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Substance Misuse Procedure

Summary:	<i>This document outlines how the Substance Misuse policy will be delivered in force.</i>
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Substance Misuse Procedure

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1. Introduction

This document aims to offer guidance to all police officers, all police staff and all volunteers in how Dyfed-Powys Police will deliver the principles set out within the Substance Misuse Policy.

The aims are –

- To contribute to a healthy and safe working environment,
- To minimise the chances of substance misusers serving or working for Dyfed-Powys Police,
- To main the forces integrity and those serving and working within it,
- To minimise the likelihood of the Dyfed-Powys Police family misusing drugs or alcohol and to ensure that those reporting for work/duty are fit to do so.

This procedure applies to all police officers, Police community support officers, police staff, (deemed to be involved in critical/ vulnerable roles), special constables, volunteers, those returning from career breaks and officers transferring between forces.

2. Controlled Drugs

Police Regulations supplemented with the Police Staff Council Joint Circular 51 introduce a power to test police officers and police staff for controlled drugs. Police staff roles subject to random testing have been agreed with Unison.

This procedure applies to all police officers, Police community support officers, police staff, (deemed to be involved in critical/ vulnerable roles), special constables, volunteers, those returning from career breaks and officers transferring between forces.



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Testing can be conducted in the following circumstances -

1. Pre-employment screening and testing within the Probationary period (candidates for appointment to Dyfed-Powys Police) which applies to Police Officers including Special Constables and Police Community Support Officers.
2. "With Cause" Testing. This applies to all employees where there is reasonable suspicion of substance misuse.
3. Routine Random Testing. This applies to all Police Officers, Special Constables, Police Community Support Officers and some specific Police staff roles. (Roles agreed with Unison can be found at Appendix A).
4. Random screening of officers in posts identified by the chief officer as being vulnerable.

The Controlled drugs tested for are;

- Amphetamines (including ecstasy)
- Cannabis
- Cocaine
- Opiates(e.g. morphine and heroin)
- Benzodiazepines
- One additional drug or drug group (for 'with cause' testing only)

3. Support Process

Dyfed-Powys Police will make information available to all officers and staff on the dangers and signs of substance misuse, to raise staff awareness and encourage officers and staff to seek assistance in a confidential, dignified and supportive environment.

This will be supported by advice and treatment processes accessed via the Occupational Health Unit (OHU) or their designates, with the objective of full rehabilitation of the staff member as far as is possible, having regard to the types of treatment currently available and their associated costs.



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Staff are reminded and encouraged to refer to the Occupational Health Unit for advice on:

- Alcohol and Health;
- Alcohol and Safe Limits;
- Drug Effects;
- Substance Abuse Problems;
- Employee Support Programme.

4. General Testing Procedures

Testing shall be carried out without advanced notice and officers and staff will be allowed to consult with their staff association or Trade Union representative however this should not delay the test.

There may be legitimate reasons for a drug to be present in a specimen, e.g. legitimate painkiller or prescribed medicine. Persons required to take a test should declare all medications they are taking. The content of the declaration is confidential to the OHU and the medical officer reviewing a test result.

On-site testing using portable testing kits may be used to screen out members of Police forces and candidates for appointment at an early stage of these procedures. Any test that is relied upon in criminal or disciplinary proceedings shall be conducted through laboratory analysis.

Split samples shall be used in all cases that go forward for laboratory analysis. A member of Dyfed-Powys Police shall have the right to have one sample tested independently to challenge the result of a test on the other sample. The cost of an independent analysis will be met by the member and may be reimbursed by the Force in the event that the first analysis is found to be inaccurate.

Collection of samples and initial on-site screening will be undertaken by an independent agency. There shall be a secure chain of custody through collection, analysis and medical



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review as set out in the protocols issued by the Secretary of State. Laboratory analysis shall be undertaken by an Independent agency.

An officer or member of staff will not be recalled to duty or the workplace for the purposes of testing.

The request to provide a screening sample and to comply with the collection procedure is a lawful order or reasonable instruction and any refusal to do so will be treated as a Positive Test result, will become a disciplinary matter and be referred to the Head of Professional Standards for investigation.

The penalty for refusal to take a test should be no less than the penalty for failing a test. Advice and guidance will be available from staff associations during the screening process.

Dyfed-Powys Police will have due regard to protect privacy during testing procedures and ensure that the testing is conducted in a sensitive manner. Test results will be handled in a secure and confidential manner. Records of test results will be retained in accordance with data protection principles by the Force Professional Standards Department (PSD).

5. Material to be tested

In the case of serving police officers and police officers transferring between forces either oral fluid (saliva) or urine may be tested.

In the case of new recruits to the police service an oral fluid (saliva), urine or hair sample may be tested.

Oral fluid (saliva) testing may be regarded as the least personally intrusive option.

The testing of blood samples should not form a part of routine testing, where there is no necessary ground for suspecting misuse, as the procedures are disproportionately intrusive.



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6. Staff Attendance

The LPA Superintendent/Head of Department will be informed of the testing date.

The Duty Inspector or identified departmental manager, (or their deputies), will be notified of the names of the officers/staff to be tested on the day of the test. That person will be responsible for contacting the staff to be tested by all means available, (Airwaves, telephone etc.), whilst they are on duty and directing them to the testing site as soon as possible. The integrity of the process relies on staff being released for a screening test if they have been selected to do so.

In exceptional circumstances where the selected officer or member of staff cannot be released for operational reasons then the duty inspector/departement manager must fully record why this is the case and inform the PSD representative as soon as possible.

7. Providing Samples

The screening company will only analyse samples where written consent is given by the donor on the submission form and the donor signature is required before analysis can take place.

Any member of staff not giving written consent to the screening company will be in breach of this procedure and will be deemed to have refused to provide a sample. It is recognised that this raises issues over 'true consent'. However, the internal procedures of the screening company require such a signature before analysis can take place.

8. Screening Results

Results from the screening provider will be returned by secure e-mail to PSD who will be responsible for communicating negative results to the individuals concerned and dealing with all positive results. The OHU will also be informed of any positive results so that they can check whether the person concerned has self-referred prior to the time of the



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screening test. They will also deal with any medical related queries arising from the screening process.

A drug screening result will only be declared 'Positive' by the screening provider if the substance concentration exceeds a pre-determined threshold level and, after review by the screening provider's Medical Review Officer, there is no other reasonable explanation for the result.

PSD will conduct the investigatory process, taking advice from the OHU/medical specialists.

In the case of illicit substances such as alcohol and prescribed drugs, the Medical Review Officer may request contact with the specimen provider where the levels fall well outside the normal therapeutic range or give cause for serious concern.

Where, prior to being called for testing, the officer or member of Staff has sought assistance with their problem by following the guidelines and procedures laid down in this Policy and they declared this fact, the matter will be dealt with as a welfare issue and medical intervention strategies will be employed. The only exception being where there is evidence of serious criminal activity.

Where a person has not voluntarily come forward for assistance and a positive result from substance screening is obtained, and it relates to an illegal substance, an investigation may be commenced by the Professional Standards Department. In these circumstances support will also be offered by the organisation.

Everyone subject to this procedure should be clear that in such circumstances where they have failed to voluntarily avail themselves of help offered by the organisation and illegal drug use is discovered, they will face misconduct and/or criminal investigation.

There is no substantive criminal offence of having an unlawful substance in the body, only a presumption that the offence of 'Possession' must have been committed beforehand. Such a presumption may be rebuttable through medical evidence that the positive test resulted from use of a lawful medication. The presumption of possession that would arise from a positive medically confirmed test should be treated as discreditable conduct.



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The maximum penalty for both failures to obey a lawful order or instruction and discreditable conduct is the same.

Where a positive result relates to a substance that is not illegal but the presence or concentration of it gives rise to cause for concern, it will be referred to the OHU for evaluation and follow up. There is a duty under Health and Safety legislation for everyone to look after their own health.

A voluntary referral will not be dealt with as a welfare issue, where there is evidence of serious offences. An example of this is supplying drugs. Clearly, it would be inappropriate for the police to ignore such a matter which requires criminal investigation.

9. Pre-Employment Drug Screening

This applies during the application process for all Police officers, Specials and Police Community support officers. This will include those applying from other forces/ law enforcement agencies and those returning from a career break.

General principles for screening will apply.

In the case of potential new recruits an oral fluid (saliva), urine or hair sample may be tested.

The process for screening potential recruits, including the taking of information about medications may be undertaken as part of the Occupational Health/Human resources function.

The collection of samples may be undertaken by an independent service provider or suitably trained police staff. There will be a secure chain of custody through collection, analysis and medical review. Laboratory analysis shall be undertaken by an independent service provider.



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If a potential employee does not wish to submit a test or refuses, they may withdraw themselves or be withdrawn from the process. Details of this candidate will be passed to PSD.

Refusal to participate or the production of a positive result for an illicit drug will render that candidate ineligible for employment with Dyfed-Powys Police.

Officers subject to a transfer from another force or law enforcement agency will not be offered employment with Dyfed-Powys Police. Their force will be notified of any positive result/refusal for any action they deem necessary.

Officers returning following a career break will be notified to the Appropriate authority and vetting department for any refusal / positive result for consideration of any action.

10. Routine Random Drug Testing

Routine random testing applies to all Police officers, Special Constables, Police Community Support Officers and Police Staff defined in this policy as safety critical or vulnerable. [as agreed with Unison and detailed at Appendix A].

General principles for sampling will apply.

Random sampling will take place without notice.

The frequency of this process will be determined by PSD.

The number of officers/staff to be tested will be risk based and determined by NPCC.

A routine testing regime may involve selecting a higher proportion of candidates for testing in a particular area or department where the risk is higher.

Any sample of potential candidates either within a particular area or department should be chosen on a random basis.



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Once a date and an area or department are identified staff will be randomly selected to be subject of testing. A list of staff working will be obtained from DMS, this list will be consecutively numbered and the number together with the force number only will be provided to the independent service provider. They will then select a set number for the testing procedure these details will then be provided to the professional standards department.

The Duty Inspector or identified departmental manager, (or their deputies), will be notified of the names of the officers/staff to be tested on the day of the test. That person will be responsible for contacting the staff to be tested by all means available, (Airwaves, telephone etc.), whilst they are on duty and directing them to the testing site as soon as possible.

Records will be kept of all officers/staff that were unable to attend testing for operational reasons.

Testing will take place in a suitable room set aside for the process.

On the day of testing a Federation or Unison representative will be invited to the location to ensure the integrity of the process and advise its members.

The request for a sample will be made by a member of PSD who will complete the documentation. The individual will be reminded that the request is a lawful order / reasonable request and that any refusal will be treated as a breach of the standards of professional behaviour.

Refusal to provide is a breach of Police Regulations 2003 (Reg 10 and 19A) and for police staff a breach of the terms and conditions of their employment.

Staff will be informed that the penalty for refusal will be no less than the penalty for the provision of a positive sample.

The independent service provider will be responsible for the collection of the sample. For the purposes of random sampling the sample will be urine.



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A short medical questionnaire will be completed with the independent provider prior to the test. It is important that the donor discloses any medication, training supplement or other substance which they feel may affect the result of the test.

Once obtained the sample will be sealed and submitted for laboratory analysis.

Results will be notified to the Professional Standards Department who will in turn notify staff. Where the result is negative the person subject to the test are to be informed without delay.

OHU will be notified in order for them to ascertain if the person has self-referred (prior to testing).

11. Safety Critical Roles

- Officers authorised to use or directly supervise those that have direct access to stored firearms and ammunition as part of their duties.
- Driving instructors; who train staff or demonstrate response or advanced driving techniques.
- Staff involved in the mechanical maintenance and repair of police vehicles and road testing.

12. Vulnerable Roles

- Test purchase officers.
- Surveillance and other covert and undercover operatives.
- Roles encompassing a significant component of drugs based work such as Drugs Officers.
- Source Handling.
- Property Officers and those regularly involved in the handling and storage of property, especially Controlled Drugs.



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- Integrated Offender Management, (IOM) officers.
- PSD/ACU Officers
- Custody Officers
- Special Branch and Ports Officers

To minimise issues of security and confidentiality the screening company will only be given the identification numbers of candidates and not a person's full name, role or place of work.

Testing should be routine. If a high degree of risk is assessed, universal testing covering all in the vulnerable category might be appropriate. If the assessment risk is low, then a sample of people to be tested should be elected at random.

13. Targeted and 'With Cause' Screening

With cause screening applies to all members of Dyfed-Powys Police regardless of their role.

Where there is reasonable cause to suspect a member of Dyfed-Powys is involved in substance misuse, they may be subject to screening, and the matter will be investigated by PSD.

The requirement to take a test should be imposed by an officer or member of staff of an appropriate rank or level of seniority. For 'cause' to be established, the test of 'reasonable suspicion' must be satisfied. It should be made clear to the person under suspicion that testing 'with cause' may either prove or disprove intelligence or allegations made.

A single and unsubstantiated allegation, particularly if made by a member of the public who may have malicious intent, would not normally amount to 'Cause'.

The grounds for the testing must be recorded in writing by the Professional Standards Department.



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When such intelligence is received and there is a need for a screening test as soon as possible then the duty on-call PSD officer will be contacted to evaluate the matter and if necessary make the necessary arrangements with the approved Service Provider. It will be for the Head of PSD to decide on whether to require an officer/employee to submit to a 'with cause' test, based on all the information available. They will also consider any potential Misconduct or criminal issues surrounding the test. The person subject to the testing will be served a Misconduct notice informing them of the allegation.

An officer/police staff member may not be recalled to work for testing.

With cause tests will be undertaken by the Professional Standards Department utilising an external service provider.

The sample tested shall be urine.

The staff member will be informed that the penalty for refusal will be no less than that for failing a test. Any refusal to provide a test or positive result will result in a misconduct and or criminal investigation.

The officer/ staff member will be asked to empty their pockets prior to the test.

A short medical questionnaire will be completed with the independent provider prior to the test. It is important that the donor discloses any medication, training supplement or other substance which they feel may affect the result of the test. Such disclosures will be treated in the strictest confidence between the donor and the service provider. Disclosure of an illegal substance will not be afforded such confidentiality.

Where an individual has previously come forward voluntarily for help with a problem and then evidence subsequently comes to light for offences that would be classed as serious enough to warrant an investigation, (e.g. supply of Class 'A' drugs) then PSD will carry out that investigation. Coming forward voluntarily will not protect an individual from criminal investigation where the matter is serious, but will be taken into account for less serious and misconduct matters.

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14. With Cause – Extended sampling for ALL Police Staff

The three samples can be required over a maximum period of 90 days, with day one being the day on which the first sample is required and the period finishing at midnight on day 90. When calculating the 90 day period, no account should be taken of any periods of sick leave.

The officer/staff will be informed at the time that the first sample is required that two further samples may be required within the designated time period. On each occasion a sample is taken the officer/staff will be informed of the drug(s) or drug group(s) against which his or her samples will be tested.

The officer/staff will be entitled to have a 'Friend' as defined under the Police (Conduct) Regulations 2012 present when the samples are being taken. However, a delay in a police friend attending will not delay the testing procedure provided that the officer/staff have been able to consult with a police friend.

15. Use of CBD Oil

PSD receive numerous questions in relation to CBD oil, staff should be assured that CBD products purchased via a legitimate and reputable source should not present an issue. The use of cannabis, CBD products, for medicinal purposes is becoming more and more popular. CBD oil has been studied for its potential role in treating many common health issues, including anxiety, depression, heart disease and pain relief for many chronic illnesses such as arthritis.

What is the difference between THC and CBD?

There are currently 85 known cannabinoids found in the Cannabis plant, the most prominent of which are Tetrahydrocannabinol (THC) and Cannabidiol (CBD). CBD is found primarily in extractions from the hemp plant. It's sold in gels, gummies, oils, supplements, extracts, and more. THC is the main psychoactive compound in marijuana that gives the



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high sensation. It can be consumed by smoking marijuana. It's also available in oils, edibles, tinctures, capsules, and more.

If I use CBD oil, will it provide a positive drugs test?

Cannabis screening tests target the psychoactive component THC. The screening tests have little or no reaction to a sample from a donor that has consumed only CBD products. If a sample screens inconclusive (non-negative), further information would be required before the result could be considered legally defensible. The concentration of THC required in order for a laboratory confirmation test to be positive is extremely unlikely via the consumption of reputable CBD products. You have a duty to disclose if you have taken any products containing CBD if you are subject of a random drugs test.

Substance Misuse

Any product which contains THC or cannabis is illegal and would cause a positive test and may result in a misconduct investigation. A recent Home Office survey identified that 15 out of 18 products advertised as CBD remedies contained the psychoactive ingredient THC. These same products did not list THC as being present within the product. Dyfed-Powys Police advises anyone being prescribed a CBD-based product to query the contents with their doctor. In light of the Home Office findings Dyfed-Powys Police would advise against the use of any 'over the counter' CBD product due to the risks associated with the psychoactive substance THC, unless purchased via a legitimate and reputable source. Staff/Officers ingesting a product containing THC could be subjecting themselves to psychological harm, could be rendering themselves unfit for duty or placing themselves in contravention of Road Traffic, Health and Safety at Work and other legislation.

16. Alcohol Testing

Whilst alcohol is a substance that can be misused and which can impair judgement it is in a different category from controlled drugs, in that its use is not illegal.



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Everyone has a general responsibility to present themselves fit for duty or work. If their judgement is impaired by the consumption of alcohol, they are unlikely to be fit for duty. It is for a senior officer or supervisor to determine whether or not a person is unfit for general duties, due to the consumption of alcohol. However, reporting for duty whilst having previously consumed alcohol (for example, on the previous evening) clearly does not equate with the criminal offence of using drugs. Managerial action needs to reflect this.

As with drugs, self-declaration of a drink problem is a matter that will be managed through the OHU, rather than regarded as a disciplinary matter.

There is a power to conduct 'with cause' screening tests if it appears that an officer or member of staff is under the influence of alcohol.

All police officers including special constables and those police staff working in safety critical roles will be liable to random testing, should risk of impairment warrant this, on a scale as agreed with the staff associations.

Dyfed-Powys Police will apply the industry established principle (and in accordance with Police Regulations as amended) that a person is unfit to work if they have more than 13 micrograms % in breath (39 mg % in urine, 29 mg % blood). All results above this limit will be declared positive.

Officers and staff working with firearms, response or pursuit driving, supervising critical incidents or work in other such safety critical posts, should consider this aspect very carefully. Whilst there is no lower standard defined, any degree of impairment could have serious consequences.

Supervisors will be responsible for conducting tests where they feel there is a necessity and PSD will conduct random tests. Each breath test shall be conducted using approved calibrated breath test equipment such as handheld screening devices and custody based intoxilisers.

Tests will consist of two consecutive breath specimen tests from the candidate, with the final result being declared as the lower of the two results. Officers and staff should never



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be tested on apparatus held in a custody suite, unless the suite has been cleared of all other users.

If there is any suspicion that there is alcohol on the breath of an officer or staff member subject to alcohol testing policy, a breath alcohol test can be administered by an officer of at least Sergeant rank and at least the rank above the officer or staff member after a wait of 15 minutes. This is to deal with the eventuality that at the time of the suspicion, a proportion of the alcohol consumed may still be in the person's stomach. Alcohol must be absorbed into the body to register in a breath alcohol test.

It is always open to an officer or member of staff to declare that they suspect they might have inadvertently exceeded the alcohol limit, if unexpectedly asked to perform a particular role.

Any such declaration should be made before the person is notified of any requirement to take a test. Such a declaration will not result in the person being penalised, provided there is no pattern of continuing excess and it is not after being notified of any requirement to take a test.

A declaration may be particularly appropriate in circumstances of an unexpected change of duty, for example being allocated to driving duties involving the possible exemptions under the Road Traffic Act, due to a staff shortage or a firearms operation called at short notice. Fitness for Duty should however be considered in all cases.

17. Voluntary Referrals and Rehabilitees

Those seeking help and assistance with substance abuse and those undergoing an agreed course of rehabilitation may be tested on initial referral and as determined by OHU consistent with the treatment regime being undertaken.

Where a member of staff comes forward voluntarily for assistance (prior to the request for testing), the matter will be dealt with exclusively as a welfare issue and support will be given together with access to suitable treatment regimes.



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The only exception to this being where staff are involved in serious criminal activity, such as drug dealing, that would necessitate a criminal investigation. Any such self-declaration must be made before a notification of any requirement to take a test.

Freedom of Information Act 2000

Section 19 of the Freedom of Information Act 2000 places a requirement upon the Force to publish procedures, where suitable to do so. Policies are why we do things and procedures are how we do them. A case-by-case review of procedures must be undertaken to protect law enforcement and health and safety considerations. Where a combined policy and procedure document is being produced the Force is legally required to publish the policy section and assess the procedure part to ensure no sensitive information is published. Generally the default position shall be that a policy and accompanying procedure document will be produced separately.

There is a requirement therefore to review this document to establish its suitability for publication. Please identify below whether the document is suitable for publication in its entirety or not. Where it is believed that disclosure will be harmful please articulate the harm that publication would cause and highlight the relevant sections within the document. Where it is perceived that there is harm in disclosure, the document should be forwarded to the Disclosure Unit for review.

Suitability for publication

Suitability for publication	Yes/No	Date	Signature
Document is suitable for publication in its entirety	Not assessed	June 2025	



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Suitability for publication	Yes/No	Date	Signature
Document is suitable for publication in part. I have identified those sections which I believe are not suitable for disclosure and have articulated below the harm which would be caused by publication.			

Outline of harm in publication, if applicable:

FOI review – to be completed by Disclosure Unit

(Only required if author believes there is any harm in disclosure)

Suitability for publication	Yes/No	Date	FOI Decision Maker
Document is suitable for publication in its entirety			
Document is suitable for disclosure in part and relevant redactions have been applied. A public facing version has been created.			

Once review has been undertaken, the FOI Disclosure Officer will return document to author and following sign-off, the document should be published within the Force Publication Scheme. Any future changes to the document should be brought to the attention of the Disclosure Unit, as appropriate.

Full Version Control

Version	Date	Author	Rationale
1.0	September 2024	Senior Manager, Professional Standards Department	Procedures template used for procedure details



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Version	Date	Author	Rationale
2.0	June 2025	Senior Manager Professional Standards Department	Use of CBD Oils guidance to pages 13 & 14