

DRUG AND ALCOHOL POLICY

Joint statement on purpose and status of this policy

This policy has been drawn up after consultation between the National Trainers Federation (NTF), the National Association of Stable Staff (NASS) and the Thoroughbred Breeders Association (TBA) and has the full support of each organisation. Its operation and effectiveness will be kept under review.

The NTF, NASS and TBA believe that it is in everyone's interest to have a safe working environment. The misuse and abuse of alcohol, drugs and other substances can affect health, attendance, performance and relationships at work, and the safety and welfare of people and horses.

This policy aims to:

- eliminate the use of alcohol, drugs and other substances, and the misuse of legal drugs in the workplace
- encourage individuals with substance misuse and other addiction problems to seek help
- set out the rules on drug, alcohol and substance misuse in the workplace
- and seek to ensure that employers and employees are aware of the addiction support options available to them, and where to obtain further advice and assistance

The NTF with the support of NASS, and the TBA, encourage their members to identify employees who are affected by addiction issues and encourage them to seek help and treatment. Most employers' disciplinary procedures state that attending for work under the influence of alcohol or drugs is classed as gross misconduct. However the NTF, NASS and TBA encourage employers to consider whether it is appropriate to approach the presenting issue as a supportable health matter, and not solely as a disciplinary matter.

This agreement does not confer any contractual rights on individuals.

Health and Safety at Work Act 1974

Under the Health and Safety at Work Act 1974 the employer is required to protect the health safety and welfare at work of their employees. Failure to do so could leave the employer liable to criminal or civil proceedings.

It also requires employees to take reasonable care of themselves and others who could be affected by what they do. Employers too, could be liable to a charge if their misuse of substances puts safety at risk.

Rules on alcohol, drugs and use of other substances whilst at work, and fitness for work

The policy agreed between the NTF, NASS and TBA is that the working environment within thoroughbred horseracing yards should be free from the influence of drugs, alcohol or other substances. For those reasons, the following rules will be enforced by employers:

No member of staff shall report or try to report for work when unfit due to alcohol, drugs (whether illegal or not) or substance misuse, nor be in possession of alcohol or illegal drugs in the workplace or in any work vehicle. No employee shall consume alcohol or illegal drugs or misuse other substances whilst at work.

Any breach of these rules is a serious matter and in the event of a breach the employer may take disciplinary action (see below) which may include dismissal.

Whether any employee is fit for work is a matter for the reasonable opinion of the employer, trainer or other senior management.

Prescription Drugs

Staff who take prescription drugs should check their effects with their doctor and not work if unfit to do so. Employees must inform their employer if they are bringing prescription drugs into work premises and/or when taking prescription drugs which may affect or impair their performance.

Disciplinary Action

Where an employee breaches the rules stated above, that breach will normally be dealt with under the employer's disciplinary procedure.

However the disciplinary procedure may be suspended for a reasonable period pending investigation of whether the employee has a health or addiction problem and, if so, if they wish to address the problem through appropriate support and treatment options.

Whether the disciplinary procedure is suspended will be the employer's decision and will depend upon:

- the nature of the employee's alleged offence
- the evidence that the employee has a health related or addiction problem
- the employee's willingness to seek support and treatment

Employees who decide not to engage with appropriate support and treatment options, or who discontinue support and treatment before its satisfactory completion, may be subject to the normal disciplinary procedure. Employers are reminded of the procedures required for a lawful dismissal and to seek advice if uncertain.

Help and support available

The employer will endeavour to make available advice and specialist help to any employee who feels they have a problem with alcohol, drug and substance misuse. Employees who feel they have a problem are encouraged to seek assistance through their employer or one of the specialist organisations listed below. The employer will treat any matter confidentially.

If the employee is committed to engage in addiction support or treatment through the support of the employer, both employee and employer agree to the following provisions.

The employee may continue to attend work if appropriate, or if unfit to do so should take sick leave with the employee's doctor confirming the employee is unfit to work. The employer's normal sick pay provisions will apply. The employer reserves the right to request that an employee be referred to a doctor appointed by the employer or the employee's own doctor, for a medical opinion.

Where in the employer's reasonable opinion following a risk assessment, there may be a risk to the employee, work colleagues, others, horses or property the employee may be re-assigned to appropriate duties for the duration of the treatment.

If the employee discontinues the treatment, or the treatment is not effective, then the employer may reinstate their usual disciplinary procedures for any underperformance, poor conduct or poor attendance which may include earlier events where disciplinary procedures have been suspended.

If an employee has concerns about a colleague that he or she believes may be misusing drugs, alcohol or substances, the employee is encouraged to notify their employer. If a false accusation is made in bad faith the employee may be subject to appropriate disciplinary action.

Other addictions

Whilst the procedures in this policy do not cover other addictions, support and treatment options are also available for gambling, eating disorders and other addiction issues. Employees who feel they have a problem are encouraged to seek assistance through their employer or one of the specialist organisations listed below.

Alteration and Termination

Should the NTF, NASS or TBA wish to terminate this agreement they shall do so by giving three months notice in writing to the other, and any alteration to be by agreement between the parties.