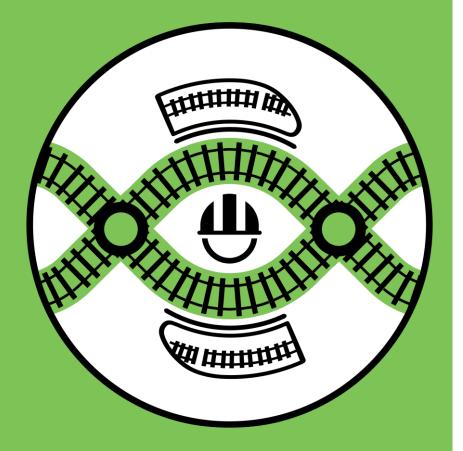
NetworkRail

Drugs, Alcohol and Substance Misuse in the Workplace NR/L2/OHS/00120

Issue 8: Detailed Briefing Publication date: 01/03/2025 Compliance date: 07/06/2025



Providing technical leadership

Contents of Changes to Issue 8 NR/L2/OHS/00120



Organisation the change applies to

Change Number	Type of Change (click the hyperlink to go direct)	Slide(s)	Network Rail	Supply Chain	D&A Testing, Medical or Laboratory Services
1	Scope of Random Testing	3	\checkmark		
2*	Random Non-negative Drugs Test	4-7	\checkmark		
3	PTS Training Requirement	8	\checkmark	\checkmark	
4 *	Active Monitoring Testing	9-10	\checkmark		
5*	For-Cause Testing	11-12	\checkmark		
6*	Post-Accident/Incident Testing	13-15	\checkmark		
7*	Drugs Testing Methodology	16	\checkmark	\checkmark	\checkmark
8*	Use of Prescription or Over the Counter (OTC) Medicines	17	✓	✓	✓
9	Appeals against Positive Test Results	18	\checkmark	\checkmark	\checkmark
-	Glossary	19	\checkmark		
-	Further Information	20	\checkmark		
-	<u>Appendix A</u>	21	\checkmark	of or shahahar	

*Contactors shall establish their own processes to meet the requirements of each change.

Change 1 – Scope of Random Testing



What is the change?

- The scope of workers who are eligible for random D&A testing has changed.
- Workers who remain eligible for random D&A testing do so because of the type of work they do or competences they hold.

Why has this changed?

- In September 2023, the Information Commissioners Office (ICO) published updated guidance for employers who collect and process personal sensitive data from employees for D&A testing purposes
- Following a review by Technical Authority, a temporary variation was applied to Issue 7 NR/L2/OHS/00120 in April 2024 to amend the roles or groups eligible for random D&A testing. This change has been integrated into Issue 8.

Who is affected by this change?

• Network Rail workers in roles who are no longer eligible for random D&A testing. See Appendix A for the roles or groups which remain eligible.

Where is this change applied to the standard?



• Section 5, clause 5.1.3.

Change 2 – Random Non-negative Drugs Test



What is the change?

- Within the random D&A testing programme, workers who record a non-negative point of contact drugs test (POCT) are no longer automatically suspended from duties.
- The worker's line manager is required to complete and implement the 'non-negative risk assessment' with the worker until the final drugs result is reported from the laboratory. The final drugs test can take up to 5 working days to be reported.
- The worker will be restricted from duties considered high risk whilst the non-negative risk assessment is in place.

Why has this changed?

- The non-negative risk assessment process is intended to keep the worker at work and manage any potential safety risk of there being a drug in their system.
- Random D&A test outcome data indicates less than 4% of non-negative POCT drugs tests are reported as a positive test result.

Who is affected by this change?

- Workers who record a non-negative POCT within a random drugs test.
- Line managers who are required to complete and implement the non-negative risk assessment.
- Where is this change applied to the standard?
- Section 5.6

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Non-negative risk assessment

General

- Line managers are to complete and implement with a worker immediately following a nonnegative POCT drugs test within the random testing programme.
- Complete all sections

Section A

- The worker must be removed from all duties listed in Section A whilst the non-negative risk assessment is in place.
- Where required, the line manager can contact HR for guidance on alternative duties.

			Ne	tworkRail
Non-negat	ive Point of Contact	Test – Risk	Assessment	
accordance with NR/L2/OHS/ nconclusive) Point of Contact 1 lace until the final laboratory re	00120, this risk assessmer fest (POCT) reading which	nt is required to	be implemented for	
nal laboratory results will be ass) or positive (fail).	reported within a maximur	n of 7 working	days. The final re	sult could be negati
This risk assessment should b onsidered personal sensitive a rovide the worker with a copy.				
Vorker Name		Job Title		
ine Manager Name		Job Title		
ocation		Date		
IR/L2/OH\$/00120 requires th	e line manager to remove		om all of the folio	wing duties until
NR/L2/OH \$/00120 requires th	e line manager to remove e reported: ties les, plant, equipment an ad vehicle cavations, work at height	e the worker fr d machinery		·
Work on or with vehic Driving a company ro Temporary works: ax acatfolds, <u>falsework</u> Permits to work, inclu Flying Working in or affectin Construction work, bi Electrical isolations, t Any other high-risk di	e line manager to remove e reported: ties sies, plant, equipment and ad vehicle cavations, work at height iding hot <u>works</u> g confined spaces or mil- uried <u>services</u> witching high and low <u>w</u> titles which are specified or duties that make decli- es.	e the worker fr d machinery is, at depths a nes <u>ottage</u> within the Nel	nd over water, lift work Rall Health	ing operations, and Safety



Non-negative risk assessment

Section B

- The line manager should consider if there are any grounds for reasonable suspicion that may indicate drug misuse.
- This may be informed by any signs or symptoms presented by the worker, or any concerns over behaviour, conduct or performance. Appendix A of NR/L2/OHS/00120 provides guidance for the line manager.
- If the line manager has concerns, a brief description should be written on the risk assessment.
- In cases where it is necessary to suspend the worker, the line manager may contact HR Direct for guidance.
- If there are no concerns identified, proceed to Section C.

Section C

- The line manager should confirm if the worker can continue working in their current or alternative duties, which do not include those listed in Section A.
- In cases where it is necessary to suspend the worker, the line manager may contact HR Direct for guidance.
- Proceed to Section D.



Section B – Grounds for Real Section B requires the line manager to dete being unfit due to drugs at the time of the no	mine if the	re are grounds for reasonable s	suspicion of the worker
At the time of non-negative test, does the line manager have any concerns over the worker's conduct or behaviour which may indicate drug misuse? See Appendix A further guidance signs & symptoms of drugs or alcohol misuse.	□ Yes □ No	(Briel description of concerns and ho massie)	w the could indicate drug
 Remove the worker from all duties: If it is necessary to suspend a work 0546 547 for guidance. If this occur and follow the procedure and guide and confirm the suspension by lette if No: Continue to Section C. 	er until the s out of hor lines. At the	test results are reported, contact ars, access the HR Direct site, s	earch for 'suspension'
discussed with the worker:			
discussed with the worker: Section C – Continued Duties Section C requires the line manager to state	s under	Risk Assessment	
Line manager to confirm Section B h discussed with the worker: Section C – Continued Duties Section C requires the line manager to state undertake unsil the laboratory results are rep Can the line manager provide suitable or alternative duties for the worker to those in Section A? The line manager can seek guidance from NR on suitable alternative duties. This may include, where practicable: working at home, working under additional supervision, carrying out administrative duties or mandatory training.	s under	Risk Assessment	er can continue to



Non-negative risk assessment

Section D

• The line manager should indicate if the worker is remaining at work or if it was necessary to suspend the worker.

Completion

- Both line manager and worker are required to sign the completed risk assessment
- Line manager to send a copy to the worker and their employee record file.

discussed with the worker:			
Section D – Outcome of the F	Risk Assessment		
The worker is remaining at work with suitable or alternative duties until laboratory results are provided?	□ Yes	□ No	
The worker has been temporacily. suspended until the laboratory results are reported?	□ Yes	□ No	
 Following the non-negative test, Ne vehicle home or to/from work whilst to determine their means of travel. Ensure you have checked any welft with them to check how they are an results. Provide the contact details 10066. Store a copy of this risk assessment 	awaiting laboratory results how are needs of the worker. Make d if any other support is neede for the Employee Assistance P	wever it is the sure you rem d whilst await rogramme to	worker's responsibility ain in regular contact ing final laboratory the worker - 0800 316
Line Manager signature:	Worker signatu	ire:	
Final Drugs Result If the final drugs test result is reported a Remove this risk assessment an Contact HR Direct on 0800 054 suspension.	nd the worker can carry on with		



Change 3 – PTS Training Requirement



What is the change?

- Prior to attending Personal Track Safety (PTS) Training, Network Rail workers are no longer required to have passed a D&A test within the 3 months that preceed the course.
- This requirement remains in place for the Network Rail Supply Chain.

Why has this changed?

- The controls in place to manage the risk associated with Network Rail workers attending work whilst unfit through drugs and alcohol are broader than for the Supply Chain.
- Network Rail workers are required to undertake a competence specific health, safety and wellbeing medical assessment, which incorporates a D&A test, more frequently (3 yearly) compared to the Supply Chain (10 yearly).

Who is affected by this change?

• Network Rail workers who are enrolled onto PTS training.

Where is this change applied to the standard?

• N/A – removed from standard



Change 4 – Active Monitoring Testing



What is the change?

• Addition of 'active monitoring' as a D&A test type.

Why has this changed?

- Active monitoring is a test type applied during the drugs and alcohol support programme (DASP).
- Active monitoring was not specified in Issue 7 despite it being required. This change has been integrated into Issue 8.

Who is affected by this change?

 Employees who voluntarily declare substance misuse or dependency and are supported through the DASP.

Where is this change applied to the standard?

• Section 9



Active Monitoring



Voluntary Active Monitoring

- Applied whilst a worker is not at work and to manage any risk of the worker returning to work.
- A positive test result is not considered a breach of the NR/L2/OHS/00120 standard and disciplinary
 processes <u>do not</u> apply.

Mandatory Active Monitoring

- Applied when or after the worker has returned to work and to manage any risk of the worker continuing to work.
- A positive test result is considered a breach of the NR/L2/OHS/00120 standard and disciplinary processes <u>do</u> apply.

Guidance on the frequency of active monitoring testing is provided by the Occupational Health Service. Active Monitoring tests may be arranged up to 48 hours in advance via the D&A testing provider (Abbott Toxicology).



Change 5 – For-Cause Testing



What is the change?

- The responsible manager is required to complete the 'For-Cause Test Form' with the worker and to document any grounds of reasonable suspicion prior to determining if a for-cause test is required.
- Only if grounds of reasonable suspicion can be confirmed should a for-cause test be arranged.

Why has this changed?

• To improve assurance that there is appropriate and evidence-based use of the for-cause test process.

Who is affected by this change?

• Responsible managers who make the decision to arrange a for-cause test.

Where is this change applied to the standard?

• Section 6



For-Cause D&A Test Form

General

 Responsible managers are to complete the For-Cause Test Form with the worker.

Section 1

 Following discussion and review of the worker's behaviour, conduct or performance, select any of the factors which could indicate grounds of reasonable suspicion that the worker is unfit for work due to drugs or alcohol.

Section 2

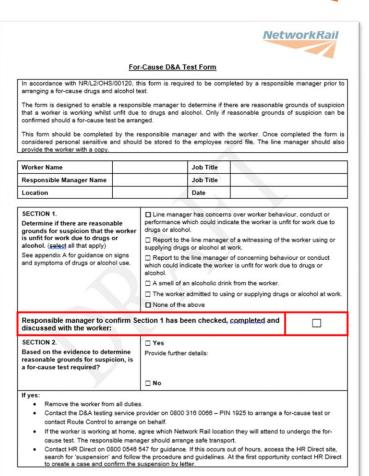
- Responsible managers select if a for-cause test is required.
- If yes has been selected, provide a brief summary to evidence the decision.
- If 'none of the above' has been selected in Section 1, a for-cause test shall not be arranged.

Completion

- Both responsible manager and worker are required to sign the completed form.
- Responsible manager is to send a copy to the worker and their employee record file.



• If a post-accident/incident test is required, the responsible manager shall contact the D&A testing service to arrange a post-accident/incident test.





Change 6 - Post-Accident/Incident Testing



What is the change?

- Following an accident or incident, the responsible manager is required determine the following prior to making the decision to arrange a post-accident/incident test:
 - if the accident or incident is considered serious or dangerous;
 - if the worker contributed to the accident/incident;
 - if there are grounds of reasonable suspicion that the worker is working whilst unfit through drugs and alcohol.
- The responsible manager is required to complete the 'Post-Accident/Incident Test Form' with the worker and to document any grounds of reasonable suspicion.
- Only if grounds of reasonable suspicion are confirmed or if the accident/incident is considered serious or dangerous should a post-accident/incident test be arranged.

Why has this changed?

• To improve assurance that there is appropriate and evidence-based application of the post-accident/incident test process.

Who is affected by this change?

• Network Rail responsible managers who make the decision to arrange a post-accident/incident test.

Where is this change applied to the standard?



Post-Accident/Incident D&A Test Form

General

• Responsible managers to complete all sections with the worker.

Section 1

- Determine if the accident or incident is considered serious or dangerous.
- If yes, proceed to Section 4.

Section 2

- Determine if the worker contributed to the accident or incident.
- If no is selected, there are no grounds to arrange a postaccident/incident test.

Section 3

 Select any of the factors which could indicate grounds of reasonable suspicion that the worker is unfit for work due to drugs or alcohol.



 If none of the above are selected, a post-accident/incident test shall not be arranged.

		Version:	1
		Date:	01 March 2025
		t/Incident D&A Test Form	to be completed by a
		nging a post-incident/accident drugs and ak	
that a worker is unfit due to	drugs and alco . Only if reaso	nanager to determine if there are reasonab shol and that this could have been a co onable grounds of suspicion can be cor	ntributing factor to the
Once completed the form is cor responsible manager should als		al sensitive and should be added to the en orker with a copy.	nployee record file. The
Worker Name		Job Title	
Responsible Manager Name		Job Title	
Location		Date	
		🗆 No	
If Yes: Proceed to Section 4. If No: Proceed to Section 2.			
Responsible manager to co discussed with the worker:	nfirm Section	n 2 has been checked, completed, an	d 🗌
SECTION 2.		🗆 Yes	-
Are there reasonable grounds the worker contributed to the incident?		Provide further details:	
		□ No	
If Yes:		□ No	
If Yes: Continue to Section 3.		□ No	
		□ No	
Continue to Section 3. If No:	arrange a post	□ No	
Continue to Section 3. If No:	arrange a post		
Continue to Section 3. If No: There are no grounds to Proceed to Section 4.			d 🗆
Continue to Section 3. If No: There are no grounds to Proceed to Section 4. Responsible manager to co		-accident/incident D&A test.	



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Post-Accident/Incident D&A Test Form

Section 4

- Select if a post-accident/incident test is required.
- If yes has been selected, provide a brief summary to evidence the decision.
- If no has been selected, a post-accident/incident test shall not be arranged.

Completion

- Both responsible manager and worker are required to sign the completed form.
- Responsible manager is to send a copy to the worker and their employee record file.
- If a post-accident/incident test is required, the responsible manager shall contact the D&A testing service to arrange a post-accident/incident test.

		Version: Date:	0	1 1 March 2025	
Determine if there are reasonable grounds	to drugs of	or alcohol.			
for suspicion that the worker was unfit for work due to drugs or alcohol. (select all that apply)		t to the line manager of a v ing drugs or alcohol at wor		of the worker using	
See Appendix A for guidance on signs and symptoms of drug or alcohol misuse.	Report to the line manager of concerning behaviour or conduct which could indicate the worker is unfit for work due to drugs or alcohol.				
	A sme	Il of an alcoholic drink from	the worke	er.	
	The worker admitted using or supplying drugs or alcohol at work.				
	□ None	of the above			
Responsible manager to confirm Section discussed with the worker:	on 2 has b	een checked, complet	ed, and		
SECTION 4.	🗆 Yes				
Is a post-accident/incident test required?	Provide further details:				
	□ No				
lf yes:	·				
 Remove the worker from all duties. 					
 Contact the D&A service provider on 0 		066 – PIN 1925 to arrange	a post-acc	ident/incident test or	
 contact Route Control to arrange on be If the worker is working at home, agree 		work Pail location they wil	l attand to	underno the port-	
incident/accident test. The responsible				andergo are post-	
 If it is necessary to suspend a worker to 547 for guidance. If this occurs out of it the procedure and guidelines. At the fit suspension by letter. 	until the tes hours, acce	t results are reported, con ss the HR Direct site, sear	tact HR Dir rch for 'sus	pension' and follow	
If no:					
There are no grounds to arrange a pos-	st/incident a	accident D&A test.			
The worker can return to normal duties					
 The worker can recom to normal dones 		Worker signature:			
Responsible Manager signature:		6511			





Change 7 – Drugs Testing Methodology



What is the change?

- Removal of blood, hair and oral fluid testing stated as alternative methods to test for drugs. Urine sample collection remains the primary drugs testing methodology.
- Any worker who develops or has an existing medical condition which means they cannot provide a urine sample shall request that their line manager refers them to occupational health for assessment. Where a medical condition is confirmed, the occupational health service shall provide guidance on alternative testing methods.

Why has this changed?

- Urine sample methodology is gold standard in workplace drugs testing.
- To accommodate reasonable adjustments to the drugs testing process for workers who, for medical reasons, cannot provide a urine sample.

Who is affected by this change?

• Any worker who develops or has an existing medical condition which means they cannot provide a urine sample for drugs testing.

Where is this change applied to the standard?



• Section 10.7

Change 8 – Use of Prescription or Over the Counter (OTC) NetworkRail Medicines

What is the change?

- All workers who are using medicines that have known side effects which have the potential to affect a worker's ability to work safely must now seek guidance from the Chemist on Call service.
- Workers shall only use prescription or over the counter (OTC) medicines where there is a legitimate medical reason for use.
- A legitimate medical reason is defined within NR/L2/OHS/00120 as:
 - A licensed therapeutic medicine or treatment which is recognised within the <u>British National</u> <u>Formulary</u> (BNF).
 - This definition includes use of licensed medicines which are prescribed 'off-label'.

Why has this changed?

• Licensed medicines, as listed in BNF, have published evidence on safe use, including known side effects. The Chemist on Call and Occupational Health Services can provide advice and guidance on restrictions or adjustments to role, where required.

Who is affected by this change?

• All workers and contractors who are using prescribed or OTC medicines which have known side effects that may affect their ability to work safely.

Where is this change applied to the standard?

• Section 13

Change 9 – Appeals against Positive Test Results

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What is the change?

- A worker or prospective worker may now appeal against their positive test result without a Sponsor's support.
- All appeals shall only be accepted if the worker, or Sponsor, can provide evidence which meets the appeal criteria listed in clause 14.1.1.

Why has this changed?

- To permit an opportunity for:
 - prospective workers who report a positive drugs and alcohol test results following a presponsorship test and who do not have a Sponsor to appeal on their behalf.
 - workers who do not have the support of their Sponsor for an appeal, but believe they can demonstrate evidence which meets the appeal criteria listed in clause 14.1.1.

Who is affected by this change?

• Workers or prospective workers who wish to appeal against a positive drugs and alcohol test result.

Where is this change applied to the standard?

• Section 14



Glossary



Form or Document	Source
Issue 8 NR/L2/OHS/00120	NR/L2/OHS/00120 [Issue: 8] Drugs and Alcohol Standard
Non-negative Risk Assessment	Non-negative Risk Assessment.docx
For-Cause Test Form	For-Cause Test Form.docx
Post-Accident/Incident Test Form	Post-Accident-Incident Test Form.doc
Drugs and Alcohol Support Programme	Drugs and Alcohol Support Programme summary.pdf
Declaration of Commitment Form	Declaration of Commitment.pdf
D&A Standard FAQ	D&A Standard FAQ.pdf





Further Information

- Access Issue 8 NR/L2/OHS/00120 <u>here</u>
- Familiarise yourself and colleagues with further information and guidance hosted on the <u>MyConnect page</u>
- Share the main changes within this briefing document with your teams and colleagues.
- Remind your team and colleagues support is available for drugs and alcohol misuse.
- Contact the health and wellness team for any questions <u>healthandwellness@networkrail.co.uk</u>



Appendix A: Roles or Groups Eligible for Random D&A Testing Group or Role Description



Group or Role	Description		
Safety Critical	As determined by Railways and Other Guided Transport Systems		
-	Regulations (2006) and signified by Network Rail Health & Safety		
	Management System		
Key Safety	As signified by Network Rail Health & Safety Management System		
Personal Track Safety (PTS) holder	Competence determined through Oracle and Sentinel Database		
Engineers	All roles with engineering in the role title, including apprentices and graduates.		
Board	All members of Network Rail Executive Leadership team		
Business Continuity Plan requirements	 The following roles are deemed critical to the delivery of Region and Function core objectives: Customer Services Assistant National Operations Controller, Duty Controller, Manager and Support Controller Shift Station Manager Station Control Assistant Planner Payroll (all roles) 		
Network Rail Occupational Health Service* *Require standalone random D&A testing programme and are not included in the national random testing programme.	 Lead Occupational Health Nurse Advisors Occupational Health Nurse Advisor Occupational Health Technician 		

