

9 July 2026

FOI Ref 23028

Request - You asked Staffordshire Police (SP) the following:

1. Does your force operate a workplace drug and alcohol testing policy for officers and/or staff? If so, please provide a copy of the current policy, or confirm the date it was last reviewed.
2. Does the policy include the following safeguards:
 - (a) Engagement of an independent Medical Review Officer (MRO) or equivalent qualified professional to review positive drug test results before any disciplinary action is taken;
 - (b) Obtaining an independent toxicological opinion when a positive result may be attributable to legal substances (such as over-the-counter CBD products, prescription medication, or dietary sources);
 - (c) Offering confirmatory re-testing or independent analysis following a disputed positive result;
 - (d) Referral to Occupational Health before disciplinary proceedings are initiated on the basis of a drug test result;
 - (e) Maintenance of a written drug and alcohol testing policy that meets the standards recommended by the ACAS guidance on managing drug and alcohol misuse at work?
3. What type of drug screening devices or methods are used for initial testing (e.g. oral fluid point-of-care immunoassay, urine immunoassay, laboratory analysis)?
4. Are all positive screening results confirmed by a second, independent analytical method — specifically GC-MS or LC-MS/MS — before any disciplinary, welfare, or employment decision is made?
5. Is your force aware that peer-reviewed literature confirms that lawful, everyday substances can produce false positive results on immunoassay-based screening devices? Documented sources of cross-reactivity include poppy seeds, over-the-counter CBD products, prescribed medications (including codeine, tramadol, gabapentin, and certain antidepressants), tonic water, bananas, passive or environmental exposure to cannabis smoke, and certain antihistamines — among others.
6. Has your force received any complaints, grievances, or representations from officers or staff who attributed a positive drug test result to any lawful source in the last five years? If so, how many and what was the outcome?
7. What guidance, if any, has been issued to staff involved in drug testing about the possibility of false positives from lawful substances, and the appropriate steps to take before acting on a screening result?

I would prefer to receive the information electronically where possible. If any part of this request is unclear, I am happy to clarify. I understand you are required to respond within 20 working days.



For context, this request relates to a growing body of evidence suggesting that current UK drug testing practices may not adequately safeguard against false positive results from legal substances.

Further information is available

at <https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftestthetest.co.uk%2F&data=05%7C02%7Cfoi%40staffordshire.police.uk%7Cbc0a270e4bd7eefc08decf03e1b1%7Cd492250406c0431d8eca67087dea03c8%7C0%7C1%7C639175812766017954%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMilslkFOljo1TWFpbCIsIlIdUljoyfQ%3D%3D%7C80000%7C%7C%7C&sdata=EUOdeyEiGQBg3sC6rFPUXsv%2BmioQhjiu9SYKPjnN53A%3D&reserved=0>

SP received your request on 22/06/2026 and have processed this under the Freedom of Information Act (FOIA).

SP's response to your enquiry is as follows:

SP holds the requested information.

- 1. Does your force operate a workplace drug and alcohol testing policy for officers and/or staff? If so, please provide a copy of the current policy, or confirm the date it was last reviewed.
– **Disclosed, please see the accompanying files titled**
'FOI 23028 Alcohol Drugs or substances misuse or abuse policy'
'FOI 23028 Alcohol Drugs or substance misuse or abuse procedure'
This policy and procedure were last reviewed in 2019 and are currently due to be reviewed again.
- 2. Does the policy include the following safeguards:
 - (a) Engagement of an independent Medical Review Officer (MRO) or equivalent qualified professional to review positive drug test results before any disciplinary action is taken; - **Disclosed, yes.**
 - (b) Obtaining an independent toxicological opinion when a positive result may be attributable to legal substances (such as over-the-counter CBD products, prescription medication, or dietary sources); - **Disclosed, yes.**
 - (c) Offering confirmatory re-testing or independent analysis following a disputed positive result; - **Disclosed, yes.**
 - (d) Referral to Occupational Health before disciplinary proceedings are initiated on the basis of a drug test result; - **Disclosed, no but Occupational Health professionals are present at the time of test.**
 - (e) Maintenance of a written drug and alcohol testing policy that meets the standards recommended by the ACAS guidance on managing drug and alcohol misuse at work? - **Disclosed, yes.**



- 3. What type of drug screening devices or methods are used for initial testing (e.g. oral fluid point-of-care immunoassay, urine immunoassay, laboratory analysis)? – **Disclosed, urine and breath tests.**
- 4. Are all positive screening results confirmed by a second, independent analytical method — specifically GC-MS or LC-MS/MS — before any disciplinary, welfare, or employment decision is made? – **Disclosed, yes.**
- 5. Is your force aware that peer-reviewed literature confirms that lawful, everyday substances can produce false positive results on immunoassay-based screening devices? Documented sources of cross-reactivity include poppy seeds, over-the-counter CBD products, prescribed medications (including codeine, tramadol, gabapentin, and certain antidepressants), tonic water, bananas, passive or environmental exposure to cannabis smoke, and certain antihistamines — among others. – **Disclosed, yes.**
- 6. Has your force received any complaints, grievances, or representations from officers or staff who attributed a positive drug test result to any lawful source in the last five years? If so, how many and what was the outcome? – **Disclosed, no.**
- 7. What guidance, if any, has been issued to staff involved in drug testing about the possibility of false positives from lawful substances, and the appropriate steps to take before acting on a screening result? – **Disclosed, no formal guidance but awareness that it can happen.**

All Freedom of Information request responses are published on the SP website although personal details are not included.

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from SP, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

IAT@staffordshire.police.uk

Or by Post to:

Information Access Team
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Information Access Team within two months of the SP response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by a supervisor who is independent from the original Decision Maker. The Information Access Team will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to forty working days.

The independent supervisor will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, considering the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the independent supervisor will reply to the appellant with the result of the review. If the appellant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Information Access Team