![West Lothian Council logo]

WITH CAUSE TESTING

Management protocol

Observe
- Employee suspected of being under the influence of alcohol and/or drugs
- Manager meets with employee in the company of a colleague (witness) to draw attention to their concerns/observations
- Manager completes observations record

Discuss
- Manager provides employee with opportunity to respond to concerns/observations
- Manager conducts a risk assessment based on outcome of meeting
- Manager discusses outcome of risk assessment with Human Resources

Contact
- Manager arranges for employee to complete consent form
- HR contacts test provider (Manager can contact test provider directly if required out of hours by obtaining contact details from the Customer Services Standby Manager on 07717421458)
- Employee waits at test location pending arrival of Sample Collection Officer (SCO)
- Employee may be accompanied by a trade union representative or work colleague, if they are available at the time of the test

Test
- SCO arrives on site within 2 hours and obtains sample (**Note**: testing will not be delayed if TU representative/work colleague is unavailable).
- SCO notifies test results to employee, Manager and HR
- Negative results are recorded and employee returns to normal duties
- On receipt of a non-negative result, the sample will be forwarded by SCO to laboratory for further analysis

Meet
- Manager meets with employee to discuss the failed/non-negative result of initial test.
- For failed/non-negative test results, employee should be sent home and advised that they are required to attend a meeting the following working day with HR and Service Manager
- Employee advised of right to be accompanied at the meeting by trade union representative or work colleague

RANDOM TESTING

Management protocol

Select

- Test Provider notifies HR in advance (24 hours before) of employees selected for random testing
- HR notifies Service Manager or Nominated Senior Officer (NSO) of selected employees and testing times
- HR provides Service Collection Officer (SCO) with relevant details (eg. locations of testing sites and availability of employees selected)

Notify

- Service Manager or NSO notifies employees of their random selection on day of the test
- Service Manager or NSO facilitates employees' attendance at test location at the required time

Test

- Employee consents/undertakes tests
- On receipt of negative result ,employee is free to return to normal duties
- If failed/non-negative result, employee is requested to wait at the location pending arrival of the Service Manager or NSO
- SCO sends non-negative result to laboratory for further analysis

Meet

- Service Manager or NSO meets with the employee and discusses the failed/non-negative result of the initial test
- For failed/non-negative test results, employee should be sent home and advised that they are required to attend a meeting the following working day with HR and Service Manager
- Employee advised of right to be accompanied at the meeting by trade union representative or work colleague

OBTAINING CONSENT

Management Protocol

Initial

- Employee consent is required before a test can be conducted
- For with cause testing, the Manager will arrange for the employee to complete consent form prior to arranging for test provider via HR
- For random testing, the test provider will obtain consent from employee at the time of test

Withheld

- If the employee withholds consent, Manager or Nominated Senior Officer (NSO) will advise the employee of the implications of refusal
- Employee to be given the opportunity to reconsider their decison before Manager or NSO undertakes a risk assessment
- Manager or NSO conducts a risk assessment taking into account all relevant factors

Outcome

- Employee will not be allowed to return to normal duties until outcome of risk assessment is known
- Manager or NSO to discuss the outcome of the risk assessment with HR and other relevant Senior Manager(s) as appropriate
- Employee will be notified of proposed action following outcome of risk assessment