



Lindsay  
Wilkinson  
Systems  
LTD



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## Drug & Alcohol Policy

### Alcohol:

#### Introduction

LWS are responsible employers and we take our obligations to our employees very seriously. This is why we have set out this policy to help us ensure the health, safety and welfare of our employees and to help us comply with our legal duties. Employees who develop alcohol related problems cause harm to themselves, to others and impair their performance.

- The Health and Safety at Work Act 1974 places a duty on employers to provide a safe and healthy working environment, and to ensure the health, safety and welfare at work of their employees as well as any visitors or contractors on the premises.

#### Aims of the Policy

This policy aims to:

- Promote awareness of alcohol related problems and addiction;
- Encourage a sensible approach to drinking alcohol;
- Ensure that the Company complies with its legal obligations;
- Indicate restrictions on drinking alcohol at work;
- Protect Employees from the dangers of alcohol abuse; and
- Support Employees with an alcohol related problem.

#### Health and Safety

In a social environment the consumption of alcohol in moderation is an accepted part of life. In the workplace however it can impair performance, result in inappropriate behaviour, and can place both the individual and those around them in danger, as well as affect health.

In the workplace alcohol abuse can take two different forms:

- Occasional inappropriate drinking; and
- Consistently inappropriate drinking.

Problems arising from the first category are more likely to be cases of misconduct whilst the second will be more likely to involve long term health and performance issues. In either case the health of the individual employee will be affected and quite possibly the health and safety of those around them.

While it will be clear if an individual is drunk at work, the symptoms of larger scale systematic alcohol abuse may be less obvious. Symptoms of alcohol abuse may include:

- Frequent absences on Mondays and Fridays;
- Unusually high rates of absenteeism;
- Unkempt appearance/Lack of hygiene;
- Spasmodic work patterns and lower productivity; or
- Poor relations with others.

### **Restrictions on Drinking Alcohol at Work**

- Unless it is formally approved by LWS, employees may not consume alcohol during normal working hours nor should they be incapable of work through the consumption of alcohol.
- Alcohol must not be consumed in any situation where as a consequence the safety of the individual, colleagues or visitors is put at risk.
- Alcohol must not be consumed in excess [or in sufficient quantities to impinge on the exercise of any individual's duties] when on Company business outside normal working hours, for example when involved in functions or in providing hospitality.
- Employees are not obliged to work with anyone they consider to be incapable through the consumption of alcohol and should immediately report the matter to Ben Lindsay.
- Employees who are incapable of working through the consumption of alcohol should be immediately removed from duty and the matter reported to Ben Lindsay.
- Employees will be held to be contributorily negligent in the event that whilst on Company business they cause an accident or damages to anyone or anything, and that the incident occurred due to the Employee's consumption of alcohol.

### **Disciplinary Action**

Employees who are unfit or otherwise incapable for work through the consumption of alcohol will be liable for disciplinary action, may be found guilty of gross misconduct, and may face summary dismissal.

### **Procedure**

- In the event that an employee is diagnosed with an alcohol related problem the Company will treat it as a health matter. However this does not excuse the employee from any of the disciplinary matters that may fall within the scope of the Company disciplinary policy.
- All alcohol related issues will be dealt with in a constructive and sympathetic manner. The individual responsible for all such issues is Ben

Lindsay who will also provide any interested employees in confidence with details of where to seek more information or help.

- All requests for help or advice will be treated in the strictest confidence and all information gathered as a result will be held in accordance with the Data Protection Act 1998.
- After receiving any appropriate medical reports the Company will provide support to any affected employees [and where necessary provide suitable treatment, to be paid for by the Company.] Where an employee agrees to follow a suitable course of action or treatment any disciplinary action may be suspended.
- The Company reserves the right to give affected employees lighter duties at the same rate of pay, or require them to take paid leave if it is deemed appropriate
- Following effective treatment and in the absence of any disciplinary action the Company will endeavour to return an affected employee to the same role previously fulfilled by the employee [and where this is not possible to a suitable alternative].
- In the event that an employee following successful treatment for an alcohol related problem suffers a relapse the Company is under no obligation to make provision for any further treatment and the employee in question may face summary dismissal.
- If it is considered that the working environment or culture is the cause or a contributor to an alcohol related problem, the Company will take all reasonably practical steps to ensure a reduction of such problems.

## **Drugs:**

### **Introduction**

LWS are responsible employers and we take our obligations to our employees very seriously. This is why we have set out this policy to help us ensure the health, safety and welfare of our employees and to help us comply with our legal duties. The use of non-prescribed drugs is not only dangerous but also illegal under criminal law.

- Section 2(2)(e) of the Health and Safety at Work Act 1974 places a duty on employers to provide a safe and healthy working environment.
- It is an offence to supply, produce, offer to supply or produce controlled drugs.
- The Misuse of Drugs Act 1971 makes it an offence for the occupier of premises to permit knowingly the production or supply of any controlled drugs or allow the smoking of cannabis or opium on those premises.
- It is also an offence to aid or abet any of these offences.

Any reference in this Policy to a non-prescription drug refers only to controlled or illegal substance and does not refer to medicines, supplements and similar substances that are legally and commercially available in the United Kingdom.

### **Aims of the Policy**

This policy aims to:

- Comply with the Company's legal obligations to provide a safe and healthy working environment for all staff.
- Comply with all of the requirements imposed by law.
- Raise awareness of the dangers and penalties associated with the use of controlled drugs.
- Guarantee the right of all staff to work in an environment unaffected by controlled drugs.
- Provide support to staff whose lives are or who have been affected by the misuse of controlled drugs.

### **Health and Safety**

Controlled substances often possess side effects that could not only adversely affect employees health but that of their colleagues at work as well as their performance. Employees should be aware that anyone under the influence of controlled drugs is a risk to everyone around them and should be alert to possible signs of drugs abuse. Such indicators commonly include:

- Sudden changes in behaviour;
- Confusion;
- Irritability;
- Fluctuations in mood and energy;
- Impairment of performance; and
- Increase in short term sickness absence.

Employees should report any concerns they may have about a colleague displaying

any or all of these symptoms to Ben Lindsay or Andrew Wilkinson but should not under any circumstances approach the person displaying the symptoms or discuss their concerns with any other colleagues.

## **Prohibition**

- No non-prescription drugs are allowed to be consumed in or brought onto company premises, land or vehicles at any time by any person irrespective of their status in, or business with, the Company.
- The prohibition of non-prescription drugs extends to all activities carried out by staff whilst they are at work. These activities include but are not restricted to driving on company business, when on call or standby duties or when on trips for company business, training or social events.

## **Disciplinary Action**

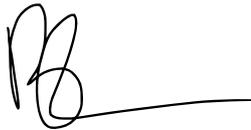
A breach of these rules will be defined as gross misconduct and it is likely that the employee in question will face summary dismissal.

## **Principles**

- If an employee is diagnosed as having a drug related problem the Company will treat it as a health matter. This does not however excuse the employee from any of the disciplinary matters that may fall within the scope of the Company disciplinary policy.
- All drug related issues will be dealt with in a constructive and sympathetic manner, and the person responsible for all such issues in the Company is Ben Lindsay, who will also provide any interested employees with the details of where to seek further information and help.
- All requests for help will be treated in the strictest confidence and all information gathered as a result will be held in accordance with the Data Protection Act 1998.
- The Company will provide support to any affected employees [and where necessary provide suitable treatment to be paid for by the Company.] Where an employee agrees to follow a suitable course of action or treatment any disciplinary action may be suspended.
- The Company reserves the right to give affected employees lighter duties at the same rate of pay, or require them to take paid leave if it is deemed appropriate.
- Following effective treatment and in the absence of any disciplinary action the Company will endeavour to return an affected employee to the same role previously fulfilled by the employee [and where this is not possible to a suitable alternative].

- In the event that an employee following successful treatment for a drug related problem suffers a relapse the Company [will not make] [is under no obligation to make] provision for any further treatment and the employee in question [will] [may] face summary dismissal.
- If it is considered that the working environment or culture is the cause or a contributor to a drug related problem, the Company will take all reasonably practical steps to ensure a reduction of such problems.

Signed by Ben Lindsay (Director)

A handwritten signature in black ink, consisting of a stylized 'B' followed by a horizontal line.

Signed by Andrew Wilkinson (Director)

A handwritten signature in black ink, consisting of a stylized 'A' followed by a horizontal line.

Date: May 2018