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Alcohol and Drugs Policy

Revision Number	Date	Comments	Reviewed By	Approved By
001	19/06/15	Issue of new Policy	J. Sibley	S Sivyer
002	21/08/18	Review and deletion of Jason Barnes from acceptance form	J. Sibley	S Sivyer
003	09/06/22	Annual Review	Tom Maltby	S Sivyer

ALCOHOL AND DRUGS POLICY

Introduction

The Company recognises that it has a responsibility to provide a safe and healthy working environment for its employees, contractors, agency staff and others who may be affected by the company operations (including the general public), and acknowledges that this may be jeopardised by those who misuse alcohol, drugs, novel psychoactive substances or solvents within the working environment.

This Policy is applied universally, regardless of individual status within the Company, to all employees, contractors, agency staff and visitors of the Company.

It is known that substance misuse can affect certain brain functions, which can seriously impair an individual's judgement and reactions, leading to an increased risk of accidents and injuries occurring.

Misuse of substances can also lead to a disruption of company performance, which can then undermine the health and safety management aims.

It is for this reason that a positive management approach is followed so the Company can provide a safe working environment for all employees, contractors, agency staff and visitors, by having clear rules in place regarding use and possession of alcohol, drugs novel psychoactive substances and solvents, and to support those who have reported a problem with dependence of these substances.

Definitions

The policy applies to any form of "intoxicating substance" which may affect the ability of personnel to undertake their work duties in a safe manner.

Substance abuse is divided into three main categories:

- Alcohol Dependence/Excessive Consumption
- Taking or possession of legal and illegal drugs, including prescription medications and novel psychoactive substances
- Solvent abuse (inhalation of glues or gases)

Substance dependency is a condition where an employee's consumption of alcohol / drugs / novel psychoactive substances / solvents continually or repeatedly interferes with his/her health, attendance or work performance.

Substance intoxication is excessive consumption which may result in irresponsible behaviour, but which is not related to a physical or psychological dependence.

Principles

- All employees, contractors, agency staff and visitors to site will be treated consistently and fairly in line with this policy.
- The rules on alcohol drugs, novel psychoactive substances and solvents will be strictly enforced.
- Those who admit to having a problem with alcohol, drugs, novel psychoactive substances and solvents shall be fully supported by their line manager. Employees with an illness related to alcohol or drugs are encouraged to disclose this at the earliest opportunity to ensure support and help with treatment.
- All matters concerning alcohol, drugs, novel psychoactive substances and solvents shall be treated as confidential.

Scope

- The Company's alcohol and drugs policy and rules laid out in the policy apply to all employees, contractors, agency staff and visitors to site.
- The Company will take all reasonable steps to ensure employees, contractors, agency staff and visitors to site are made aware of the contents of this policy.
- Misconduct in relation to alcohol, drugs, novel psychoactive substances and solvents will be dealt with in relation to the disciplinary policy.
- Problems with attendance or a long-term alcohol/drugs related illness will be managed in line with the sickness absence policy and the capability policy.

Rules

The Company's policy is that during working hours and at all times whilst on work premises employees, contractors, agency staff and visitors to site must be free from the influence of drugs or alcohol.

No employees, contractors, agency staff and visitors to site shall:-

- Report or try to report for work due to the abuse of alcohol, drugs (whether illegal or not) novel psychoactive substances or solvents.
- Be in possession of alcohol, illegal drugs or novel psychoactive substances in the workplace
- Supply others with alcohol, illegal drugs or novel psychoactive substances in the workplace
- Consume alcohol, illegal drugs or novel psychoactive substances or abuse any substance whilst at work.
- Ignore others who are supplying, consuming or abusing alcohol, illegal drugs or novel psychoactive substances.
- Drive any company vehicle after consuming alcohol, drugs, novel psychoactive substances or solvents

In addition, employees, workers or contractors must:-

- Ensure they are aware of the side effects of any prescription drugs
- Advise their line manager or a member of the management team immediately of any side effects of prescription drugs, which may affect work performance or the health and safety of themselves or others.
- Be aware of one's own tolerance to alcohol
- Be aware of one's own shift patterns in relation to their consumption of alcohol

Procedures

If the Company believes or suspects any of its employees or contractor's employees have consumed alcohol, drugs or novel psychoactive substances during or just before commencing their duties, they will cease work immediately or be forbidden to commence work.

Personnel suspected of having consumed alcohol, drugs or novel psychoactive substances will be instructed by a **Company Director / Manager / Authorised Person** to remain on the site premises pending further investigation. Compliance to this request is mandatory to all personnel of the Company.

Personnel shall, if required at any time, submit to an alcohol and/or drugs test to be carried out by a **Company Director / Manager / Authorised Person**.

An employee who suspects that a fellow employee is intoxicated by alcohol, by the illegal use of drugs or novel psychoactive substances during their normal working hours, must inform a senior member of staff. The Company will not employ any person with a disciplinary record of an alcohol or drug-related offence.

Disciplinary

Contravention of the above rules or failing to submit an alcohol / drugs test will be considered to be gross misconduct, and the Company will take disciplinary action for any breach of these rules, which may include dismissal.

In the case of agency workers or contractors, services may be terminated immediately upon a breach of these rules.

In the case of visitors, they will be asked to leave the premises and may be prevented from accessing the Company premises in the future.

In addition, possession of or dealing in illegal drugs on Company premises will, without exception, be reported to the Police.

Signs of Substance Misuse

A combination of the following factors can indicate substance misuse may be taking place:

- Lateness and absenteeism
- Poor work performance, output and accuracy
- Unreliability
- Poor relations with colleagues
- Impaired concentration, memory and judgement
- Accidents

Prescription Medicines

It's illegal in England and Wales to drive with legal drugs in your blood if it impairs your driving. It's an offence to drive if you have over the specified limits of certain drugs in your blood and you haven't been prescribed them. Talk to your doctor about whether you should drive if you've been prescribed any of the following drugs:

- Clonazepam
- Diazepam
- Flunitrazepam
- Lorazepam
- Methadone
- Morphine or opiate and opioid-based drugs
- Oxazepam
- Temazepam.

Note that drugs are sometimes manufactured and distributed under more than one name.

You can drive after taking these drugs if:

- You've been prescribed them and followed advice on how to take them by a health care professional
- They aren't causing you to be unfit to drive even if you're above the specified limits.

You could be prosecuted if you drive with certain levels of these drugs in your body and you haven't been prescribed them. The law doesn't cover Northern Ireland and Scotland but you could still be arrested if you're unfit to drive.

If you are prescribed medication by a healthcare professional, always check that it will not affect your driving if taken in the stated dose and always carry the packaging

For Cause Searching

Searches for alcohol, drugs or novel psychoactive substances may be conducted where the Company has reasonable grounds to believe that these substances have been brought on to the premises without permission.

Searches may be conducted of individual's personal affects, Company vehicle and or their desk/locker and other areas in the workplace under the individual's control. This will only be done with the individual's permission but withholding consent will be regarded as gross misconduct, and the Company will take disciplinary action which may include dismissal.

If drugs or alcohol are found or are in the possession of individuals this may also be regarded as gross misconduct and will normally result in dismissal.

Post Incident / Accident Drug and Alcohol Testing

All employees of the Company or contractor's employees who are involved in an incident may be required to undertake a breath alcohol test and saliva test to look for drugs of abuse. An incident may be understood to be an event which causes injury or loss of life, has the potential to cause injury or loss of life, causes damage to property or has the potential to cause damage to property.

Vehicle Road Side Checks

As part of the vehicle road side checks (carried out on a daily basis), where there is a reason to suspect an employee is unfit to carry out their duties because of the use and/or abuse of drugs or alcohol, drivers may be required to undertake a breath alcohol test and saliva test to look for drugs of abuse.

Suspicious of Intoxication

Where a **Company Director / Manager / Authorised Person**, has reason to suspect an employee or contractors employee is unfit to carry out their duties, because of the use and/or abuse of drugs or alcohol, the employee will not be permitted to start or continue to work and may require that person, to undertake a **saliva alcohol test** and saliva test to look for drugs of abuse.

Planned Alcohol and Drug Testing

The Company will ensure that at least **10%** of employees who are a representative cross section will be randomly tested for alcohol and use of drugs on an annual basis. This will include the employee undertaking a breath alcohol test and saliva test to look for drug use.

Testing Protocol / Procedures

- All names of people on site will be selected by an external collection company. Individuals will not be notified that testing will happen until immediately prior to the test.
- When an individual is selected for screening, he/she must be informed that he/she may be accompanied by a colleague as a witness.
- The individual to be tested will be accompanied at all times until the external tester arrives.
- Screening will take place in a suitable location, chosen by the external tester in consultation with the manager requesting a screen or test, and bearing in mind that it may require the collection of samples. The chosen location will be suitably equipped and notices warning about the consequences of adulterating samples will be displayed.
- Screening will be administered in accordance with the specific instructions associated with the test being carried out.
- The screening procedure involves the taking of samples which can either be screened on site or sent to a registered laboratory for analysis.

- Testing for the presence of alcohol is by breathalyser and for the presence of drugs is by the taking of a saliva sample.

Records

The Company will maintain accurate records of employees who have been tested, and those who have been found to be in breach of this policy.

The Company shall ensure records confirming that the tests have been undertaken are maintained on the employee's files.

Alcohol Testing

Employees are advised that in order to commence work with a zero or near zero alcohol level, they should not consume any alcohol in the 8 hours before starting work, and in the 16 hours prior to that, not consume more than 7 units of alcohol.

- Testing for alcohol is undertaken initially by alcohol saliva strip test and followed by electronic breathalyser.
- The drink-drive limit in England is **80mg** of alcohol per 100ml of blood.
- However due to the nature of the work undertaken by the Company, stricter limits on levels of alcohol are imposed and employees should not be above **50mg** of alcohol per 100ml of blood.

Where it is suspected that an employee is unfit to carry out their duties, because of the consumption of alcohol an initial saliva test will be carried out using an alcohol saliva test strip which will give an indication of the level of blood alcohol present.

If an employee who is subject to random / unannounced testing for the presence of alcohol, has a non-negative result from their first sample, a second sample must be taken.

Where the test result shows that the employee is above half of the drink-drive limit **40mg** of alcohol per 100ml of blood, two further samples will be taken using an electronic breathalyser to confirm the result.

The individual must not smoke, use mouth sprays or drink alcohol or fruit juice during the period between the sample collections. (Should this requirement not be adhered to, the second sample may be treated as having been adulterated.)

The individual must sign a consent form before the samples from the electronic breathalyser are taken. Refusal to do so may be treated as gross misconduct.

If an employee tests positive at the following levels of alcohol per 100ml of blood, the following disciplinary action will be taken:-

- Where a negative result is provided, the employee will be permitted to resume with their duties.
- Positive results **up to 49.90mg** of blood – The employee will be permitted to resume their duties but will be subject to a further test on the following day.
- Positive results of **50mg to 79.90mg** of blood – The employee will be suspended for the day **with pay** pending investigation. The employee will be tested the following day when they return to work. If they test positive again this will result in dismissal
- Positive results of above **80mg** of blood – this will be considered to be gross misconduct and will result in dismissal.

Drug Testing

Drugs testing will take the form of a saliva test.

If the initial test provides a 'negative' result the employee will be permitted to return to work.

If a sample has been discovered to have been adulterated, diluted, substituted or tampered with in any way, the disciplinary process is immediately instigated.

If an employee who is subject to testing for the presence of drugs, has a 'non-negative' test result, from an onsite instant drug test, 2 additional samples may be taken and send to a UKAS accredited laboratory for confirmation.

Where samples are sent for further laboratory analysis the Company will ensure that a strict Chain of Custody is maintained.

On any occasion where a 'non-negative' result has been obtained, the employee shall not continue to undertake their duties, and will be suspended with pay, pending the results from the laboratory (typically 5-7 working days) and disciplinary hearing.

The employee will be escorted off the premises and suitable arrangements made for them to travel home. The employee will be advised not to drive and will not be permitted to drive a company vehicle.

If the results are positive, in line with illegal drug abuse, or abuse of both legal or illegal drugs you will not be permitted to resume work until a disciplinary hearing has been arranged as per the Disciplinary Policy and Procedures.

Help and support

The Company will endeavour to ensure that advice and help are made available to any employee who feels they have a problem with alcohol or drug misuse. In the first instance, individuals will be encouraged to seek help from their General Practitioner.

It may occasionally be necessary to request that the employee refrains from work temporarily, or undertakes restricted duties to ensure their own safety and that of others. The Company may also allow additional time off (normally unpaid) for employees to obtain treatment or attend support groups. Any employee who seeks the assistance of the Company in finding treatment for a drugs or alcohol problem has the Company's complete assurance of confidentiality.

Associated Documents

- Alcohol and Drug Testing Procedures

(Please sign and return the slip below)

RECEIPT OF ALCOHOL AND DRUGS POLICY

I acknowledge that I have received, read and understood the Sivyer Group Alcohol and Drugs Policy and agree to conform to the health and safety requirements.

Employee Name	
Employee Signature	
Date	

THIS PAGE MUST BE SIGNED BY THE EMPLOYEE AND A COPY RETURNED TO ONE OF THE FOLLOWING PERSONS:

- Fleet Compliance Manager (Mario Hellowell)
- Commercial Manager (Jafar Zahedi)
- Waste Management Operations & Commercial - (Ben Dickens)
- Workshop Manager (Steve Hanley)