

# Lincolnshire Police

## Policy Document



## Alcohol, Drug and Other Substance Misuse - Pre-employment Screening

**PD 116**

### Code of Ethics

All staff involved in carrying out functions under this policy and associated procedures and appendices will do so in accordance with the principles of the Code of Ethics. The aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

Reference Number:	PD 116
Policy Sponsor:	DCC
Policy Owner:	Director of People Services – Charley Rimmer
Author:	Director of People Services – Charley Rimmer
Publication Date:	April 2020
Review Date:	April 2022

Version:	Date:	Reason For Issue:
4	March 2017	Biennial Review - amendments to process. Testing conducted and co-ordinated by PSD.
5	April 2020	Biennial Review - update to include Special Constabulary

## Legislative Compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the individual and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

### ***Other legislation/law which this policy has been drafted to comply with:***

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)
- [Equality Act 2010](#)
- [Crime and Disorder Act 1998](#)
- [H&S legislation](#)
- [Data Protection Act 2018](#)
- [Freedom Of Information Act 2000](#)

### **Security Classification**

**Policy to be published on Intranet: Yes**

**Policy to be published on Force Website: Yes**

## Authorised Professional Practice (APP)

This Policy has been checked against APP and there is none in relation to the subject matter of this Policy.

### 1. Policy Aims: (purpose)

1.1. The Police and Crime Commissioner for Lincolnshire and the Chief Constable of Lincolnshire Police aim to:

- Preserve and enhance the health, safety and welfare of all personnel in matters relating to alcohol, drug or substance misuse.
- Maintain the professional integrity of personnel in providing services to the members of the public and wider community.
- Apply the policy equally to everyone applying to join Lincolnshire Police.
- Maintain and increase the public confidence in Lincolnshire Police by ensuring the highest professional standards.

### 2. Policy Statement: (Key information)

2.1. The Police and Crime Commissioner for Lincolnshire Police and the Chief Constable of Lincolnshire Police are committed to providing a safe, healthy and productive working environment that is free from alcohol and drug misuse for all employees, members of the public and people in Lincolnshire Police's care.

2.2. Misuse of alcohol and drugs can lead to poor attendance, reduced efficiency, increased risk of accidents and health/welfare issues. This can have serious consequences for individuals, their families, the public, and the people in their care, and can be costly for the reputation of Lincolnshire Police.

2.3. For the purpose of this policy, 'alcohol and drug/substance misuse' includes the use of illegal drugs, the misuse of prescribed drugs, non-prescribed preparations, legal highs, and other substances, the consumption of and/or misuse of alcohol.

2.4. This policy applies to all external and internal candidates applying to work for The Police and Crime Commissioner for Lincolnshire and/or Lincolnshire Police in the capacity of Police Officers and the Special Constabulary.

2.5. The Police and Crime Commissioner for Lincolnshire and the Chief Constable of Lincolnshire Police do not condone the excessive or inappropriate use of alcohol or the misuse of drugs, whether illegal or prescribed.

Possessing and supplying illegal drugs are criminal offences.

#### 2.6. Legal Status

2.6.1. The Police Regulations 2003 (amended) give the Chief Officer the power to require Police Officer candidates to provide a sample for alcohol and drug screening purposes.

2.6.2. The Home Office Circular 11/2012 outlines specific amendments to the 2003 Police Regulations which govern drug and alcohol testing for Police Officer candidates. This policy adheres to the ACPO Guidelines on Substance Misuse & Testing 2012.

## 2.7. General Principles

2.7.1. Lincolnshire Police may require external candidates applying for a role with Lincolnshire Police to submit to drug testing by means of one of the following samples:

- Breath
- Oral fluids
- Urine
- Hair

2.7.2. Candidates applying to join as Police Officers or members of the Special Constabulary will be required to submit relevant samples.

2.7.3. Human Resources will liaise with the Force Professional Standards Department in advance of random selection to arrange to co-ordinate the drugs and alcohol screening. An external agency will administer the tests in a secure and confidential environment.

2.7.4. Due consideration will be given to an individual's cultural or religious beliefs in terms of taking or obtaining samples.

2.7.5. External applicants will be advised that they may be subject to random drug and alcohol testing at any time of the selection process.

## 2.8. Internal Candidate and Transferee Screening

2.8.1. Internal candidates applying to join as Police Officers or members of the Special Constabulary will also be required to submit relevant samples.

2.8.2. In the event that an internal member of staff having a positive result this will be referred to Professional Standards who may consider misconduct procedures.

2.8.3. Transferees joining from other forces are excluded from this pre-employment policy in line with the Police Regulations 2003, but may be subject to testing under the In-Service Policy.

## 2.9. Conducting the Test

2.9.1. There will be a secure chain of custody through collection, analysis and medical review. Laboratory analysis will be undertaken by an independent agency. Collection of samples may be undertaken by an independent agency or by suitably qualified employees of Lincolnshire Police.

2.9.2. If a potential recruit does not wish to submit to a test, he or she will not be considered for employment by Lincolnshire Police.

## 2.10. **Alcohol & Drugs/Substance Testing**

2.10.1. Alcohol, drug and substance testing will cover the illicit use of the following substances:

- Alcohol
- Amphetamines (including ecstasy)
- Cannabis
- Cocaine
- Opiates (e.g. morphine and heroin)
- Benzodiazepines

2.10.2. Appointment to Lincolnshire Police will be conditional upon a negative test result. In the event of a positive test result, the candidate will not be considered for employment with Lincolnshire Police. In this instance HR will write to the candidate to reject their application.

## 2.11. **Confidentiality**

2.11.1. The results of the tests will be sent to the Force Professional Standards Department and communicated confidentially to the HR Shared Services Manager and the individual.

2.11.2. Screening results will not be given to any person within Lincolnshire Police or to any other organisation or individual seeking information regarding the candidates test results, without the candidate's written permission.

2.11.3. All relevant data will be stored confidentially on the applicant's file.

## 3. **Other Related Documents/Appendices:**

- 3.1.
- Lincolnshire Policing Plan
  - People Strategy 2013-2017
  - PD1 – Alcohol, Drug and Other Substance Abuse – In Service Screening and Support
  - PD 6 – Managing Attendance Policy
  - PD 27 – Health and Safety at Work Policy
  - PD 39 – Smoking at Work Policy

## 4. **Monitoring/Review:**

4.1. The implementation and application of this policy should be adhered to sensitively, professionally and on a confidential basis, with due regard for the needs of the individual and Lincolnshire Police.

4.2. The application and monitoring of this policy is the responsibility of the Director of People Services.

## **5. Who to contact about this policy:**

- 5.1. This policy is owned by Director of People Services. Any enquires about this policy should be directed to Charley Rimmer, Director of People Services, 01522 9(47245), [charley.rimmer@lincs.pnn.police.uk](mailto:charley.rimmer@lincs.pnn.police.uk).

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### PRO-FORMA FOR THE INITIAL EQUALITY IMPACT ASSESSMENT (EIA)

This screening document is the first stage in a two-stage process to take a systematic approach to assessing the impact of an activity on equality. An activity may mean a:

- policy or policy review,
- a business case
- a business plan
- a project initiation
- a decision to implement a service
- a decision to decommission a service.

This screening should be completed by the lead person for the activity with assistance from any of the following departments:

- Human Resources (Where appropriate)
- Equality and Diversity

<b>Department:</b>	Human Resources	<b>Section:</b>		<b>Person responsible for initial assessment:</b>	Charley Rimmer (Head of Operations)
<b>Name of the Policy to be assessed:</b>	<b>ALCOHOL, DRUG AND OTHER SUBSTANCE MISUSE – PRE-EMPLOYMENT SCREENING</b>	<b>Date of Assessment:</b>	April 2017	<b>Is this a new or existing policy?</b>	Existing
1. Briefly describe the aims, objectives and purpose of the policy.	The Police and Crime Commissioner for Lincolnshire Police and the Chief Constable of Lincolnshire Police are committed to providing a safe, healthy and productive working environment that is free from alcohol and drug misuse for all employees, members of the public and people in Lincolnshire Police's care.				
2. Are there any associated objectives of the policy? Please explain.	The objectives of the policy are to ensure that Lincolnshire police recruit people with the right standards and moral behaviours to represent their beliefs and values at all levels.				
3. Who is intended to benefit from the policy and in what way?	All members of Lincolnshire police and the policing family by ensuring we recruit the right people.				

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4. What outcomes are wanted from this policy?	Appointment to Lincolnshire Police will be conditional upon a negative test result. In the event of a positive test result, the candidate will not be considered for employment with Lincolnshire Police. In this instance HR will write to the candidate to reject their application.		
5. What factors/forces could contribute/detract from the outcomes?	Nil		
6. Who are the main stakeholders in relation to the Policy?	Lincolnshire Police and partners		
7. Who implements the policy and who is responsible for the activity?	Human Resources will liaise with the Force Professional Standards Department in advance of random selection to arrange to co-ordinate the drugs and alcohol screening. An external agency will administer the tests in a secure and confidential environment.		
8. Is there any likelihood the policy <b>could</b> have a differential impact on racial groups? (including Gypsies and Travellers)	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> Pre-employment screening will be applied consistently to all candidates by random selection.
What existing evidence (either presumed or otherwise) do you have for this?	This policy applies to all groups and embraces all protected characteristics of diversity.		
9. Is there any likelihood the policy <b>could</b> have a differential impact due to gender?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As Above
What existing evidence (either presumed or otherwise) do you have for this?	N/A		

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10. Is there any likelihood the policy <b>could</b> have a differential impact on due disability?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As Above
What existing evidence (either presumed or otherwise) do you have for this?	N/A		
11. Is there any likelihood the policy <b>could</b> have a differential impact on people due to sexual orientation?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As above
What existing evidence (either presumed or otherwise) do you have for this?	N/A		
12. Is there any likelihood the policy <b>could</b> have a differential impact on people due to their age?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As Above
12a Is there any likelihood the policy <b>could</b> have a differential impact on Young People and Children?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As Above
What existing evidence (either presumed or otherwise) do you have for this?	N/A		
12b Is there any likelihood the policy <b>could</b> have a differential impact on Older People?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As Above
What existing evidence (either presumed or otherwise) do you have for this?	N/A		

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13. Is there any likelihood the policy <b>could</b> have a differential impact on people due to their religious belief?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As Above
What existing evidence (either presumed or otherwise) do you have for this?	N/A		
14. Is there any likelihood the policy <b>could</b> have a differential impact on people due to them having dependants/caring responsibilities?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As Above
What existing evidence (either presumed or otherwise) do you have for this?	N/A		
15. Is there any likelihood the activity <b>could</b> have a differential impact on people due to Marriage or Civil partnership?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As Above
What existing evidence (either presumed or otherwise) do you have for this?	N/A		
16. Is there any likelihood the policy <b>could</b> have a differential impact on people due to them being Transgender or Transsexual?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As Above
What existing evidence (either presumed or otherwise) do you have for this?	N/A		
17. If a differential impact has been identified in 8-16, will this amount to there being the potential for an adverse impact in this policy?	Y	<input checked="" type="checkbox"/>	<b>Please explain</b> As Above

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18. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?	Y	<b>N</b>	Please explain for each equality heading (question 8-16) on a separate piece of paper N/A
19. If Yes, is there enough evidence to proceed to a full EIA? <i>Is there enough concern about a policy or practice to do an in depth assessment.</i>			YES
20. Date on which Full impact assessment to be completed by.			<b>NO</b>

Signed (completing officer)\_ Charley Rimmer \_\_\_\_\_

Signed (Lead officer) \_\_\_\_\_

**Groups Affected**

Please identify the anticipated impact this activity will have on the following population groups.

- Tick the appropriate box and give explanation if so required,
- Please note that there are both likely benefits and adverse impact within the same group
- Any groups highlighted as likely to be adversely affected should be consulted in the second stage Full Impact Assessment if one has been identified as being needed.

	Likely to Benefit	No Impact	Adverse Impact
<b>Disability</b> - Physical ,Sensory, Learning Disability, Mental Health, Carers		X	
<b>Gender</b> - Male , Female		X	
<b>Transgender</b>		X	
<b>Race</b> - Traveller and Gypsy etc		X	
<b>Sexual Orientation</b> - Lesbian, Gay , Bisexual		X	
<b>Religion and Belief</b>		X	
<b>Age</b> - Young and Old		X	
<b>Marriage and Civil Partnerships</b>		X	