

1 Scope

This policy applies to all employees, agency workers and independent consultants working for MWH Treatment and MWH Farrer (MWH).

The purpose of this policy is to prove that MWH is committed to providing its workers with a safe working environment. Working whilst under the influence of alcohol or drugs is likely to compromise both the worker's ability to perform and the safety of the working environment. The consumption of alcohol, and the consumption, possession or supply of drugs within working hours and / or the workplace is therefore strictly forbidden.

2 Application

All workers are expected to arrive at work fit to carry out their duties and to be able to perform those duties safely without any limitations due to the use or aftereffects of alcohol or drugs (whether prescribed, over the counter or illegal).

MWH also recognises that alcohol and drug dependency is primarily a health problem and that sufferers require treatment and assistance. The Company encourages all workers to raise their concerns about any alcohol or drugs related issues so that it can offer support to help those who need help.

3 Contents

The outline of this Policy is as follows:

- To have a working environment free from the effects of drugs and alcohol
- To encourage workers who know or suspect that they have an alcohol or drug related problem to seek help voluntarily and provide assistance to these workers to overcome their problem
- To provide practical guidance on how to deal with drugs or alcohol related problems effectively
- To promote a climate which will reduce the tendency to conceal or deny alcohol or drug related issues by enhancing awareness; and to provide a supportive framework for those who come forward with a drugs or alcohol related problem

Within this policy you will find details of MWH's position on:

- Definitions in terms of drugs and alcohol
- Obligations of all workers
- Alcohol and drugs in the workplace including the limits and levels applied in tests
- "With cause" testing
- Random Testing
- Induction Testing
- Alcohol consumption during Company events / hospitality / entertaining

Regarding alcohol and drug dependency, you will find details of MWH's position on:

- Alcohol and drugs dependency
- The warning signs of alcohol and drugs dependency

- What to do when a worker is suspected of having an alcohol or drug related problem
- How the Company can assist workers with alcohol or drug dependency
- What happens in cases of relapse for those undergoing treatment to cure an alcohol or drug dependency

4 Definitions and Obligations of Workers

For the purposes of this policy workers are defined as all persons representing MWH in the UK. This includes all persons employed via a contract of employment, all independent consultants and all agency workers working in MWH in the UK.

4.1 What is the definition of an ‘alcohol’ or ‘drug’ related problem?

Alcohol is defined as a colourless volatile flammable liquid which is an intoxicating constituent of wine, beer, spirits and other drinks, and is also used as an industrial solvent and as a fuel. For the purposes of this policy, “alcohol related problem” is defined as any consumption of alcohol which interferes with a worker’s health, safety, welfare and performance in any aspect of employment.

Drugs are defined as illegal substances, prescribed and over the counter medicines. For the purposes of this policy, “drug related problem” is defined as any use of drugs or any other substances (which in themselves may be legal, such as glue or other solvents) which interferes with a worker’s health, safety, welfare and performance in any aspect of employment.

Please note that prescribed medicines (including over the counter medicines) can affect and impair individual’s ability to perform their work safely and competently – please ensure that you are safe to attend work, are aware of any side effects and have notified the HR Department and / or your Line manager.

4.2 What are my obligations as a worker?

Workers have a responsibility to be aware of and comply with this Policy to ensure that their performance or ability to carry out work safely and competently is not impaired in any way.

Workers must not present themselves for work under the influence of alcohol or drugs so that their performance or ability to carry out their work safely and competently is impaired in any way.

Workers must inform the Company of any prescribed drugs that may affect their ability to drive, operate machinery or their ability to perform their role safely and competently.

5 Alcohol and Drugs in the Workplace

5.1 What is MWH's position on Alcohol and Drugs in the workplace?

The Company does not permit the consumption of alcohol during the working day or in the workplace. For the avoidance of doubt, working day refers to the working hours plus rest breaks (e.g. lunch). Additionally, the term workplace refers to any location which the worker attends while carrying out their duties including, but not limited to, the worker's normal place of work, all MWH or Client sites / offices, any off-site meetings, conferences or training courses.

See section 6 below for information on consumption of alcohol when entertaining or at company social events.

The Company does not permit the possession or use of drugs in the workplace, unless taken for medical purposes and the worker is safe to work.

For cases in which a worker must take prescribed drugs with debilitating side effects, please contact the HR Department and / or your line manager.

Workers are forbidden to sell alcohol or drugs on the Company premises. Please note that under the Misuse of Drugs Act 1971 possession and sale of drugs is illegal and any worker found to be in possession of, and / or selling such substances will be reported to the Police and be subject to disciplinary action.

Workers should not attend work under the influence of alcohol or drugs (unless taken for medical purposes and it is safe to do so).

5.2 What happens if a worker does not comply with this Policy?

Where an employee does not comply with this Policy, they will be treated in accordance with the Company's disciplinary procedure which may lead to dismissal. Please refer to the [MP54 Disciplinary Policy](#) for further information.

Any employee who reports for work in an unfit state due to the use of drugs of abuse or alcohol, is in possession of alcohol or drugs of abuse in the workplace or consumes alcohol or uses drugs of abuse whilst at work will result in the individual being removed from the MWH programme of work and will be investigated in accordance with the Company's Disciplinary Policy (MP54) which could lead to dismissal as an act of gross misconduct.

Where an independent consultant or an agency worker does not comply with this Policy their services will be terminated.

6 Alcohol Consumption During Company Events / Hospitality / Entertaining

If a worker entertains clients or represents MWH at external events where alcohol is served, they are considered to be at work regardless of whether they do so outside normal working hours.

Workers representing MWH at an event where alcohol is served are expected to behave responsibly and act in accordance with the Company's acceptable standards of conduct and safety and in a way that will not have a detrimental effect on MWH's reputation. MWH expects workers to remain professional and fit for work at all times. Examples of unacceptable conduct include, behaving in a manner that, in the Company's view, may cause offence, distress, embarrassment, a health and safety risk to the individual or others at the event, and continuing to drink alcohol when requested to stop.

Where an employee representing MWH behaves in a manner that is contrary to MWH's acceptable standards, they will be treated in accordance with the disciplinary procedure as appropriate.

Where an independent consultant or an agency worker representing MWH behaves in a manner that is contrary to MWH's acceptable standards of conduct and safety, their services will be terminated immediately.

Any Company endorsed event at which alcohol is served must be authorised by the relevant Director. To apply for authorisation, please email the relevant Director.

7 Alcohol and Drugs Testing

7.1 Reasons for Testing and Application of Testing

MWH has a duty of care to all workers and testing is carried out to ensure that all workers, contractors and Clients are in a safe environment, where all individuals' health, safety and welfare are treated as paramount.

Testing is not intended to discriminate against any group or individual.

7.2 "With Cause" Testing

"With cause" testing will be carried out where there is a reasonable and genuine belief that an individual could have been or is under the influence of drugs and / or alcohol. This may be because of:

- A workplace incident or accident
- Behavioural, performance or attitudinal changes
- Discovery of an alcohol container with a broken seal or other packaging / container that has contained alcohol or drugs (unless taken for medical purposes and it is safe to do so).
- An individual found to be in possession of illegal drugs

Please note this list is not exhaustive.

Workers will be tested for alcohol and all illegal substances / misuse of drugs. The method of tests used will be breath analyser and urine instant drug screening device (known as point of care testing) and will be carried out by MWH's chosen third party testing provider. The provider will employ appropriately qualified and trained staff to perform the tests and will provide the relevant laboratory analysis by appropriately, trained, qualified and proficient staff. "With cause" testing applies to all sites and offices and may involve the testing of a specific identified individual or random testing where

there is a reasonable and genuine belief that an unidentified individual on the premises is or has been under the influence of drugs and / or alcohol.

The limit for alcohol for this Policy and respective tests is the Government's legal drink / drive limit for the country in which the testing is undertaken.

The Company takes a "zero tolerance" approach to consumption (possession or supply) of illegal drugs.

Any drugs prescribed on medical grounds will be assessed in accordance with established legal and medical practice.

All employees tested "with cause" where a non-negative result is indicated will be suspended on full pay pending receipt of the laboratory test results.

All independent consultants and agency workers tested "with cause" where a non-negative result is indicated will have their services suspended pending receipt of the laboratory test results.

7.3 Random Testing

Random testing applies to all sites excluding offices.

Random testing will be carried out by MWH's chosen third party using breath analyser and urine samples. The method of tests used will be breath analyser and urine instant drug screening device (known as point of care testing) and will be carried out by MWH's chosen third party testing provider. The provider, on arrival at a workplace will be provided with a register of workers at that place on the day. From this register, a sample of workers will be selected at random. MWH will not be involved or influence the selection process chosen by its provider. A minimum number of 6 workers will be tested at any location. The provider will employ appropriately qualified and trained staff to perform the tests and will provide the relevant laboratory analysis by appropriately, trained, qualified and proficient staff.

Random testing will be carried out and the limits and approach to prescribed drugs set out in section 7.2 will apply.

7.4 Induction Testing

MWH reserve the right to undertake testing at induction should it be a Client, JV partner or Contract requirement.

7.5 What is MWH's position on workers who refuse or fail to comply with the testing process?

Where an employee fails to comply with any aspect of the testing process, whether random, "with cause" or induction, this will be viewed seriously and will be treated under the Company's Disciplinary Policy (MP54), which may result in dismissal.

Where an employee attempts to falsify test results, whether by tampering with, or substituting specimens or by seeking to change or otherwise influence results will be

dealt with under the Company's Disciplinary Procedure Policy (MP54) which may result in dismissal.

Where an independent consultant or an agency worker fails to comply with any aspect of the testing process whether random, "with cause" or induction, without good reason, their services will be terminated.

Where an independent consultant or an agency worker attempts to falsify test results, whether by tampering with, or substituting specimens or by seeking to change or otherwise influence results, their services will be terminated.

7.6 What will happen if I do not agree with the test result?

Where a worker disagrees with a positive test result, the same sample will be re-tested.

8 Alcohol and Drug Dependency

8.1 What is MWH's position on workers who have an Alcohol or Drug dependency?

MWH encourages any worker who is dependent on alcohol or drugs to undergo treatment prescribed by a qualified practitioner.

Where an employee volunteers information regarding an alcohol or drug dependency the Company will provide support, counselling and time for rehabilitation where appropriate. The timeframe for rehabilitation and associated time off will be managed on a case-by-case basis, dependent upon numerous factors including, but not limited to, the nature of the worker's addiction and role.

Where an independent consultant or an agency worker volunteers information regarding an alcohol or drug dependency the Company will work with the appropriate Agency and this will be managed on a case by case basis.

8.2 What characteristics could indicate that a worker has a dependency on alcohol or drugs?

A worker's dependency on drugs and / or alcohol can come to light in various ways. The characteristics outlined below may indicate an alcohol or drug related problem. Any of these behaviours may lead to a "with cause" test being requested.

Warning signs of alcohol or drug dependency include:

- Work performance issues
- Absenteeism
- Difficulty in concentrating
- Instances of unauthorised leave
- Tasks requiring increased effort
- Frequent Friday and / or Monday absences
- Individual tasks take more time
- Leaving work early
- Problem with remembering instructions or own mistakes
- Lateness (especially when returning from lunch)
- Mood swings
- Excessive levels of sickness absence
- Irritability

- Strange or increasingly suspicious reasons for absence
- Depression
- Unusually high level of sickness for colds, flu, stomach upsets
- General confusion
- Unscheduled short-term absences, with or without explanation

Please note this list is not exhaustive.

8.3 I suspect that a worker has a drug or alcohol related problem. What should I do?

If any worker suspects that another worker has a drug or alcohol related problem, they should speak to someone within the Human Resources team or the individual's line manager; the worker must not speak to the individual directly regarding this issue.

All related discussions thereafter are strictly confidential. The individual with the alleged problem must be protected. Any employee who discloses personal or confidential information regarding another worker, unless in an official capacity, will be subject to disciplinary action.

Any independent consultant or agency worker who discloses personal or confidential information regarding another worker, unless in an official capacity, will have their services terminated.

8.4 What happens if a worker denies that alcohol or drugs are the cause of their performance, conduct or attendance problems at work?

Where a worker is experiencing alcohol or drug dependency but denies that they have a problem, they will cease to have the protection of this policy.

If this is the case for an employee, and a "with cause" drugs and alcohol test has been requested, the disciplinary or capability procedure may be invoked dependent upon the circumstances. Where an employee tests positive for drugs and / or alcohol, the outcome of a disciplinary or capability process may include dismissal.

Where an independent consultant or an agency worker denies that drug and / or alcohol are the cause of their performance, conduct or attendance problems and a subsequent "with cause" test is positive, their services will be terminated.

8.5 What assistance will MWH provide to workers who seek help voluntarily?

MWH encourages workers who believe that they have an alcohol or drug related problem to seek help voluntarily from a qualified practitioner or recognised support group.

Where an employee volunteers information with regards alcohol or drugs addiction, MWH can offer assistance through the Employee Assistance Programme and the Company's Occupational Health Advisor.

Whilst undergoing treatment an employee may be entitled to Company Sick Pay and, if deemed appropriate, the terms of the Company Sick Policy will apply. Please contact the HR Department for further information.

Where an independent consultant or agency worker volunteers information regarding an alcohol or drug dependency, MWH will work with the appropriate Agency (if relevant) and this will be managed on a case by case basis.

Please note that workers are no longer able to 'volunteer' information with regards addiction once they have been selected for testing (whether random, for cause or induction), and therefore, will not be subject to section 8.5.

9 Alcohol and Drug Dependency and the Disciplinary Process

9.1 What happens when an employee's drug or alcohol problem is discovered during a disciplinary case for another matter?

Where the employee volunteers' information regarding alcohol and drug dependency during a disciplinary case for a separate matter, the dependency will be taken into consideration with regards any sanction.

10 Relapses of Drug or Alcohol Dependency

10.1 What happens if a worker has received treatment for their alcohol or drug dependency, but suffers a relapse?

Workers who have received Company support as per section 8 of this policy will be subject to "with cause" testing, prior to return to work and for a period of up to six months thereafter.

Where a worker has received Company assistance and subsequent testing provides a positive result or the worker volunteers that they have suffered a relapse, MWH may take further action as appropriate in the particular circumstances. If the individual is an employee this may include further disciplinary action up to and including dismissal. If the individual is an independent consultant or an agency worker this may include termination of their services.

10.2 What happens if a worker has received or is still receiving treatment, but their recovery is unlikely?

Where recovery of an employee is unlikely, the capability or disciplinary process may be invoked dependent upon the particular circumstances. Employees will be advised of any action.

Where recovery of an independent consultant or an agency worker is unlikely their services may be terminated dependent upon the particular circumstances.

Medical advice will be sought before any final decision is taken.

11 Glossary of Terms

Employee – All persons holding a permanent contract of employment working in the United Kingdom.