



<b>POLICY</b>	<b>Issue: 2.0</b>
<b>SUBSTANCE MISUSE POLICY</b>	<b>Date: 19/08/2009</b>

## 1. INTRODUCTION

- 1.1. By virtue of the duties of care imposed on the Civil Nuclear Police Authority (the Authority) by statute and common law, the Authority is obliged to take reasonable steps to ensure that members of its workforce are not under the influence of any drug or alcohol whilst at work or on call. The Health and Safety at Work Act 1974 clearly states that it is the responsibility not only of the 'employer', but also the 'employee', to protect themselves and others who may be affected by their action. It is a criminal offence to put others at risk by negligent acts or omissions.
- 1.2. As an employer the Authority is committed to providing a safe, healthy and productive working environment for all employees. In discharging this commitment this policy sets out the overall arrangements and responsibilities for dealing with the misuse of alcohol, prescribed drugs, controlled drugs, and any other substances that could damage the health and safety of employees, their colleagues or the public.
- 1.3. The Authority and the Civil Nuclear Constabulary (the Constabulary) Command Team do not approve or condone the excessive or inappropriate use of any controlled substance or alcohol. The misuse of any drug places at risk the health and safety of users, colleagues and the public and could threaten to compromise individual or organisational integrity. The key drivers for the introduction of this policy are therefore safety and individual and organisational integrity.
- 1.4. This Policy reflects the Police (Amendment) Regulations 2005 that came into effect on 7th November 2005 (Statutory Instrument 2834/2005 and Home Office Circular 45/2005).

## 2. SCOPE

- 2.1. This policy applies to all Police Officers, Police Staff and Contractors, regardless of ethnicity, faith, gender, disability, sexual orientation, rank or position.
- 2.2. The policy does not undermine the obligation on managers to investigate suspected criminal conduct or misconduct contained within any legislative or misconduct provisions. Nothing in this policy will prevent the exercise of statutory duties in relation to the Road Traffic Act 1988, the Misuse of Drugs Act 1971, or any other statutory provision relating to substance misuse. Where offences are suspected and the evidence justifies criminal or misconduct proceedings, these will follow the normal processes.

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### 3. POLICY STATEMENT

3.1. The Authority is committed to:

- Undertaking a programme of screening for substance misuse, principally drug testing, which allows the Authority/Constabulary to protect itself and its employees from those who may be vulnerable because of unacceptable, and in some cases illegal, substance abuse
- Taking action in respect of those who have, or who are suspected of having, a substance misuse problem.
- Providing support for individuals with a substance misuse problem who acknowledge their dependence and who are prepared to undertake a rehabilitation regime.

3.2. Testing to identify the use of controlled drugs will be carried out in the following circumstances:

- Testing with cause (that is, where there is a reasonable suspicion of substance misuse);
- Pre-employment screening, and testing of police officers during their probationary period; and
- Screening in specialist and safety critical areas.

3.3. Testing methods will include saliva, urine, and breath in the case of testing for alcohol. 'With cause' testing may include testing of hair samples. Testing will be targeted and focused. Whilst acknowledging the value of maintaining a fear of detection to shape behaviour, processes will focus on selective testing in a way that will control cost and ensure proportionality.

3.4. The introduction of this policy will not affect the principle that individuals who have a persistent substance misuse problem, and who acknowledge their dependence, may undertake a rehabilitation regime. Individuals who 'volunteer' that they have an alcohol or drug misuse problem prior to organisational intervention, will receive the support of the Authority/Constabulary to assist rehabilitation. Due regard will be taken of medication required by employee in relation to an existing condition or disability. Organisational intervention will be deemed to commence from the time the individual volunteers the problem or alternatively a request for a sample is made.

3.5. The supply of illegal drugs by any employee will be viewed as a serious criminal offence. To reflect the gravity of such an offence, where misconduct/disciplinary proceedings ensue and are then subsequently proven any employee involved should expect to be dismissed. Persons found in unlawful possession of illegal drugs may be dismissed and similarly, Police Officers convicted of a drink-driving offence may also face dismissal. Police Staff and Contractors may face dismissal for a drink-driving offence if driving is a relevant factor within their role.

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#### 4. ASSOCIATED DOCUMENTS AND POLICIES

CNC/POL/2.4.8 Reporting of Serious Concerns Policy  
Police Unsatisfactory Performance procedures  
Police Staff misconduct procedures  
Health and Safety policies  
Service Confidence Procedure (to be issued)  
CNC/PP/0078 Substance Misuse Testing Procedure (to be issued)  
Police (Conduct) Regulations, 2008

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