

GUIDANCE ON THE DESTRUCTION OF CONTROLLED DRUGS - NEW ROLE FOR ACCOUNTABLE OFFICERS

*Authorising people to witness the destruction of
controlled drugs*

Guidance on the destruction of controlled drugs – new role for Accountable Officers

Authorising people to witness the destruction of controlled drugs

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Description:	This guidance is to inform relevant health and social care professionals and organisations about changes to the role of Accountable Officer for controlled drugs which now enable them to authorise people, or groups of people, to witness the destruction of controlled drugs.
Cross ref:	Safer Management of Controlled Drugs: Guidance on the destruction and disposal of controlled drugs – October 2006 (Interim Guidance)
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Timing:	Amendments to legislation to permit Accountable Officers to authorise people or groups of people to witness the destruction of controlled drugs came into force on 16 August 2007.
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1. This guidance applies to England only.
2. The Health Act 2006 created a new role of Accountable Officer for controlled drugs.
<http://www.opsi.gov.uk/si/si2006/20063148.htm>
Each NHS Trust, primary care Trust, Foundation Trust and independent hospital must appoint an Accountable Officer for controlled drugs. He or she is charged with prescribed responsibilities in relation to the safe, appropriate and effective management and use of controlled drugs. The definition of safe and effective management includes destruction and disposal. A list of accountable officers for controlled drugs is held by the Healthcare Commission and is accessible via their website at:

<http://www.healthcarecommission.org.uk/serviceproviderinformation/controlleddrugs/accountableofficers.cfm>
3. Regulation 10 of The Controlled Drugs (Supervision of Management and Use) Regulations 2006 requires an Accountable Officer to (a) establish and operate, or ensure that his designated body establishes and operates, appropriate arrangements for securing the safe destruction and disposal of controlled drugs by his designated body; and (b) ensure that any body or person acting on behalf of, or providing services under arrangements made with, his designated body establishes and operates appropriate arrangements for securing the safe destruction and disposal of controlled drugs by that body or person.
4. An amendment to The Misuse of Drugs Regulations 2001 which came into force on 16 August 2007, permits the Accountable Officer to authorise people or groups of people to witness the destruction of controlled drugs in compliance with these regulations. Controlled drugs (CDs) must be rendered unrecoverable prior to onward safe disposal.
5. The amendment also states that the Accountable Officer for controlled drugs cannot undertake the role themselves which fits with the Health Act 2006 and subsequent Controlled Drugs (Supervision of Management and Use) Regulations 2006 SI 3148, which state that the Accountable Officer should be independent of day-to-day management of controlled drugs.
6. Accountable Officers for controlled drugs also have the responsibility to authorise individuals to enter and inspect premises in relation to the use and management of controlled drugs.
7. In most NHS Trusts, Foundation Trusts and independent hospitals including hospices, the Accountable Officer is likely to authorise those senior people who have been responsible in the past for this activity. However, they are at liberty to extend the numbers who are able to witness destruction.
8. However, in primary care the Accountable Officer will need to authorise new people or groups of people who can witness destruction of CDs. In community pharmacies and dispensing practices a large percentage of witnessing of destruction (in some areas up to 80%) has been undertaken by the police chemist inspection officers (CIOs). From April 2006 onwards police CIOs have been withdrawing from routine inspection and

destruction. Likewise, the Royal Pharmaceutical Society has stated its own inspectors will not routinely witness destruction.

9. Accountable Officers should also be aware that given their new powers, the Home Office is to withdraw its authorisations to hospices and bodies corporate (e.g. large pharmacy chains) to witness destruction by the end of 2007.
10. Any person nominated to witness destruction should have appropriate training and have appropriate governance arrangements. Practitioners who are actively involved in the day-to-day management of CDs or, for example, anyone directly involved with GP practices e.g. practice pharmacists who have access to controlled drugs in GP practices, or an individual who is authorised to supply controlled drugs from the GP practice e.g. clinical governance lead working in their own GP practice, should not, be asked to witness the destruction of controlled drugs in that GP practice.
11. PCT Accountable Officers are expected to facilitate the authorisation of witnesses for pharmacy multiples to enable them to maintain their existing internal arrangements for the safe destruction of controlled drugs.
12. Any person authorised to witness destruction by an accountable officer should be subject to a professional code of ethics **and/or** have been the subject of CRB checks and should have appropriate training. All superintendent pharmacists of bodies corporate are subject to a professional code of ethics.

Pharmacy multiples or bodies corporate

13. Due to the need to prevent the build up of expired or unwanted controlled drugs, Accountable Officers will need to ensure they have sufficient witnesses, and so granting applications from individuals previously authorised by the Home Office may be a useful supplement to authorised persons within the PCT, and they will not, of course, be funded by the PCT.
14. A person authorised by the Accountable Officer should be authorised to witness the destruction of controlled drugs in any pharmacy or premises owned by the body corporate employing the individual in England - it is not intended that such an individual would be authorised by the Accountable Officer in every PCT area in which he or she may undertake the witnessing of destruction. However, should an Accountable Officer wish to check the credentials of an authorised person they are at liberty to do so. As the authorised person is accountable for her/his activity to the Accountable Officer, it is suggested that the individual applies for authorisation to the Accountable Officer where the company is registered.
15. Accountable Officers will wish to seek reassurance from the multiples that the persons nominated as witnesses are:
 - subject to a code of ethics
 - appropriately trained
 - have the necessary distance from the day-to-day handling of controlled drugs and that appropriate records of all witnessed destructions are kept within the pharmacy. The record must include details of the quantity destroyed and the date of destruction, and words to the effect of "Out of date stock destroyed in the pharmacy". The

Authorised Witness should also endorse the record with name, signature and registration number.

It is recommended that witnessing destruction of controlled drugs arrangements are written into standard operating procedures (SOPs) and should include elements such as ID requirements, record keeping and good practice for safe destruction.

Good practice guidance on the destruction of controlled drugs together with advice on safe methods of destruction and disposal to comply with environmental protection legislation is available at [HTTP://www.rpsgb.org/pdfs/cdsafedestructionguid.pdf](http://www.rpsgb.org/pdfs/cdsafedestructionguid.pdf)

