1.0 INTRODUCTION

This policy sets out MJ Church approach to managing drug and alcohol misuse at work. As a leading company within the construction industry, as a responsible employer MJ Church recognise that employees who work whilst under the influence of drugs or alcohol pose a danger to themselves, other employees, and the general public. We are committed to maintaining the highest possible safety standards in all our operations.

2.0 SCOPE

This policy applies to all employees, employed on a temporary, permanent, full-time and part-time basis, including any volunteers or contractors who may work on our behalf as well as any agency staff. This policy includes all alcohol, prescription and non-prescription drugs and psychoactive substances, formally known as 'legal highs'. The company endeavours to ensure that employees are 'fit' to carry out the duties of their role whilst attending work. To this end, and in conjunction with UK law, this policy is intended to allow for the effective identification and management of individuals who are suspected of being under the influenced of drugs or alcohol and for the management of pre-employment and random screening. The possession of drugs or alcohol at work is strictly forbidden. For the purposes of this policy "at work" will mean an employee being on duty, being on company premises, driving a company vehicle or when off-site acting on behalf of the company.

3.0 GENERAL PRINCIPLES

Drug and alcohol misuse is when an individual drinks alcohol, or takes illegal drugs, medicines, or substances such as solvents, in a way that may be harmful. This extends in the workplace to be the use of drugs or alcohol that may impair an employee's ability to carry out the duties of their role.

Early warning signs of alcohol or drug misuse include:

- unexplained or frequent absences
- a change in behaviour
- behaving in an aggressive or reckless way
- unexplained dips in productivity
- accidents or near misses
- performance or conduct issues
- sudden changes of mood
- breakdown in relationships with colleagues.

Employees are encouraged to report to line management, HR or Health and Safety if they observe any obvious signs of drugs or alcohol use in colleagues.

The company reserves the right under this policy to exercise Drug and Alcohol testing of its employees either at random or 'For Cause', in light of either an accident, incident or dangerous occurrence or where there is reasonable suspicion that an employee may be under the influence of drugs and/or alcohol.

Further details on 'For Cause' testing can be found in section 5.6 of this policy. Where an employee is suspected of 'out-of-work' consumption of drugs and/or alcohol, testing is justifiable where work performance appears to suffer, where there is suspicion that the individual is over the legal limit or where work performance appears to be unaffected but the individual operates in a role where they may put workplace safety at risk, for example those who operate machinery or drive vehicles.

4.0 ASSOCIATED DOCUMENTS

Drug and Alcohol Test Form
Disciplinary Policy

5.0 POLICY IN PRACTISE

5.1 Employee Expectations

In addition to the company's duty of care to its employees, all employees are legally responsible for their own health and safety and the health and safety of those who may be affected by their actions. Employees are required, under this policy to:

- Be 'fit for work' upon reporting for duties and free from the influence of drugs and/or alcohol.
- Inform their line manager before starting work, if they are taking any medication(prescribed or non - prescribed) which may affect their work performance.
- Not attend work or undertake company business (on or off company premises) with excess alcohol (above the UK Drink Driving limit 35mcg/100ml BrAC or as above Note) or illegal drugs present in their body (as defined in the current Misuse of DrugsAct 1971 legislation).
- Never possess, consume or bring to work or sell illegal drugs, substances or alcohol during working hours or on their working premises. Sealed alcohol may be stored only at the prior agreement of HR and for a limited period.
- Never attempt to buy, give or accept illegal substances at work and/or provide alcohol for the purposes of consumptions during working hours or immediately before work hours commence.
- Submit to a search at any time of themselves, their property and MJ Church property in their possession, on Company premises (or that of our customer) if there is reasonable grounds to believe that the prohibition of substances is being or has been infringed.
- Participate when requested in individual screen testing for substances (which may involve providing a sample specimen of breath, urine or other appropriate means) in the event of:
  - Pre-employment, Conditions of Qualifications (PTS) or Site

Requirements.

- 'For cause' after accident, incident or reportable dangerous occurrence on thecompany premises or on company business (as soon as practicable after the event)
- A company (or customers) 'random testing'.
- Being required by a manager acting on behalf of the company (or customer)who has Reasonable Suspicious the employee is under the influence of drugs and/or alcohol.

5.2 Work Related Social Events

Employees are permitted to drink alcohol beyond these policies limits at appropriate company, industry, or customer's functions with prior agreement from their line manager. Employees must ensure that they do not drive a vehicle or return to work whilst over the limits, and their behaviour is appropriate, lawful, does not offend, harass, or irritate others present, nor bring the company into disrepute. Inappropriate behaviour may lead to disciplinary action under the Disciplinary Policy.

5.3 Controlled Substances

For clarity, a list of controlled substances is detailed below, this list is not exhaustive and is correct at the time of creation.

Class A Substances	Cocaine Heroin LSD Methadone MDMA / Ecstasy Morphine Opium	Dipipanone Pethidine Phencyclidine Remifentanil Magic Mushrooms Class B drugs when prepared for injection. Former 'legal highs'
Class B Substances	Oral Amphetamines Barbiturates Cannabis Cannabis resin Codeine Ketamine	Nabilone Ethyl morphine Glutethimide Pentazocine Phenmetrazine Pholcodine
Class C Substances	Benzfetamine Chlorphentermine Buprenorphine Maindol Meprobamate Pemoline Pipradol Benzodiazpines Psychoactive substances (Formally 'legal highs')	Tramadol Zaleplon Zolpidem Zopiclone Andrigenic steroids Anabolic steroids Clenbuterol Chorionic gonadotrophin

5.4 Pre-employment testing

All employees of MJ Church are required to undertake a drug and alcohol screening test on their first day of employment, as part of their company induction. Additionally, they may be required to undertake further testing upon attendance at customer site. A positive indication may result in the instant termination of employment for reasons of failed probation period.

5.5 Declaration of prescribed medicines

Where a prescription has been supplied by a medical professional, the employee must notify HR and a record will be made on the employee record. It is important to understand the effects of such medication on the employee's ability to carry out their duties and the company reserve the right to alter an employee's duties whilst this is explored. Employees may be required to provide evidence of the prescription.

5.6 Screening/Testing

It is the responsibility of every manager to arrange drugs and alcohol tests to be undertaken as soon as possible after any event (including ALL employees involved in an accident or reportable dangerous occurrence) and to seek advice from the Health & Safety department at the earliest sign or notification of an alcohol, drug, or other substance issue within the workplace.

Employees are advised that a request to submit to a screening test does not necessarily indicate that they are under suspicion of any wrong-doing and is not in itself considered a disciplinary sanction. Refusal to submit to a screening test will render the employee subject to disciplinary action for a breach of the Drug and Alcohol Policy.

- Screening/Testing will be undertaken by trained collectors {internal and external) to the standard of screening known as 'Chain of Custody' and the test procedure will be explained to them before they undergo the test.
- Any samples sent to an accredited laboratory will be undertaken in a secure manner, throughout the process.
- Employees have the right to be accompanied by a work colleague who is on site and close by when they are tested.
- If an employee refuses to undertake a screening test, they will be given a short period of time (10 minutes) to reconsider and be advised that continued refusal will be considered a breach of this policy (the company reserves the right to treat a refusal to test as a positive test result).

The confidentiality of personal information is paramount to the company and all possible measures will be put in place to ensure confidentiality of test results.

Random Testing

Random drug and alcohol testing may take and may include any and all employees on site at the time of testing. In cases of random testing, investigation may not commence until a positive test result is reported.

Reasonable Suspicion or "For Cause" Testing

In the case of accident, incident or dangerous occurrence, employees will always be subject to for-cause testing. In other circumstances where there is a reasonable suspicion that an employee is under the influence of drugs and alcohol management is required to act as soon as reasonably practicable to minimise the risk to the individual, the company and others. In such circumstances, the individual observing the employee in question should complete a 'Reasonable Suspicion Checklist' capturing evidence of any behaviour or characteristics that support their suspicion.

5.7 Suspension

Where the Reasonable Suspicion Checklist results in a reasonable belief that an individual is under the influence of either drugs or alcohol, managers have a duty of care to remove the individual from their workstation for the safety of themselves, the business, and others whilst an investigation is carried out.

As per the Disciplinary Policy, it may be necessary to suspend the individual in order to conduct a full and fair investigation and minimise the risks to the business. Should it be necessary to suspend an employee, the Suspension Pro-Forma should be used, and a copy should be provided to the employee for their records. After concluding the investigation and/or obtaining a positive test result, employees may be invited to attend a disciplinary hearing.

5.8 Positive Results

A test will be considered positive, where:

- Screening indicates a positive result (showing the individual was intoxicated or had drugs in their systemwhen the screening test was undertaken).
- An employee is breathalysed or commits an offence (and is subsequently prosecuted by the Police for being unfit to drive due to drink or drugs) whilst undertaking company business will be in breach of this policy (this must be reportedto their line manager immediately).

A positive result, refusal to partake or breach of this policy may all be deemed as a positive result and leave the individual liable to disciplinary action, on the grounds of Gross Misconduct, which may result in dismissal.

Any employee who is disqualified from driving as a result of an offence, who was not on company business at the time will not be in breach of this policy, but disciplinary action will be based on whether the employee's contract relies on the condition that their employment requires driving as part of their job role.

- Individuals who provide a positive result for drugs or alcohol will be reminded that

it is a criminal offence to drive under the influence, and where they are observed to be intending to or operating a vehicle, this will be reported to the local police by the Transport Department.

- Where an individual provides a positive specimen for drugs or alcohol and are in possession of a company vehicle or plant, this will be removed from their possession pending a review in line with the company disciplinary policy.
- The company may inform the Police of any suspicions it may have with regard to the use or the selling of controlled drugs by any employee at work.

In cases where an employee has tested positively for alcohol at a rate under the legal limit, but where investigation has found that their work performance and/or behaviour has been affected by the consumption of alcohol, the employee may face disciplinary action for a breach of Health and Safety.

Evidence of a positive test result should be treated in confidence and form part of the Disciplinary investigation pack, after which it will be filed appropriately.

5.9 Negative Results

Where tests have been carried out, and test results have been returned as negative, the employee should be notified immediately and thanked for their cooperation.

For cause tests that come back as negative may require a follow up meeting with the employee to discuss the negative result and the actions/behaviours that led to the suspicion. The meeting should conclude with both parties having clear understanding of the expected standards of conduct/behaviour and an understanding that if the actions/ behaviours that led to suspicion continue or worsen, further testing may be necessary and/or the employee may face performance management/disciplinary proceedings.

Evidence of a negative test result should be treated in confidence and filed appropriately.

A negative result does not automatically result in any suspension being lifted, as suspension may remain necessary for the purposes of on-going disciplinary investigation relating to any accident, incident, dangerous occurrence, or reasonable suspicion which led to the initial test.

5.10 Duty of care

The company prohibits the use of controlled substances and the use of prescription drugs that have not been prescribed by a health professional to the user. It is a criminal offence to be in possession of, use or distribute a controlled substance and to produce, supply or possess with the intent to supply any psychoactive substances. If the company is aware of any criminal offence taking place on company premises, it has legal obligation and a duty of care to the workforce and community to report any such offence to the police for further investigation.

5.11 Breach of Policy

Any breach of this policy will be treated as a disciplinary offence, although we will always consider the circumstances of any case, including whether you are receiving support for a drug or alcohol-related problem, before deciding on the appropriate penalty.
Where an employee with no history or evidence of dependency has tested positive for alcohol or controlled substances, they will be managed via the disciplinary policy for breach of this policy, in addition to any further policies that may have been breached through the conduct which led to testing.

It is the responsibility of every manager, employee and persons working on our behalf to comply with this policy and to respond to any issue or discuss any possible improvements or requirements.

5.12 Requesting support

We recognise that drug or alcohol dependence is a medical condition that can cause mental, physical, and social deterioration.

Substance dependency should be declared by the employee via the medical questionnaire at the time of employment. Dependencies that develop after the point of employment should be raised to a manager or member of the HR team in confidence. Employees who seek the support of the company for a drug or alcohol dependency which has not already been flagged by the company will be managed via Occupational Health where appropriate.

If an employee is found to have or has declared to the business that they have a substance dependency or is a habitual user of drugs, the company may wish to offer counselling or rehabilitation. Although this option may not always be adopted, depending on the circumstances of the case, it is only available to employees who accept that their use of alcohol or drugs is a problem and who are willing to cooperate with the company in the provision of such support.

Absences for treatment or rehabilitation will be managed via the Absence Management or Long-term Sick policy.

Failure to accept or continue with counselling/rehabilitation treatment and where dependency continues the employee liable to further ‘For Cause’/random screening which may result in disciplinary action for breach of the Drug and Alcohol Policy.

5.12 Customer/ Client Tolerance

Due to the diverse nature of the activities undertaken by the Company, certain customers (such as Balfour Beatty, Aggregate Industries, Network Rail & Others) have lowertest limits 13mcg/100ml BrAC, who will also apply a more stringent policy including pre- employment, for cause and random (Network Rail 20% of PTS operatives tested annually) drugs and alcohol screening, which must be adhered to when working for or on behalf of these companies.

5.13 Employee Rights

The right of MJ Church to carry out screening tests is considered proportionate under the Human Rights Act 1998, meaning that it is appropriate and necessary by the fact that it is considered a 'safety at work' issue.

If an employee has a complaint about the way in which a screening test has been conducted, they may raise this informally via their manager or the HR department or if they wish to raise a formal complaint, they may do so via the company Grievance Policy.

Date of Next Planned Revision:	1 August 2026

	Revised	Responsible	Authorised
Department	HR	HR	CEO
Name	Sarah Taccuso	Sarah Taccuso	Ben Staff
Signature			