

## **Alcohol, Drugs and Substances Misuse Policy**

Bathgate Flooring Ltd has a duty to ensure, as far as is reasonably practicable, the health, safety and welfare of its employees as well as visitors to its premises and people working on their behalf.

The misuse of alcohol, drugs and substances including New Psychoactive Substances (NPS), can have serious consequences for employees, their work colleagues and families. This policy applies to all employees and outlines how we will deal with suspected alcohol, drug and substance misuse including NPS and wherever possible provide support to employees who declare a problem related to alcohol, drugs or substances.

Under the Psychoactive Substances Act 2016, psychoactive substances are widely defined and they can be anything which is capable of producing a psychoactive effect, i.e. there's no defined list. Whilst possession of a psychoactive substance is not a criminal offence in itself, it is a criminal offence to supply, offer to supply or possess with intent to supply any psychoactive substance - this situation could arise where one employee gives or sells another employee a psychoactive substance in your workplace.

For the purpose of this policy misuse is defined as the consumption of alcohol, drugs or substances including NPS, other than drugs prescribed as medication, to the extent that it affects an employee's work performance, behaviour, attendance, or the safety of themselves and work colleagues.

Misuse of alcohol, drugs and substances including NPS can have a number of adverse effects:

- Loss of productivity and poor performance.
- Lateness and absenteeism.
- Safety concerns.
- Team morale and employee relations.
- Bad behaviour or poor discipline.
- Company image and customer relations.

### **Our Rules**

- Employees and sub-contractors must not be under the influence of alcohol, drugs or substances, other than drugs prescribed as medication, during working time or rest breaks.
- Where there is a legitimate reason to provide alcohol for a particular occasion on the employer's premises this must be authorised by the Managing Director.
- The use, possession or sale of controlled drugs or NPS during working time is prohibited.
- Employees and sub-contractors are expected to behave responsibly with regard to the consumption of alcohol in their private life so as not to affect their capability at work.
- Consumption of alcohol is not allowed during working hours or during a break at work
- Employees representing Bathgate Flooring Ltd at business related events outside normal working hours are expected to behave responsibly with regard to the consumption of alcohol.

In addition, employees who drive for work must:

- Never drive while under the influence of alcohol, drugs or substances including NPS.
- Make arrangements so they do not need to drive if they know they will be drinking alcohol at company functions, and with the consent of management
- Be aware that they may still be over the limit, or affected by alcohol the morning after they have been drinking.

- Be aware that prescription drugs or over-the-counter medicines can affect driving and can cause sleepiness.
- Report drug and alcohol problems, including cautions, summonses or convictions for alcohol or drug-related offences, to their manager.
- Co-operate with monitoring, reporting and investigation procedures.

### **Disciplinary Action**

Any suspected breach of these rules will be subject to investigation under the Company's Disciplinary Procedure. Serious breaches will be considered as gross misconduct and may lead to dismissal.

### **Prescribed Drugs**

Employees and sub-contractors should continue to take drugs prescribed by their GP, or bought over the counter. Where it is reasonable to believe that such drugs may have an affect on their performance they should pass this information to their manager. Where this puts an employee or work colleagues at risk it may be necessary to make appropriate changes to the working arrangements.

### **Help and Support**

The Company will assist any employee suffering from the effects of alcohol, drugs or substance misuse in the same way as it would treat any other medical condition. Support and assistance will be provided where appropriate with the aim that the employee will be able to return to acceptable levels of work performance, behaviour, and attendance.

Where counselling and assistance has failed to result in satisfactory performance the matter will be dealt with under the Company's Disciplinary Procedure as appropriate. In the event that an employee with an alcohol, drugs or substance related problem that impairs their conduct or work performance refuses assistance, the matter will be dealt with under the Company's Disciplinary Procedure.

Employees are encouraged to refrain from covering for colleagues with an alcohol, drugs, or substance related problem, and need to understand that that collusion risks longer term damage to those colleagues.

### **Confidentiality**

The Company will respect the confidentiality and privacy of any employee affected by a problem related to alcohol, drugs or substances. No sensitive information will be shared without an employee's prior consent. The Company is also mindful of its duties under the Data Protection Act when processing and storing information of a sensitive nature.

### **Testing and Screening**

In order to enforce this policy the Company will arrange for testing of employees and sub-contractors for drugs, alcohol and substances in the following situations:

- After an incident in which the presence of controlled drugs or excessive alcohol is reasonably suspected to have been a contributory factor.
- When a manager has reasonable grounds for believing an employee has taken controlled drugs, excessive alcohol or substances including NPS and their work performance is affected.
- When a manager has reasonable grounds for believing an employee has taken controlled drugs, excessive alcohol or legal highs and the safety of the employee, work colleagues, or third parties could be affected.

Wherever possible, the least intrusive forms of testing practicable will be used. All testing will be subject to a 'chain of custody' procedure to ensure that:

- Samples are actually provided by the employee being screened.
- Samples cannot be tampered with.
- Results of tests are accurate and reliable.

**Mandatory Alcohol, Drugs or New Psychoactive Substances Testing**

Where clients of Bathgate Flooring Ltd operate compulsory drug or alcohol testing policies on their sites, our employees and our sub-contractors will be required to co-operate fully with random unannounced drug or alcohol screening arrangements. In addition, drug or alcohol breath tests will be carried out where there is a reasonable belief that drug taking or alcohol consumption has occurred or when an employee is believed to be under the influence of drugs or alcohol during working hours.

In the event of any employee refusing such screening or testing, an inference will be drawn from this which may result in disciplinary action. Any evidence of drug or alcohol use will be regarded as gross misconduct and disciplinary action will be taken which may result in dismissal.

Signed.......... Date..... 30<sup>th</sup> October 2023  
(reviewed annually).....  
Andrew Hubbard  
Managing Director  
Bathgate Flooring Ltd