

# Lincolnshire Police

## Policy Document



## Alcohol, Drug and other Substance Misuse – In Service Screening and Support Policy

**PD1**

### 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:	PD1
Policy Sponsor:	ACO
Policy Owner:	Head of Professional Standards – Sup Suzanne Davies
Author:	Deputy Head of Professional Standards - C/Insp Phil Baker
Publication Date:	March 2019
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Version:	Date:	Reason For Issue:
7	March 2019	Biennial Review

## 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: Partially (without Appendices)**

## Authorised Professional Practice (APP)

This Policy has been checked against APP. Lincolnshire Police has adopted the APP provisions, with supplementary information contained herein, which reflects local practice and the needs of the communities served by Lincolnshire Police.

Those provisions are shown in the links below and can be accessed via the home page of the APP website:

### Professional standards

#### 1. Policy Aims: (Purpose)

- 1.1. The overall aims of this policy are to promote the health, safety and welfare of all police personnel and protect those whom they come into contact with, whilst ensuring the integrity of those that deliver the service.

*\*\*This policy does not include staff employed by G4S under the Business Partnership contract who have their own policy mirroring Lincolnshire Police policy. In the case of a G4S employee, early consultation with the Commercial Partnership managers is required.*

- 1.2. The policy will ensure that:

- All personnel are made aware of their responsibilities regarding alcohol, drug and other substance related issues as they relate to the provision of a safe, healthy and productive working environment for all police personnel and members of the public; and
- The ethos of high integrity, individual responsibility and accountability are maintained, demonstrating a commitment to enhance public trust in the Lincolnshire Police and the service we provide.

- 1.3. Lincolnshire Police aim to:

- Preserve and enhance the health, safety and welfare, of all personnel in matters relating to alcohol, drug or substance misuse.
- Provide advice, assistance and guidance to personnel affected by alcohol, drug or substance misuse, at an early stage and where possible, assist personnel to return to full health.
- Provide advice, assistance and guidance to managers confronted by problems associated with alcohol, drug or substance misuse by colleagues;
- Maintain the professional integrity of personnel in providing services to the members of the public and wider community.
- Apply the policy equally to everyone in Lincolnshire Police regardless of rank or position.
- Maintain and increase the public confidence in Lincolnshire Police by ensuring the highest professional standards.

- 1.4. The public rightly expects Lincolnshire Police to be a drug free organisation.
- 1.5. Lincolnshire Police is committed to providing a safe, healthy and productive working environment. Misuse of alcohol and drugs can lead to reduced efficiency, increased risk of accidents, increased health/welfare issues, increased vulnerability to corruption and potential criminal and disciplinary consequences. This can have serious consequences for individuals, their families, the public and it is costly for the Lincolnshire Police.

## 2. Policy Statement: (Key Information)

### 2.1. Principles

2.1.1. This policy incorporates the views of the NPCC Policy and Guidance Document on Substance Misuse by Police Personnel and should be read in conjunction with Home Office circular 011/2012: testing police officers for substance misuse. [Circular: testing police officers for substance misuse - GOV.UK](#). Lincolnshire Police will ensure that all police personnel, including police officers, police staff, police community officers and volunteers are subject to this policy. The policy sets out how Lincolnshire Police will support its personnel and the public it serves and to eradicate drug and alcohol misuse in the workplace

2.1.2. It is recognised that alcohol and drug related problems:

- May develop for a variety of reasons.
- May develop over a lengthy period of time.
- May have a significant impact upon an individual's life and the ability to carry out work safely and effectively.
- Can be successfully treated.
- Should, as far as possible, be treated in a similar way to other ill health problems.

2.1.3. As such, the approach to dealing with personnel suffering with such problems will be to encourage them to seek help voluntarily through their GP and to provide support where possible. Individuals may contact their line manager, be referred to the East Midlands Occupational Health Service or relevant staff associations at any time to discuss a problem of this nature.

2.1.4. Unsatisfactory job performance, in which alcohol, drug or other substance misuse is suspected to be a factor, may lead to disciplinary or misconduct action, whether or not welfare or health issues are involved. Individuals, therefore, are expected to take responsibility for their own work and to take appropriate steps to remedy deficiencies to an acceptable level within a reasonable timescale.

***N.B*** *The Standards of Professional Behaviour 2012 under Code 8 – Fitness for duty requires officers to be fit for duty and ensure “they do not consume alcohol when on duty unless specifically authorised to do so or it becomes necessary for the proper discharge of police duty.” Police Staff fitness for duty is covered under employee regulations.*

2.1.5. This policy covers an extremely sensitive area and its implementation and

application should be adhered to sensitively and professionally, with due regard for the needs of the individual and the Lincolnshire Police. Accordingly, responsibility for implementation, application and the monitoring of the policy rests with the Head of Professional Standards.

- 2.1.6. Lincolnshire Police will provide advice and guidance to personnel and managers on alcohol, drug or substance misuse in the workplace and will raise awareness of the issue by publishing information on how to identify symptoms of alcohol and drug misuse and sources of help to overcome problems.
- 2.1.7. The officers GP and OHS can provide support and counselling and can provide details of local and national guidance, supportive and counselling agencies.
- 2.1.8. The Force, Police and Crime Commissioner's Office and G4S will not routinely provide alcoholic drinks at official force events and ceremonies. The Force will not operate bars or clubs that sell or provide alcohol in any of its premises. If police staff drink alcohol before coming to work, at lunchtimes or other break times (paid or unpaid) or when they are on duty, they must be fit for work, and legal if they are driving. There are specific requirements on Authorised Firearms Officers regarding drinking before coming on duty.

## 2.2. **Screening for drugs and alcohol**

- 2.2.1. Lincolnshire Police may require a member of police personnel to submit a urine or saliva sample for specified drug testing if:
- a senior officer has reasonable cause to suspect the use of a controlled drug
  - the person is on a period of probation
  - the person is carrying out work which puts them in a vulnerable position because of a specific responsibility for dealing with drugs; or
  - the person is in a safety critical post.

*N.B For this policy a "senior officer" is a Chief Officer, Head/Deputy of Professional Standards and out of hours the Duty Superintendent.*

- 2.2.2. Lincolnshire Police may require a member of police personnel to submit a sample to be tested for evidence of alcohol if:
- the person is in a post where alcohol misuse may bring the force into disrepute where a senior officer has reasonable cause to believe so;
  - the person is in a safety critical post; or
  - they have been involved in a police vehicle collision.
- 2.2.3. Safety Critical are defined by Lincolnshire Police as:
- Firearms officers – All officers currently authorised to use Police firearms including officers whose firearms permits have been removed but are still permitted to train. Tactical Advisors and all officers on duty liable to be deployed to act as firearms bronze commander and those officers accredited to carry out the role of silver commander.
  - Drivers and motorcyclists - Authorised by their Chief Officer to use the police

exemption under the Road Traffic Regulation Act 1984 in which they may be called upon to use that exemption. This would include all officers assigned to duties as a member of the Response Teams, Neighbourhood Policing Teams, Pro-Active Units, Road Policing Units and any officer assigned to mobile surveillance; additionally any other officers working in roles driving police vehicles (including marked or unmarked, hired transport or loan vehicles) where they may be required or called upon to use their exemptions under the Road Traffic Regulation Act 1984 in pursuance of their duty. In essence any Lincolnshire Police Officer who has received Police Driver Training is subject to this policy and may be required to submit to a random alcohol and drug test.

- POLSA - Members or supervisors of Police Search Advisor (POLSA) teams; this incorporates all Operational Support Unit (OSU) staff and the Operations Support Inspector with supervisory responsibility.
- Police divers - this incorporates all medically 'in date' members of the Underwater Search Unit (UWSU).
- Police Staff- It is recognised that Police Support Staff do not directly fall under the definition 'Safety Critical', but some of the roles require police staff to drive police owned, hired or loan vehicles. Any police staff member authorised to drive such vehicles are subject to this policy whilst on duty.
- East Midlands Specialist Operations Unit – There are a number of Lincolnshire Police Officers who are operating within EMSOU. These officers are subject of this policy and as such fall under the random and 'with cause' testing program. If an officer attached to EMSOU is tested by Lincolnshire ACU the OPSY (Operational Security Officer) for EMSOU is to be informed.
- Lincolnshire UCFO (Undercover Officers) are Not subject to this policy. The testing regime for these officers is covered under the EMSOU program arranged by the Operational Security Officer (OPSY). If any UCFO undertake a random or with cause test then Lincolnshire ACU are notified.

2.2.4. Vulnerable Posts are defined by Lincolnshire Police as:

- All personnel trained to undertake the role of a foundation undercover officer, test purchase officer, all accredited source handlers employed in that post, the Chemist Liaison officer and Police drug dog handlers and trainers. Should a specific drug squad be formed, officers attached would be subject to testing.

2.2.5. Details of the procedures are contained in Appendix A.

### 2.3. **Illegal Drug Misuse**

2.3.1. It would damage public confidence in the police if a police organisation were to deal leniently with law breaking by its own staff. However, if a hard line of disciplinary action for any incident of substance misuse is taken, there is a risk of driving the issue underground. If that happens, it would make dealing with substance misuse all the more difficult as individuals, colleagues and even some managers would be reluctant to take any action that might result in the dismissal of a colleague.

- 2.3.2. In trying to achieve the balance between support and law enforcement, the following issues have to be considered:

#### **Trigger for referral**

If an individual presents themselves and seeks help from their GP, then support may be more appropriate than if the illegal substance misuse is revealed through the individual's action or by a third party. Between these two examples lie a spectrum of referral routes and each case should be judged accordingly.

#### **Nature of Misuse**

The early revelation of a problem may be more easily and supportively addressed than a history of acute misuse of addictive drugs or a history of repeated lapses into substance misuse.

#### **Circumstances**

Anyone involved in drug misuse with others cannot be treated as a special case. For example, buying drugs from a Dealer may be aiding and abetting a serious criminal offence. Similarly, using drugs in the company of others who may be liable to prosecution is a factor which needs to be considered in dealing with an individual.

- 2.3.3. Even though cases of substance misuse might initially be dealt with sympathetically and in confidence, in an organisation with the security and law enforcement roles of the Police Service, it is not possible to ignore any previous substance misuse when assessing suitability for posts in the future. Individuals will have to accept that such history may debar them from certain posts in the future because of security and/or health and safety reasons.

### **2.4. Psychoactive Substances or other High producing substances.**

- 2.4.1. The availability and use of Psychoactive Substances has increased and is a developing drug market. Despite the claims of manufacturers and vendors, the contents of such products are difficult to establish and may contain Cannabinoids and other controlled substances.

- 2.4.2. Psychoactive substances can carry serious health risks. The chemicals they contain have in most cases never been used in drugs for human consumption before. This means they haven't been tested to show that they are safe. Users can never be certain what they are taking and what the effects might be.

- 2.4.3. Other risks:

- You increase the risk to yourself if you combine alcohol with any legal or illegal substance that causes a high.
- Effects of psychoactive substances can include reduced inhibitions, drowsiness, excited or paranoid states, coma, seizures and, in a few cases, death.
- Because the chemical ingredients in a branded product can be changed without you knowing, the risks are unpredictable.

- Even drugs that look similar or have similar names may be of varying strengths and have different effects.
- 2.4.4. The purchase and use of such substances is not considered appropriate for Police Officers and members of Police Staff serving with Lincolnshire Police. Such use and abuse may be considered a breach against the Standards of Professional Behaviour and Police Staff Disciplinary Procedure.
- 2.4.5. Any concerns regarding the inappropriate use of such a substance by a colleague should be reported to the Professional Standards Department or alternatively the Anti-Corruption Unit via 'Bad Apple'
- 2.4.6. Support for users of such substances can if necessary be provided by Occupational Health Unit.

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

- 3.1.
- PD6 - Managing Attendance Policy
  - PD27 - Health and Safety Policy
  - PD39 - Smoking at Work
  - PD53 - Operational Deployment of Firearms Policy
  - PD106 - Drivers Policy
  - PD116 - Alcohol, Drug and Other Substance Abuse – Pre-employment Screening Code of Conduct for Police Officers
  - Police Staff Disciplinary Procedure
  - Ill Health Procedure (Police Staff)
  - Unsatisfactory Performance Procedure
  - Appendix A - Guidelines for Supporting Police Personnel

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

- 4.1. The policy will be subject to periodic review by the Head of PSD every two years and will be regularly monitored by PSD to reflect good practice adopted from other Forces or changes in legislation.

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

- 5.1. This policy is owned by the Head of PSD and any enquires about this policy should be directed to C/Insp Phil Baker of the Professional Standards Department, 01522 9(47348), philip.baker@lincs.pnn.police.uk.



## PRO-FORMA FOR THE INITIAL ASSESSMENT

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>	Professional Standards	<b>Section:</b>	Anti-Corruption Unit	<b>Person responsible for initial assessment:</b>	Ps 92 Mark Vincent
<b>Name of the Policy to be assessed:</b>	<b>Substance Misuse Policy PD 1</b>	<b>Date of Assessment:</b>	16.03.2015	<b>Is this a new or existing policy?</b>	Existing
1. Briefly describe the aims, objectives and purpose of the policy.		Policy is in place to protect the public and employees of Lincolnshire Police from substance misuse (drugs, alcohol) in the workplace.			

Protective Security Marking:

NOT PROTECTIVELY MARKED

2. Are there any associated objectives of the policy? Please explain.	The objectives are to promote well-being and ensure that our employees are fit for duty and provide a service without the need for the abuse of alcohol and controlled substances.		
3. Who is intended to benefit from the policy and in what way?	The public and employees of the Force benefit from the policy as the testing program will ensure that any welfare needs are addressed and the policy is seen as a deterrent to such misuse.		
4. What outcomes are wanted from this policy?	A safer functioning workplace and a better service to the public.		
5. What factors/forces could contribute/detract from the outcomes?	Whilst a testing program is in place any positive results (failure) may attract adverse publicity, but this can be weighed up with the benefits of this policy.		
6. Who are the main stakeholders in relation to the Policy?	The Public.		
7. Who implements the policy and who is responsible for the activity?	Professional Standards – Anti-Corruption Unit, overseen by the DCC		
8. Is there any likelihood the policy <b>could</b> have a differential impact on racial groups? (including Gypsies and Travellers)		N	
What existing evidence (either presumed or otherwise) do you have for this?			
9. Is there any likelihood the policy <b>could</b> have a differential impact due to gender?		N	
What existing evidence (either presumed or otherwise) do you have for this?			

Protective Security Marking:

NOT PROTECTIVELY MARKED

10. Is there any likelihood the policy <b>could</b> have a differential impact on due disability?		<b>N</b>	
What existing evidence (either presumed or otherwise) do you have for this?			
11. Is there any likelihood the policy <b>could</b> have a differential impact on people due to sexual orientation?		<b>N</b>	
What existing evidence (either presumed or otherwise) do you have for this?			
12. Is there any likelihood the policy <b>could</b> have a differential impact on people due to their age?		<b>N</b>	
12a Is there any likelihood the policy <b>could</b> have a differential impact on Young People and Children?		<b>N</b>	
What existing evidence (either presumed or otherwise) do you have for this?			
12b Is there any likelihood the policy <b>could</b> have a differential impact on Older People?		<b>N</b>	
What existing evidence (either presumed or otherwise) do you have for this?			

Protective Security Marking:

NOT PROTECTIVELY MARKED

13. Is there any likelihood the policy <b>could</b> have a differential impact on people due to their religious belief?		<b>N</b>	
What existing evidence (either presumed or otherwise) do you have for this?			
14. Is there any likelihood the policy <b>could</b> have a differential impact on people due to them having dependants/caring responsibilities?		<b>N</b>	
What existing evidence (either presumed or otherwise) do you have for this?			
15. Is there any likelihood the activity <b>could</b> have a differential impact on people due to Marriage or Civil partnership?		<b>N</b>	
What existing evidence (either presumed or otherwise) do you have for this?			
16. Is there any likelihood the policy <b>could</b> have a differential impact on people due to them being Transgender or Transsexual?		<b>N</b>	
What existing evidence (either presumed or otherwise) do you have for this?			

Protective Security Marking:

NOT PROTECTIVELY MARKED

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?		<b>N</b>	
18. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?		<b>N</b>	
19. If Yes, is there enough evidence to proceed to a full EIA?			<b>NO</b>
20. Date on which Full impact assessment to be completed by.			

Signed (completing officer) \_\_C/I Philip Baker\_\_\_\_\_

Signed (Lead officer) \_\_Head of PSD\_\_\_\_\_

Protective Security Marking:

NOT PROTECTIVELY MARKED

### 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	