

# THE REGULATION OF CONTROLLED DRUGS IN THE COMMUNITY

## THE FOURTH REPORT OF THE SHIPMAN INQUIRY AND ITS IMPACT ON PHARMACY SERVICES

### KEEPING PARLIAMENTARIANS INFORMED

The Royal Pharmaceutical Society of Great Britain (RPSGB) is the regulatory and professional body for pharmacists. The RPSGB works to keep Parliamentarians and their committees briefed on its activities. Along with a number of other organisations, the RPSGB is a supporter of the All-Party Pharmacy Group, through which Parliamentarians can discuss how pharmacists contribute to the nation's healthcare.

### BACKGROUND

The Fourth Report of the Shipman Inquiry, chaired by Dame Janet Smith and published on July 15, 2004, raises significant and important questions about the role and responsibilities of community pharmacists.

As the regulatory and professional body for pharmacists in England, Scotland and Wales, the Royal Pharmaceutical Society of Great Britain (RPSGB) is taking the lead on behalf of the pharmacy profession in responding to the findings of the Fourth Report of the Shipman Inquiry.

Across the board, pharmacists recognise that there is a need for action in order to prevent a tragedy of this proportion happening again. The RPSGB therefore welcomes the Fourth Report of the Shipman Inquiry. The RPSGB is working to ensure that the recommendations that are implemented are realised in a way that benefits patients and enhances pharmacy services.

This briefing is intended to:

- highlight the key recommendations in the report that will affect pharmacists and their work
- outline the work that the RPSGB is undertaking following the report
- highlight potential concerns and issues for discussion.

### THE FOURTH REPORT OF THE SHIPMAN INQUIRY

The Fourth Report of the Shipman Inquiry concludes that, although Shipman was solely to blame for the crimes he committed, the systems in place to monitor the prescription, supply and disposal of Controlled Drugs were not and are not adequate and need to be improved.

### THE RPSGB'S WORKING PARTY

In order to examine the full implications of the Fourth Report of the Shipman Inquiry and to recommend further action, the RPSGB has convened a working party under the chairmanship of Elizabeth Filkin.



**Royal  
Pharmaceutical  
Society  
of Great Britain**

The Royal Pharmaceutical Society of Great Britain (RPSGB) is the regulatory and professional body for pharmacists in England, Scotland and Wales. The primary objective of the RPSGB is to lead, regulate and develop the pharmacy profession.

The working party, which first met in June 2004, is examining the Fourth Report of the Shipman Inquiry and will make recommendations for future action by the RPSGB.

After the publication of the Fourth Report of the Shipman Inquiry, the working party met to identify those recommendations that will require examination and research by the RPSGB.

The working party has begun investigating the key issues raised in the report such as inspection arrangements, Controlled Drug Registers and the destruction of unused Controlled Drugs. This work is ongoing but a summary of the RPSGB's position on key recommendations is below.

## **KEY RECOMMENDATIONS AFFECTING PHARMACY PRACTICE**

Although the Fourth Report of the Shipman Inquiry clearly acknowledges that there are no foolproof ways to deter a doctor who is determined to obtain illicit supplies of a Controlled Drug, it includes a number of broad wide-ranging recommendations.

### **Recommendation:**

*The Fourth Report of the Shipman Inquiry calls for the establishment of a Controlled Drugs inspectorate operating regionally but co-ordinated nationally.*

### **RPSGB view:**

The RPSGB welcomes the recommendation that dispensing doctors, premises and GPs' surgeries should be inspected as pharmacies are at present. The multi-disciplinary nature of the proposed new inspectorate, with the combined expertise of pharmacists, doctors, inspectors and investigators, would be a key strength. The RPSGB endorses the need for such an inspectorate to be co-ordinated nationally.

The RPSGB inspectorate has the professional expertise required to inspect and monitor Controlled Drugs and should be involved in the development of multi-disciplinary Controlled Drug inspection.

With appropriate resources and powers, the RPSGB's own inspectorate could extend the scope of its enforcement activity to undertake the new roles both within registered pharmacies and other establishments. Extensive scoping and a detailed cost analysis would be needed as a preliminary to any such consideration.

### **Recommendation:**

*If the recommendations of the Fourth Report of the Shipman Inquiry are accepted, pharmacists would be required to record many more details about each prescription dispensed, from the name of the prescriber to the identity of the person who takes delivery of it.*

### **RPSGB view**

The RPSGB supports the view that the prescriber's details and the details of the pharmacist who supplies Controlled Drugs such as diamorphine and pethidine should be recorded in the Controlled Drug Register. To ensure accurate identification, the RPSGB would recommend that the professional registration number (or other appropriate unique identifier) should be recorded.

The RPSGB believes that a record of health professionals who collect Controlled Drugs and confirmation of the type of identification provided could be implemented with relative ease as the majority of health professionals carry identification as a matter of routine.

Many patients ask friends, relatives or neighbours to collect medicines on their behalf. The RPSGB is concerned that special arrangements for the collection of Controlled Drugs could pose problems in terms of patient confidentiality. Such arrangements could also affect the willingness of friends or neighbours to collect Controlled Drugs for the patient.

The RPSGB would develop detailed practice guidance to help pharmacists meet this recommendation.

**Recommendation:**

*Pharmacists would be given greater discretion to amend technical errors on prescriptions for Controlled Drugs.*

**RPSGB view**

The RPSGB fully supports the recommendation that technical errors on Controlled Drug prescriptions should not prevent dispensing when the prescriber's intentions are clear and the pharmacist has all the necessary information. The RPSGB also endorses the view that pharmacists should have the discretion to alter a prescription in order to amend the technical error instead of being required to return the prescription to the prescriber. This would, in the opinion of the RPSGB, enhance patient care.

The RPSGB would wish to see the discretion of pharmacists to amend and dispense Controlled Drug prescriptions with technical defects drafted into legislation.

**Recommendation:**

*The regulations on Controlled Drug Registers should be reformed.*

**RPSGB view**

The RPSGB welcomes this recommendation which would allow computer-generated records for Controlled Drugs to be kept. The current requirement for hand-written registers is a significant barrier to modern efficient record keeping, particularly where a pharmacy is dispensing a high volume of prescriptions for Controlled Drugs.

**Recommendation:**

*The RPSGB should provide guidance for its members as to the information and advice that should be given to patients when they receive a Controlled Drug.*

**RPSGB view**

The RPSGB's Code of Ethics states that "Pharmacists must ensure that a patient receives sufficient information and advice to enable safe and effective use of the medicine".<sup>1</sup> The RPSGB raised concerns at the Inquiry about any recommendation that differentiates between Controlled Drugs and other Prescription Only Medicines in this context. Patients need appropriate information about all Prescription Only Medicines as all are potent and need to be used appropriately.

Many patients, especially in palliative care circumstances, rely on family, friends or other members of the local community to collect prescriptions for them. While supporting the provision of information to patients, the RPSGB is mindful of the need for the pharmacist to maintain patient confidentiality. The nature of the information that might be conveyed to a third party collecting Controlled Drugs on behalf of a patient could place pharmacists in difficulty with regard to their duty of patient confidentiality. Pharmacists providing a Controlled Drug to a patient's representative with whom they were unfamiliar would face difficulty in determining whether they should limit the information they provide.

The RPSGB would be extremely concerned if any requirement for imparting such information were enshrined in legislation. The extent of information provided to a third

**Reference**

<sup>1</sup> Medicines, Ethics and Practice, Edition 28

party must be a matter for the professional judgement of the pharmacist. The RPSGB would produce appropriate practice guidance to support pharmacists in exercising professional judgement in such circumstances. Enforcement of breaches of such guidance should remain a matter for the RPSGB.

### **Recommendation:**

*Stricter rules governing the disposal of Controlled Drugs would be enforced as the responsibility of primary care organisations.*

### **RPSGB view**

The RPSGB would recommend the need for careful consideration of the requirements and systems for the disposal of Controlled Drugs and would welcome a major public awareness campaign.

## **HOW PARLIAMENTARIANS CAN HELP**

Pharmacists are committed health professionals who are dedicated to the wellbeing of their communities. The Fourth Report of the Shipman Inquiry will have far-reaching consequences for the way that pharmacists work and, in particular, the management of the supply of Controlled Drugs. The RPSGB hopes that the views of the profession will be considered as the report findings are implemented.

The RPSGB would urge Parliamentarians to continue to support the profession at this time of change and to ensure that pharmacists remain trusted and valued at the heart of the NHS.



**Royal  
Pharmaceutical  
Society  
of Great Britain**

*This briefing has been produced by the Royal  
Pharmaceutical Society of Great Britain (RPSGB), the  
regulatory and professional body for pharmacists.*

*If you would like further information  
about this briefing, please contact  
Mandie Lavin*

*Director of Fitness to Practice and Legal Affairs  
Royal Pharmaceutical Society of Great Britain  
telephone: 020 7572 2313  
email: [mandie.lavin@rpsgb.org](mailto:mandie.lavin@rpsgb.org)*

*Royal Pharmaceutical Society of Great Britain  
1 Lambeth High Street  
London  
SE1 7JN  
website: [www.rpsgb.org](http://www.rpsgb.org)*