



Drugs and Alcohol Abuse Policy

Introduction

From the beginning of 2013, there are increased requirements to provide mandatory proof of in-house drugs and alcohol testing procedures prior to employees being allowed on some sites.

Long Eaton Plant Hire Limited recognises that alcohol and drug abuse related problems are an area of health and social concern. It also recognises that a member of staff with such problems may, consciously or unconsciously, require help and support from many sources, including his or her employer.

The Company also recognises that alcohol and drug abuse problems can have a detrimental effect on work performance and behaviour. The Company has a health, safety and welfare responsibility to both employees and customers to ensure that associated risks are either eliminated or minimised.

The Approach

The Company policy embraces two approaches:

- Providing reasonable assistance to a member of staff with an alcohol or drug abuse problem who is willing to co-operate in treatment for that problem.
- Disciplinary rules, enforced through disciplinary procedures, whereby the inappropriate use of alcohol or drugs (other than on prescription) affects performance or behaviour at work; and where either (a) an alcohol or drug dependency problem does not exist; or (b) where support and/or treatment for dependency has not been possible or has not succeeded.

Long Eaton Plant Hire Limited does not possess the internal resources or equipment to provide or arrange dependency treatment or other forms of specialist assistance. Such services are provided by GPs, hospitals and other agencies. Therefore, and in conjunction with this policy, the Company will seek to (a) assist a member of staff in obtaining such specialist help; and (b) to protect his or her employment.

Assistance and Support

The Company, where reasonable and possible, will provide the following assistance and support to a member of staff in the appropriate circumstances:

1. Helping the member of staff to recognise the nature of the problem via agreed referral to a qualified diagnostic or counselling service if appropriate;
2. Support during a period of treatment. This may include a period of sick leave or approved other leave; and continuation in post or transfer to other work (dependent upon what is appropriate in terms of the staff member's terms and conditions of employment and the staffing needs of the Company).
3. 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 post or an alternative post.

Provision of Assistance and Support

The provision of the Company's assistance and support are subject to (a) an alcohol or drug dependency related problem has been professionally diagnosed; and (b) the member of staff recognising that he or she is suffering from an alcohol or drug abuse problem, and is prepared to co-operate fully in the referral and treatment from appropriate sources.

Where a member of staff fails, for whatever reason, to co-operate in referral or treatment arrangements, no assistance as outlined above will be given, and any failures in conduct, behaviour, or work performance will be dealt with via the Company's Disciplinary Procedure.

If the process of referral and treatment is completed but proves to be unsuccessful, and failures in conduct, behaviour, or work performance occur, such failings will be dealt with via the Company's Disciplinary Procedure.

Disciplinary Rules and Procedures

In line with the Company's Disciplinary Rules and Procedures, the following issues will be regarded as potential gross misconduct:

- Attending work and/or carrying out duties under the influence of alcohol or drugs;
- The inappropriate and unauthorised consumption or distribution of alcohol within working time.
- The unauthorised use or distribution of drugs (except where such drugs are prescribed and authorised for use during working time).

Breaches in relation to these issues will normally result in formal disciplinary action which, if proven, could result in summary dismissal.

Drugs / Alcohol Testing

All employees are required by law to comply with legislation in relation to the health, safety and welfare of not just themselves, but also their colleagues and any other persons who may be affected by their actions or inactions. Employees are legally required to behave in a way that does not pose a

risk; this duty includes consideration of the behavioural deficiencies that may occur as a result of intoxication via drugs or alcohol.

In order to ensure compliance with the law, Long Eaton Plant Hire Limited will undertake drugs / alcohol testing of staff within the Company. Such tests may form part of a random testing scheme, or to comply with clients' mandatory conditions, or as a result of a specific incident.

The willingness to submit oneself to drugs / alcohol testing as and when required by the Company is an express term and condition of each and every employee's Contract of Employment with Long Eaton Plant Hire Limited

Over the Counter Medicines

When purchasing over the counter medicines from a Chemist/Pharmacy, be sure to read the small print on the enclosed leaflets. Some medicines may affect your vision or co-ordination or make you sleepy. This may affect your ability to drive, ride a bicycle or perform skilled tasks safely.

Alcohol

See attached – *Appendix 1*

Prescription Drugs

See attached **DfT** Drug Driving – *Appendix 2*

Appendix 1

The drink drive limit

There are strict alcohol limits for drivers, but it's impossible to say exactly how many drinks this equals - it's different for each person.

The limits in Scotland are different to the rest of the UK.

Level of alcohol	England, Wales and Northern Ireland	Scotland
Micrograms per 100 millilitres of breath	35	22
Milligrammes per 100 millilitres of blood	80	50
Milligrammes per 100 millilitres of urine	107	67

There are strict drink driving penalties if you are caught over the limit.

You can't drive anywhere in the UK if you've been banned by any UK court because of drink driving.

The way alcohol affects you depends on:

- your weight, age, sex and metabolism (the rate your body uses energy)
- the type and amount of alcohol you're drinking
- what you've eaten recently
- your stress levels at the time

Appendix 2

DRUG DRIVING – NOTE TO EMPLOYERS OF DRIVERS

A new drug drive law came into force in England and Wales on 2nd March 2015. The new law makes it illegal to drive with a specific controlled drug in the body above the specified limit for that drug. This legislation is providing a more effective tool for dealing with the danger posed by drug drivers. It is also helping to reduce the wasted time, expense and effort involved for the police and the courts when prosecutions fail because of the difficulty of proving that a driver is impaired by a particular drug under the older legislation (which remains in place).

Since 2nd March enforcement against drug driving has increased fourfold with for the first time police forces using drug screening devices that can detect cannabis and cocaine at the roadside. Over 12,000 drug screening devices have been purchased by police forces in these first few months and cases are now being dealt with in the courts. Although other drugs cannot be detected at the roadside if the police suspect other drugs are being used they can still take a blood sample and if the drug concentration is above the limit then the driver will be breaking the law.

As an employer of drivers we wish to bring this new law to your attention now that we have evidence that police forces are using it robustly. You may therefore wish to bring this to the attention of your drivers and consider whether your work place policies are keeping pace with the new law. A drug drive conviction will have a serious effect including a criminal record, a minimum 12 month driving ban, a hefty fine and up to 6 months in prison or both.

Limits have been set at very low levels for eight illegal drugs such as cannabis and cocaine meaning that smoking one joint of cannabis within 6 hours could put a person over the specified limit. Some medicines have also been included in the new law. To find out more, ask your doctor or pharmacy team.

The drugs and their limits in micrograms per litre of blood are set out in the table below:
Illegal drugs

Illegal drugs	Medical drugs
Benzoyllecgonine 50µg/L	Clonazepam 50µg/L
Cocaine 10µg/L	Diazepam 550µg/L
Delta-9-THC (Cannabis) 2µg/L	Flunitrazepam 300µg/L
Ketamine 20µg/L	Lorazepam 100µg/L
LSD 1µg/L	Methadone 500µg/L
Methylamphetamine 10µg/L	Morphine 80µg/L
MDMA (Ecstasy) 10µg/L	Oxazepam 300µg/L
6-Monoacetylmorphine (Heroin) 5µg/L	Temazepam 1,000µg/L
Amphetamine – 250µg/L	

For more information about the new law, visit <https://www.gov.uk/drug-driving-law>

Information for prescription drug users

The new law also includes eight medicines that are sometimes abused that have been set at higher limits to reflect their use as medicines, with limits based on the available evidence of the road safety risk. These medicines are:

- Morphine used to treat pain – opiate/opioid based medication will metabolise (chemically change) into Morphine and show in a blood result;
- Diazepam, Clonazepam, Flunitrazepam, Lorazepam, Oxazepam, Temazepam used to treat anxiety or inability to sleep;
- Methadone used to treat drug addiction

The amphetamine limit has been set slightly lower than a road safety risk but still at a limit expected to be lower than normally prescribed. It is sometimes used to treat attention deficit hyperactivity disorder (ADHD) and Parkinson's disease.

If you are taking your medicine as directed and your driving is not impaired then you are not breaking the law

The majority of patients that are fit to drive and are taking medicines as directed are unlikely to be above the specified limit and therefore would not be committing the new offence. Even if you are above the specified limit but your driving is not impaired and you are taking your medicine in accordance with the advice of a healthcare professional and/or as printed in the accompanying leaflet you will also be within the law. The new law provides a medical defence if you are taking medicine in accordance with the advice of a healthcare professional – provided you are not impaired. Always take your medicine in accordance with the advice of a healthcare professional or printed in the accompanying leaflet.

It will remain an offence to drive whilst impaired by drugs under the older 'impairment' law and, if in doubt, you should not drive.

Further detail on the policy is available within the Healthcare Guidance designed to help healthcare professionals understand the change.

More information can be found on the THINK! Website where posters can be downloaded and displayed in the workplace.

If you have any further queries then please contact Martin.Ellis@dft.gsi.gov.uk
Tel 020 7944 6945.

**Department for Transport
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