Individuals who are prescribed medicines or are taking over the counter purchased legal drugs should bear in mind that these may affect their working performance, in particular their ability to work with machinery safely. It is the responsibility of the individual to enquire with their GP or pharmacist whether any medication is likely to affect performance at work. If it is, then the relevant individual must inform their line manager immediately. Where necessary, Morson Group may seek guidance from an Occupational Health provider regarding the prescribed and/or purchased medication to determine if the individual can conduct normal duties without risk to themselves or others.

Relevant individuals will always be asked to declare any recent medication use prior to the time of testing.

There are no acceptable levels of drugs in the workplace other than those prescribed by a doctor or obtained from a pharmacist where these are used in accordance with legitimate usage levels and do not affect performance at work.

For the purposes of this policy, "under the influence of drugs" is defined as detection by testing of any prohibited substance.

## 4. Responsibilities

The Executive Board and Group HR Director have overall responsibility for the effective operation of this policy. Day to day operational responsibilities, including regular review of this policy has been delegated to the HR department.

### All Relevant Individuals

All relevant individuals are responsible for:

- Not coming to work under the influence of illegal drugs or alcohol or attempting to drive or

operate any machinery at work if they believe they may be under the influence of any substance, including legally prescribed or over-the-counter medication, which could impair their abilities.

- Not bringing any illegal drugs or unauthorised alcohol onto any Morson Group premises (refer to the Alcohol at Work Policy for further guidance).
- Checking with their GP or pharmacist as to whether any prescription or over-the-counter medication may impair their ability to perform their duties and make the required notification pursuant to this policy.
- Giving notice (prior to the day of testing or prior to a request to undergo a test) to their manager / HR department if they believe they have a problem related to drugs or alcohol. In such instances, the worker will be offered support, counselling and rehabilitation. Giving notice of a dependency issue after a relevant individual has been asked to undergo a test or on the day that random or for cause test takes place will not grant the individual immunity from being tested or from any disciplinary action that may take place in the event of a positive result for either drugs or alcohol.
- Notifying HR or a line manager when planning on discontinuing an agreed course of treatment.
- Undergoing testing for drugs and alcohol as described in this policy. Refusal to undergo testing will lead to disciplinary action and could lead to dismissal.

Not covering up or colluding with any colleague in breach of this policy.

### **Line managers**

Line managers are responsible for:

- Understanding and being familiar with this policy and communicating it to relevant individuals to whom they are responsible.
- Monitoring work performance, attendance, sickness absence and accidents/incidents and taking appropriate action where necessary in line with this policy.
- Ensuring that appropriate adjustments are made for relevant individuals who have declared the use of a medication which may have an impact on their ability to perform aspects of their role.
- Ensuring that any relevant individual that declares an alcohol or substance misuse issue is signposted to appropriate support via the HR department.

### **Senior managers**

Senior managers are responsible for:

- Ensuring that this policy and testing regimes are implemented throughout the Morson Group and that suitable communication of this policy is provided to all relevant individuals.

### **Group HSQE Director**

The Group HSQE Director is responsible for:

- Overall implementation of this policy and testing regimes and monitoring the effectiveness of both on an ongoing basis.

### **HR department**

The HR department are responsible for:

- Providing guidance to line managers on the implementation of this policy and any appropriate disciplinary action that arises from a breach.

- Proactively providing and signposting support to any relevant individual who declares a drug or alcohol misuse problem.

While Morson Group does not condone, encourage or recommend the consumption of alcohol in excess of the recommended guidelines, it is recognised that as part of business activity, at events such as corporate entertaining, alcohol may occasionally be consumed that causes the individual to be beyond the limits described for alcohol in section 3 of this policy. In cases such as these, the relevant individual must not work within any Morson Group office until such time as they are below the limits referred to in section 3 and to arrange their own safe transport home. Please refer to the Alcohol at Work Policy for further information regarding responsibilities and expected behaviour when using alcohol on work premises or work-related events. This paragraph does not apply to the use and/or possession of illegal drugs or the misuse of prescription or over-the-counter medication.

## 5. Procedures

### Testing regime and classification

On-site testing will generally be conducted via a calibrated alcometer and urine sample, but this may vary depending on the circumstances. An approved Occupational Health provider will be employed to conduct tests, which will be carried out in controlled conditions.

Preliminary drug detection results (on the day of the test) for “for cause” tests will be confirmed after further laboratory and specialist interpretation. The collection officer will brief those being tested and a representative from HR and HSQE will be present at the testing session wherever possible.

A relevant individual will be deemed to have tested positive and therefore failed a drugs test where the detectable level exceeds the internationally recognized pass/fail levels for a banned substance. In the case of alcohol, the limits outlined in section 3, will be applied.

A relevant individual who refuses to undertake a test when requested, attempts to tamper with, or avoids any part of the drug and alcohol test procedure will be treated as having received a positive result.

When drug and alcohol testing is required as part of a third party’s requirements (e.g. pre-placement for nuclear or rail clients), the appropriate standard and process will be complied with, and any more stringent testing limits and regimes will apply.

### For cause testing

For cause testing is undertaken:

- Where there is suspicion that a relevant individual may either be under the influence of drugs or alcohol or has an addiction or substance abuse habit.
- When a relevant individual has been involved in an accident or a near miss incident.
- When a Morson Group company has received information relating to potential alcohol or substance abuse or addiction. In this case, to protect confidentiality, the details of the information, where it is reasonably believed to have been provided in good faith, will not always be revealed to the relevant individual.
- Where a Relevant individual is being transferred to safety critical work for example, the rail environment (pre-placement); or

- Where a client requires a specific testing regime.

### **Confidentiality**

All results and information in relation to drug and alcohol testing will be dealt with in strict confidence and released only to the line manager of the relevant individual tested, the relevant individual themselves and the HR and HSQE departments.

### **Testing for alcohol**

If a negative result is received, the relevant individual and employers of non-Morson Group employees will be informed, and a record made.

An alcohol in breath reading above 50% of any of the levels set out in section 3 of this Policy will result in the HR representative having an informal conversation with the relevant individual about the result and informing their line manager.

If the alcohol in breath reading is at or above the levels set out in section 3 of this Policy, the relevant individual will be deemed to have tested positive and will immediately be suspended from work. The Line Manager will arrange for the relevant individual's safe transport home; they will not be permitted to drive away from the workplace. Disciplinary procedures will then be instigated which may result in summary dismissal, even for a first offence.

### **Testing for drugs**

If the initial urine reading is indicative of recent drug use, the relevant individual will be advised that the sample needs to be analysed in a laboratory. The sample, provided under controlled conditions, will be handled in a formal chain of custody including maintenance of a split sample.

If the relevant individual is not an employee, their employer will be informed of the initial positive result (whether relating to alcohol or drugs) and reminded that false results may occur. The relevant individual will then be suspended from working in any Morson Group premises, pending the result of further laboratory analysis.

In the case of a Morson Group employee, the same suspension will apply, with the individual's line manager being informed.

Where urine samples are taken for the detection of drugs as part of a random or pre-placement test, they will not be subject to an initial test at point of contact. They will be tested at a laboratory and the relevant individuals will be allowed to continue work unless a positive result is confirmed by the laboratory.

### **Post-test results**

All test / sample information and documentation will be forwarded to the Group HSQE department marked as PRIVATE and CONFIDENTIAL. Copies will be retained by the HR department.

Individuals who are not employed by Morson Group who have tested positive for either alcohol or drugs will be safely removed and will not be able to return to work in any premise under the control of Morson Group. The respective employer will be advised of the result and is responsible for ensuring that the relevant individual travels home safely. They will not be permitted to drive away. A Morson Group employee who has tested positive for either alcohol or drugs will be subject to

Morson Group disciplinary procedures, which may include summary dismissal.

Where alcohol and/or drug test results are returned from the laboratory showing a negative result or are found to be consistent with declared medication, individuals and employers for non-Morson Group employees will be notified and thanked for their co-operation.

## 6. Support

Should it be identified that an individual has issues with substance abuse or is supporting family members with issues then the company will, where possible, provide the following assistance to an employee:

- Helping the employee to recognise the nature of the problem, through referral to a qualified diagnostic or counselling service, including the company Employee Assistance Programme.
- Support during a period of treatment. This may include a period of sick leave or approved other leave, continuation in their role or transfer to other work, depending upon what is appropriate in terms of the employee’s condition and operational requirements.
- The opportunity to remain or return to work following the completion of a course of treatment, as far as is practicable, in either the employee’s own role or an alternative one.



The Company and its employees must recognise the following limits to the assistance the Company can provide:

- Where a member of staff fails to co-operate in referral or treatment arrangements, no special assistance will be given, and any underperformance or unacceptable behaviour will be dealt with through the Disciplinary Procedure.
- If the process of referral and treatment is completed but is not successful, any underperformance or unacceptable behaviour will be dealt with through the Disciplinary Procedure.
- An employee’s continuation in their role or an alternative one during or after
- treatment will depend upon operational requirements.

## 7. Amendment Record

Issue	Amendments	Date	Issued By
13	Railways (Safety Critical Work) Act replaced with ROGS, removed reference to drugs and alcohol. Removed reference to cough and colds, added medication may be checked by an OH provider. Added unauthorised alcohol and removed further reference to alcohol. Clarification of testing and to be conducted via an approved OH provider. Clarity for negative results. Duplication removed. Rebranded. Refer to v.12 for old amendment record.	August 2024	Becky Hicks Katie Hancock

## 8. Document Control

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<b>Author</b>	Becky Hicks		29/08/2024
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