1.1 Drugs and Alcohol Policy and Procedures

Drugs and alcohol impair a person’s ability to perform their duties properly. For this reason, under the Transport and Works Act (1992), industries such as, rail and construction have to take reasonable steps to ensure that employees are not working under the influence of drugs and alcohol. Companies also have a duty of care to ensure that their employees are protected from the mistakes of other employees acting under the influence of drugs or alcohol. Therefore, Geotechnical Observations Ltd (“The Company”) takes a pro-active stance to ensure compliance with the law and the rules of other companies, such as, Network Rail and London Underground Standards and QUENSH in respect of the use of Drugs and Alcohol.

1.2 The Company

The Health & Safety Officer will:

- Implement and maintain this Drugs and Alcohol Policy.
- Provide information to employees on:
  - the effects of drugs and alcohol on performance and how to recognise them;
  - factors that lead to dependency on drugs or alcohol;
  - help and support for those with drug and alcohol problems and information;
  - factors that can prevent them from inadvertently breaching the drugs and alcohol policy.
- Keep records of all drug and alcohol tests for a period of not less than ten years from the date of testing for a negative result and indefinitely for a positive result.

1.3 The Employee

Each employee of The Company has a responsibility to:

- inform their manager if they believe they are developing, or, have a drug or alcohol-related problem.
- report (in confidence) any fellow employee to their manager whom they believe are developing, or, have a drug or alcohol-related problem.

1.4 Misuse of drugs and alcohol
All employees are made aware that contravening items listed below is considered to be an act of gross-misconduct and shall result in disciplinary action being taken against the individual concerned.

a) All employees and sub-contractors are made aware that to use, possess, consume, store or sell illicit drugs is against the law and will not be tolerated by the Company.

b) All employees and sub-contractors are not permitted to abuse or sell prescription or non-prescription drugs that could detrimentally affect their work performance.

c) All employees and sub-contractors are not permitted to report to work, whilst under the influence of alcohol or to consume alcohol at work.

In addition, an employee who declares that they have a drug or alcohol problem prior to being notified for selection for a drug and alcohol test, will be deemed to be in contravention of this policy.

1.5 Reporting of the use of prescription and non-prescription drugs

If you fail to disclose details of drugs that you are taking, you may fail a drugs test. Therefore:

- Whilst working for the company it is the employee’s responsibility to declare any prescription or non-prescription drugs that they are taking for any ailments. This is because some forms of drugs may contain ingredients which affect your ability to complete your work safely (e.g. some anti-histamine drugs can make you drowsy and thus reduce your reaction time).

1.6 How and what?

- Whilst employed by the Company, employees could be asked to provide specimens (usually urine, although it could be through breath or blood), either on site or at a remote location in a manner that protects the employee’s and the tester’s health, safety and dignity.
- Alcohol and Drug Screening Providers will be drawn from our Approved Supplier List and will be Network Rail Approved (where relevant).
- Employees must disclose any medication either prescribed or non-prescribed that has been taken before providing a specimen for analysis.
- Each specimen will be divided into two separate samples in the employee’s presence. Both samples will then be placed in a sealed tamper proof container.
- A documented process called a Chain of Custody will be employed from collection of the sample through to the reporting of the test results to ensure the identity and integrity of the sample. This process will lead to the production of a legally defensible report.
- Each sample will be analysed at a NAMAS approved laboratory. The sample will be tested for at least alcohol, amphetamines, cocaine, benzodiazepines, opiates, methadone, cannabis, propoxyphene and MDMA (Ecstasy) to comply with appropriate Company Group Standards.
1.7 Pre-employment / Pre-placement Drugs and Alcohol Screen

- All potential new employee’s must submit to and pass (provide a negative result) a pre-employment drugs and alcohol screen. If a result is returned as fail (positive). The applicant will not be offered employment by the Company and the NCCA may be informed.
- When working on London Underground premises on activities identified and agreed with the DER (Designated Employers Representative) as safety critical our employee must undertake drugs medical screening before they start work.
- If the employee provides a negative sample, they will be provided by the laboratory with a Drugs and Alcohol Medical Screening Programme (DAMPS) Certificate.
- The certificate is dated and is valid for one year from the date of testing. The employee must carry the certificate at all times when undertaking safety critical work and produce it on request. All London Underground workers will be required to sign a fit for work declaration when booking on for duty.
- If the employee records a positive test they will not be issued with a DAMPS Certificate and must not be allowed to undertake any further work on London Underground.

1.8 Track Safety Drugs and Alcohol Screen

- Prior to being allowed to work on Network Rail’s Managed Infrastructure (NRMRI) or LUL you will be required to pass a Track Safety Drugs and Alcohol (D & A) Screen in-order to take a relevant training course.
- You must disclose any medication either prescribed or non-prescribed that you have taken to a Network Rail/LUL approved testing station before providing a specimen.
- A positive result from a pre-employment drug and alcohol test will result in an employee being unable to train for the relevant course. They will therefore not be allowed by the Company to work on NRMRI or LUL.
- Where a D & A Screen is reported as ‘No result – undeclared medication’, a retest will be carried out and paid for by the donor.

1.9 Unannounced random testing

a. All employees could be subjected to unannounced random drug and alcohol testing.

b. The Company has a policy of conducting unannounced random drugs and alcohol testing during working hours on at least 5% of its employees per annum.

c. Random testing is conducted by an external company/by an appointed person either on site or at an approved testers premises. The results will be communicated to the employee.

d. The results of a test completed when working on NMRI will be communicated to the employee.
1.10 ‘For cause’ testing

- ‘For cause’ Drug & Alcohol Testing will be carried out on Employees or Contractors in any of the following circumstances:
  1. Following an accident or serious incident.
  2. Where their behaviour gives grounds to suspect they maybe unfit for work through Drugs or Alcohol.
  3. Following a credible report or tip off relating to a group of workers or a work location.
- ‘For Cause’ testing will not be undertaken if a person has been tested by the Police and found to be in breach of the Transport and Works Act 1992.
- Should an employee be hospitalised, ‘For Cause’ testing will only be conducted with the consent of the medical practitioner in charge of the employee.
- In the event of an employee participating in ‘For Cause’ testing they will be suspended immediately from any further work on any infrastructure, until a negative result has been confirmed to The Company.
- In the case of ‘For Cause’ testing the results shall be communicated to both the employee and any relevant body, and if in relation to the investigation of an accident or incident the person responsible for conducting the investigation.

1.11 Reporting of drug and alcohol offences

If an employee is charged by the police with a drug or drink-related offence they must verbally inform their senior manager immediately when they report for work. They must also report details of the offence in a letter to their senior manager.

1.12 Positive result

The Company regards a positive result from a drug and alcohol test to be one of the following:

a) Refusal by an employee to be tested for drugs and alcohol as outlined in any of the situations mentioned in this document.

b) The presence of drugs for which there is no legitimate medical need.

c) The presence of drugs that were not declared by an employee prior to the collection of a sample.

d) Discontinue an agreed course of treatment for an alcohol or drug related problem without good reason.

e) More than 39 milligrams of alcohol in 100 millilitres of urine.

f) More than 29 milligrams of alcohol in 100 millilitres of blood.

g) More than 13 micrograms of alcohol in 100 millilitres of breath.
1.13 Consequences of a positive result

- The employee will be suspended immediately from all work pending an immediate investigation.
- Disciplinary procedures may be followed.
- Should an employee fail a drugs and alcohol test conducted by a police officer with respect to ‘For Cause’ testing they may be convicted of a criminal offence, dismissed from their employment and possibly imprisoned.

1.14 Positive result and Network Rail

- The Company will inform the employee’s Sentinel Smart Card will be revoked.
- The company will suspend its sponsorship of the employee, to the Sentinel scheme.
- An employee who fails a Track Safety Drugs and Alcohol Screen prior to PTS training must satisfy the following conditions before being considered to work on NRMI:
  a) Have not undertaken work on NRMI for 5 years since the positive result,
  b) submit to and pass a test for drugs and alcohol prior to working on NRMI,
  c) be subjected to and pass an individually tailored program of unannounced testing for a period of at least 2 years.

1.15 Right of appeal and confidentiality

Employees only have the rights to appeal against a positive result of a drug and alcohol test if it meets the following criteria:

a) They believe the test to be incorrect. In this situation the employee is responsible for all costs for testing the B sample,
   or,
 b) they can prove without reasonable doubt that they were not aware that they had consumed alcohol or drugs that might affect the results of the test.

Employees also have the rights to appeal against any resulting disciplinary action taken through the Company’s grievance procedures. All information relating to an employee regarding this drug and alcohol policy and procedures will be treated with the utmost confidentiality.

Signed: [Signature]
Date: 31 October 2018

(Managing Director)