

DEPARTMENT OF CORRECTIVE SERVICES

**LIST OF THE TITLES OF THE RANKS OR OFFICES OF PERSONS
APPOINTED AS AUTHORISED PERSONS UNDER CLAUSE
249B(2)(b) OF THE *CRIMES (ADMINISTRATION OF SENTENCES)*
*REGULATION 2001***

Persons holding the following ranks and offices have been appointed as authorised persons by rank or office under clause 249B(2)(b):

Senior Assistant Commissioner, Inmate & Custodial Services
Assistant Commissioner, Security & Operational Programs
Commander, Security & Investigations
Superintendent
Officers above the rank of Superintendent
Clerk, Grade 11/12
Officers equivalent to or above Clerk, Grade 11/12
Manager, Staff Support Services, Staff Health & Safety Unit
Alcohol & Other Drug Senior Tester, Staff Health & Safety Unit
Alcohol & Other Drug Tester, Staff Health & Safety Unit
Technical Assistant, Institute of Clinical Pathology and Medical Research,
Westmead Hospital

This list has been compiled in accordance with clause 249B(5).

**NEW SOUTH WALES DEPARTMENT
OF CORRECTIVE SERVICES**



**EMPLOYEE ALCOHOL & OTHER
DRUGS POLICY**

August 2004

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1. Authority to test for Alcohol and Prohibited Drugs

COMMISSIONER'S FOREWORD

The Department of Corrective Services aims to be a caring employer to which the interests of its employees are paramount.

Because of the nature of the work that we do, our working environment is frequently a dangerous one and I recognise that I have a duty of care to make it as safe as possible. With this aim in mind it is essential that the Department should follow the lead of other responsible public sector agencies by demonstrating that we wish to work in an environment where the use of alcohol or other drugs does not add to the inherent dangers. Accordingly, after careful negotiation with Unions representing all of our staff, I have come to the conclusion that it is right to provide such safeguards in the workplace.

Let me make it perfectly plain, this is not meant to be a punitive policy where members of staff can be singled out for attention based upon the flimsiest of evidence. The occasions upon which **any** tests may be administered will be strictly controlled and I expect all persons who administer this policy to be held accountable for their actions.

I am sensitive to the need to respect the privacy of individuals who may be taking prescribed medication for a medical condition. The revelation of such information is not an objective of this policy, and testing will be targeted against the detection of alcohol and prohibited substances that render our working environment unsafe.

Let me also assure you that the spirit of this policy is supportive of staff. In a workforce as large as ours, with the unique stresses of the duties that we face, it would be an omission if I did not provide support for employees experiencing difficulty with alcohol or other drug use. Whilst I do not condone criminal conduct of any kind, I am concerned that the Department should do everything that it can to provide a range of counselling and support services to staff who need them. I am anxious to create an environment in which staff will feel confident to disclose these issues at an early stage and be secure in the knowledge that they will be supported.

However, there will also be instances where it is necessary to demonstrate that our work environment is free of substance abuse by testing staff in the workplace. These instances are strictly limited and tests can **only** be directed after critical incidents, where they are based upon verifiable intelligence or where a member of staff is exhibiting the immediate effects of alcohol. Random testing is **not** an authority that is given to managers. Where it is permitted it will be strictly controlled in the hands of the Manager, Staff Support Services and will be administered by specialists. A random sample of employees will be tested and there will be no targeting of individuals.

I am satisfied that the measures that we introduce are necessary for the safety of our staff and I am grateful for the support of the Unions in helping to shape them and to make them effective. I look forward to the cooperation of everyone to make our workplace a safer environment.

Ron Woodham
Commissioner

1 POLICY STATEMENT

- 1.1 The Department of Corrective Services is committed to the health and safety of all employees and other persons at Departmental workplaces.
- 1.2 The Department is also committed to eliminate risk in the workplace arising from the effect of alcohol and other drugs on any employee.
- 1.3 This policy informs all employees of the Department's expectations in relation to their use of alcohol and other drugs.
- 1.4 This policy also explains the:
 - 1.4.1 Support that is available to employees who seek assistance with problems relating to alcohol and other drug misuse.
 - 1.4.2 Use of mandatory, targeted and random testing of employees for alcohol and other drug use.

2 OBJECTIVES

- 2.1 To promote the health and well being of all employees of the Department.
- 2.2 To inform employees who are experiencing difficulties with the use of alcohol and other drugs about the support that is offered for their assistance.
- 2.3 To eliminate accidents or critical incidents arising from the use of alcohol and other drugs by any employee.
- 2.4 To meet the community expectation that employees of the Department will at all times act in a lawful and professional manner.
- 2.5 To establish procedures for dealing with employees who have, or are suspected to have, alcohol and other drug problems that impact on their work performance.

3 POLICY PRINCIPLES

- 3.1 Prohibited drugs are not permitted in any Departmental workplace.
- 3.2 Alcohol is not permitted in any Departmental workplace unless officially approved. (eg. Official receptions or functions)
- 3.3 An employee must not be affected by the use of alcohol or other prohibited drugs in any Departmental workplace.

4 APPLICATION OF THIS POLICY

- 4.1 This policy applies to all employees of the Department. The policy applies to all workplaces including places of detention, probation and parole offices, head office, regional offices and any other Departmental workplace.

5 RELEVANT LEGISLATION AND POLICIES

- *Anti-Discrimination Act 1977*
- *Crimes (Administration of Sentences) Act 1999 - (Division 5, Part 11 "Testing of correctional staff for alcohol and prohibited drugs", Sections 236E – 236I)*
- *Crimes (Administration of Sentences) Regulation 2001 – Part 1A of Chapter 8 "Conduct of members of correctional staff regarding alcohol and prohibited drugs", Clauses 249A – 249 AB.*
- *Drug Misuse and Trafficking Act 1985*
- *Freedom of Information Act 1989*
- *Occupational Health and Safety Act 2000*
- *Occupational Health and Safety Regulation 2001*
- *Poisons and Therapeutic Goods Act 1966*
- *Privacy and Personal Information Protection Act 1998*
- *Public Sector Employment and Management Act 2002*
- *Dealing with Employee Work-Related Concerns and Grievances: Policy and Guidelines*
- *Injury/illness management policy.*
- *Performance Management: Policy and Guidelines*
- *Personnel Handbook*
- *Premier's Department policy Alcohol and Other Drugs: Policy and Guidelines*
- *The Code of Conduct and Ethics*
- *The Management of Professional Conduct in the Department of Corrective Services.*
- *Australian Standard AS/NZS 4308:2001*

6 DEFINITIONS

<i>AOD</i>	means alcohol or other drugs
<i>authorised person</i>	means a person authorised by the Commissioner to make a decision, give a direction or carry out any task relating to this policy.
<i>breath test</i>	<p>has the same meaning as it has in definition of a breath test in section 236E of the <i>Crimes (Administration of Sentences) Act 1999</i>, namely:</p> <p>“(a) a test that is designed to indicate whether there is, or the concentration of, alcohol present in a person’s blood, and</p> <p>a test that is carried out on the person’s breath by means of a device (not being a breath analysing instrument) of a type approved by the Governor of New South Wales for the conduct of breath tests under the <i>Road Transport (Safety and Traffic Management) Act 1999</i>”.</p>
<i>Commissioner</i>	means the Commissioner of Corrective Services, and includes an authorised delegate of the Commissioner as specified in the Department’s Delegations Manual.
<i>Department</i>	means the Department of Corrective Services.
<i>disclosure</i>	occurs when an employee voluntarily informs the Manager, Staff Support Services Branch, or voluntarily informs any employee of the Staff Health Service or voluntarily informs his/her supervisor, about his/her alcohol or other drugs problem.
<i>employee</i>	means a member of correctional staff as defined in S 236E of the <i>Crimes (Administration of Sentences) Act 1999</i> .
<i>Note:</i>	Where a person is contracted to provide a service within a departmental workplace the terms of the contract shall specify that the person may be subject to testing under the provisions of this policy.
<i>mandatory test</i>	means a test that must be carried out after an incident involving death, serious injury, discharge of a firearm or where an officer of the rank of Superintendent or above reasonably

considers that the use of force by an officer may have been excessive or unwarranted.

<i>prohibited drug</i>	has the same meaning as it has in the definition of prohibited drug in section 3 of the <i>Drug Misuse and Trafficking Act 1985</i> , namely "...any substance, other than a prohibited plant, specified in Schedule 1".
<i>random test</i>	means a test that is conducted by specialist staff or a registered nurse under the authority of the Manager Staff Support Services and is directed at employees who are on duty in a particular work location.
<i>serious injury</i>	means any physical injury exceeding minor cuts and bruising, grazing, sprains or other hurt or discomfort.
<i>targeted test</i>	means a test carried out on the basis of verifiable intelligence or compelling circumstantial evidence on the direction of the Commander, Security and Investigations.
<i>urinalysis</i>	means testing of a urine sample for prohibited drugs in compliance with the relevant Australian standard
<i>workplace</i>	means any place or vehicle where an employee carries out any work on behalf of the Department, and includes off-site areas.

7 AMNESTY

- 7.1 The Department offers immunity from disciplinary action relating to the use of alcohol or other drugs to any employee who discloses his/her AOD problem to his/her supervisor or to the Manager, Staff Support Services, or to any employee of the Staff Health Service.
- 7.2. Except as provided for above, the Department may take disciplinary action against an employee in regard to an incident involving the use of alcohol or a prohibited drug.
- 7.3. Any breach of discipline, which is already under investigation at the time of a disclosure of an AOD problem, is not included in the amnesty.
- 7.4. The Department must report to police any criminal act disclosed by an employee or subsequently identified by, or reported to, the Department.

- 7.5. Any employee who is charged with a criminal offence may be subject to disciplinary action notwithstanding this amnesty.

8 COUNSELLING AND SUPPORT SERVICES

- 8.1 An employee seeking assistance for his/her AOD problem should contact the Coordinator, Staff AOD Counselling to obtain advice and support.
- 8.2 An employee with an AOD problem may also use the Department's Employee Assistance Program to obtain counselling.
- 8.3 The Department may also assist an employee who is participating in an external AOD rehabilitation program.
- 8.4 Any employee with an AOD problem is entitled to use sick leave, recreational leave or extended leave entitlements to attend approved AOD rehabilitation or treatment programs.
- 8.5 The Department must ensure that any employee who discloses, or is identified as having, an AOD problem, is safe in the workplace.
- 8.6 The Department may withdraw counselling or other support if the employee concerned does not comply with specified conditions of the counselling or support.

9 RESPONSIBILITY TO REPORT

- 9.1 This policy is supportive of employee health and safety and any employee who reasonably suspects that another employee may have an AOD problem is encouraged to report that suspicion to his/her governor or supervisor. Such a report need not be in writing, although the governor or supervisor should create a written record. An employee reporting their suspicion may take advantage of the Protected Disclosure legislation where this applies.
- 9.2 A manager or supervisor, to whom an employee has disclosed his/her AOD problem must report that disclosure to the Manager, Staff Support Services.

10 RETURN TO WORK

- 10.1 When an employee discloses or is identified as having an AOD problem the employee will be subject to the following restrictions until a workplace safety assessment is facilitated by the Manager, Staff Support Services, in consultation with an appropriate supervisor of the employee.
- 10.2 The employee will not be permitted to obtain access to any security system.
- 10.3 The employee must disclose to his/her governor or supervisor all

personal identification numbers (PIN) and passwords used by the employee to operate or gain access to any locks, doors, computers or databases owned or operated by the Department.

- 10.4 The employee must surrender to his/her governor or supervisor any device used by the employee to operate an electronic lock or control system.
- 10.5 The employee must surrender to the relevant armourer all Departmental firearms and ammunition under the employee's control.
- 10.6 The employee must surrender to his/her governor or supervisor all instruments of restraint and batons under the employee's control.
- 10.7 The employee must surrender to his/her governor or supervisor keys to any vehicle owned or operated by the Department that the employee has in his/her possession.
- 10.8 The Department may temporarily re-deploy an employee who makes a disclosure about an AOD problem to another public sector workplace.

11 CONFIDENTIALITY OF INFORMATION DISCLOSED

- 11.1 Any employee who obtains access to information disclosed by another employee about his/her AOD problem, and/or details of that employee's counselling or AOD treatment program, must treat the information as confidential. Only officers who need to know may have access to this information.
- 11.2 File notes and records prepared by the Staff Support Services Unit, are confidential. Breaches of confidentiality will be viewed seriously and may result in disciplinary action in appropriate cases.

12 RESPONSIBILITIES: STAFF SUPPORT SERVICES

- 12.1 The Manager, Staff Support Services, will manage all procedures related to random testing of employees and will maintain Departmental records relating to employees who disclose or who have been identified as having an AOD problem.
- 12.2 The Manager, Staff Support Services, is responsible for facilitating a workplace safety assessment in consultation with the appropriate manager when notified of an employee's disclosure about an AOD problem.
- 12.3 The Coordinator, Staff AOD Counselling is responsible for managing all arrangements with external support agencies for work placement, work rehabilitation and other employment related support in consultation with the employee's supervisor.

13 TESTING

13.1 Critical Incident

- 13.1.1 An employee reasonably suspected of having been involved in a critical incident must submit to a breath test and/or provide a urine sample for testing when directed by an authorised person in the following circumstances:
- 13.1.2 Where the incident has resulted in death or serious injury to any person
- 13.1.3 Where the incident has involved the discharge of a firearm
- 13.1.4 Where the incident has involved the use of force resulting in death or serious injury to any person
- 13.1.5 Where the incident has involved the use of force and the authorizing officer reasonably considers that the use of force may have been excessive or unwarranted.

13.2. Alcohol Impairment

- 13.2.1 An employee on duty in a Departmental workplace who appears to be affected by alcohol must submit to a breath test when directed by an authorised person.

13.3 Target Testing

- 13.3.1 An employee identified by verified intelligence or compelling circumstantial evidence concerning the use of alcohol or prohibited drugs must submit to a breath test and/or provide a urine sample for testing when directed by the Commander Security and Investigations.

13.4 Random Testing

- 13.4.1 A person acting under the authority of the Manager Staff Support Services may carry out random breath testing or urine testing of employees who are on duty in a particular Departmental workplace at any time.

14 AUTHORISATION FOR TESTING

- 14.1 A direction to undergo testing must always be given or approved by an authorised person before any such test may be conducted.
- 14.1 An officer of Superintendent rank or above may direct an employee to undergo a breath test or provide a urine sample after any of the following critical incidents:
 - 14.1.1 Where an incident has occurred resulting in death or

serious injury to any person

- 14.1.2 Where an incident has occurred involving the discharge of a firearm
 - 14.2.3 Where an incident has occurred involving the use of force resulting in death or serious injury to any person
 - 14.2.4 Where an incident has involved the use of force and the authorizing person reasonably considers that the use of force may have been excessive or unwarranted.
- 14.2 Where an officer of the rank of Superintendent or above, or a Manager of Clerk Grade 11/12 or equivalent or above, has reasonable grounds to consider that an employee is under the influence of alcohol he or she may direct an employee to undergo a breath test.
- 14.3 The Commander, Security and Investigations, may direct an employee in any workplace to undergo a breath test or provide a urine sample in any circumstance where the Commander has received verified intelligence or compelling circumstantial evidence indicating that the employee may be affected by alcohol whilst on duty or engaged in the misuse of drugs.
- 14.4 The Manager Staff Support Services may authorise random testing in any workplace. Any employee on duty in a Departmental workplace must submit to a random breath test or urine test when directed by an authorised person acting on behalf of the Manager Staff Support Services. Failure to do so is a disciplinary offence.

15 PROCEDURES FOR BREATH TESTS

- 15.1 Whenever an authorised person directs an employee to undergo a breath test for the presence of alcohol he / she must complete the 'Authority to Test for Alcohol and Prohibited Drugs' form attached to this policy (Annexure 1). A copy of the completed form must be given to the employee. (This requirement does **not** apply to random breath testing).
- 15.2 Where a critical incident has occurred, an authorised person must direct all employees reasonably suspected of being involved in the incident to undergo a breath test immediately or as soon as practicable after the incident.
- 15.3 An employee who refuses to undergo a breath test when directed by an authorised person will be subject to disciplinary action.
- 15.4 An employee fails a breath test if the test indicates that the blood concentration of alcohol in the employee's blood is equal to or greater than 0.02 grams of alcohol per 100 millilitres of blood.

- 15.5 As soon as practicable after an employee has failed a breath test, the authorised person who conducted the breath test must deliver to the employee a statement in writing signed by the authorised person specifying:
- (a) The concentration of alcohol determined by the breath test to be present in the employee's blood.
 - (b) The time and date on which the breath test was completed.
- 15.6 An employee who is required to undergo a breath test may request the authorised person to arrange for the taking (in the presence of an authorised person) of a sample of the employee's blood for analysis, at the employee's own expense, by:
- (a) a medical practitioner nominated by the employee, or
 - (b) a medical practitioner nominated by the authorised person at the employee's request.
- 15.7 The making of any such request or the taking of a sample of blood does not absolve the employee from the obligation to undergo a breath test.
- 15.8 The relevant governor or manager must suspend from duty for the remainder of the shift or contracted hours any employee who fails a breath test or who refuses to comply with a direction to undergo a breath test.
- 15.9 The employee concerned will not be eligible to use sick leave, time-in-lieu, flexi-time leave, banked leave, recreation or extended leave in such circumstances.
- 15.10 An employee who fails a breath test but who has not tested positive for alcohol in the preceding 3 years, may be required to undergo counselling and / or rehabilitation. If the employee refuses to do so the employee will be subject to disciplinary action.
- 15.11 An employee who fails a breath test and who has tested positive for alcohol within the preceding 3 years will be subject to disciplinary action. The Commissioner may refer the employee to a medical practitioner for the purposes of determining the person's fitness to remain an employee.

16 PROCEDURES FOR URINE SAMPLES

- 16.1 Whenever an authorised person directs an employee to provide a urine sample he / she must complete the 'Authority to Test for Alcohol and Prohibited Drugs' form attached to this policy (Annexure 1). A copy of the completed form must be given to the employee. (This requirement does **not** apply to random urine testing).

- 16.2 Where a critical incident has occurred, an authorised person must direct all employees reasonably suspected of being involved in the incident to provide a urine sample immediately or as soon as practicable after the incident.
- 16.3 A urine sample:
- (a) Must be provided in circumstances affording reasonable privacy to the employee.
 - (b) Must not be provided in the presence or view of a person whose presence is not necessary for the purposes of provision of the sample.
 - (c) Must not involve the removal of more clothing than is necessary for providing the sample.
 - (d) Must not involve more visual inspection than is necessary for providing the sample.
- 16.4 A urine sample taken from an employee must be taken in accordance with the procedures set out in Australian Standard AS/NZS 4308:2001 *Procedures for the collection, detection and quantitation of drugs of abuse in urine*.
- 16.5 The sample will be divided into two approximately equal portions each of which must be sealed in a suitable container and marked for future identification.
- 16.6 One container must, as soon as reasonably practicable thereafter, be transported to an approved laboratory for analysis. If the employee requests a part of the sample, this must be given to the employee in a suitable container.
- 16.7 An employee who fails or refuses to provide a urine sample will be subject to disciplinary action.
- 16.8 The relevant governor or manager must suspend from duty for the remainder of the shift or contracted hours any employee who refuses to comply with a direction to provide a urine sample.
- 16.9 The employee concerned will not be eligible to use sick leave, time-in-lieu, flexi-time leave, banked leave, recreation or extended leave in such circumstances.
- 16.10 An employee fails a urine test if the concentration of a prohibited drug in the urine sample exceeds the levels listed in Australian Standard AS/NZS 4308:2001.
- 16.11 The NSW Health Department Analytical Laboratories will provide test results to the Department who, as soon as practicable, shall inform in writing the employee who provided the sample, and his/her

governor or manager.

- 16.12 An employee who tests positive to a prohibited drug but who has not tested positive for a prohibited drug in the preceding 3 years may be requested to undergo counselling and / or rehabilitation. If the employee is required to undergo counselling and / or rehabilitation and refuses to do so the employee will be subject to disciplinary action.
- 16.13 The employee may not be requested to undergo counselling and / or rehabilitation if, having regard to all the circumstances, it is more appropriate to deal with the matter as a disciplinary issue.
- 16.14 An employee who tests positive to a prohibited drug and who has tested positive for a prohibited drug within the preceding 3 years will be subject to disciplinary action. The Commissioner may refer the employee to a medical practitioner for the purpose of determining the person's fitness to remain an employee.

17 HAIR SAMPLES

- 17.1 Section 236F(1)(b) of the Crimes (Administration of Sentences) Act 1999 enables the Department to direct an employee to provide a hair sample. However it is agreed in consultation with the relevant industrial representative bodies that the Department does not, at this stage, intend to implement the use of this power.
- 17.2 An employee may not elect to substitute a hair sample when required to provide any other sample for testing

18 PROCEDURES FOR URINE SAMPLES AND BLOOD SAMPLES AT HOSPITAL

- 18.1 An employee admitted to or attending a hospital or other medical facility following an incident as described in clause 13.1 may be directed by an authorised person to provide a urine sample or a blood sample in accordance with the advice of a medical practitioner, registered nurse or other accredited person who attends the employee at the hospital or medical facility.
- 18.2 In such situation a medical practitioner, registered nurse or other accredited person, may administer the test on behalf of an authorised person.
- 18.3 An authorised person must use the "Authority to test for alcohol and prohibited drugs" form attached to this policy.
- 18.4 A hospital includes any clinic or other premises operated by Justice Health.

19 CRIMINAL OFFENCES

Interfering with Results of Test

A person who does anything to introduce, or alter the concentration of, alcohol or any prohibited drug in a member of correctional staff's blood or other biological material, before the staff member undergoes a test under Division 5 of Part 11 of the Act, is guilty of an offence if the person does so for the purpose of preventing or restricting the use of the results of the test in any disciplinary matter involving a contravention of this Part.

Maximum penalty: 20 penalty units.

Interfering or tampering with, or destroying, samples

A person must not interfere or tamper with, or destroy, a sample of blood or a non-invasive sample provided by or taken from a member of correctional staff under Division 5 of Part 11 of the Act unless the sample is destroyed:

- (a) by or at the direction of an analyst in the course of or on completion of analysis, or
- (b) in the case of sample handed to a person on behalf of a member of correctional staff, by or at the direction of the person, or
- (c) after the expiration of 12 months commencing on the day on which the sample was taken or provided, or a longer period (being no more than 5 years) as directed by the Commissioner in respect of the sample in a direction made before such an expiration.

Maximum penalty: 20 penalty units.

20 FORMS

The following forms relate to this policy:

- Authority to Test for Alcohol and Prohibited Drugs

21 DATE OF ISSUE OF POLICY

Phase 1 of this policy (Amnesty) commenced on 7 June 2004
Phase 2 Testing (other than random testing) commenced on 2 August
2004
Phase 3 Random Testing will commence on 6 December 2004

22 DATE OF REVIEW OF POLICY

This policy will be reviewed on or after 31 December 2005

23 CONTACT OFFICERS

- Manager Staff Support Services – 9804 5464
- Coordinator, Staff AOD Counselling – 9804 5464
- Deputy Superintendent, State Investigative Group – 9289 5175
- Executive Director, Probity and Performance Management Division – 4824 0500.



New South Wales Department of Corrective Services

AUTHORITY TO TEST FOR ALCOHOL AND / OR PROHIBITED DRUGS

Authorising Officer (Name): _____

Signature: _____

Location: _____

Time and Date of Direction: _____

Name of employee: _____

 Breath Test

"In accordance with the provision of the Crimes (Administration of Sentences) Act 1999, I require you to undergo a breath test for the purpose of indicating the concentration of alcohol present in your blood, and I direct you to exhale deeply in one single breath, air from your lungs, directly into this approved device, until I direct you to stop."

 Drug Test

"In accordance with the provisions of the Crimes (Administration of Sentences) Act 1999 I require you to undergo a test for the presence of prohibited drugs. In doing so, I require you to provide in the container supplied, a sample of your urine which is sufficient for analysis purposes."

Refusal to provide a sample will lead to suspension from duty and disciplinary action**Critical Incident**

An employee reasonably suspected of having been involved in a critical incident must submit to a breath test and/or provide a urine sample for testing when directed by an authorised person in the following circumstances:

- Where the incident has resulted in death or serious injury to any person
- Where the incident has involved the discharge of a firearm
- Where the incident has involved the use of force resulting in death or serious injury to any person
- Where the incident has involved the use of force and the authorising person reasonably considers that the use of force may have been excessive or unwarranted.

Alcohol Impairment

- An employee on duty in a Departmental workplace who appears to be affected by alcohol must submit to a breath test when directed by an authorised person.

Target Testing

- An employee identified by verified intelligence or compelling circumstantial evidence concerning the use of alcohol or other drugs must submit to a breath test and / or provide a urine sample for testing when directed by the Commander Security and Investigations or any person authorised by the Commander.