



HUMBERSIDE FIRE AND RESCUE SERVICE

People & Development

Drug and Alcohol Misuse Arrangements Policy

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|----------------------------|---|
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| Responsible Person | Head of Human Resources |
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What we must do well



How we support our communities



We value and support the people we employ



We efficiently manage the Service

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1. INTRODUCTION

Humberside Fire and Rescue Service recognise that the health, safety and welfare of its employees is an integral and fundamental part of its function. Consequently, best practice will be adopted where possible to ensure that the Service complies with its legal duties and fulfils its moral obligations to its employees and other people who may be affected by its activities. This policy does not form part of any employee's contract of employment hence may be amended at any time.

Core Code Of Ethics

HFRS has adopted the Core Code of Ethics for Fire and Rescue Services. The Service is committed to the ethical principles of the Code and strives to apply them in all we do, therefore, those principles are reflected in this Policy.

National Guidance

Any National Guidance which has been adopted by HFRS, will be reflected in this Policy.

2. EQUALITY & INCLUSION

HFRS has a legal responsibility under the Equality Act 2010, and a commitment to ensure it does not discriminate either directly or indirectly in any of its functions and services nor in its treatment of staff, in relation to race, sex, disability, sexual orientation, age, pregnancy and maternity, religion and belief, gender reassignment or marriage and civil partnership. It also has a duty to make reasonable adjustments for disabled applicants, employees and service users.

3. AIM AND OBJECTIVES

Humberside Fire and Rescue Service recognise that drug and alcohol misuse may increase risk to safety in the workplace, particularly during operational incidents and realistic training.

The Service is also concerned with the general health and welfare of its employees and aims to provide a safe and healthy working environment.

The Service will do all that is reasonably practicable to ensure that employees do not misuse drugs and alcohol and ensure that employees are not exposed to the consequences of misuse by others. The Service is committed to providing help and support which may be necessary for an employee.

4. ASSOCIATED DOCUMENTS

- [Equality Impact Analysis](#)
- Legal References
 - [Regulation 14 of Management of Health and Safety at Work Regulations 1999 places the following duties on all employees:](#)

- Using the equipment, safe systems of work and procedures provided by the Service in accordance with training and instruction given.
- Informing their line manager without delay of any situation which may present a serious and imminent danger.
- Notifying their line manager of any shortcoming in the health and safety arrangements.

- [Road Traffic Act 1988 Section 6 \(1\)](#)

- National Guidance

There is no specific National Guidance relating to this policy.

5. RISK ASSESSMENT

The Service recognises that the performance of those under the influence of drugs or alcohol is likely to be negatively affected and will do all that is reasonably practicable to eliminate this risk to safety.

Reducing the Risk

The Service will be proactive in ensuring that the use or abuse of drugs and alcohol by personnel does not compromise safety. It will employ a programme of drug and alcohol testing. The objectives of the programme are:

- to increase awareness and knowledge of the effects of drugs and alcohol and their associated risks;
- to provide appropriate support for employees who misuse drugs and/or alcohol;
- and to eliminate the risks to employees caused by misuse of drugs and/or alcohol;
- to ensure that employees attend work fit to carry out their roles without any limitations due to the use of and/or after effects of alcohol or drugs (whether prescribed, OTC or illegal). Whether an employee is considered to be fit for work is a matter for the reasonable opinion of the line manager.

Raising Awareness

It is recognised that there are many drugs and substances which may be misused including New Psychoactive Substances (NPS). Signs and effects of misuse are not always obvious.

The Occupational Health Team will provide information and advice from time-to-time on the effects of drugs and alcohol. This will be achieved by:

- entries in SIREN
- distribution of leaflets and poster campaigns
- inclusion in appropriate courses
- advice given during medicals/health screenings
- advice given on request

In addition to the above, information on the sources of support available for those suffering from drugs and/or alcohol misuse will be provided upon request.

Employee Support

It is recognised that drugs and/or alcohol misuse may develop for a variety of reasons and over a long period of time.

Drugs and/or alcohol misuse may well have a significant impact on the ability of an employee to carry out work safely and effectively and may also cause or aggravate problems at home.

The Service encourages all staff experiencing such problems to seek help and treatment and will, where possible, provide:

- the opportunity for referral through the Occupational Health Team to signpost appropriate treatment agencies in conjunction with individual's General Practitioner.
- recognise any periods of treatment as periods of sickness absence as with any other form of ill health.

Should an employee refuse to accept diagnosis or treatment, this will be regarded as serious misconduct and may result in formal disciplinary or capability policies being instigated. Where an employee commences treatment but does not finish (either because the treatment provider ceases to support them or they themselves stop attending), the employee should notify their line manager who, with the support of HR, will work with the employee where possible, to plan what further action should be taken.

Voluntary Confidential Referral

Employees may make a self-referral with the Occupational Health Team. In these circumstances, the identity of the person will not be revealed to the Service unless this will benefit the treatment and recovery of the individual and then only with the specific consent of the individual.

Note: If, however, it is considered that the condition may endanger the individual or others then action will be taken to ensure that the individual is absent from work until it is safe to return or re-deployed to other duties as appropriate.

In these circumstances, the Line Manager will be provided with sufficient

information to effectively manage the situation. Medical information will only be given with the consent of the employee.

6. DRUG AND ALCOHOL TESTING

Introduction

A cornerstone of any drugs and alcohol policy is effective policing and enforcement. This will be achieved by the requirement for all personnel to provide samples for drug and alcohol screening when requested to do so.

Drug and alcohol testing is a multi-stage process in which a urine and/or breath sample is collected and tested through laboratory analysis with the specific aim of determining whether any substances may be present that could affect the safety, performance or behaviour of the donor in the workplace.

Both the taking and analysis of the urine and breath samples will be undertaken by an approved independent testing company. Comprehensive details of how the drug and alcohol testing process will be carried out are given in the appendices to this policy and all individuals will be expected to comply.

Screened Substances (Drug Testing)

Substances to be screened for during the test include, but are not limited to, the following groups of Drugs:

- Amphetamines
- Cocaine
- Barbiturates
- Opiates
- Benzodiazepines
- LSD & Other Hallucinogens
- Cannabis
- MDMA (Ecstasy)

The illicit use of the substances listed above, or any of their derivatives, is not in any circumstances acceptable to the organisation.

Legitimate Medication

Because of the safety critical nature of Fire Service work, it is essential that all personnel must:

- Notify their Line Manager using Form Occ.16 of any prescribed medications which may have an effect upon their performance in the workplace.

- Notify their Line Manager using Form Occ. 16 of any legitimately purchased drugs/medications which may have an effect on their performance in the workplace.
- Notify the sample taker prior to drug testing of any of the above substances they have taken which may affect the outcome of the test.

Advice on the effects of legitimate medications/treatments on workplace performance must be sought from either the individual's own GP, a pharmacist or by contacting the Occupational Health Section.

Use of Supplements

It is acknowledged that some employees may choose to use CBD oil as a supplementary health support. However they are advised that they are individually responsible for ensuring that this is from a legal legitimate UK source that will guarantee a content of less than 0.2% THC.

All employees must be aware that the use of CBD oil will not be accepted as mitigation for a positive result and therefore they use these products at their own risk.

7. TEST CATEGORIES

Drug and Alcohol Testing will be carried out on the following occasions:

- Pre-employment (not alcohol)
- With cause
- Post-accident
- At random

Pre-employment Testing

All applicants for employment in risk critical roles will be required to undertake a pre-employment drug test and one of the conditions of appointment will be a negative result.

Any applicant who refuses to undertake a test will not be considered for employment. Applicants will be informed of the details of a non-negative test on request.

With Cause Testing

Where there is cause to believe that an employee's behaviour and/or performance at work is impaired by drugs and/or alcohol, they will be required to undertake the drug/alcohol testing procedure.

Some examples of circumstances where this may be appropriate are:

- Obvious signs of mental and/or physical impairment.
- Recognition by managers, supervisors or colleagues of symptoms affecting work performance.
- Complaints from the public indicating that drugs or alcohol may be a factor.
- The discovery of items in possession of an employee that could indicate involvement in illicit drug taking or alcohol abuse.
- Refusal to participate in the selection procedure for sample collection (see Section 12- Random Sampling for Drug and Alcohol Testing below).
- Refusal to give a sample for analysis.

Post-Accident Testing

Where there is reasonable cause to believe an employee is responsible for a serious accident or a dangerous occurrence, i.e., causing or having the potential to cause serious injury, loss of life or major damage to property.

The approved test organisation's representative accompanied by a Supervisory Manager (see [Appendix B](#)) will attend the workplace of the employee to be screened.

A suitable location will be prepared, and a urine and/or breath sample collected according to a strict 'Chain of Custody' process.

Employees required to provide a sample for with cause/post-accident screening may request the presence of a union representative or work colleague throughout the procedure. However, that representative must be present at the test site within 2 hours of their request to attend being made.

Random Testing

Unannounced and random drug/alcohol testing will be undertaken by an independent testing company, utilising the services of trained operatives. The tests will be carried out at any Service premises under controlled conditions. Visiting personnel to the premises undergoing the test will only take part in the process if:

- They fall within one of the categories for testing.
- They have been detached, deployed or otherwise temporarily allocated to that base. Short-term visitors attending for meetings or other such purposes will not be tested.

See:

- [Appendix A](#) 'Drugs/Alcohol – Sites and Samples Required'
- [Appendix B](#) 'Procedures for Random/With Cause Alcohol Testing'

The sample will be collected by the approved test taking organisation according to a strict 'Chain of Custody' process.

Refusal to Provide Sample

Refusal to provide a sample of urine for drug testing under Sub Sections (b) to (d) or to provide a breath test under Sub Sections (b) to (d) above may be regarded as serious misconduct and may result in the disciplinary policy being invoked.

8. RESULTS OF ANALYSIS

Testing procedures have improved, and negative urine samples can be confirmed onsite. However, non-negative samples will be sent for laboratory analysis, therefore the results of the tests will not be immediately available. Breath analysis does allow an immediate result, however, where a non-negative result is indicated, a confirmatory urine sample will be taken.

All personnel will be notified of the results of the drug/alcohol testing analysis as soon as possible after the sample has been taken.

Negative Result Following Analysis

In the event of a negative test result no further action is required. A copy of the result will be placed on the employee's confidential file and the employee will be notified by confidential communication.

Non-negative Result Following Analysis

In the event of a non negative test result, the FDS Officer will request that the individual returns home (having first ensured they are safe to do so) and will inform both the relevant Line Manager and HR.

Any non-negative result will be investigated and a referral to Occupational Health maybe made. If drug misuse is confirmed as a result of the full analysis, the incident will be fully investigated, and the disciplinary procedure may be invoked.

Staff testing non-negative for drugs must be aware that in having chosen to report for duty with drugs or other substances in their system, they are potentially exposing themselves and others to an unacceptable level of risk.

This may be regarded as a serious breach of the disciplinary procedure and of Health and Safety Acts and Regulations.

9. ALCOHOL TESTING RESULTS OF ANALYSIS

The test for alcohol will consist of a breath test using an electronic measuring device. This calibrated instrument will provide an immediate printed result of the individual's test and will indicate the blood/alcohol level of the individual.

The cut-off level at which the individual will be considered non-negative for alcohol is as defined by the Road Traffic Act 1988 Section 6 (1), which indicates the current UK drink/drive limit.

This limit is currently 80 mg of alcohol per 100 ml of blood and the instrument automatically converts breath test readings, the equivalent reading for the instrument is 0.8 per ml.

Breath Alcohol Test - Negative Result (Reading below cut-off level)

If the reading is below the cut-off level, the result will be considered negative. The individual will be asked to sign the form to confirm the reading(s) on the monitor have been recorded accurately, and that agreement is made to the result(s) being notified to the Service.

The individual will be given a copy of the completed form and printout and a copy will be sent to Service Support. The testing company will retain a copy for record purposes which will be stored securely in accordance with the provisions of data protection legislation and best practice.

Breath Alcohol Test - Non-Negative Result (Reading above cut-off level)

If the reading is above the cut-off level another sample will be taken immediately. This will show that the instrument is functioning consistently and that a proper breath sample has been provided. The lower of these two readings will be taken as the result for the purposes of the test. If the reading remains above cut-off levels, then it will be considered non-negative and a confirmatory urine sample will be required for analysis.

A confirmed result above the cut-off level will result in the donor being suspended from duty until the next rostered duty period and transported home. Depending on the individual circumstances of the case, following investigation, one or more options may be invoked. These may include informal advice or a formal process.

10. NEW PSYCHOACTIVE SUBSTANCES (NPSS)

NPS is the name given to substances manufactured from herbal extracts and synthetic chemicals to mimic the effects of illegal drugs. These NPS are commonly (and incorrectly) known as “Legal Highs”.

Whilst the substances are not covered in the Misuse of Drugs Act, they are regulated by the medicines act which does mean that it is illegal to sell, supply or advertise for human consumption.

The effects of taking such substances will greatly affect your perception, decision making, and concentration which has a detrimental effect on your ability to undertake your role within Humberside Fire and Rescue Service.

The Service will not tolerate the use or possession of such substances by any of its staff and will refer any suspected illegal activity to the police.

If anyone requires any further guidance / information regarding this document, please contact Human Resources

**Human Resources
Drug and Alcohol Misuse Arrangements Policy**

Appendix A: Drugs/Alcohol - Sites and Samples Required

| Station | | Address | FT – Full-Time Station OC – On-Call Station Test Times |
|----------------|-----------------|---|---|
| H01 | Central | 33 Pearson Street, Hull, HU2 8NH | FT – Any day 0800 |
| H02 | Clough Road | Clough Rd, Hull, HU6 7PL | FT – Any day 0800 |
| H03 | Calvert Lane | Calvert Lane, Hull, HU4 6BL | FT – Any day 0800 |
| H04 | Beverley | New Walkergate, Beverley, East Yorkshire, HU17 9EQ | OC – Monday 1900 |
| H05 | Brough | Saltsground Road, Brough, East Yorkshire, HU15 1EG | OC – Monday 1800 |
| H06 | Market Weighton | Cliffe Rd, Market Weighton, YO1 1RD | OC – Tuesday 1830 |
| H07 | Pocklington | Station Rd, Pocklington, YO42 2SQ | OC – Wednesday 1830 |
| H08 | East Hull | The Jean Bishop Integrated Care Centre, 63-69 David Lister Drive, Hull, HU9 2BL | FT – Any day 0800 |
| H09 | Bransholme | Noddle Hill Way, Bransholme, Hull, HU7 4SH | FT – Any day 0800 |
| H10 | Bridlington | Bessingby Rd, Bridlington, YO16 4TS | FT / OC Thursday 1900 |
| H11 | Driffield | Bridlington Rd, Driffield, YO25 7HN | OC – Tuesday 1900 |
| H13 | Hornsea | Southgate, Hornsea, HU18 1RE | OC – Thursday 1900 |
| H14 | Withernsea | Walter St, Withernsea, HU19 2AD | OC – Monday 1900 |
| H15 | Patrington | Northside, Patrington, HU12 0PA | OC – Monday 1900 |
| H16 | Preston | Station Rd, Preston, HU12 8UY | OC – Tuesday 1900 |
| H17 | Peaks Lane | Peaks Lane, Grimsby, DN32 9RS | FT – Any day 0800 |
| H18 | Cromwell Road | Cromwell Rd, Grimsby, DN31 2BN | Office – Weekdays 0900 |

**Human Resources
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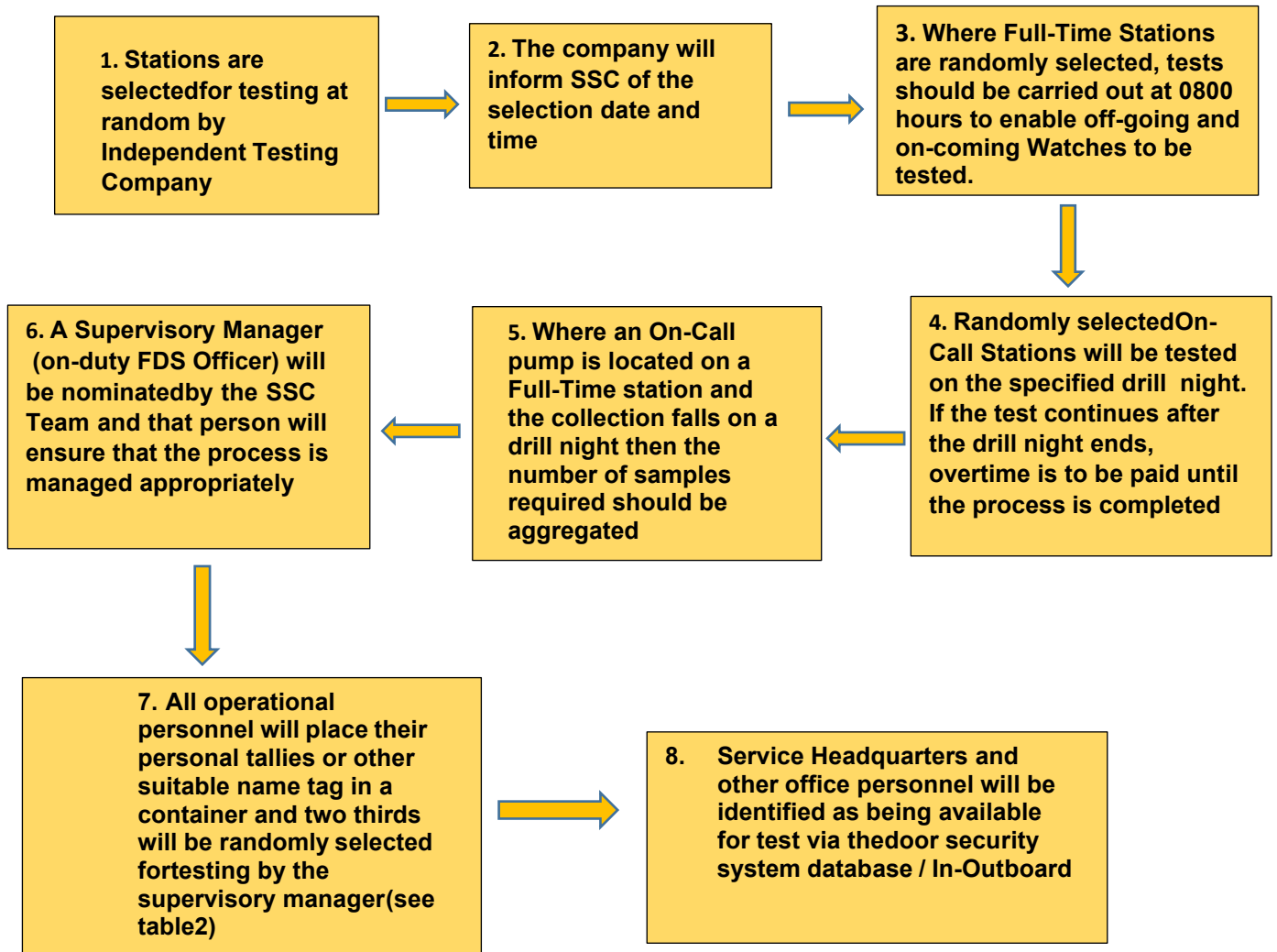
| | | | |
|---------------|-----------------------------|---|---------------------------------------|
| H19 | Cleethorpes | Poplar Rd, Cleethorpes, DN35 8BL | OC – Tuesday 1830 |
| H20 | Immingham East | Kiln Lane, Stallingborough DN41 8TN | FT – Any day 0800 |
| H21 | Waltham | Station Rd, Waltham, DN37 0PP | OC – Thursday 1900 |
| H22 | Barton | Holydyke, Barton Upon Humber, DN18 5PR | OC – Monday 1900 |
| H23 | Scunthorpe | Laneham St, Scunthorpe, DN15 6JP | FT / OC Monday 1900 |
| H24 | Goole | Anderson Rd, Goole, DN14 6XF | FT – Any day 0800 OC – Monday 1900 |
| H25 | Snaith | Buttermarket, Snaith, DN14 9HW | OC – Wednesday 1900 |
| H26 | Crowle | Fieldside, Crowle, DN17 4HL | OC – Thursday 1900 |
| H27 | Epworth | Tottermire Lane, Epworth, DN9 1JR | OC – Thursday 1900 |
| H28 | Kirton in Lindsey | 6 West Cross St, Kirrton Lindsey, DN214DN | OC – Tuesday 1900 |
| H29 | Winterton | Earlsgate, Winterton, DN15 9ST | OC - Monday 1900 |
| H30 | Howden | Hull Rd, Howden, DN14 7AQ | OC - Monday 1900 |
| H31 | Brigg | Grammar School Rd, Brigg, DN20 8AA | OC - Tuesday 1900 |
| Office HQ | East Riding of Yorkshire | New Walkergate, Beverley, HU17 9EQ | Office – Weekdays 0900 |
| Office HQ | North East Lincolnshire | Peaks Lane, Grimsby, DN32 9RS | Office – Weekdays 0900 |
| Office HQ | North Lincolnshire | Laneham St, Scunthorpe, DN15 6JP | Office – Weekdays 0900 |
| SHQ | Hessle | Summergroves Way, Hessle, HU4 7BB | Office – Weekdays 0900 |
| SHQ Stores | Hull | Unit 27, Wyndham Street, Argyle Street, Hull , HU3 1HD | Office – Weekdays 0900 |

Appendix A continued: Numbers to be Tested

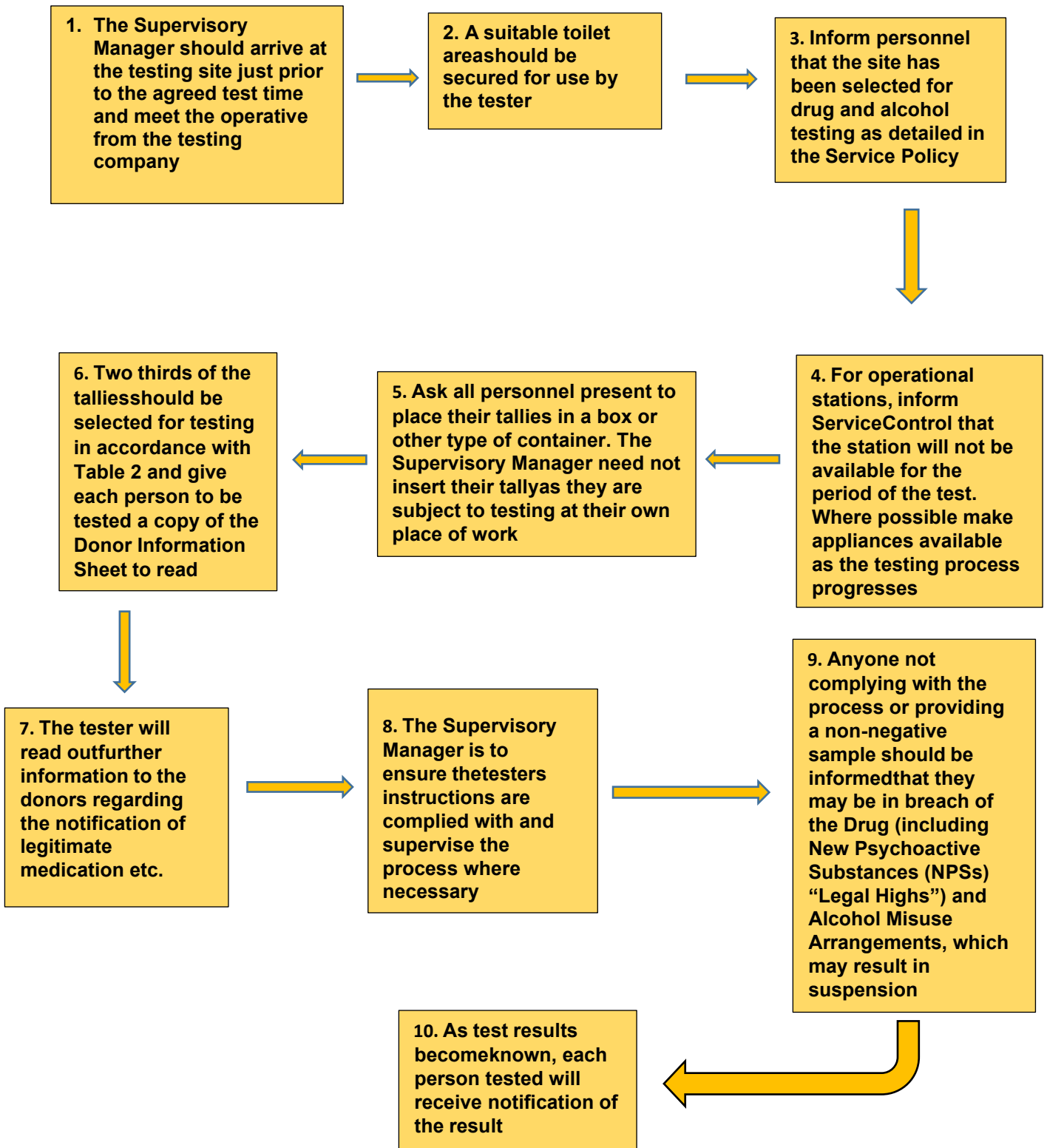
| Number of Personnel Available | Number to Test | Number of Personnel Available | Number to Test |
|-------------------------------|----------------|-------------------------------|----------------|
| 4 | 3 | 11 | 8 |
| 5 | 4 | 12 | 8 |
| 6 | 4 | 13 | 9 |
| 7 | 5 | 14 | 10 |
| 8 | 6 | 15 | 10 |
| 9 | 6 | 16 | 11 |
| 10 | 7 | | |

The above numbers are for guidance purposes only. Should the numbers of available personnel be lower than above, it may be necessary to test a different number of individuals in order to enable the Service to continue to assure the health and safety of its employees and others. Alcohol and drug testing will always be conducted in accordance with an impact assessment that the Service has carried out to ensure that testing is necessary and appropriate and thus proportionate.

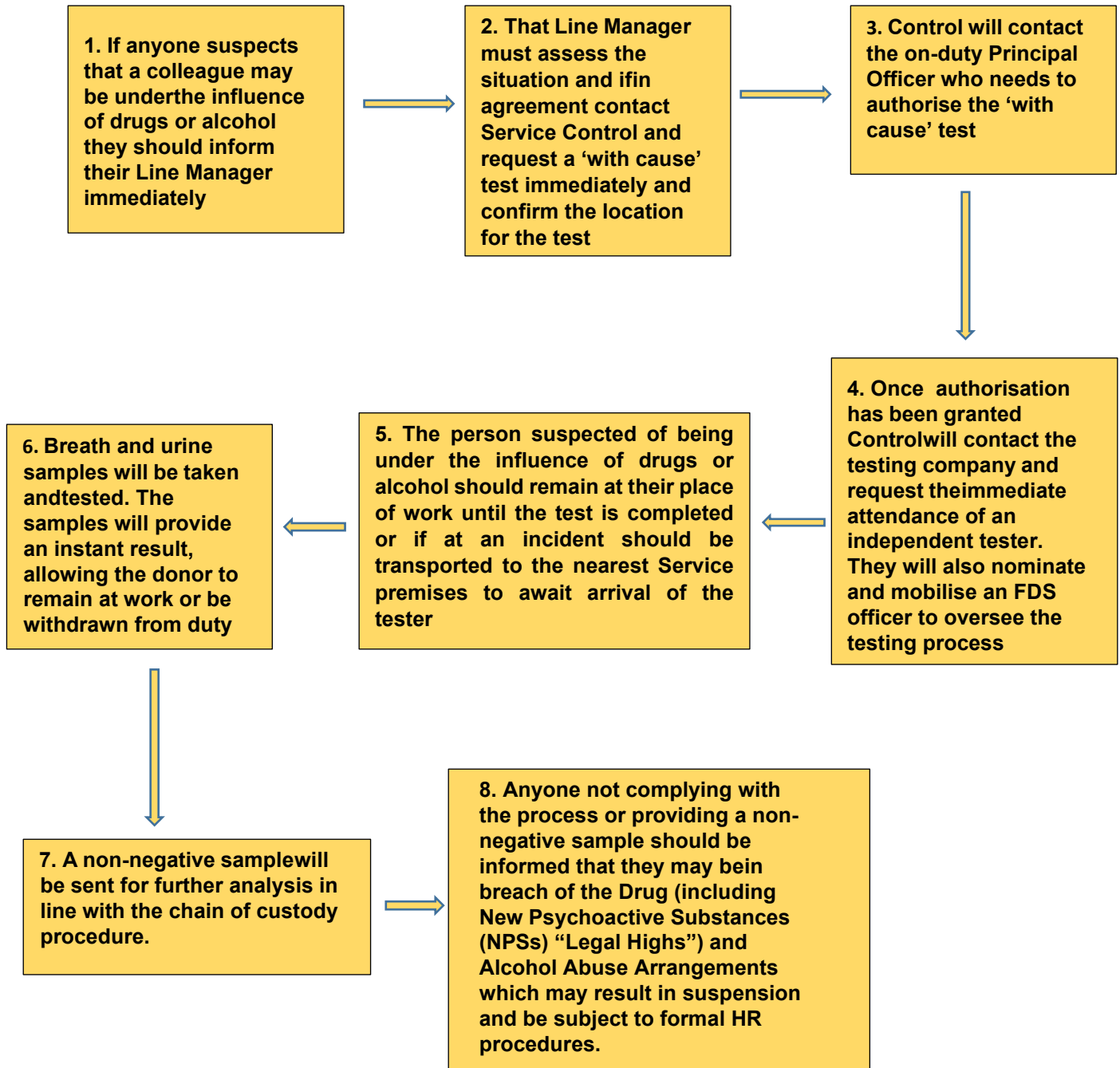
Appendix B1: Flowchart of Procedure for Random Drug & Alcohol Testing



Appendix B2: Flowchart of Procedures to be followed by the Supervisory Manager



Appendix B3: Flowchart of With Cause Testing Procedures to be followed by Line Managers



Appendix B4: Random Sampling for Drug and Alcohol Testing

Security and Confidentiality

All personnel are reminded that if they have a problem involving the misuse of drugs and/or alcohol the Service will render all possible assistance in an effort to correct that problem. Access to this assistance is detailed above (Section 5, [Reducing the Risk](#) and [Employee Support](#)).

In the implementation of the random drug and alcohol testing programme the Service can assure all personnel that every effort will be made to:

- protect the privacy of the individual;
- undertake testing in a sensitive and properly controlled manner;
- ensure the procedure will protect the rights of the individual and allow them to challenge a result with which they disagree.

The Service will employ the facilities of a commercial accredited collection company and a properly accredited and experienced laboratory working to stringent quality standards that provide confidence in the analytical results obtained.

Random Donor Selection

The random selection of personnel will be undertaken by the collection company who will include all employees.

Selection Methodology

The collection company will be responsible for randomly generating test locations from an inventory of the Service's premises. The date of the test will also be randomly generated. Testing will usually take place during the day or early evening but may take place at weekends or Bank Holiday periods.

Because of the entirely arbitrary nature of random selection it is possible that the same test location could be generated more than once within a short time duration.

On arrival at the testing location the collector will arrange, with the assistance of a supervisory officer, a random selection of donors. This will be achieved by placing the names of all personnel on duty into a container and drawing out the required number (see [Appendix A](#)). This part of the procedure may be witnessed by those personnel involved should they wish to do so.

Once selected, personnel must remain on duty at the site until their collection procedure has been completed. Personnel remaining on duty will be eligible to claim overtime payments. However, if an individual has a valid reason not to remain on duty, and subject to discussion and agreement with the supervisory manager, they

may leave and take no further part in the procedure.

Any enquiries regarding the selection procedure must be addressed to the supervisory officer in attendance and not the collection company representative.

The Drug and Alcohol Screening Process

The drug testing process may involve up to five stages depending upon whether a non-negative result is obtained, all of which are very strictly controlled by a process known as "Chain of Custody". The stages involved in the screening procedure are:

- sample collection
- adulteration testing
- preliminary screening analysis
- confirmatory analysis
- reporting of results

Sample Collection

Sample Collection is the only part of the screening process that is seen and experienced by the individual and as such, will be carried out sensitively and properly.

The collector will properly prepare the collection area, supervise the sample collection and ensure that the 'Chain of Custody' procedures are strictly adhered to.

He/she will ensure that the individual is fully aware of what is happening and what is required of them.

The collector will prepare the collection site, taking all proper precautions to minimise the risks of sample tampering (adulteration), contamination or swapping whilst allowing the individual privacy during the provision of the sample.

The Collection Process - Drug and Confirmatory Alcohol Testing

A breath sample is taken to determine the presence of alcohol levels in a donor, also a urine specimen is taken which will be tested as part of a Chain of Custody kit. In the event of a non-negative result a further urine sample is taken and is divided between two containers and both are labelled prior to sealing with tamper-evident security seals. One sample, the 'A' sample, is used for laboratory analysis, whilst the second 'B' sample is retained at the laboratory under secure conditions for future reference in case the donor wishes to challenge the laboratory results.

In the case of a challenge to a non-negative result the 'B' sample may be sent directly to an independent laboratory of the donor's choice. Alternatively, the 'B' sample will be retained, in the case of a non-negative result, by the laboratory for one year after the test result is known.

All paperwork relating to the sample will be completed in the presence of the donor and he/she must sign the completed 'Chain of Custody' form to verify that the samples have been properly collected, labelled and sealed.

During the collection process the donor is given an opportunity to declare any drugs or medication which he/she has taken in the days leading up to the collection of the sample. If a non-negative test result is indicated this should ensure that proper account is taken of all declared medication.

Adulteration Testing

The collection process is designed to minimise the risks of a donor successfully adulterating or tampering with the sample.

The analytical procedures employed by the drug testing laboratory include a number of additional tests to detect adulteration and/or attempted sample tampering.

Cut-Off Levels

Cut-off levels for both the screening and confirmatory analysis will be utilised. These cut-off levels which, in the case of drugs, have international agreement are set in order to:

- permit the detection of recent drug/alcohol use;
- exclude claims that, in the case of drugs, the non-negative result was due to inadvertent or passive exposure; and
- eliminate the risk of 'false non-negative' results due to analytical noise or sample matrix.

Reporting of Results

All stages of the analytical process are continuously monitored by a suitably experienced and qualified toxicologist and all results are checked prior to release.

The checking procedure involves a thorough quality audit. After the toxicologist is satisfied with the quality of the results they are reported confidentially.

Failure to comply or providing a non-negative sample

Individuals who fail to comply with the process of providing a sample for testing may be suspended until further notice. Similarly, individuals who provide a non-negative sample will be suspended pending further investigation.