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## **Smoking, Alcohol & Drugs Policy**

### **1. Introduction**

- 1.1. The Company is committed to maintaining healthy, safe and productive working conditions for its entire staff. The Company recognises the impact that both alcohol and drugs may have upon an individual's ability to work safely and correctly and, as such, the Company aims to ensure a working environment free from the inappropriate use of substances and where its employees are able to carry out their duties in a safe and efficient manner. The Company recognises that in certain circumstances an alcohol or drug problem can be an illness.
- 1.2. This policy is designed to prevent and resolve problems created in the workplace by inappropriate alcohol consumption and drug usage.
- 1.3. Matters concerning alcohol or drug misuse will be kept confidential as far as possible though in certain circumstances it will be necessary to inform an employee's manager [and occupational health services] of alcohol/drug issues.
- 1.4. The Company also recognises that passive smoking adversely affects the health of all employees. It is not concerned with whether anyone smokes, but where they smoke, and the effect that this has on non-smoking colleagues. However, it is recognised that the smoking policy will impact on smoker's working lives.

### **2. Policy objectives**

- 2.1. To alert all employees to the risks associated with drinking alcohol and using non-medicinal drugs and to promote good practice and a progressive change of behaviour and attitude concerning use.
- 2.2. To encourage and assist employees who suspect or know that they have an alcohol or drug problem to seek help at an early stage.
- 2.3. To offer where appropriate an employee a referral to an appropriate agency or department for assessment and, if necessary, specialist help.
- 2.4. To seek to guarantee all employees the right to work in air free from tobacco smoke.

### **3. Policy application**

- 3.1. This policy applies to all employees within the Company. For the purposes of this policy the term 'drug' includes:
  - 3.1.1. substances covered by the Misuse of Drugs Act 1971 (referred to as 'controlled drugs');
  - 3.1.2. prescribed and over-the-counter drugs;
  - 3.1.3. solvents and any other substances.
- 3.2. In addition to the Company's employees, this policy shall be observed by all agency staff, contractors, consultants and any other individual working for, at or on behalf of, the Company.

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#### 4. **Disciplinary rules**

##### 4.1. The standards are as follows:

4.1.1. The consumption of alcohol by members of staff is strictly prohibited at any time during working hours or before work as alcohol can adversely affect judgement and performance leading to an unsafe working environment. Any positive result indicating that the level of alcohol in the system exceeds 50 milligrams of alcohol per 100 millilitres of blood or 22 micrograms of alcohol per 100 millilitres of breath will be considered to affect work performance and result in disciplinary action. The only exception is in a genuine case of client/customer entertaining which has been authorised in advance by the Company, generally out with normal working hours.

4.1.2. The use of illegal drugs by members of staff is strictly prohibited at any time as they can adversely affect judgement and performance leading to an unsafe working environment. Employees who are prescribed by their doctor drugs that may affect their ability to work/dive/drive/operate machinery (or ability to perform any other aspects of their duties) should immediately discuss the problem with their manager. The use of drugs at any time will result in disciplinary action.

4.1.3. Dispensing, distributing, possessing, using, selling or offering to buy controlled substances at work is prohibited. Any such activity (including reasonable suspicion of it) on the Company's premises will be reported immediately to the police and will result in disciplinary action.

4.1.4. Smoking or permitting those under your control to smoke in enclosed places in the workplace (unless in the case of the latter you have taken all reasonable steps to prevent such an occurrence).

4.2. Any employee who is found to be in breach of these rules will be liable to dismissal on the grounds of gross misconduct under the Company's disciplinary procedure.

#### 5. **Medical examination**

5.1. If the Company suspects that there has been a breach of the above provisions, or the Company suspects an employee's work performance or conduct has been impaired through drug or alcohol abuse the Company will immediately invoke its disciplinary procedure which may result in the employee's dismissal or other disciplinary action. In investigating the incident, however, the Company may require the employee to undergo a medical examination to determine the cause of the problem.

#### 6. **Monitoring this policy**

6.1. To assist in the effective implementation of this policy, the Company reserves the right to have tests carried out on any employees to confirm substance free status. A suitably qualified person, for example a nurse, will conduct the tests (with the exception of breath tests which may be conducted by anyone authorised by the Company) which may include but are not limited to urine, blood and breath tests.

6.2. The Company may:-

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- 6.2.1. Test all workers to confirm substance free status; or
- 6.2.2. Conduct testing of a proportion of the working population on an unannounced basis.
- 6.2.3. Carry out individual tests if there is a reasonable suspicion of substance abuse.

## 6. Monitoring this policy

- 6.3. Where testing takes place the individual will be expected to sign a written consent to be tested. Failure to give consent, or refusal to supply the urine, blood or breathe sample, will be considered to be a breach of these rules and may lead to disciplinary action being taken and will normally be treated as amounting to gross misconduct.
- 6.4. The Company reserves the right to search employees and any employee property held on the Company's premises or employees' work spaces or their Company vehicle at any time if the employee's line manager or other senior manager believes that the prohibition on substances is being or has been infringed.
- 6.5. If an employee refuses to comply with the search procedure, such refusal will normally be treated as amounting to gross misconduct and will entitle the Company to take disciplinary action.
- 6.6. Some of the Company's clients operate a Policy of Random Testing for Alcohol and/or Drugs – employees working at these locations will be required to fully comply with the Clients requirements for random testing. The unreasonable refusal by any employee to comply with such testing will be regarded as gross misconduct and may result in disciplinary action including dismissal.

## 7. Voluntary referral

- 7.1. An individual employee may choose to seek help on a completely voluntary basis. Employees who believe that they have an alcohol and/or drug problem should seek specialist help as soon as possible. The Company's occupational health doctor is available, through the HSE Manager, to initiate such help if requested.
- 7.2. If an employee requests assistance voluntarily from the HSE Manager, prior to management being aware of poor work performance, the matter will be kept confidential by the HSE Manager.

## 8. Smoking

- 8.1. All premises will be designated smoke-free and smoking is not permitted in any work area. This applies to all work areas including offices, rest areas or common areas whether occupied by one person, or shared by two or more people and applies to staff at all levels.
- 8.2. If you must smoke at work then you must go outside the building and should not obstruct doorways or allow smoke to enter the building through open doorways or windows. You should dispose of cigarette butts and/or packets in a responsible manner ensuring that all cigarettes are extinguished and you should not add these to general waste receptacles.
- 8.3. Smoking is not permitted in Company vehicles. The policy of no smoking will also apply to the car park.

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- 8.4. Smoking is only permitted during specified break periods.
- 8.5. In an effort to help individuals with addiction to tobacco products, the following help is available:
- 8.5.1.1. Smoking Cessation Clinics run by NHS Shetland: 01595 743086
  - 8.5.1.2. Local GP's or Practice Nurses – contact your local surgery for details
  - 8.5.1.3. Smokeline: 0800 848484
  - 8.5.1.4. ASH Scotland: 0131 225 4725

## 9. Organisational responsibility

- 9.1. The Company will endorse this policy and periodically consider the need for review.
- 9.2. Managers will, in respect of their own unit:
- 9.2.1. promote the policy and ensure its effective implementation;
  - 9.2.2. ensure that line managers/foremen understand their responsibilities for action and confidentiality to ensure consistency of approach;
  - 9.2.3. be alert to the signs of misuse of alcohol and drugs and deal with individual cases in accordance with this policy.
- 9.3. All employees are expected to:
- 9.3.1. take personal responsibility for their own alcohol consumption and/or drug use;



**Signed By:**

**Director**

**Date: 26<sup>th</sup> April 2016**

**Endorsed By: Allan Gould, Non-Executive Director  
Douglas Stevenson, Director**

Date: 26<sup>th</sup> April 2016  
Revision: REV 2

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