



DRUGS AND ALCOHOL POLICIES

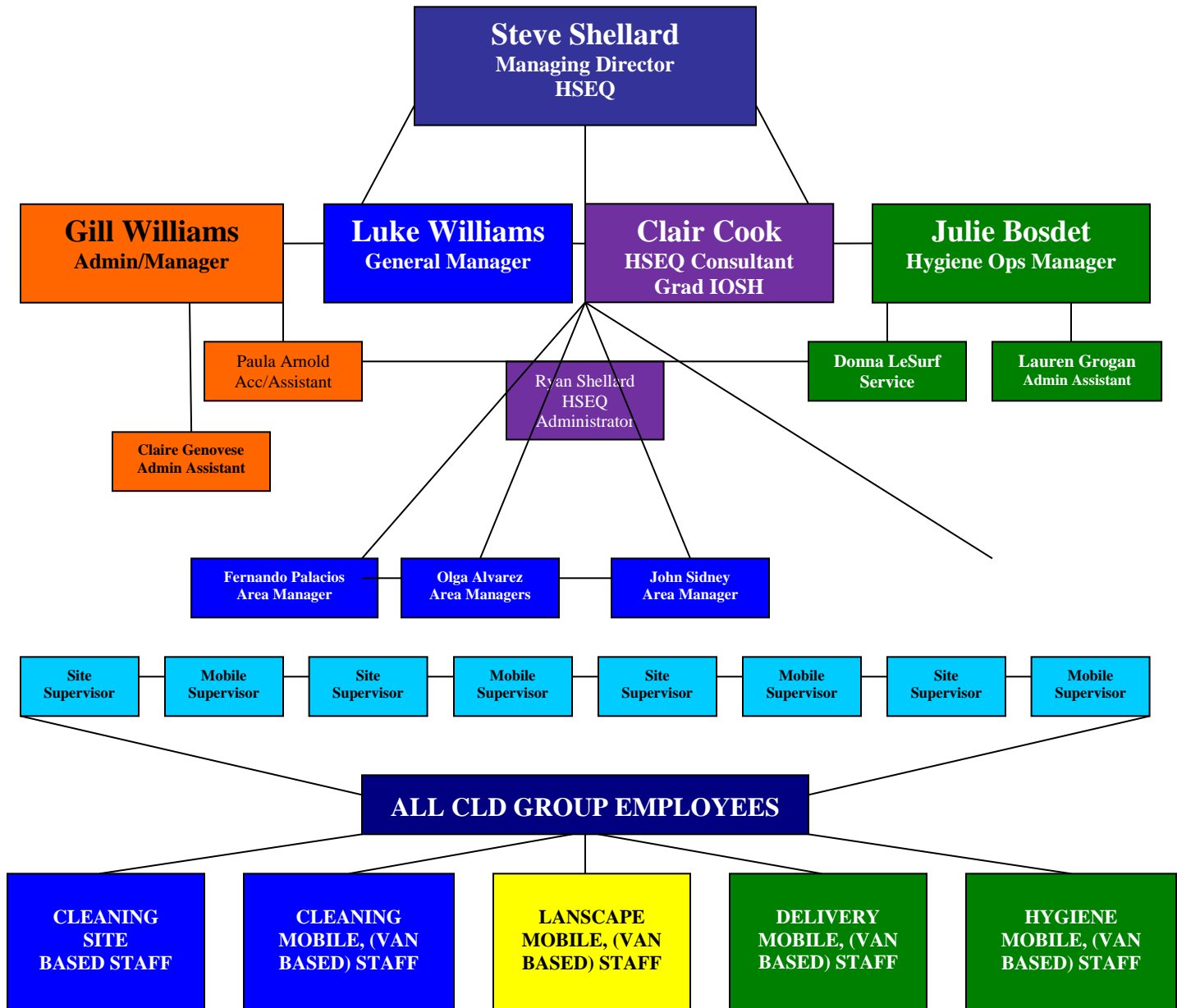
(INCLUDING DECLARATION FOR SUB CONTRACTORS)

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PERSONEL RESPONSIBLE FOR THE POLICY IMPLIMENTATION

The company has appointed competent persons and provided resources and training to ensure that the aims of the policy are met. These persons are as follows;





DRUGS & ALCOHOL POLICY

This is the CLD Groups Policy Relating to Drugs & Alcohol Use

1. POLICY

The Company recognises the potential dangers of alcohol, drug and solvent abuse, known as substance abuse, to both the individual and the Company.

The Company aims to prevent, where possible, alcohol, drug and solvent abuse amongst employees and to detect at an early stage employees with problems.

The policy is designed to deliver compliance with the requirements of the Transport and Works Act 1992, Network Rail's Railway Safety Case and Railway Group Standard for Alcohol and Drugs.

The Company, whenever possible, will offer assistance such as counseling or leave of absence from work if required for treatment. There may be, however, some instances when this offer may not be appropriate and Managers must assess each case individually.

2. RULES

- 2.1 Employees must not use, possess, conceal, transport, promote or sell prohibited substances whilst on Company premises, in Company vehicles, on client premises or at the work site.
- 2.2 Employees must not report for work under the influence of prohibited substances.
- 2.3 Employees must not consume alcohol in the office or on site.
- 2.4 This policy includes any employee holding a SENTINEL or similar Competence Card.

3. DEFINITIONS

- 3.1 **'Under the influence' means that there is a sufficient amount of the substance in the employee's system to produce a positive result from a medical test or breathalyser unit and/or that the employee shows erratic abnormal behaviour likely to pose a risk to others or to interfere with their job performance.**
- 3.2 **Substance includes the use of illegal drugs, misuse of legal drugs or other substances such as solvents or alcohol.**
- 3.3 **Company premises means all property owned, operated, leased by or otherwise under control, in whole or part of CLD Group Services Ltd.**
- 3.4 **NCCA National Competence Control Agency.**



4. ESTABLISHING THE PROBLEM

Managers should be aware that the misuse of drugs, alcohol or solvents by employees may come to light in various ways. The following characteristics, especially when arising in combinations, may indicate the presence of a substance problem.

4.1 ABSENTEEISM

- instances of un-authorised leave
- frequent Friday and/or Monday absences
- leaving work early
- lateness (especially on returning from lunch)
- excessive level of sickness absence
- strange and increasingly suspicious reasons for absence
- unusually high level of sickness for colds, flu, stomach upsets
- unscheduled short-term absences, with or without explanation

4.2 HIGH ACCIDENT LEVEL

- at work
- elsewhere, e.g. driving, at home

4.3 WORK PERFORMANCE

- difficulty in concentration
- work requires increased effort
- individual tasks take more time
- problems with remembering instructions or own mistakes

4.4 MOOD SWINGS

- irritability
- depression
- general confusion

4.5 MISCONDUCT

An employee's substance problem may come to light as a mitigating factor in a disciplinary interview.

It may be treated as a mitigating factor for certain 'less serious' disciplinary offences, such as poor timekeeping or lateness, provided the person is prepared to undergo treatment.

4.6 SELF-REFERRAL

In some instances, employees may come forward voluntarily and seek help themselves.



5. MANAGERS' RESPONSIBILITY

Managers who suspect one of their employees of having a substance abuse problem must discuss the matter with the relevant Manager/Director before approaching the employee with their concern.

The Manager will then discuss the matter with the employee and try to establish the cause of the problem (although it must be pointed out that individuals with a drugs or alcohol problem will often go to great lengths to conceal the situation).

The employee should be reminded or informed of the assistance the Company is prepared to give employees who are trying to overcome an alcohol or drugs problem and should be informed of outside agencies where help can be obtained.

The employee should be informed that the Company requires his or her performance to be improved to an acceptable standard and that failure to achieve this will result in dismissal. The Manager, having consulted with the Director, should agree with the employee what follow-up action is to be taken. Where it is established that alcohol or drugs is or could be the problem, an appointment should be arranged with the Company Doctor.

If the employee denies that either alcohol or drugs are the cause of the problem (whether believed or not), he or she should be treated as for any other disciplinary/capability problem, whichever is judged as appropriate by the Manager and Director.

However, if there are strong signs that the employee's unsatisfactory performance is drug or alcohol-related and he or she will not admit or acknowledge this, further encouragement should be given at all stages of the disciplinary/capability procedure to face up to the true underlying problem.

6. TREATMENT AND ASSISTANCE

Where employees acknowledge that they have a problem and are given help and treatment, this will be on the understanding that:

- The Company will give employees, assessed as having a substance abuse problem, all reasonable time off in accordance with the Company's Absence Policy.
- Every effort should be made to ensure that on completion of the recovery programme employees are able to return to the same or equivalent work.

However, where such a return would jeopardise either a satisfactory level of job performance or the employee's recovery, the appropriate Manager will review the full circumstances surrounding the case and agree a course of action to be taken. This may include the offer of suitable alternative employment, or the consideration of retirement on the grounds of ill health or dismissal. (Before a decision on dismissal is made, it should be discussed with the employee and an up-to-date medical opinion obtained.)



6.1 RELAPSE

Where an employee, having received treatment, suffers a relapse, the Company will consider the case on its individual merits. Medical advice will be sought in an attempt to ascertain how much more treatment/rehabilitation time is likely to be required for a full recovery. At the Company's entire discretion, more treatment or rehabilitation time may be given in order to help the employee to recover fully.

6.2 RECOVERY UNLIKELY

If, after the employee has received treatment, recovery seems unlikely, the Company may be unable to wait for the employee any longer. In such cases, dismissal may result but in most cases a clear warning will be given to the employee beforehand and a full medical investigation will have been undertaken.

7. DRUG SCREENING PROGRAMME

7.1 PROCEDURE

Employees may be required to submit to a test to check for the presence of drugs or alcohol under the following circumstances:

- *following an accident or incident on Company or client premises, at a worksite or involving a Company vehicle;*
- following the discovery of a prohibited substance on Company premises;
- where there is reason to suspect that the employee may be under the influence of a prohibited substance;
- where it is suspected there has been a breach of the policy, e.g. high individual accident experience, excessive absenteeism, observed erratic behavior and/or deteriorating job performance.



7.2 PRE EMPLOYMENT TESTING

The Managing Director shall ensure that any applicant for a Safety Critical Work post or any other post requiring the occupant to hold a SENTINEL Competence Card is required to undergo a pre-appointment alcohol and drugs test. A Network Rail-approved provider, who is accredited under the Link-Up Supply Chain system in the relevant product groups, shall conduct this test, which shall require the applicant to provide a specimen of urine under controlled conditions. The **Managing Director** shall have procedures in place to ensure that the results of pre-appointment alcohol and drugs testing are concluded and the candidate advised before any contract of employment is established.

Any candidate who is already an employee of CLD Services Limited and who:

- Refuses to undergo pre-appointment testing,
- Tests positive for alcohol or drugs, or
- Declares ingestion, inhalation or consumption of drugs of abuse,

Will be in breach of CLD's alcohol and drugs policy and CLD's managers shall take appropriate action in accordance with the company's disciplinary procedure.

Any other candidate who:

- Refuses to undergo pre-appointment testing,
- Tests positive for drugs, or
- Declares ingestion, inhalation or consumption of drugs of abuse,

Shall not be considered for appointment to any Safety Critical Work post or any other post requiring the occupant to hold a SENTINEL competence card. In addition, the testing provider will notify details to NCCA who will record them on the SENTINEL database.

Any other candidate who tests positive for alcohol shall:

- Be advised that this would normally constitute a fail and would not be acceptable if employed in the rail industry
- Be required to submit to and pass a further alcohol and drugs test before being considered for employment with CLD Services Ltd.

In addition, the testing provider will notify details to NCCA who will record them on the SENTINEL database.

8. UNANNOUNCED RANDOM TESTING

8.1 Systems to be in place

The **Managing Director** shall have systems in place to ensure that each year at least 5% of employees (including contract staff) identified as Holders of Safety Critical Work posts are subject, during the course of their duties, to unannounced random alcohol and drug testing. This may be by breathalyzer or urine sample, but if a breathalyzer is used, a urine sample shall be taken to confirm any positive result (refer to NR/SP/OHS/00118 & 00119).

8.2 Approved Provider

Collection of urine samples shall only be undertaken by a Network Rail approved provider who is accredited under the Link-Up Supply Chain system in the relevant product groups.



8.3 Selection of staff for testing

The Works Manager shall maintain a process for selection of staff for unannounced random alcohol and drug testing which ensures that:

The work force from which the sample is drawn comprises all holders of Safety Critical Work posts and holders of SENTINEL Competence Cards employed by CLD Services Ltd. Sample selection is at random from within the specified workforce.

8.4 Staff to continue to work

Employees subject to unannounced random testing shall continue to undertake their duties whilst awaiting the results of such testing unless there are reasonable grounds to suspect they are unfit for duty at the time of testing.

8.5 Refusal regarded as positive result

Any refusal to undergo unannounced random testing for alcohol and drugs shall be regarded as a positive result and appropriate action taken against the employee concerned.

8.6 'For Cause' Testing

'For cause' alcohol and drug testing shall be carried in any of the following circumstances:

Following an accident or incident where any employee's behaviour gives grounds to suspect that they may be unfit for work through alcohol or drugs.

As part of an on-going treatment monitoring programme.

'For cause' testing shall not be restricted to Maestro Cleaning & Facilities Ltd employees, but shall also be undertaken on contractor and agency employees where appropriate.

8.7 Accidents and incidents

CLD's managers and supervisors shall ensure that 'for cause' testing for alcohol and drugs is initiated following any accident or incident where:

There are reasonable grounds to suspect that safety has been compromised through the consumption of alcohol or drugs,

The accident will be subject to a Formal Enquiry as required by Railway Group Standards.

'For cause' testing shall not be required for any person who has been tested by the Police and found to be in breach of the Transport and Works Act, 1992.

'For cause' testing shall only be carried out on a person who has been hospitalised as the result of an accident or incident with the consent of the medical practitioner in charge.



8.8 Arrangements for testing

CLD's managers and supervisors shall arrange all 'for cause' testing for alcohol and drugs via the approved provider to undertake testing.

Managers and supervisors shall ensure that each person to be tested is removed to a secure place of safety and accompanied at all times prior to testing.

Managers and supervisors shall ensure that, whilst awaiting testing, the person to be tested does not:

- Eat anything, unless essential (e.g. in diabetes to prevent hypoglycemia)
- Drink anything, other than small quantities of water, except that those who may be suffering shock may be offered a warm drink such as tea
- Take any medication, whether prescribed or 'over the counter', unless this is essential (e.g. insulin for diabetics)
- Use the lavatory, unless this is absolutely unavoidable

If it is necessary for the person awaiting testing to eat, drink or take medication, the manager or supervisor shall make a record of the time, and the nature and quantity of the food, drink or medication involved.

Smoking whilst awaiting testing is permissible.

The employee shall undergo breathalyzer and/or urine testing in accordance with strict Chain of Custody arrangements carried out by trained and certified Collection Officers from a Network Rail approved testing provider. Refusal to submit to alcohol or drug testing will be regarded by the testing provider as a positive (fail) result and dealt with accordingly.

Managers shall ensure that any employee subject to 'for cause' testing:

- Is not permitted to resume work until and unless a negative test result has been obtained
- Is advised of the results of testing promptly

Managers shall ensure all results are recorded, reported, and dealt with in accordance with this standard and the associated Policy.

8.9 Reporting Results

Managers shall ensure that the results of alcohol and drug testing are made known to the donor promptly. In the case of a positive result, the substance(s) found shall also be identified. Contract managers shall have systems in place to advise the Rail Training Manager who must inform the NCCA immediately, and remove the donor's SENTINEL Competence Card(s) (if held) where a positive result is received.

Managers shall ensure that the results of any testing of contractor or agency employees are advised immediately to their employer; all contractors shall have processes in place to take appropriate action following positive results.

Positive drug/alcohol screens consistent with declared medication

There has been a change in the way that positive results from a drug/alcohol screen consistent with declared medication are treated. Currently, the individual is suspended pending a negative result and cannot work on Network Rail infrastructure or similar sites.



8.9 Reporting Results

Cont....

With immediate effect, if an individual has a positive result following a drug/alcohol screen that is consistent with declared medication and the words "Positive - consistent with declared medication" are written on the paper copy, the following will apply. The individual will NOT be suspended on the NCCA database but a communication will be sent advising of the result and that it is a sponsor's responsibility to take control measures to manage the risk associated with the individual. There is no requirement for a further drug/alcohol screen.

If any individual has been suspended due to a positive result consistent with declared medication, the suspension will be revoked and the individual reinstated. The NCCA has checked the database and for any suspensions that have been lifted, the sponsor has been sent confirmation. There is no requirement to contact the NCCA unless you do not receive confirmation that a suspension has been lifted for an individual you know tested positive but consistent with declared medication. In these cases, the NCCA will need to see a copy of the original screen before the suspension can be lifted.

8.10 Retention of records

The Works Manager shall maintain records of all alcohol and drug testing for a period of not less than five years from the date of testing.

9. DISCIPLINARY PROCEDURE

The Managing Director shall ensure that any employee who is found to be in breach of the Policy is subject to the disciplinary procedure. An employee will have breached the Policy if they:

- Fail an alcohol test;
- Test positive for drugs;
- Refuse to undertake a drug and alcohol test;
- Report or try to report for duty when unfit through drugs and/or alcohol;
- Consume drugs or alcohol whilst on duty;
- Possess illegal drugs whilst on duty;
- Decline or discontinue an approved course of treatment/rehabilitation for an drug or alcohol problem without good cause; or
- Declare a problem with drugs or alcohol after they have been tested under this Policy or have been selected for Unannounced Random Screening.



10. RE-EMPLOYMENT FOLLOWING A POSITIVE RESULT

The Managing Director shall have processes in place to monitor and maintain details of all staff who breach the Policy and shall ensure that processes are in place to provide this information to CLD's managers considering applicants for employment.

The Managing Director shall ensure that no person who has been found to be in breach of the Policy is re-employed by CLD Services Ltd unless:

- At least five years have elapsed since the breach of Policy took place
- The applicant submits to and passes a pre-employment drugs and alcohol test, and
- An individual regime of unannounced random testing for a period of not less than two years from the date of employment is devised and agreed by the applicant

The Managing Director shall ensure that CLD Services Ltd does not employ any person who has been found to be in breach of the Policy on two separate occasions.

11. MONITORING AND REVIEW

The Managing Director shall have systems in place to monitor the results of alcohol and drug testing to identify trends and patterns in detection. Where this monitoring identifies areas of increased risk the Managing Director shall identify and take appropriate remedial actions, which may include increasing the amount of random testing undertaken or establishing an enhanced testing regime for particular identified 'at risk' groups.

CLD Services Ltd shall have systems in place to measure the effectiveness of this Policy and compliance thereto regularly. These systems shall include but not be limited to:

- Audit
- On-site monitoring
- Record keeping
- Supply of results

The Safety Manager will undertake a review of this document standard and the associated Policy at least every year to ensure its continuing effectiveness and suitability.

12. POLICY REQUIREMENTS

Unfit through Alcohol

For the purpose of this Policy an unfit state through consumption of alcohol is defined as detection by testing of:

- More than 29 milligrammes per 100ml of blood;
- More than 13 microgrammes of alcohol in 100ml of breath; or
- More than 39 milligrammes of alcohol in 100ml of urine.

This is known as a "positive result" of an alcohol test.



12. POLICY REQUIREMENTS

Cont....

Unfit through Drugs

For the purpose of this Policy an unfit state through the use of drugs is defined by urine testing as a positive result for any of the following (**this list is not exhaustive**):

- Amphetamines
- Benzodiazepines
- Cannabis
- Cocaine
- MDMA (Ecstasy)
- Methadone
- Opiates
- Propoxyphene
- Mint imperials
- Any other drug of abuse

Some of these substances are contained in medication available either on prescription or 'over the counter', so you must provide information about any such drugs taken prior to any alcohol or drugs test being carried out. If you do not provide this information when asked by the collection officer, the effects of any such drugs cannot be taken into account when the test results are analysed at the Laboratory or in any subsequent disciplinary procedure.

Medication

Some medical drugs (medication) available either on prescription or 'over the counter' can affect your work performance and your ability to carry out work safely. **They include**, but are not limited to, **some brands of:**

- Anti-depressants
- Cold and flu remedies
- Hay fever remedies and other anti-histamines
- Pain killers
- Sleeping pills
- Tranquilizers

It is your responsibility to ensure that you are aware of the effects of any medication you take and you tell your Supervisor or Manager if they may affect your work performance or your ability to work safely. If you are prescribed any medication, tell the doctor that you work on the railway. Give details of the kind of work you do and ask the effects of the medication. Tell your manager that you are taking medication, and what has been prescribed, before you return to work.

Before you take any 'over the counter' medication, check whether it could affect your work performance or your ability to work safely. You can find this out by reading the warnings on the packaging, asking the pharmacist or doctor, referring to publications or web sites, or via your employer. Tell your manager or supervisor about any 'over the counter' medication that you are taking and which could affect your work performance or your ability to work safely. You may not be permitted to undertake your normal duties whilst you are taking certain medication.



13. TESTING FOR ALCOHOL AND DRUGS

CLD Services Limited has a program of testing in place, which includes procedures to detect the use of alcohol or drugs by:

- Potential employees, through pre-employment briefing, self-declaration and testing
- Existing employees transferring to Safety Critical Work posts or to posts which require SENTINEL competence(s), through pre-appointment testing
- Existing employees, through routine medical examinations and unannounced random testing
- Existing employees involved in serious accidents or incidents ('For Cause' testing – Accidents and Incidents)
- Existing employees whose behaviour gives cause for suspicion ('For Cause' testing – behaviour)

These procedures are undertaken by a Network Rail approved testing provider and involve testing a specimen of breath and/or urine. Specimens are collected using a strict 'chain of custody' procedure which:

- Ensures that your safety, health and dignity is protected
- Ensures the safety of the collection officer
- Does not compromise your safety duties
- Prevents unauthorised access to specimens
- Prevents specimens from becoming contaminated

Urine specimens are divided into separate A and B samples in your presence and both samples sealed in a tamper proof carrier. This will be sent to the Approved Laboratory for testing and analysis. The A sample will be tested and the B sample retained in case of any challenge or appeal against the result.

The Network Rail approved testing providers will maintain absolute confidentiality in dealing with breathalyser and urine samples taken. Following testing, you will be notified of the test result (negative/pass or positive/fail) together with details of any positive result and a copy of the certification.

You will be given the opportunity to declare any medication that you may have taken prior to the collection of your urine sample, to the collection officer. If you do not declare any medication at the time of collection it cannot be taken into account when the test result is analyzed.

If you refuse to submit to testing this will automatically be recorded as a positive result and acted upon accordingly.

These procedures are applied equally and fairly, as required by the Human Rights Act 1998, and in accordance with the requirements of the Transport and Works Act 1992.



13.1 Routine Testing

Testing for alcohol and drugs will be carried out when you:-

- Seek employment in or transfer to a Safety Critical Work post within CLD Services Ltd & Facilities
- Seek employment with CLD Services Ltd via an agency or contractor in a role which may affect the safety of Network Rail's controlled infrastructure
- Undergo any SENTINEL medical examination, whether initial or subsequently
- Undergo any routine age-related medical examination specified by Railway Group Standards or Network Rail Company Standards. In some cases testing will also be carried out if you are transferred to CLD Services Ltd under the Transfer of Undertaking Protection of Employment (TUPE) Regulations 1981. This will depend on the particular circumstances of the transfer.

13.2 Unannounced Random Testing

A minimum of 5% of people covered by this Policy will be subject to unannounced random alcohol and drug testing each year.

Unannounced random alcohol and drug testing could take place at any time whilst you are at work or on duty. This will require you to provide a sample of breath and/or urine.

As with all alcohol and drug testing, refusal to submit to testing will be treated as a positive test result.

You will not be notified that you have been selected for testing until immediately prior to the test. You will not normally be released from duty after testing.

13.3 'For Cause' Testing

'For cause' testing may take place at any time whilst you are at work or on duty if either you have been involved in a dangerous incident or accident or your manager or supervisor considers that your actions or behaviour give reasonable grounds to believe that you are unfit for duty because of alcohol or drugs. This may involve a breathalyzer test and/or you providing a urine sample. You will be released from duty until the test result is known.

It is a criminal offence (under Section 27 of the Transport and Works Act 1992) to undertake safety critical work whilst unfit to do so through alcohol or drugs, so you may also be subject to 'for cause' testing by a Police Officer. You commit a criminal offence if you:

- Refuse to give a specimen
- Have more than 80 milligrammes of alcohol in 100ml of blood
- Have more than 35 microgrammes of alcohol in 100ml breath
- Have more than 107 milligrammes of alcohol in 100ml of urine
- Are unfit to carry out your duties through drink or drugs

You should be aware that a conviction for a criminal offence of this nature usually results in imprisonment.

If you are hospitalised as a result of an accident or incident you will only be subject to 'for cause' testing with the consent of the medical practitioner in charge of your case.



14. HELP AND SUPPORT FOR MAESTRO CLEANING & FACILITIES EMPLOYEES

CLD Services Ltd will assist any employee who voluntarily declares an alcohol or drug related problem. This will be both confidential support and guidance to employees and their families. If you have or think that you may be developing an alcohol or drug-related problem you must advise your manager or supervisor immediately so that the support and consultation can commence. In all cases this must be before you are tested for alcohol and drugs. Disclosure or discovery of a problem prompted by a positive test result or an impending test is not acceptable.

If you have a colleague whom you suspect has an alcohol or drug-related problem, you should raise the issue in confidence via CLD Services Ltd's confidential reporting system.

15. YOUR RIGHTS OF APPEAL

You may appeal against the positive result of an alcohol and drugs test at any time within 90 days of the initial test date. The appeal procedure is available via the SENTINEL Scheme Rules web site (www.ncca-sentinel.co.uk) or from the Managing Director.

You may only appeal against a positive result on the grounds either that:

- You believe the test result to be incorrect, in which case you will be responsible for all costs for testing the B sample, or
- You can demonstrate that you were not aware at the time of the test that you had consumed alcohol or drugs

You may appeal against disciplinary action taken against you following breaches of this Policy through your employer's normal disciplinary process.

You may appeal against the cancellation of your SENTINEL Competence Card at any time within 90 days of the original breach of this Policy. The appeal procedure is available via the SENTINEL web site or your employer/sponsor.

16. COMMUNICATIONS

The Managing Director shall ensure that arrangements are in place to communicate CLD Services Ltd's Alcohol and Drugs Policy to employees and contractors.

These arrangements shall include, but not be limited to:

- Company Internal Electronic Communications
- Team Briefings
- Induction Briefings
- Safety Newsletters

CLD Services Ltd's managers shall ensure all employees and contractors under their control are made aware of the contents of the Policy.



17. REFERENCES

- NR/CS/OHS/051 Drugs & Alcohol
- NR/SP/CPR/008 Network Rail Contract Requirements - Safety
- NR/SP/OHS/00118 Random Testing for Drugs & Alcohol
- NR/SP/OHS/00119 For Cause Testing for Drugs & Alcohol
- NR/SP/OHS/00121 Pre-Employment Testing for Drugs & Alcohol
- NR/L2/INV/002 Management of Accident and Incident Investigations

Endorsed and signed by

A handwritten signature in black ink, appearing to read 'S. Shellard'.

Steven Shellard
Group Managing Director

1st May 2021



SUB CONTRACTORS DECLARATION FORM

CLD Groups Policy Relating to Drugs & Alcohol Use

Once you have read this document please sign the declaration and return to:
If you have any concerns or questions about any of the issues highlighted in the document, please raise them with the above named person.

Name of Sub Contractor: _____

Address of Sub Contractor: _____

Brief Description of Works: _____

Contract/Order Number: _____

Site Address: _____

DECLARATION

_____ (* name of Sub Contractor) acknowledge receipt of the “CLD SERVICES LTD, Drugs & Alcohol Policy” and hereby agree to abide by the rules and conditions outlined within the document.

Signed: _____

Name and Initials: *(Block Capitals Please)* _____

Title: _____

Date: _____