

DRUGS & ALCOHOL POLICY – Policy Number 09PEO-1PY-09

1 Background

Sir Robert McAlpine Ltd is committed to providing a safe, healthy, and productive working environment and to safeguarding the health, safety, and welfare of all those affected by its operations.

We have a zero-tolerance approach to drugs and a zero tolerance to the legal limits for alcohol. We expect everyone working on our projects or in our offices to be fit for work and able to perform their duties safely and effectively, free from the effects of alcohol or drug misuse.

2 Who does this policy apply to?

This policy applies to all employees including but not limited to all staff and operatives directly employed by Sir Robert McAlpine Limited and all other individuals carrying out work on behalf of, or providing a service to, the company. This includes consultants, contractors (including sub-contractors, trade contractors, and other specialists), apprentices and agency workers at company sites, offices and in company vehicles.

This policy applies to all employees irrespective of age, disability, sex, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, or sexual orientation.

3 Purpose

The purpose of this policy is to promote an exceptional safety culture and our commitment to getting everyone home safe every day. We will apply this policy fairly, reasonably and consistently, taking account of the circumstances of each case.

Alcohol or drug misuse can increase health and safety risks, not only for the individual concerned but also for others, such as colleagues, contractors, visitors, and members of the public. It can lead to impaired judgment and decision-making, affecting an individual's ability to work safely and effectively.

Alcohol or drug misuse are likely to be detrimental to the company's reputation and its ability to deliver high-quality services.

Under this policy, the company will comply with all relevant legislation, including the Health and Safety at Work etc. Act 1974, the Misuse of Drugs Act 1971 and the Transport and Works Act 1992. All employees, contractors and clients are expected to report for work fit to carry out their duties safely and effectively, free from the effects of alcohol or drug misuse.

4 Definitions

Alcohol – alcohol in any form, including (but not limited to) a beverage, condiment or food additive which contains alcohol.

Alcohol Misuse - any consumption of alcohol, whether intermittent or continuous, that adversely affects an individual's health, conduct, attendance, performance, judgement, or ability to carry out their duties safely and effectively, or which may impact the safety of others.

Negative (for drugs) – the drugs being tested for were not found in the individual's sample

Non-negative (for drugs) – a preliminary result that indicates one of the drugs tested for may be present in the individual's sample. The sample will be sent to the laboratory for further analysis, following which the company will receive confirmation of either a negative or positive result.

Contractors - all individuals other than employees who carry out work on behalf of, or provide services to, the company, including consultants, contractors (including subcontractors, trade contractors and specialist contractors), apprentices and agency workers working on company sites, at company offices or in company vehicles.

Dependency – a physical or psychological reliance on alcohol, drugs or other substances which may impact an individual's health, wellbeing, attendance, conduct or ability to perform their duties safely.

Drug and Substance Misuse – the use of any controlled drug as defined by the Misuse of Drugs Act 1971, the misuse of prescribed or over-the-counter medication, or the misuse of substances such as solvents, where such use may impair behaviour, judgement, performance or an individual's ability to carry out their duties safely and effectively.

Employees – all those directly employed by Sir Robert McAlpine Limited.

Test – a drug and/or alcohol test carried out on the company's behalf by an independent external provider. Testing may include (but is not limited to) the analysis of breath samples for alcohol and urine samples for evidence of recent drug use. The company reserves the right to review and update testing methods in line with developments in testing technology and industry practice.

Positive result to a drugs or alcohol test: -

- **Drugs:** a laboratory confirmed positive drug test result will be recorded if a drug is detected in the donor's sample for which no legitimate explanation, medical or otherwise, can be found.
- **Alcohol:** Two consecutive breath tests, giving a reading above the legal drink drive limit. The legal drink-driving limits applicable in the relevant UK jurisdiction (England, Wales, Scotland or Northern Ireland) at the time of testing will apply. These limits may change from time to time, and the company will apply the current statutory limits in force at the date of the test; [The drink drive limit - GOV.UK](https://www.gov.uk/guidance/what-is-the-legal-drink-drive-limit). Some sites, clients or industries may have more stringent requirements, which will be communicated where applicable.

Normal working day – the period between the start and end of an individual's working day or shift. For the purposes of this policy, this includes working time, breaks, overtime, work-related travel and time spent on call.

Impaired – a state in which an individual's judgement, behaviour, or ability to carry out their duties safely and effectively is adversely affected by alcohol, drugs, medication, or another substance, whether a positive test result is obtained.

5 Zero tolerance approach

The company has a zero-tolerance approach to drugs and alcohol at work.

This means that individuals **must not**:

- Attend work or carry out work while impaired by alcohol (i.e. above the legal limits), illegal drugs, prescribed or over-the-counter medication, or other substances that may affect their ability to work safely and effectively;
- Consume alcohol during the normal working day, except at an authorised work-related function or social event;
- Take illegal drugs or misuse prescribed medication or any other substance at work; or
- Possess illegal or prohibited substances at any company workplace or while carrying out work on the company's behalf.

Any suspected breach will be taken seriously and investigated. For employees, a breach may result in disciplinary action, up to and including dismissal.

Further information on how this approach applies, including testing, prescribed medication, work-related events, suspected breaches and support, is set out in the sections below.

6 Procedure

Drugs and Alcohol at Work

a) Employees only

We encourage anyone who may be experiencing drug or alcohol dependency to disclose this at the earliest opportunity so that appropriate support can be considered. Early disclosure may help prevent issues arising in the workplace and enable support and intervention measures to be put in place where appropriate.

Any disclosure will be treated sensitively and, where possible, confidentially. Information will only be shared where necessary to protect health and safety, provide appropriate support or meet legal obligations.

Where an employee discloses that they are receiving treatment for a drug or alcohol-related issue, the company will seek to take a supportive and appropriate approach. However, disclosures made as a result of impending drug and/or alcohol testing, or following a failed drug or alcohol test, will not prevent the company from acting under this policy.

The company reserves the right to apply the Disciplinary Procedure where appropriate. Employees who refuse to undergo, or do not complete, a course of

treatment recommended or arranged by the company may be subject to the Disciplinary Procedure where any subsequent unacceptable behaviour, unsatisfactory performance, attendance concerns or other adverse consequences arise.

Employees are responsible for ensuring that any alcohol consumed outside of working hours does not impair their fitness for work or result in them attending work in breach of this policy.

Prescribed medication

If you are taking prescribed or over-the-counter medication that may affect your ability to carry out your duties safely and effectively, you should seek advice from your GP or pharmacist.

Employees must notify their line manager or HR Business Partner as soon as possible where medication may affect their fitness for work. Contractors and clients must ensure that the company is informed where appropriate.

The company recognises that certain medical conditions and prescribed medications may affect an individual's ability to undertake their duties safely. Where appropriate, the company will consider any relevant medical information, occupational health advice and its obligations under the Equality Act 2010 before determining appropriate workplace measures.

Where the company is aware of such medication before testing takes place, it will be considered when considering any test result and any appropriate workplace measures. Depending on the circumstances, temporary adjustments to duties or other safety measures may be considered where appropriate.

Where an employee receives a non-negative test result, they may be suspended on full pay pending confirmation of the laboratory result, including where prescribed or over-the-counter medication may have contributed to the result. Any suspension will be a precautionary measure to protect health and safety and will not imply wrongdoing or that a positive result has been confirmed. Where appropriate, the company may consider suitable alternatives to suspension.

However, a positive test result for an illegal substance, or a failure to disclose medication that may affect fitness for work, may result in action being taken under the company's Disciplinary Procedure.

Misuse of substances

In line with the company's zero-tolerance approach, employees, contractors and clients must not take illegal drugs, misuse prescribed or over the counter medication or misuse any other substance, where doing so may affect their ability to carry out their duties safely and effectively, result in them attending work impaired, or otherwise place them in breach of this policy.

Individuals who are identified as doing so, or who are found to be working under the influence of drugs or substances in breach of this policy, may be removed from duties pending investigation. Employees found to have breached this policy may be subject to disciplinary action, up to and including dismissal and contractors and clients may be removed from the workplace.

In line with the company's zero-tolerance approach, employees, contractors and clients must not consume alcohol at any workplace or location under the control of the company during the normal working day. Individuals must not attend work under the influence of alcohol or in any circumstance where alcohol has impaired their ability to carry out their duties safely and effectively.

Any individual found to be in breach of these requirements may be removed from duties pending investigation. Employees may be suspended and contractors and clients may be removed from the workplace whilst an investigation takes place. Employees who breach this policy may also be subject to action under the company's Disciplinary Procedure.

7 Alcohol at Work-Related Functions and Social Events

The company recognises that alcohol may be consumed at certain authorised work-related functions or social events. These events are an extension of the workplace, and this policy continues to apply throughout the event and afterwards, including the next working day. Where approval has been granted in advance, individuals may consume alcohol responsibly during the event. However, all attendees remain responsible for their conduct and are expected to always behave appropriately in accordance with the Code of Conduct, Disciplinary Procedure and all other relevant company policies.

Any behaviour, including harassment, bullying, discrimination, violence, inappropriate conduct, that may adversely affect the health, safety or wellbeing of others, damage working relationships, or bring the company into disrepute may be dealt with under the Disciplinary Procedure.

Attendance at a work-related function or social event does not remove an individual's responsibility to remain fit for work. Individuals must ensure that any alcohol consumed does not impair their ability to carry out their duties safely and effectively or result in them attending work in breach of this policy.

This policy will continue to apply immediately following the event, including on the next working day.

8 Types of Test

Testing applies to all employees, contractors, and clients, and will be carried out by an independent UKAS-accredited external provider.

For Cause Testing and Post Accident/Incident Testing

Where there is cause to believe that your behavior, conduct and/or performance at work may be impaired by drugs and/or alcohol, or if you have been involved in an incident or accident, you may be required to undergo a drugs and/or alcohol test.

Some examples of circumstances where this may be appropriate are:

- obvious signs of physical and/or mental impairment
- observation by managers, supervisors or colleagues of behavior or symptoms affecting work performance

- complaints from members of the public indicating that alcohol/drugs may be a contributing factor
- the discovery of items in an individual's possession that could indicate involvement with alcohol/drugs
- following an accident or incident.

Authorisation for a For-Cause or Post Accident/Incident Test may only be provided by:

- Health, Safety and Wellbeing Director
- Head of Health, Safety and Wellbeing
- Senior Health, Safety and Wellbeing Manager
- Principal HSW Manager
- HR Business Partner

Wherever reasonably practicable, the reasons for requesting a For-Cause or Post Accident/Incident Test will be documented.

Random testing

Due to the safety-critical nature of many of the activities undertaken across our business, random testing is used as a preventative health and safety measure to help maintain a safe working environment and reduce the risk of harm to employees, contractors, clients, visitors and members of the public.

The company reserves the right to carry out random drug and alcohol testing of employees, contractors and clients at any workplace location. Individuals may be selected for testing at any time throughout the year, regardless of role or status. Workplace locations may be selected by either the company or the external testing provider.

Individuals selected for testing will be chosen by the external provider through a random selection process. Individuals selected for random testing are chosen through a random selection process and will not be chosen based on personal characteristics, role, status or any other protected characteristic.

If you are selected for testing, you will be notified and escorted to the testing location. You will be asked to declare any prescribed or over-the-counter medication that may legitimately affect the outcome of the test. Any such medication should be disclosed before testing takes place as it may affect the interpretation of the test result.

Working from home

Employees, contractors and other individuals working on behalf of the company from home or another non-company location remain subject to this policy, including the company's drug and alcohol testing arrangements.

Where testing is required, individuals will be given as much notice as reasonably practicable and may be asked to attend a location where testing can be undertaken. This may include an SRM site, office, the testing provider's premises or another suitable location. Individuals required to attend testing must ensure they can do so safely. Where there is any concern that an individual may be under the influence of alcohol or drugs, they must not drive and should comply with the company's Sustainable Driving at Work Policy and use an alternative safe means of transport.

9 Testing methods and outcome

Testing may include (but is not limited to) the collection of breath and/or urine samples. Full details of the testing process will be explained at the time of testing.

However, by way of brief overview:

Alcohol testing

Alcohol testing will be carried out using an approved alcohol testing method determined by the company's testing provider such as a breathalyser.

Negative Result - Alcohol test results are normally available at the time of testing. Where the result is negative, no further action will normally be required under this policy unless there are other concerns regarding an individual's conduct, behaviour or fitness for work

Positive result - If the initial result indicates alcohol above the applicable limit, a second breath test will be carried out immediately. The result of the second test will be used as the result.

Drug testing

Drug testing will be carried out using an approved Integrated Cup System point-of-collection test.

Negative test result - Where the initial result is negative, the result will normally be available immediately.

Non-negative test result - Where the initial result is non-negative, the sample will be sent to an accredited laboratory for further analysis using a full chain-of-custody process. The laboratory result will be treated as the result.

A non-negative drug test result is a preliminary screening result and does not mean that a positive result has been confirmed. Pending confirmation of the laboratory result, employees may be suspended and contractors and clients may be removed from the workplace. This is a precautionary measure taken to protect health and safety and should not be regarded as a disciplinary sanction, an assumption of wrongdoing, or an indication that any conclusion has been reached regarding the outcome of the test.

The People Team will support individuals throughout this process and keep them informed of progress where possible. The company recognises that awaiting the outcome of laboratory testing may be stressful and will seek to manage the process sensitively and appropriately.

Individuals may request independent verification of a laboratory-confirmed positive result. Where independent verification of a laboratory-confirmed positive result is requested, any precautionary suspension or removal from the workplace may remain in place pending the outcome of that verification process.

Positive test result (drugs and/or alcohol)

For the purposes of this policy, a positive drug or alcohol test result will be determined in accordance with the definitions set out in this policy. Where applicable, client or site-specific requirements may apply in addition to the standard testing criteria and may impose more stringent limits.

A positive drug or alcohol test result will be treated as a breach of this policy. Due to the potential impact on the health and safety of employees, contractors, clients, visitors and members of the public, and on the company's reputation, breaches of this policy may be treated as gross misconduct and may result in disciplinary action, up to and including dismissal.

In the event of a positive alcohol test result or a non-negative drug test result, the company will help in making arrangements to leave the workplace safely and avoid the need to drive.

Additional support can be sought from the People Team on this policy.

Refusal to take a test

Employees are expected to co-operate with testing carried out in accordance with this policy. Refusal to provide a sample without a legitimate reason, including leaving a site, office or workshop before testing has been completed, may be treated as a failure to follow a reasonable management instruction and a breach of this policy. Employees may be suspended on full pay pending the outcome of an investigation under the company's Disciplinary Procedure.

Where an individual is unable to provide a sample for genuine medical reasons, alternative arrangements may be considered, where reasonably practicable.

Contractors and clients

Contractors and clients are expected to co-operate with testing carried out in accordance with this policy. Refusal to provide a sample without a legitimate reason may result in removal from the company's workplace. Where appropriate, the individual's employer will be notified.

Test Results

All test results will be reported to the appropriate member(s) of the People Team and you will then be informed. The results for individuals who are not employees of the company will also be reported to their employer. Positive results for employees will also be reported to an appropriate manager.

The company will retain records relating to positive test results in accordance with applicable data protection legislation, the company's retention schedules and Privacy Notice. Such records may be considered when determining suitability for re-employment or re-engagement.

Where appropriate, the company may require evidence that a rehabilitation or support plan has been completed, and that negative drug and alcohol test results have been obtained for a period of three consecutive months prior to returning to site or the workplace. Individuals returning to site or the workplace may be subject to additional testing, in addition to the company's normal testing arrangements, for up to six months

following their return.

Negative test result reports will be destroyed.

The statistical results of drugs and alcohol testing are also included in company health and safety reports.

10 Data Protection

Information relating to drug and alcohol testing will be processed in accordance with applicable data protection legislation and the company's Privacy Notice. Test results and related health information will only be accessed by those with a legitimate business need to know and will be handled confidentially. The company will retain and process such information only where necessary to meet its legal obligations, protect health and safety, manage employment relationships and support the operation of this policy.

11 Searches

Searches will be undertaken respectfully, reasonably and only where there is a legitimate business justification. Where practicable, a witness will be present during any search.

The company reserves the right to conduct searches for alcohol, drugs, and drugs paraphernalia. This includes searches of lockers, filing cabinets and desks, bags, and vehicles at their work locations. Any search will be proportionate and take account of the circumstances giving rise to it. All searches must be authorised in advance by either the Sector Managing Director, Head of Function, or HR Business Partner.

If you unreasonably refuse to allow such a search, you will be suspended on full pay, and we will undertake a full investigation. This may lead to disciplinary action under the disciplinary procedure, which may result in dismissal of gross misconduct.

A contractor or client who is not an employee of the company, who unreasonably refuses to allow such a search, will be removed from the workplace and, where relevant, this will be reported to their employer.

Where illegal drugs or prohibited substances are identified, the company reserves the right to notify the police or other relevant authorities where appropriate.

12 Support

Where required, individuals who have failed a test may be offered support to safeguard them from substance abuse that could affect their health or wellbeing.

The company's zero-tolerance approach does not prevent an employee from asking for help with a drug or alcohol dependency; however, seeking support will not prevent the company from addressing any separate breach of this policy.

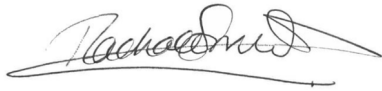
13 Occupational health

The company reserves the right to seek Occupational Health advice where concerns exist regarding an individual's fitness for work, substance dependency, prescribed medication or ability to safely undertake their duties.

14 Contractual status of this policy

This policy does not form part of any employee's contract of employment. The company reserves the right to amend the policy at any time and will communicate any material changes to employees.

Any questions on the application of the policy should be referred to the People Team.

**Rachael Smith**

People & Culture Director

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Owner:	People Team	Version:	6
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