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GEGN8570

Guidance on the Management of Drugs and Alcohol

Issue two: December 2012

Rail Industry Guidance Note for GO/RT8070



Documents

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Guidance on the Management of Drugs and Alcohol

Issue record

Issue	Date	Comments
One	December 2008	Original document
Two	December 2012	Replaces issue one as a result of proposal 11/003. The main changes are: • Addition of clauses G2.1.2, G2.1.3, G2.6.3 to G2.6.10, G2.13.3, Appendix A and B. • Deletion of the first sentence of GN47 in issue 1, which will be transferred to GE/RT8070 (requirement to inform the person appointed to lead a formal or local investigation of the result of any test for drugs and alcohol). • Deletion of GN43 in issue 1 (guidance to regard all accidents and incidents requiring formal investigation, as specified in GO/RT3119, as reasonable grounds for 'for cause' testing) • The document has been transferred to a new guidance note template.

Revisions have not been marked by a vertical black line in this issue because the document has been revised throughout.

Superseded documents

The following Railway Group documents are superseded, either in whole or in part as indicated:

Superseded documents	Sections superseded	Date when sections are superseded
GE/GN8570 Guidance on the Management of Drugs and Alcohol – Issue One	All	02 March 2013

Supply

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Part 1 Introduction

G 1.1 Purpose of this document

- G 1.1.1 This document gives guidance on interpreting the requirements of Railway Group Standard GE/RT8070. It does not constitute a recommended method of meeting any set of mandatory requirements.
- G 1.1.2 Relevant requirements in GE/RT8070 are reproduced in the sections that follow. Guidance is provided as a series of sequentially numbered clauses prefixed 'G' immediately below the boxed text to which it relates. Where there is no guidance given, this is stated.
- G 1.1.3 Specific responsibilities and compliance requirements are laid down in the Railway Group Standard itself.
- G 1.1.4 This document has been drafted to give guidance to railway undertakings and infrastructure managers in managing the risks created by drugs and alcohol.
- G 1.1.5 This guidance is intended to help railway undertakings and infrastructure managers meet the requirements of:
- a) GE/RT8070, which contains measures notified by the UK government to the European Commission as National Safety Rules (NSR) under the Traffic Operation and Management TSI (OPE TSI).
 - b) The Transport and Works Act 1992.
 - c) The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS).

G 1.2 The structure of this document

- G 1.2.1 All requirements from Railway Group Standard GE/RT8070 are reproduced in boxed text in this document.
- G 1.2.2 Guidance is provided as a series of sequentially numbered clauses prefixed 'G' immediately below the boxed text to which it relates.
- G 1.2.3 Specific responsibilities and compliance requirements are laid down in the Railway Group Standard itself.

G 1.3 Background

- G 1.3.1 Impairment of work performance caused by drugs or alcohol has the potential in the railway industry to lead to errors in safety critical tasks, with catastrophic consequences. This is recognised in the Transport and Works Act 1992 (TWA) which created two new criminal offences:
- a) Carrying out safety critical work on the railway while under the influence of drugs or alcohol (section 27).
 - b) Where the employer of a person who has committed an offence under section 27 cannot show they exercised 'all due diligence' in trying to prevent their employee's offence (section 28).
- G 1.3.2 The use of drugs and alcohol is relevant to fitness for work. The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS) requires that employees are assessed as fit to carry out safety critical tasks (Regulation 24).
- G 1.3.3 A structured drugs and alcohol policy, including a testing regime for drugs and alcohol, is an important element in demonstrating due diligence in this context. This document provides a framework for such a policy and its implementation.

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- G 1.3.4 Research has been carried out on behalf of the Health and Safety Executive (HSE) to determine the scale and impact of illegal drug use by workers. The project showed that recreational drug use may reduce performance, efficiency and safety at work. Drug use was shown to produce impairment even in those who use lower classified drugs, those who use drugs infrequently and even those who have abstained from drugs for up to seven days. This indicates that it is not only actual intoxication in the workplace that may have an impact on the performance of drug users, the detection of recent use may also be relevant. Concurrent drug and alcohol use was shown to produce even greater impairment. HSE Research Report Series RR193 (The scale and impact of illegal drug use by workers) provides further information.
- G 1.3.5 The HSE has also published the results of research into the effects of psychotropic medication on performance efficiency and human error in a working sample. HSE Research Report Series RR282 (The scale and impact of psychotropic medication use by workers) provides further information.
- G 1.3.6 A survey of policies relating to alcohol and substance abuse in a range of industries can be found in Rail Safety and Standards Board (RSSB) research report T050.
- G 1.3.7 The extent of illicit drug use among 16-59 year olds, and trends in drug use since 1996, is described in the Home Office report: Drug Misuse Declared: Findings from the 2009/10 British Crime Survey, which can be found at www.homeoffice.gov.uk.
- G 1.3.8 The Home Office report: Drug Misuse Declared: Findings from the 2009/10 British Crime Survey gives an indication of which drugs are most likely to be taken but may not be directly relevant to a working population in the rail industry. Cannabis is used by significantly more people and more frequently than any other illicit drug. Other commonly used drugs include ecstasy, cocaine and amphetamines. Opiate (for example heroin) misuse is relatively less common.
- G 1.3.9 Updates to the Home Office report (described above), have previously been published on the findings of the characteristics and lifestyle factors associated with adults who have taken illicit drugs. It also presents trends in drug use by key demographic factors since 1996. Updates of the extent and trends in polydrug use are included, as are preliminary findings from the British Crime Survey (BCS) measures of drug use.
- G 1.3.10 Drug misuse varies with age, gender, geographical area and other social factors, which may be relevant to particular railway undertakings or infrastructure managers.
- G 1.3.11 In addition to research and survey information, drug testing laboratories will be able to advise which drugs are responsible for the greatest proportion of positive results, and therefore should be considered for inclusion in any drug testing regime.
- G 1.3.12 In addition to controlled or illicit drugs, there are many medicines that may cause impairment and may be misused, such as strong painkillers, benzodiazepines and other psychotropic medication, which may necessitate their inclusion in a drug testing protocol.

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G 1.5 Approval and authorisation of this document

G 1.5.1 The content of this document was approved by Traffic Operation and Management Standards Committee on 18 September 2012.

G 1.5.2 This document was authorised by RSSB on 29 October 2012.

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Part 2 Guidance on drugs and alcohol policy

G 2.1 Determining who is covered by a drugs and alcohol policy

- G 2.1.1 Railway undertakings and infrastructure managers should apply the requirements of an agreed drugs and alcohol policy to all staff employed by them who carry out safety critical tasks [the scope of safety critical work, as defined in The Transport and Works Act 1992, has been extended and amplified by the Railways and Other Guided Transport Systems (Safety) Regulations 2006, regulation 24]. It is recommended that the scope of a drugs and alcohol policy includes, as a minimum, the safety critical tasks shown in ROGS.
- G 2.1.2 Regulation 23 of ROGS provides the meaning of 'safety critical tasks' in relation to:
- a) A vehicle used on a transport system.
 - b) A transport system.
- G 2.1.3 Railway Safety Publication 4: – Safety Critical Tasks - Clarification of ROGS Regulations Requirements provides clarification on tasks that should be regarded as being safety critical.
- G 2.1.4 The safety critical tasks performed within the railway undertaking or infrastructure manager will have been identified in its risk assessments and other work contributing to its safety management system.

G 2.2 Establishing a drugs and alcohol policy

- G 2.2.1 Railway undertakings and infrastructure managers should document their drugs and alcohol policy with regard to staff:
- a) Use of drugs.
 - b) Use or abuse of any prescribed or over-the-counter medication or other substances that could detrimentally affect work performance.
 - c) Consumption of alcohol before and/or during working hours.
- G 2.2.2 Railway undertakings and infrastructure managers should give information to staff on the following:
- a) The effects of drugs and alcohol on performance.
 - b) Factors that lead to dependency on drugs or alcohol.
 - c) Information that can prevent them from inadvertently breaching the drugs and alcohol policy.
- G 2.2.3 Railway undertakings and infrastructure managers should incorporate this information into the induction programme for staff employed to carry out safety critical tasks, or otherwise bring it to their attention before they first commence safety critical tasks.
- G 2.2.4 The material provided for induction and briefing of staff should include information about units of alcohol and the average times taken for the effects of alcohol to diminish to a point where it will not impair performance and the person would be fit for duty. It is recommended that, as a general principle, staff are advised not to consume alcohol in the period 12 hours before attending work.

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- G 2.2.5 Staff should be made aware of the likelihood that some drugs could be associated with impaired performance for several days after being consumed (see section G 2.5).
- G 2.2.6 Staff should be informed of the ways in which they can inform their manager or supervisor that they are taking prescribed and/or over-the-counter drugs, and any information provided by their doctor or a pharmacist on likely effects on work performance.
- G 2.2.7 Staff should also be reminded that they should tell their doctor or pharmacist about the nature of their work before medication is prescribed and/or ask for information about any side-effects. Further information can be found in GO/GN3655 Guidance on Medical Fitness for Railway Safety Critical Workers Appendix D.
- G 2.2.8 Staff should be warned that they should inform their manager, supervisor or person collecting a sample for drug testing purposes, before a test is carried out, of any prescribed or over-the-counter medicine they are taking, in case the medication affects the test result. Further information can be found in GO/GN3655.

G 2.3 Contents of a drugs and alcohol policy

- G 2.3.1 A Drugs and alcohol policy should contain, but not be limited to, the following:
- a) Definition of the scope of its application.
 - b) Allocation of responsibilities for implementing and maintaining the policy.
 - c) Information on what constitutes misuse of drugs or alcohol.
 - d) Reporting arrangements for staff using prescribed and/or over-the-counter medication.
 - e) Restrictions and prohibitions on the consumption of alcohol.
 - f) Implications of, and relationship with, the Transport and Works Act 1992.
 - g) Information on individual safeguards, rights of appeal and confidentiality.
 - h) Information on help and support available to those with drugs or alcohol problems.
 - i) Circumstances in which disciplinary action will be considered.
 - j) Arrangements for undertaking drugs and alcohol testing.
 - k) Circumstances under which drugs and alcohol testing will take place.
 - l) Arrangements for reporting the results of drugs and alcohol testing.
 - m) Arrangements for staff who are remotely managed.
- G 2.3.2 It is important that the drugs and alcohol policy provides for the declaration of medication by staff, but also that they understand that any declaration must be as early as possible after the medication has been prescribed, and in any event before a test is carried out.

G 2.4 Access to advice from competent medical authority

- G 2.4.1 Railway undertakings and infrastructure managers should provide managers and supervisors with access to advice from a competent medical authority on the likely effects of the medication on a person's capability for safety critical tasks. This could be the contact details for the railway undertaking's or infrastructure manager's occupational health service provider.