



Guide to Drug and Alcohol Management Plan Sample Manual

CASR SUBPART 99.B

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This document contains guidance material intended to assist CASA officers, delegates and the aviation industry in understanding the operation of the aviation legislation. However, you should not rely on this document as a legal reference. Refer to the civil aviation legislation including the Civil Aviation Act 1988 (Cth), its related regulations and any other legislative instruments—to ascertain the requirements of, and the obligations imposed by or under, the law.

Preface

As a Commonwealth government authority, CASA must ensure that the decisions we make, and the processes by which we make them, are effective, efficient, fair, timely, transparent, properly documented and otherwise comply with the requirements of the law. At the same time, we are committed to ensuring that all of our actions are consistent with the principles reflected in our Regulatory Philosophy.

Most of the regulatory decisions CASA makes are such that conformity with authoritative policy and established procedures will lead to the achievement of these outcomes. Frequently, however, CASA decision-makers will encounter situations in which the strict application of policy may not be appropriate. In such cases, striking a proper balance between the need for consistency and a corresponding need for flexibility, the responsible exercise of discretion is required.

In conjunction with a clear understanding of the considerations mentioned above, and a thorough knowledge of the relevant provisions of the civil aviation legislation, adherence to the procedures described in this manual will help to guide and inform the decisions you make, with a view to better ensuring the achievement of optimal outcomes in the interest of safety and fairness alike.

Instructions

The Guide to the Drug and Alcohol Management Plan (DAMP) Sample Manual is aimed at providing assistance to operators when drafting their DAMP manual to meet the requirements of Subpart 99.B of the *Civil Aviation Safety Regulations 1998* (CASR).

This Guide is aligned with the CASA DAMP Sample Manual template which sets out a suggested structure and sample content to illustrate how an organisation might document their DAMP. An organisation is not compelled to use the CASA DAMP Sample Manual and is free to develop their own manual.

The CASA DAMP Sample Manual has been prepared in a word template format with pre-established headings and subsections and editable sample texts for operators to modify to reflect their operations. Additional documents can be introduced as 'subsidiary materials' to the DAMP manual provided they are clearly referenced.

Organisations who use the CASA DAMP Sample Manual as a template *must* include additional policies and procedures specific to their organisation in order to comply with the requirements of Subpart 99.B of CASR.

This Guide follows the same numbering system used in the DAMP Sample Manual, which has been structured in a logical order. It is important to note that this is a guide and, therefore, its content is intended as guidance information only and should not appear in the DAMP manual submitted to CASA.

Not all aviation organisations need a full DAMP. For example, organisations with ten or less 'safety sensitive aviation activity' (SSAA) employees may be able to access a simpler system for drug and alcohol management by adopting [CASA's Micro-business DAMP](#). To confirm whether your organisation requires a full DAMP please refer to the [CASA DAMP website](#) for more information.

Where an operator makes an amendment to their DAMP manual, written notice of the change, and a copy of the changed part of the manual clearly identifying the change, are to be provided to CASA within 30 days.

Irrespective of whether the operator's DAMP manual is retained in hard copy, or electronic form, the manual must be readily accessible and usable by personnel.

For governance purposes the revision history table contained in this guide captures the changes CASA makes to this guide and the corresponding CASA DAMP Sample Manual. To ensure the documents align, download both the CASA DAMP Sample Manual and this guide from the CASA website at the same time.

Your feedback is valued; if you identify any areas of this guide or CASA Damp Sample Manual template that would benefit from change, please notify CASA. For further information relating to DAMPs or the contents of the DAMP Sample Manual or this guide, contact national.operations@casa.gov.au

Subpart 99.B Disclaimer

CASA makes this material available on the understanding that users exercise due care and good faith regarding its use. The information contained in this document was correct at the time of publishing and is subject to change without notice. It is not a restatement of the law. CASA gives no warranty and makes no representation whether expressed or implied, that the information contained in this material is error free. The material is made available on the understanding that CASA is not thereby engaged in rendering professional advice for a particular purpose. Before relying on the material, users should carefully evaluate the accuracy, completeness, and relevance of the information for their purposes and should obtain appropriate professional advice relevant to their particular circumstances. The material is made available on the understanding that each user waives and releases CASA – to the full extent permitted by law – from any and all claims relating to the usage of or reliance on the material. In no event shall CASA be liable for any injury, loss or damage resulting from use of or reliance on the material.

Revision History (of this guide and the CASA DAMP Sample Manual)

Note: The revision history table in the CASA DAMP Sample Manual is for organisations to capture their document revisions to their DAMP Manual.

CASA is responsible for managing revisions to this guide and the corresponding CASA DAMP Sample Manual template. Revisions to both documents are dated and a new version number attributed. An 'x' in either the Guide or Sample template column below identifies which document has been changed. A summary of the changes and the date on which the change was made, is also recorded.

Version no.	Section / page	Guide	Sample template	Change(s) made	Date change made
1.0	All	1.0	1.0	<p>First issue</p> <p>CASR Part Subpart 99.B DAMP Framework (version June 2019) was spilt into two documents (the DAMP Sample Manual v1.0 and this guide v1.0) to align with CASAs current templates.</p> <p>Guidance about the following topics also included:</p> <ul style="list-style-type: none"> • MROs • testing providers • company education program specifics 	May 2022

Table of contents

Preface	3
Instructions	4
Revision History (of this guide and the CASA DAMP Sample Manual)	6
Table of contents	7
Glossary	9
Amendment Record	10
Distribution List	10
1 General	11
1.1 Introduction	11
1.2 Policy on AOD use	11
1.3 Disciplinary action following a positive test result	11
1.4 Key Contacts	12
1.4.1 DAMP contact officer	12
1.4.2 DAMP supervisor	12
1.4.3 DAMP Medical Review Officer	12
1.5 Who is covered by this DAMP	12
1.6 Responsibilities under this DAMP	13
1.6.1 Responsibilities of {name of organisation}	13
1.6.2 Responsibilities of SSAA employees	13
1.6.3 Responsibilities of DAMP supervisors	13
2 Drug and Alcohol Education Program	14
2.1 Overview	14
2.2 Mandatory components of the education program	14
2.3 Refresher training	14
2.4 Completing the education program	14
3 Drug and Alcohol Testing Program	15
3.1 Substances included in testing	15
3.2 How will testing be conducted?	15
3.3 When will testing be conducted	15
3.3.1 On commencement	15
3.3.2 After an accident or serious incident	15
3.3.3 Reasonable grounds	16
3.3.4 Return to work following a suspension event	16
3.4 Who will conduct the testing?	17
3.5 Requirements relating to DAMP Medical Review Officer	17
4 Drug and Alcohol Response Program	18

4.1	Circumstances when an employee must cease SSAA	18
4.2	Returning to safety sensitive aviation activities	18
4.3	Time off to attend a nominated intervention program	18
5	Procedural Reviews	20
6	Privacy	21
7	DAMP Review, Audit and Compliance	22
8	DAMP Reporting and Record Keeping	23
8.1	Record Keeping	23
9	Variations	24
10	Attachments	25
10.1	Documents, registers, records and forms	25
Appendix A.	DAMP testing and response flowchart	26

Glossary

Acronyms and abbreviations

This section should set out the meaning of any abbreviations, acronyms or special terms used in your organisation's DAMP.

Definitions

Part 99 of the *Civil Aviation Safety Regulations 1998* contains legal definitions for certain terms used in that Part. These definitions are reproduced in the definitions section. Any other terms used in your DAMP manual should be defined in this section.

Reference material

This section should include any documentation referenced in your DAMP manual.

Forms

This section should include any forms referenced in your DAMP manual.

Amendment Record

Under Subpart 99.B of CASR, an organisation must record the policy and procedures of the organisation's DAMP using a controlled document protocol that ensures that documents and policies remain current and relevant.

As part of that document control protocol, this section should set out the amendment record of the DAMP.

Distribution List

It is a mandatory requirement under Subpart 99.B of CASR that an organisation's DAMP be 'made available' to SSAA employees. Exactly how the DAMP is 'made available' will vary across organisations.

Hard copies

If you choose to make your organisation's DAMP available via the distribution of hard copies, this section should include a distribution list to demonstrate that all relevant employees have been given reasonable access to the DAMP before they commence SSAAs. This does not mean all employees must be provided with a hard copy of a complete DAMP, only that a reasonable number of copies are distributed within your organisation so that employees can quickly and easily access a copy if necessary.

Hard copies printed for distribution should be marked as 'un-controlled when printed'.

Electronic copies

If the DAMP is made available electronically (for example on your organisation's intranet) then this section should detail the document name and location in which it is made accessible.

1 General

1.1 Introduction

This section should demonstrate the organisation's commitment to ensuring their DAMP manual complies with Subpart 99.B of the Civil Aviation Safety Regulations 1998 (CASR). It should also briefly describe the audience and what the manual aims to achieve.

SSAA is defined in section 33 (1) of the *Civil Aviation Act 1988* as 'activities that impact directly or indirectly on the safety of civil air operations in Australian territory; or the operation of Australian aircraft outside Australian territory'.

The specific categories of employees to which the DAMP manual applies should be set out in section 1.5 of the DAMP manual.

1.2 Policy on AOD use

Under Subpart 99.B of CASR a DAMP should include an organisation specific Alcohol and Other Drug (AOD) policy. Making SSAA employees 'aware' of this policy is a mandatory part of an organisation's drug and alcohol education program.

In this section you should include a plain English statement outlining your organisation's policy on AOD use in the workplace.

Subpart 99.B is not prescriptive about what an organisation's AOD policy might look like in terms of length and content – this will vary across organisations. The text in the DAMP Sample Manual is included as an example of what such a policy statement might look like. Organisations should ensure that their own policy statement reflects their organisation's approach to AOD management.

1.3 Disciplinary action following a positive test result

Including this section is optional. However, stating up front in the DAMP what your organisation's policy is towards employees who return a positive AOD test may have a useful deterrent effect. Some issues your organisation may wish to cover in this section are:

- the consequences of a breach of your organisation's policy on AOD use
- your organisation's policy on absences for AOD related issues, such as treatment and/or counselling, and the implications in terms of an employee's pay and leave entitlements, for example:
 - will this be paid or unpaid time?
 - will annual or sick leave be available?
- the consequences of an employee breaching undertakings or not complying with recommended treatment plans.

1.4 Key Contacts

This section must identify and provide the contact details of your organisation's:

- DAMP contact officer
- DAMP supervisor(s).

Subpart 99.B of CASR requires organisations to use a controlled document protocol when documenting a DAMP. As such, you may wish to consider including only a position number or title in your DAMP, especially if it is likely that the individual nominated as your organisation's DAMP contact officer and/or DAMP supervisor(s) may change frequently.

Alternatively, you could indicate where the names of DAMP contact officers and DAMP supervisors are located (e.g. 'a list of DAMP supervisors and their contact details can be found on the <name of organisation> computer drive at W:/XYZ').

If further information is required about the roles and responsibilities of DAMP contact officer and supervisors, please refer to the [DAMP Contact Officers and Supervisors Guide](#) on the CASA website.

1.4.1 DAMP contact officer

Subpart 99.B of CASR requires organisations to appoint a person as the DAMP contact officer to liaise with CASA in relation to any matters related to the organisation's DAMP. This section must include the contact details of the nominated person.

1.4.2 DAMP supervisor

There is no limit to how many DAMP supervisors an organisation can nominate, as long as they have been appropriately trained and there are sufficient persons relative to the size and complexity of the organisation. This section must include the contact details of at least one nominated person.

1.4.3 DAMP Medical Review Officer

There is no requirement under Subpart 99.B of CASR for organisations to identify a particular individual as their DAMP Medical Review Officer (MRO).

If your organisation has identified a particular individual as your MRO, include their name and contact details in this section.

If your organisation has not identified an MRO, this section must set out the process to be followed to source an MRO if required.

1.5 Who is covered by this DAMP

It is important to remember that DAMP obligations extend to all individuals (including contractors, subcontractors, and volunteers) who perform SSAAs for the organisation, regardless of whether they are directly employed by the organisation.

This section must list all categories of SSAA undertaken by your organisation's employees, including by contractors, subcontractors, and volunteers.

Note: The categories of SSAAs to which Subpart 99.B of CASR applies are set out in regulation 99.015 of CASR. Examples include fuelling and maintenance; airport security; crewing of an aircraft (including pilots); air traffic control; and baggage or freight handling.

1.6 Responsibilities under this DAMP

This section must outline the responsibilities of the organisation and its employees in accordance with Subpart 99.B of CASR. Organisations can also add any additional responsibilities of the organisation or its employees, as relevant to their procedures, if not already covered under Subpart 99.B of CASR.

1.6.1 Responsibilities of {name of organisation}

This section must cover the responsibilities of the organisation in accordance with Subpart 99.B of CASR, specifically responsibilities regarding delivery and management of the DAMP education program and the circumstances for testing under the DAMP testing program.

1.6.2 Responsibilities of SSAA employees

This section should advise SSAA employees of their individual responsibilities under Subpart 99.B of CASR and the organisation's procedures in relation to not performing any SSAA if affected by alcohol or drugs, including self-referral of any prescription medications, and ceasing of any SSAA as required.

1.6.3 Responsibilities of DAMP supervisors

Subpart 99.B of CASR requires any person nominated as a DAMP supervisor to receive additional training on how to form an opinion as to whether an organisation's employee may be adversely affected by AOD. This means the DAMP supervisor(s) will complete training in addition to the DAMP education program for all other SSAA employees and will be able to competently form the opinion on whether an SSAA employee is to cease their duties and be referred for a DAMP test.

2 Drug and Alcohol Education Program

2.1 Overview

At a minimum, an organisation's drug and alcohol education program must include the components set out at section 2.2 of the CASA DAMP Sample Manual.

CASA has developed an eLearning program to assist organisations to deliver DAMP education. The program is available on the [CASA drug and alcohol education programs](#) webpage. While not compulsory, it is recommended that the CASA eLearning program forms the backbone of your organisation's drug and alcohol education program, supplemented with relevant organisation-specific material.

This section should provide an overview of the organisation's drug and alcohol education program and how it is delivered to SSAA employees and DAMP supervisors.

2.2 Mandatory components of the education program

Subpart 99.B of CASR requires that, as a minimum, the components listed in this section of the CASA DAMP Sample Manual be included in a DAMP education program, along with any other content to be provided by your organisation as relevant to its operation.

2.3 Refresher training

Subpart 99.B of CASR requires that the DAMP education program be repeated by all SSAA employees and DAMP supervisors at least once every 30 months. Your organisation may choose to conduct its refresher training more frequently than 30-month intervals, and this information should be detailed in this section.

2.4 Completing the education program

This section must describe the content of your organisation's drug and alcohol education program and how it is delivered to SSAA employees and DAMP supervisors. The education program could be delivered as an in-house training session or computer-based training course or may be comprised of CASA's DAMP eLearning program and an induction that covers your organisation's specific DAMP procedures.

Enough detail should be included so that anyone reading the DAMP can easily identify and locate all of the resources necessary to complete the education program. If the CASA eLearning program is used, this should be noted in the DAMP along with any references or links to any additional or alternate company resources that your organisation includes in its education program.

Organisations must also reference the procedures in place to:

- identify employees who will be performing SSAAs so that education can be provided before they begin
- identify people or positions who will be trained as DAMP supervisors
- record when initial drug and alcohol training takes place and when refresher training is due.

3 Drug and Alcohol Testing Program

3.1 Substances included in testing

This section of the CASA DAMP Sample Manual lists the types of substances that must be tested for in accordance with Subpart 99.B of CASR. If your organisation conducts testing of any other types of substances, that information must also be included in this section.

3.2 How will testing be conducted?

This section of the CASA DAMP Sample Manual specifies the types of body samples and relevant Standards applicable under a DAMP. Organisations should delete the non-relevant options.

If any testing is to be conducted by the organisation itself, this section must detail the type(s) of testing and provide details of the testing device(s) to be used.

Note: it is a mandatory requirement under Subpart 99.B of CASR that any devices used in drug and alcohol testing under your organisation's DAMP are used in a way that is not inconsistent with the instructions of the manufacturer of those devices.

3.3 When will testing be conducted

Subpart 99.B of CASR requires AOD testing to be conducted by your organisation in the circumstances listed in this section of the CASA DAMP Sample Manual. In addition to these, an organisation may choose to include random AOD testing as part of its DAMP testing program. While this is not a mandatory form of testing to be conducted by your organisation, it must be included in this section if it will be conducted. This is separate to the random AOD testing that may be conducted by CASA.

3.3.1 On commencement

Subpart 99.B of CASR requires AOD testing to be conducted prior to a new employee commencing any SSAA, or at a time where an existing employee may be transitioning from a non-SSAA role to an SSAA role. A previously conducted AOD test may be accepted in lieu of conducting a new pre-employment AOD test if the person can provide evidence that the test was conducted to the relevant Standards within the preceding 90 days, and the result was not positive.

3.3.2 After an accident or serious incident

Subpart 99.B of CASR requires an AOD test to be conducted for an individual following an accident or serious incident if they have been directly involved in either type of occurrence while performing or being available to perform an SSAA.

Suitable test conditions must be present, and it must be practicable for the AOD test to be conducted. Suitable test conditions are detailed in this section of the CASA DAMP Sample manual.

Circumstances where it may not be practicable to conduct the test may include:

- distance between the site of the accident or incident and testing facilities
- medical condition of the employee involved (e.g. the employee may require urgent medical treatment which would take priority over testing)
- time of day that the accident or incident occurs (it may not be possible to access an accredited testing provider in the required timeframe).

In such circumstances, organisations should document the reasons why it was not practicable to conduct testing of the employee and the employee will be prohibited from performing SSAAs for a period of 32 hours from the time the accident or incident occurred.

Note: The terms 'accident' and 'serious incident' are given legal definitions in Subpart 99.B of CASR. These definitions are reproduced in the definitions section of the CASA DAMP Sample Manual.

3.3.3 Reasonable grounds

Testing must take place when an appropriately trained DAMP supervisor has 'reasonable grounds' to believe that an SSAA employee may be adversely affected by AOD. What amounts to 'reasonable grounds' will vary depending on the circumstances.

Some examples of possible 'reasonable grounds' include:

- excessive and/or unexplained absenteeism
- 'on-the-job' absenteeism (e.g. long breaks, frequent trips to the bathroom)
- a decline in the quality of work (e.g. misunderstanding instructions, missed deadlines, accidents or near misses)
- verified reports from people who have witnessed the individual's AOD use.

3.3.4 Return to work following a suspension event

If an SSAA employee has been suspended from conducting SSAAs due to a confirmatory AOD test, or for refusal to undertake an AOD test, or for interfering with the integrity of an AOD test, a DAMP organisation must only allow an employee to return to performing SSAAs if the following occurs:

- the employee has undergone a comprehensive assessment for drug or alcohol use; and
- if the comprehensive assessment recommends the employee participates in a nominated drug or alcohol intervention program - the employee has begun participating in the nominated program; and
- the employee is considered fit (after an assessment by the MRO and the employee's treating clinician [if any]) to resume SSAAs or being available to perform SSAAs; and
- in relation to suspension due to a positive drug test - at the time the employee is considered fit to resume SSAAs, the employee receives a negative confirmatory drug test, and an MRO is satisfied that the negative confirmatory drug test indicates the absence of any testable drugs.

Note: In addition to the AOD testing conducted by or on behalf of an organisation under their DAMP, SSAA employees may also be subject to random AOD testing by CASA under Subpart 99.C of CASR. You must advise if your organisation also conducts random testing as this will be part of the DAMP testing program.

3.4 Who will conduct the testing?

This section you must detail who will be conducting drug and alcohol tests under the organisation's testing program.

Testing can be conducted by a third-party accredited testing provider, a collection agency, in-house by an employee of the organisation, or a combination of all of these. If your organisation elects to conduct its own in-house testing, it must detail who within the organisation will be conducting the testing, what training they have received to conduct the testing, the type of testing they will conduct, and the details of the testing device(s) to be used. It is the organisation's responsibility to ensure that any testing is conducted in accordance with the relevant Standards under Subpart 99.B of CASR.

3.5 Requirements relating to DAMP Medical Review Officer

This section must detail the circumstances and process for engaging a Medical Review Officer (MRO).

An MRO is a registered medical practitioner with additional training and competence in the field of interpreting drug and alcohol test results, and has knowledge of substance use disorders and knowledge of the contents of Subpart 99.B of CASR.

Under Subpart 99.B of CASR, an organisation must consult an MRO in the following three circumstances:

- (1) Where a confirmatory drug test conducted under the organisation's DAMP returns a positive result - to determine if the presence and level of the testable drug detected by the test could be the result of legitimate therapeutic treatment or some other legitimate source.
- (2) Where an SSAA employee has failed to give a body sample for AOD testing due to a medical condition - to review the relevant medical information to confirm that there is a valid medical reason.
- (3) Following a 'suspension event' - to determine if the employee is fit to resume performing or being available to perform an SSAA.

If an organisation engages with a regular MRO or engages a particular accredited testing provider for its MRO services, the details must be provided in this section of the DAMP manual. Alternatively, if an organisation does not use a regular provider, they may liaise with the [Australasian Medical Review Officers Association](#) (AMROA) who maintain a list of accredited MROs.

Note: The AMROA accredited MRO list is not an exhaustive list.

4 Drug and Alcohol Response Program

To help organisations develop their drug and alcohol testing and response programs, CASA has produced a flowchart for organisations to use as a quick reference guide (or as a reference for building their own flowchart). The flowchart is referenced in this section and located at Appendix A of the DAMP Sample Manual. Using this flow chart is optional, if you do not intend to use it then any reference to it in your DAMP manual should be deleted.

4.1 Circumstances when an employee must cease SSAA

An organisation must stop an employee from performing SSAAs in the following circumstances:

- If the employee returns a positive result for an initial AOD test - they must not return to performing SSAAs until a confirmatory test returns a negative result.
- If the employee records a positive result for a confirmatory AOD test under DAMP or CASA testing, and the Medical Review Officer (MRO) determined the test result to be valid.
- If the employee refuses a test or interferes with the integrity of a test.
- If a DAMP supervisor has reasonable grounds to suspect that an SSAA employee is under the influence of a testable drug or alcohol.
- If an 'accident' or 'serious incident' has occurred.

4.2 Returning to safety sensitive aviation activities

If an SSAA employee has been suspended from conducting SSAAs due to a confirmatory AOD test, or for refusal to undertake an AOD test, or for interfering with the integrity of an AOD test, a DAMP organisation must only allow an employee to return to performing SSAAs if the following occurs:

- the employee has undergone a comprehensive assessment for drug or alcohol use; and
- if the comprehensive assessment recommends the employee participate in a nominated drug or alcohol intervention program - the employee has begun participating in a nominated program; and
- the employee is considered fit (after an assessment by the MRO and the employee's treating clinician [if any]) to resume SSAAs or being available to perform SSAAs; and
- in relation to suspension due to a positive drug test - at the time the employee is considered fit to resume SSAAs, the employee receives a negative confirmatory drug test, and an MRO is satisfied that the negative confirmatory drug test indicates the absence of testable drug use.

4.3 Time off to attend a nominated intervention program

While it is a requirement under Subpart 99.B of CASR for organisations to allow an employee to attend a nominated drug and alcohol intervention program, it is up to the individual organisation to decide whether that time is to be paid or unpaid, or to be taken as annual or

personal leave. This section of the DAMP can be used to set out the organisation's policy regarding time off.

5 Procedural Reviews

There are no minimum requirements for this section and its inclusion is optional. Organisations can use this section to insert details of their policies for internal review decisions in the event of a grievance or dispute, including how allegations of an SSAA employee's AOD use by other employees or members of the public are handled.

6 Privacy

There are no minimum requirements prescribed for this section, however the Privacy Act 1988 applies to organisations with an annual turnover of more than \$3m. Organisations may use this section to insert details of their privacy policies in relation to how they use and protect personal information.

7 DAMP Review, Audit and Compliance

Under Part 99 of CASR, DAMP organisations must regularly review their DAMP. At a minimum, such reviews must be conducted every five years, beginning on the date on which the DAMP was implemented and at any other time directed by CASA.

It is important to note that while there is a requirement under Part 99 of CASR for DAMP organisations to develop and implement a DAMP, CASA will not approve an organisation's DAMP. Instead, CASA may audit a DAMP organisation to ensure that the DAMP has been appropriately developed, implemented, and enforced. An organisation may be required to provide a copy of its DAMP, as well as records demonstrating that the organisation is implementing it, and any other information relevant to the audit as specified by CASA. The organisation must comply with this requirement or face possible enforcement action.

This section of the DAMP must state the organisation's review process and should acknowledge that CASA will conduct audits from time to time and that the organisation has a role in providing any relevant documentation requested by CASA.

8 DAMP Reporting and Record Keeping

Subpart 99.B of CASR requires an organisation to keep records regarding its DAMP education, testing, and response programs. These records may need to be provided to CASA upon request for compliance purposes.

8.1 Record Keeping

A DAMP organisation must ensure records are kept in accordance with the following requirements:

- records must be kept in a secure location. Different levels of security may be applied to certain documents (for example, test results may be stored with higher restrictions on access than education records).
- records, or parts of records that relate to drug or alcohol testing, must be destroyed or deleted within six months after the five-year retention period.
- a process that ensures records are kept for the required time, stored securely, and disposed of at the required times must be established.

9 Variations

Organisations may choose to include a process for implementing variations or amendments to the DAMP from time to time and, where relevant, will provide written notice to its employees setting out the changes.

10 Attachments

10.1 Documents, registers, records and forms

Organisations may choose to attach a range of documentation (e.g. testing records, education register) to their DAMP as attachments. Alternatively, you may wish to simply reference the existence of such documents in your DAMP and detail where they can be found (e.g. 'a record of who has completed the organisation's education program is held by the Human Resources Manager').

Appendix A. DAMP testing and response flowchart

CASA has produced a flowchart to help organisations develop their drug and alcohol testing and response programs. Organisations can use this flowchart as a quick reference guide (or as a reference for building their own flowchart). Using this flow chart is optional, if you do not intend to use it then the flowchart and any reference to it in your DAMP manual should be deleted.