

Alcohol and Drugs Policy

Introduction

TEP has developed this Policy on Alcohol and Drugs as part of its strategy to safeguard the health, safety and welfare of all its employees.

Alcohol and drug consumption or dependency can affect individual health and work performance in terms of safety, efficiency, productivity and attendance. In addition, it can have a detrimental effect on colleagues and dependants. As a responsible employer, TEP recognises the need to take measures to address the issue of alcohol and drugs in the workplace. This Policy has been developed to protect the health and safety of workers and to comply with relevant legislation, e.g. Health and Safety at Work etc. Act 1974; Misuse of Drugs Act 1971; Transport and Works Act 1992.

This Policy includes guidelines in relation to alcohol and drugs and its purpose is to achieve the following:

- To have a working environment free from the effects of alcohol and drugs;
- To encourage employees who suspect or know they have an alcohol or drug-related problem to seek help voluntarily and provide assistance to these employees to overcome their problem;
- To reduce the personal suffering of employees with alcohol or drug-related problems and their dependants;
- To provide practical guidance on how to deal with alcohol or drug-related problems effectively; and
- To promote a climate which will reduce any tendency to conceal or deny alcohol or drug-related problems by enhancing awareness; and to provide a supportive framework for employees who come forward with an alcohol and drugs dependency issue.

This policy applies to all individuals working at any level within the company including; employees (whether permanent, fixed-term or temporary), seconded staff and agency staff, or any other person associated with us, wherever located (collectively referred to as staff or employee in this policy)

Sub-contractors and Sub-consultants to TEP

Sub-contractors and sub-consultants to TEP are required to comply with this Policy on Alcohol and Drugs, including the requirement to operate the screening processes for their own employees, sub-consultants and agents.

The support available to employees which is detailed in this Policy is applicable to employees only. Sub-contractors and Sub-consultants should be referred to their employing company and dealt with in accordance with their contract.

Where a sub-contractor or sub-consultant's health, attendance or work performance is affected by an alcohol or drug related problem, the employing company should be notified and the individual's services for TEP terminated in accordance with the terms of the specific contract.

Misconduct of a sub-contractor or sub-consultant should be referred to the employing company (where applicable), and if appropriate the individual's services to TEP should be terminated subject to the terms of the contract.

Definitions

For the purposes of this Policy:

'Alcohol' is defined as a beverage, condiment or food additive which contains alcohol in any form.

An 'alcohol-related problem' is defined as any consumption of alcohol which interferes with an employee's health, safety, welfare and performance in any aspect of employment.

'Drugs' are defined as illegal substances, prescribed and over-the-counter medications. A 'drug-related problem' is defined as any use of drugs, or other substances which in themselves are legal but may be subject to abuse such as glue or solvents, which interferes with an employee's health, safety, welfare and performance in any aspect of employment.

Responsibilities

Directors:

The Directors are responsible for the maintenance and review of this Policy on Alcohol and Drugs. It will be reviewed regularly to ensure its effectiveness and any changes arising from such review will be communicated to employees and sub-consultants. The Directors may act in the role of a Team Manager for the purposes of this Policy where appropriate, particularly where a Team Manager is not present.

Team Managers:

Team Managers are responsible for the day-to-day implementation of this Policy and for dealing with issues which arise and are related to alcohol or drug use. They are responsible for ensuring that all staff, sub-consultants and, as appropriate, visitors with which they may be involved are aware of this Policy.

Employees:

Employees are required to be aware of and comply with this Policy to ensure that their performance or ability to carry out their activities at work safely and competently is not impaired in any way. All employees should observe the following, and note that failure to do so may result in disciplinary action being taken. All employees engaged in normal work activity or on scheduled/agreed duty cover either at home or elsewhere are subject to the Policy in full for the duration of the periods of duty.

Alcohol and Drugs at Work

The limit for alcohol set by this Policy is in line with the Government's legal drink/drive limit, as amended from time to time.

In the case of drugs the threshold levels are determined in accordance with established legal and medical practice. Consumption, possession or sale of illegal drugs is prohibited, and TEP takes a zero tolerance approach. Possession and sale are also criminal offences under the Misuse of Drugs Act 1971.

Specifically this means:-

- a) Employees must not present themselves for work under the influence of alcohol or drugs so that their performance or ability to carry out their activities at work safely and competently is impaired in any way;
- b) Consumption of alcohol or drugs during working hours is prohibited, except when expressly authorised by the Directors. Working hours during which this Policy applies includes all periods of work such as surveys or other work undertaken in early morning, late evening or other times including periods of travelling to and from a site or office;
- c) Consumption of alcohol is prohibited prior to undertaking any site visit, including night time surveys and including during a meal break or outside of working hours;
- d) When representing TEP outside working hours, employees are expected to take a responsible attitude to alcohol and drugs. Employees should bear in mind that they are representing the Company and must not do anything to jeopardise its reputation;
- e) Prescribed and over the counter medications are also covered by this Policy as they may cause side effects that have potential safety implications. Employees therefore have a duty to advise their pharmacist/general practitioner/medical practitioner of this Policy when being prescribed medication. On the advice of the medical practitioner, the employee must notify their Team Manager about any possible impact on their health and safety relating to their duties at work, so that current or alternative employment can be considered whilst they are being prescribed medication. The Team Manager may in turn seek advice from another specialist such as a pharmacist or doctor. Any employee engaged on tasks where the impact on health or safety from treatment may bring unacceptable risks might require to be provided with alternative work during the period of medical treatment;
- f) Employees or other persons obtaining treatment or medicines for themselves should be aware of the conditions and side effects notified and seek out alternatives that do not impair performance through drowsiness or other symptoms;
- g) Any visitor who is attending TEP's premises or site for business reasons shall be required to comply with this Policy and should be asked to leave the premises or site if they are acting in a manner likely to cause a breach of this Policy.

Enforcement and Application

The general principle adopted by TEP is to have an environment free from the effects of drugs and alcohol. It is the responsibility of all Team Managers to enforce this Policy, regardless of whether or not they are the project manager in a given situation. Normally, however, the enforcement of this Policy will be a line management responsibility.

For clarity the application of this Policy in relation to five specific circumstances is outlined below:

Breaks/Rest Periods:

Limited amounts of alcohol may be consumed off site but employees must remember that they will be returning to work and must also adhere to drink-driving legislation. Team Managers should be aware of the limits and observe any abnormal or unusual behaviour after breaks, which may indicate abuse of this Policy.

Hospitality and Entertainment:

Where employees are involved in corporate hospitality or entertainment of clients or co-consultants, customers, suppliers or other visitors outside of working hours, they are expected to take a responsible attitude to alcohol and drugs. Organisers of events should give clear guidelines to both attendees and employees on the application of this Policy. Where the hospitality/entertainment has been provided by TEP to external clients, customers or suppliers, all employees in attendance must observe the terms of the Policy. Where an employee has accepted a hospitality invitation the terms of the Policy must be complied with.

Conferences, Off-Site Meetings and Training Courses:

The terms of this Policy relating to the consumption of alcohol and use of drugs apply during the period of any conference, off-site meeting or training course. It is expected that a responsible approach will be taken by all concerned. Employees should remember that they may be returning to work.

Celebrations and other special occasions:

If alcohol is involved such events should generally take place away from business premises and outside working hours. However, employees are still expected to take a responsible approach to alcohol and drugs.

Driving:

TEP expects all staff to comply with the drink-driving legislation at all times. The Company's reputation will be damaged if an employee is convicted of a drink-driving offence and, if the job requires the employee to drive and they lose their licence, they may be unable to continue to do their job. Committing

a drink-driving offence outside or during working hours or while working for us may lead to disciplinary action and could result in dismissal in accordance with the Company's Disciplinary Procedure.

Screening

Reasonable Cause Screening:

To assist in the implementation of this Policy a screening procedure to test for the presence of unauthorised substances in the body may be carried out when there are reasonable grounds to believe that alcohol or drugs could have, or potentially could have had, an adverse effect on the health and safety of any individual and/or there are circumstances where a Team Manager considers there is evidence that alcohol consumption or drug use has occurred. Possible examples could include:

- Abnormal behaviour
- Discovery of an alcoholic container with a broken seal
- Possession of a controlled substance
- Signs of current intoxication
- A workplace incident/accident

Some people can be under the influence of alcohol/drugs without it being apparent. Examples of what is deemed to be behaviour that may result in testing are listed below. This list of examples is neither exclusive nor exhaustive. All the circumstances should be taken into account and Team Managers should not rely on one particular factor.

Signs of current intoxication may include:

- Smell of alcohol
- Unsteadiness
- Aggression
- Appearing to be detached from reality
- Slurred speech
- Making inappropriate comments
- Smell of solvents
- Inappropriate giggling

Signs of a longer term problem may include:

- Poor attendance and late return from lunch
- Many episodes of self-certified illness with no attempt to resolve the cause
- Poor work performance, especially large variations in quality and quantity of work of a previously reliable employee
- Many accidents such as trips, slips and falls
- Deterioration in personal appearance and hygiene
- Lack of concentration and easily distracted
- Employee appearing moody and picking 'arguments' with colleagues
- Concern expressed by colleagues

It is the responsibility of employees to take any necessary precautions to avoid the need for screening. For example, an employee may arrange in advance to take time off after a

planned night out where he or she anticipates being unfit to properly perform his or her duties by reason of being under the influence of alcohol.

Team Managers in liaison with the Directors are responsible for making the decision to screen an employee. The relevant Team Manager and Director are responsible for communicating the decision to the individual(s) concerned, together with the procedure to be used for carrying out the screening.

Where an employee refuses to cooperate with a screening request, they may be suspended from work pending an investigation. Any further action taken can only be based on the facts as they appear at that time to the Team Manager and Director.

Screening which leads to a positive result will result in an investigatory interview and such breach of this Policy will be treated as a disciplinary matter, possibly resulting in dismissal.

If no disciplinary measure is taken, or if the disciplinary measure is other than dismissal, TEP may require the employee to attend an assessment by an appropriately qualified medical professional. TEP will ask the assessor to advise regarding any degree of dependency and, if necessary, a programme of appropriate support will be outlined which may include counselling. A formal report will be requested from the assessor and the employee will have sight of such reports. The report and the investigatory interview notes will be held confidentially on the individual's personal file. Employees will be expected to attend appointments and comply with any programme of support or counselling. Failure to do so may result in the individual being subject to the disciplinary procedure.

Individuals will, at the end of their programme of support, be subject to further follow up screening. A positive result at this stage may also lead to action under the Disciplinary Procedure, which may result in dismissal.

Screening requested by Clients:

Some of our clients, particularly those who undertake high risk activities, may legitimately request that TEP employees sub-contracted to them on certain projects undergo alcohol and drug screening before working on site. Our employees will be provided with a copy of the client's own Alcohol and Drug Policy for details of our obligations under the terms of our contract with them.

For any new employees joining TEP to work for such clients, screening will be carried out as a pre-employment check, and any offer of employment will be conditional on a satisfactory result being produced.

If an employee refuses to cooperate with a screening request, they must be aware that, unless a suitable alternative role can be found within TEP and a large part of their working time is spent on the client's project, their employment with TEP may have to be terminated.

Screening and the Data Protection Act (DPA):

An employee's screening results falls into the category of "sensitive data" under the provisions of the DPA. Although the collation and retention of such data can be justified for health and safety reasons, TEP will meet its obligations under the Act by retaining screening results confidentially, for a limited time only and restricting access to a need to know basis. Paper results will be kept in a sealed envelope in the employee's personal file, and electronic results will be password protected.

Searches

TEP reserves the right to conduct searches for alcohol or drugs, including, but not limited to, searches of filing cabinets, desks, packages sent to our address and other items which are on Company premises.

Any alcohol or drugs found as a result of a search will be confiscated and disciplinary action may result.

Support for Employees

TEP is committed to providing appropriate professional help and support to employees who suspect or know they have an alcohol or drug-related problem and who inform their Team Manager and seek help via a recognised external agency.

Self-referral by an employee who thinks they may have a problem:

An employee may seek assistance for a problem from their doctor or other health professional or via another third party agency (see Sources of Support below).

Management referral:

An employee can be advised to seek assistance and make contact with their doctor, health professional or another third party agency following an interview with their Team Manager, where it is disclosed by the employee that they have a problem with alcohol or drugs.

Following a self-referral or informal Team Manager referral, feedback will only be given to the Directors with the individual's consent and where there are issues of health and safety and which may require adjustments to the role. Examples of situations where feedback may require to be given to management:

- Where treatment, rehabilitation or counselling requires absence from work;
- Where consideration is required of a change in the employee's duties or working conditions; or
- Where the extent of the alcohol or drug-related problem may have an impact on performance or health and safety at work.

Time off during normal working hours will be granted where treatment, rehabilitation or counselling is required. If the employee co-operates with this programme then employment rights and benefits will normally be protected during this period.

If an employee is absent from work due to an alcohol or drugs related illness, they will be entitled to return to or remain in the same job unless there are justifiable reasons for not doing so. In that event, consideration will be given to finding suitable alternative employment.

It is the responsibility of the employee's Team Manager, in conjunction with advice from the Directors, who may seek professional medical advice, to determine a time frame for an employee to achieve a sustained improvement. Employees will be required to comply with an agreed programme of support during this time.

Performance Relating to Alcohol and Drugs

Where an employee's health, attendance or work performance is affected by an alcohol or drug related problem, he or she will be dealt with under the relevant procedures for managing performance or attendance.

Should it transpire that the employee's unsatisfactory attendance or work performance is related to an alcohol or drug related problem, he or she will be advised to contact their doctor, health professional or an appropriate external agency to seek assistance in dealing with that problem.

Misconduct Relating to Alcohol and Drugs

Misconduct related to consumption of alcohol or drugs is normally dealt with under TEP's Disciplinary Procedure and acts of gross misconduct may result in summary dismissal depending upon the circumstances in which the misconduct is committed.

If misconduct arises and an employee is thought to be unfit for work due to being under the influence, he or she may be suspended from their duties to minimise danger to himself or herself, other employees, clients and others whilst any investigations take place.

Employees whose alcohol or drug-related problem comes to light in the course of disciplinary proceedings should be aware that the admission of dependency may be a mitigating factor but will not necessarily result in the suspension of disciplinary action. All cases will be dealt with in the light of prevailing circumstances.

The possession or trafficking of any drugs declared to be illegal within the jurisdiction in which they are discovered is in breach of TEP's disciplinary rules. In such instances the employee should be detained, where possible, by their own or another Team Manager or Director as appropriate, whilst the Police are notified. Any Team Manager who believes that an employee or other person is contravening this section should immediately report the circumstances to one of the Directors and prepare a written report. Any employee found to be in possession, to have been in possession or to have been trafficking illegal drugs may be dismissed summarily.

Return to Work

After returning to work following a period of absence associated with alcohol or drugs, the employee will undergo a return-to-work medical with an Occupational Health Advisor or a Company nominated Doctor, which may include follow-up screening.

Should an employee's health, attendance or work performance continue to be affected and unsatisfactory, further stages of the relevant procedure for management of performance, attendance or misconduct will be followed and these could ultimately lead to dismissal.

Confidentiality

TEP will endeavour to ensure that the confidentiality of any member of staff experiencing alcohol or drug-related problems is maintained appropriately by the Directors, Team Managers and, where it is necessary to inform them, colleagues. However, it needs to be recognised that, in supporting employees, some degree of information sharing is likely to be necessary.

Sources of Support

Advice and support on alcohol and drugs misuse and dependence is available from several sources. The employee's doctor or health professional can provide advice and may be able to refer a person to another professional. The following are also sources of help:

ACAD

(Advice and Counselling on Alcohol and Drugs)

www.acad.org.uk

ACAD is a registered charity helping those who are concerned about their own or someone else's drinking or drug use.

Alcoholics Anonymous

0800 917 7650

www.alcoholics-anonymous.org.uk

Fellowship of men and women who share their experience, strength and hope to help others recover from alcoholism.

Alcohol Change

www.alcoholchange.org.uk

UK leading charity, formed from the merger of Alcohol Concern and Alcohol Research UK

Drinkaware UK

0300 123 1110

(Weekdays 9am-8pm, weekends 11am-4pm)

www.drinkaware.co.uk

A free confidential online and telephone information and advice service for anyone who has a drink problem or is worried about someone who may have a drink problem.

FRANK

(Previously known as National Drugs Helpline)

0300 123 6600 (24 hours)

www.talktofrank.com

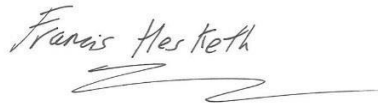
A free confidential telephone information and advice service for anyone who has a drug problem or is worried about someone who may be using drugs.

Turning Point

www.turning-point.co.uk

Provides a range of health and wellbeing services: drugs and alcohol issues, mental health and learning disabilities.

Date of Next Review: January 2024



Person with overall responsibility	Francis Hesketh, Director
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Rev	Date	Description of Amendment	Authorised by
00	May 2012	Original Issue	Francis Hesketh
01	7 March 2013	Update footer and change font to Arial	Francis Hesketh
02	29 March 2013	Updated to include Signature Box	Ian Grimshaw
03	22 November 2013	Signature box updated by removing requirement for Manager's signature	Francis Hesketh
04	February 2015	Updated to include sub-consultants as well as TEP staff. Updated footer and formatting to match standard TEP paragraph spacing.	Cath Neve
05	June 2015	Updated header and footer	Graeme Atherton
06	July 2016	References to Skill Team Manager amended to read Associate Director (AD)	Francis Hesketh
07	January 2017	Scheduled review. No amendments	Francis Hesketh
08	January 2019	References to Associated Director amended to read Team Manager TM	Joanne Boothroyd
09	October 2021	Updated 'Sources of Support' to ensure up to date information and contact details. Also updated format to new TEP Branding	Joanne Boothroyd
10	April 2022	Updated 'Alcohol and Drugs at Work' with new clause C on consumption of alcohol prior to site visit.	Nicola Hancock