

No.035/25

19th February 2025

Dear Colleague

ROYAL MAIL: DRUGS & ALCOHOL - FOR-CAUSE TESTING PILOT EXTENSION

Further to LTB 001/25 dated 2nd January, we are pleased to report there have been no For-Cause tests in the first five weeks amongst the Pilot Group, which is limited to Drivers only in Wales.

As expected, due to the lack of data for analysis, Royal Mail proposed an extension to the geographical areas of the Pilot and the Postal Executive has consequently agreed that two new ROD areas will be included - Anglia & the South West, along with the English workplaces in the Wales ROD area (Chester, Shrewsbury & The Wirral).

In line with established Postal Executive policy, Royal Mail has agreed that the extension will apply to Drivers only. We have also agreed the extended Pilot will run from Monday 11th March until Friday 2nd May (for Wales this will take the Pilot to 16 weeks in total). It should be noted that the extended Pilot, in keeping with the Terms of Reference for Wales, does not include Drivers in Parcelforce.

The ToR previously agreed for Wales (attached) will be extended to include the Anglia and South West ROD areas. In practice this means the full terms are applicable into the extended Pilot. Crucially, there will be no discipline arising from positive tests during the Pilot, provided members in these circumstances agree to participate in the new Support and Rehabilitation programme. In essence, this means that any member who fails a drugs or alcohol test during the Pilot and who takes up the offer of the Support and Rehabilitation service will not be taken down the Conduct route. There are two caveats to this - a positive drug/alcohol test on the roadside following an accident/incident where the police are involved, or an individual being found in the possession of illegal drugs in the workplace.

Briefings for Anglia and South West Representatives

We will be holding two briefings for our Divisional Reps, Branch Secretaries, Area Reps and Area Safety Reps in Anglia and the South West ROD Areas as follows:

South West

Friday 28th February – 11.30am – 2.30pm

Brunel's Boardroom and Breakout Room

The Engine Shed, Station Approach, Temple Meads, Bristol, BS1 6QH

Anglia

Monday 3rd March – 11.30am – 2.30pm

M.G Hall

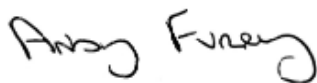
Indian YMCA, 41 Fitzroy Square, London W1T 6AQ

We will be running through the full details of the ToR for the extended Pilot and the protections and safeguards we have secured for our members in both the ToR and the Colleague Framework document. Obviously, there will be an opportunity for a Q&A session at the Briefings.

Andy Furey, Assistant Secretary, continues to lead on this matter, supported by Rob Wotherspoon, Postal Executive member, Ralph Ferrett (South Wales) and Paul Dugdale (North Wales). One of our Anglia Div Reps will also take on a similar supporting role. We meet with Royal Mail management on a weekly basis and this activity will be ongoing.

The Postal Executive will also be closely monitoring the Pilot and all Branches will be kept informed of any key developments as the extended Pilot progresses.

Yours sincerely,



Andy Furey
Assistant Secretary



Davie Robertson
Assistant Secretary



Tony Bouch
Assistant Secretary

Agreed Terms of Reference for the For-Cause Drug and Alcohol Testing Pilot for Royal Mail Drivers in Wales

Introduction

This Terms of Reference agreement outlines the purpose, scope, safeguards, and joint evaluation process for the for-cause testing pilot, which will be conducted in Wales from Monday 13th January and will conclude on Monday 10th March. There will be joint weekly checkpoints and a mid-pilot joint review on Monday 17th February.

Employees within the pilot area who feel they may have a dependency issue will be reminded of the availability of the new Support and Rehabilitation Service via self-declaration.

1. Purpose and Objectives

The purpose of this pilot is to evaluate the effective implementation of for-cause drug and alcohol testing policy. This initiative aims to improve workplace health and safety, protect employees, and uphold Royal Mail's duty of care under the Health and Safety at Work Act 1974. The pilot will also assess the fairness and operational feasibility of the for-cause testing process while identifying opportunities for improvement.

Specifically, the objectives are:

- To improve workplace safety by identifying instances where possible impairment due to drugs or alcohol could pose safety risks.
- To ensure that independent testing is conducted in a manner that is fully compliant with GDPR, Article 8 of the ECHR, and the Equality Act 2010.
- To ensure that all individuals involved in the process are treated with dignity and respect.
- To evaluate effectiveness of the Manager Decision Tree (Appendix 1) and ensure safeguards are effective.
- To gather insights, for joint evaluation purposes, to support a potential extension to the pilot or wider rollout based on lessons learned.

2. Scope and Location

The pilot will be specific to drivers based in Wales to ensure a controlled and manageable assessment. The location has been agreed based on the ability to include all operational sites in deliveries, collections, Local (Area) Distribution and National Distribution and test all possible driving scenarios.

Testing Methods, Approach and Measurements:

- Testing will involve non-invasive methods, (breathalysers for alcohol testing and saliva swabs for drug testing) and will be undertaken on site and within two hours of the request, by a Collecting Officer from Abbott Laboratories.
- Alcohol testing: The testing limit for England, Wales and Northern Ireland is 35µg/100ml.
- Drug testing: Testing for Cannabis, Cocaine, Opiates, Amphetamine, Methamphetamine

Size of population: Approximately 5300 FTE

Testing will take place as follows: Manager Decision Tree: A structured decision-making tree will direct managers on whether for-cause testing is necessary. This decision tree will help ensure decisions are objective, consistent, and based on clear criteria.

- a) Accident/Incident at work that is evidently blameworthy, Injury or third-party impact and the manager believes they may be under the influence of drugs/alcohol (determined by the decision tree outputs) **OR**
- b) If the manager has good reason to believe someone is under the influence of drugs/alcohol without an incident/accident taking place (determined by the decision tree outputs)

3. Key Safeguards

To ensure fairness, proportionality, and compliance, the following safeguards will be in place:

- **Support from Employee Relations (ER) Team:** The ER team will provide advice to managers during the decision-making process. Managers will consult ER before initiating a for-cause test to ensure compliance with policies and fairness in application.
- **Trade Union Engagement:** The ER team will be responsible for contacting a Postal Executive member to advise of the testing taking place. An additional layer of testing ratification will exist for TU Unit Reps in the form of involving the HR Service Delivery Director and HRD Operations.
- **Transparency and Communication:** Employees will be informed of the pilot and its purpose in advance by way of a WTLL session. They will also have access to information about the testing process.
- **Confidentiality and Data Protection:** All test results will be handled in full compliance with GDPR, ensuring confidentiality and secure handling of employee data. Results will only be shared with those who have a legitimate need to know.
- **Proportionate Responses:** For the purposes of the pilot only, a positive drug/alcohol For Cause test, will result in employees being referred into the Support and Rehabilitation programme. Exceptions to this are any criminal related cases such as possession of illegal drugs or failing a Police roadside test. If an employee refuses to undertake a test, or to engage with the Support and Rehabilitation programme, this will be investigated in line with the conduct policy and a decision reached based on all the details of the case.

4. Measures to be monitored during the pilot period

D&A testing process:

- Effective use of the decision tree, with feedback from managers indicating clarity and confidence in the process
- Any employee logistical questions/scenarios
- Effectiveness of the Drug and Alcohol testing process (Appendix 2)
- Supplier (Abbotts) performance in meeting the 2-hour call-out time
- Employee Engagement and Support Testing results and outcomes
- Feedback from all on the communications and training provided for launch
- Increased uptake of Support and Rehabilitation services who proactively seek support
- Consistency and fairness of Decision-Making particularly the adherence to individuals being treated with dignity and respect.
- Efficiency of ER processes and union engagement
- Data Trends

Business impact assessment:

- Business continuity risks/impact
- Logistical issues
- Employee welfare and morale
- Cost to business versus benefits

5. Joint Evaluation, Lessons Learned and Next Steps

Throughout and at the conclusion of the pilot, Royal Mail and CWU will jointly conduct a thorough review to capture lessons learned. This will include:

- Analysis of Data: Examining testing outcomes, application of the decision tree, and feedback from all involved in the processes.
- Feedback Sessions: Engaging with managers and union representatives to gather insights and suggestions.
- Adjustments to Policy: Identifying areas for improvement and updating the for-cause colleague framework and processes accordingly.
- Recommendations for the potential Rollout to other employees.
- Presenting findings and next steps for further implementation to decision-making bodies such as the Postal Executive.

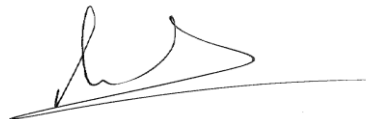
6. Timeline

- WTLL session: Week commencing 6th January 2025
- Pilot Launch: 13th January 2025
- Weekly checkpoints
- Mid-Pilot Review: 17th February 2025*
- Pilot Conclusion: 10th March 2025

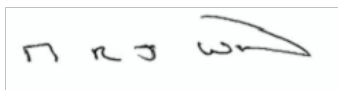
*Joint discussion and consideration to be given to expanding the scope of the pilot to include other areas



Joanne Cartwright
HR Service Delivery Director
Royal Mail
Date: 20th December 2024



Andrew Smith
HR Director, Industrial Relations
Royal Mail
Date: 20th December 2024



Martin Walsh
Deputy General Secretary
CWU
Date:



Andy Furey
Assistant Secretary
CWU
Date:

Appendix 1 – Manager Decision Tree

Manager decision tree (for determining if for-cause testing is necessary):

1. What is the pay number of colleague this is being completed for? (free text box)
 - Once complete opens question 2
2. What is the name of colleague this is being completed for? (First and last name in free text box)
 - Once complete opens question 3
3. Does the colleague require urgent medical assistance?
 - If Yes, please immediately seek first aider if available or call 999/111 and no test required
 - If No, move to question 4
4. Has the colleague been involved in an accident/incident that was any of following: blameworthy, led to injury, led to third party impact (property, vehicle public)?
 - If Yes, then move to question 5.
 - If No, then move to question 7
5. Has the colleague been observed to smell of alcohol and/or drugs or found in possession of any illegal drugs or stated they are under the influence?
 - If Yes, the Manager will call Employee Relations team to discuss ordering a test
 - If No, then move to question 6
6. Have any of the below symptoms been observed for this colleague? (Erratic or delayed responses/behaviour, Dilated or constricted pupils, Slurred or incoherent speech)
 - If the Manager chooses none of these symptoms, no test required however, an accident investigation will continue.
 - If the Manager chooses one or more symptoms, your manager will call Employee Relations team to discuss ordering a test.
7. Has the colleague been observed to smell of alcohol and/or drugs or found in possession of any illegal drugs or stated they are under influence?
 - If Yes then the Manager will call Employee Relations team to discuss ordering a test
 - If No then move to next question 8
8. Have any of the below symptoms have been observed for this colleague? (Erratic or delayed responses/behaviour, Dilated or constricted pupils, Slurred or incoherent speech).
 - If the Manager chooses none of these symptoms, no test required however, your manager will seek an explanation for any symptoms observed.
 - If the Manager chooses one or more symptoms, your manager will call Employee Relations Team to discuss ordering a test.
9. Please ensure colleague presenting as under the influence is present with you to answer all remaining questions as needed. Ask the colleague if they are under the influence of alcohol and/or drugs?
 - If Yes then the Manager will call Employee Relations team to discuss ordering a test
 - If No then move to next question 10

10. Ask the colleague if they are on any prescribed medication?
 - If yes move to question 11
 - If no move to question 14
11. Does the colleague require urgent medical assistance now there is awareness of prescribed medication?
 - If Yes, please immediately seek first aider if available or call 999/111 and no test required
 - If no move to question 12
12. Were you already aware that the colleague was on prescribed medication?
 - If No the Manager will call Employee Relations team to discuss ordering a test
 - If Yes (already aware) move to question 13
13. Seek employee's permission to provide the detail of the medication and then pause completing this form to contact Chemist on Call. Did the chemist state the medication could cause the observed symptoms? (Erratic or delayed responses/behaviour, Dilated or constricted pupils, Slurred or incoherent speech).
 - If No move to question 14
 - If Yes, no test is required but a Person Specific Risk Assessment should be completed to ensure the colleague can continue safely with their duties
14. Ask colleague if there is any other reason that they may be displaying the observed symptoms? (Erratic or delayed responses/behaviour, Dilated or constricted pupils, Slurred or incoherent speech).
 - If Yes please proceed to question 15
 - If no the Manager will call Employee Relations team to discuss ordering a test
15. Is the reason the colleague provided due to a health condition?
 - If no the Manager will call Employee Relations team to discuss ordering a test
 - If Yes then move to question 16
16. Have you completed an Occupational Health (OH) referral previously to determine if the health condition stated causes the observed symptoms? (Erratic or delayed responses/behaviour, Dilated or constricted pupils, Slurred or incoherent speech).
 - If Yes move to question 17
 - If no, no test is required and the Manager will seek consent to an OH referral
17. Did the OH referral state that the health condition/medical reason could cause the observed symptoms?
 - If No the Manager will call Employee Relations team to discuss ordering a test
 - If Yes no test is required, appropriate support to be provided through Occupational Health and Wellbeing Services

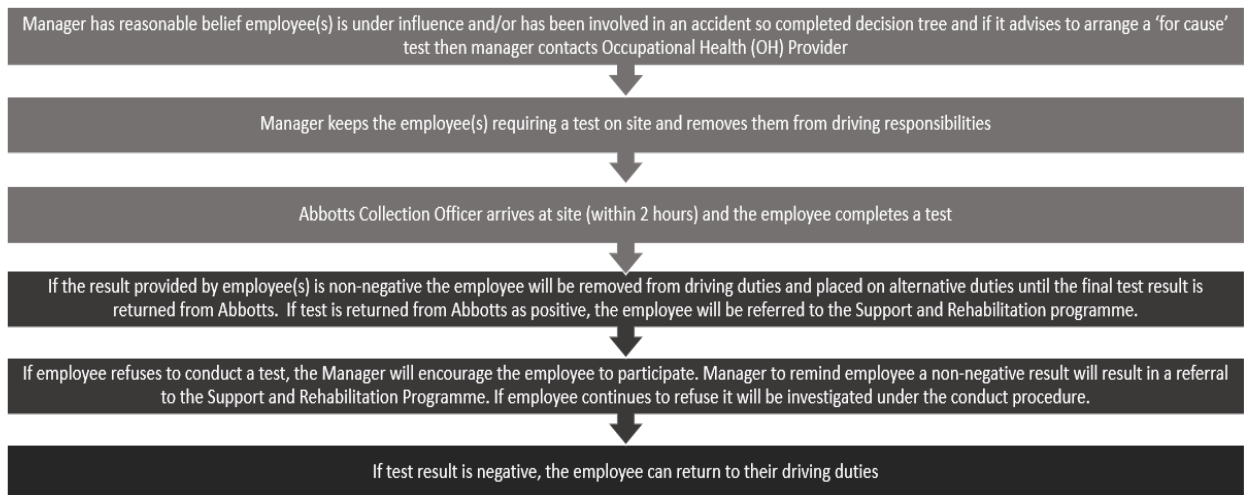
Employee Relations (ER) Team Actions:

- If the outputs of the decision tree advise the manager to order a test, then the manager is to immediately call the ER Team. If the ER team support the ordering of the test, call Postal Executive member to inform them of the need for a test and why it's required to build confidence in the approach.
- ER Team to log the calls received by Managers and to provide us with oversight/learns for the pilot so we can consider any changes for full launch.

Appendix 2 – For Cause Testing Process

How will the testing process work: For-Cause

For-Cause testing process (initial steps):



For-Cause testing process (after the test):

- All non-Negative tests will be screened by Abbotts laboratory within 2-5 days
- A Full test report will be issued to the Employee Relations team who will then support the Line Manager with the relevant next steps regarding Support and Rehabilitation services