



Department  
of Health &  
Social Care

From the Lord Bethell  
Parliamentary Under Secretary of State for Innovation

39 Victoria Street  
London  
SW1H 0EU

Our Ref: [REDACTED]

020 7210 4850

Mr Andrew Walker  
HM Senior Coroner, North London  
HM Coroners Court  
29 Wood Street  
Barnet EN5 4BE

15 December 2020

Dear Andrew,

Thank you for your letter of 24 March 2020 about the death of Simon Anthony Delahunty. I am replying as Minister with responsibility for medicines and as your letter only came to the Department's attention on 7 October 2020, I am grateful for the additional time in which to make this response.

Firstly, I would like to say how sorry I was to read the circumstances of Mr Delahunty's death and I offer my sincere condolences to Mr Delahunty's family and loved ones.

We agree that it is important to have methods to dispose of medicines waste safely, that protect the public from harm.

Disposal of unwanted medicines is an essential service of the NHS Community Pharmacy Contractual Framework<sup>1</sup>, to be provided by all community pharmacies in England. This requires them to accept unwanted medicines from private households, residential care homes and children's homes. These returned medicines are then stored securely and safely by pharmacies until they are collected for safe disposal.

NHS England and NHS Improvement, as commissioners of NHS Pharmaceutical Services, have arrangements in place for a waste contractor to collect the unwanted medicines from pharmacies at regular intervals for safe disposal. This ensures that the public have an easy method of returning unwanted medicines to pharmacies for safe disposal, helping to reduce harm to themselves and environmental damage caused by inappropriate disposal methods.

Patients or their families and carers, should be advised by community nursing staff, GPs or pharmacists to return any unwanted or unrequired medicines to their local community pharmacy for safe disposal. This recommendation is made in National Guideline 46 *Controlled Drugs: safe use and management*<sup>2</sup>, published by the National Institute for Health and Care Excellence (NICE) in 2016.

<sup>1</sup> <https://www.gov.uk/government/publications/community-pharmacy-contractual-framework-2019-to-2024>

<sup>2</sup> <https://www.nice.org.uk/guidance/ng46> [1.5.11]

Following a patient's death, any unused medicines should also be returned to a community pharmacy for safe disposal. Possession of a controlled drug by someone other than the person for whom it was dispensed is illegal. This does not prevent the transport of controlled drugs to patients, or the returning of drugs to pharmacies for safe disposal.

NICE National Guideline 46: *Controlled drugs: Safe use and management*, contains additional guidance on following locally agreed processes for reviewing anticipatory prescribing of controlled drugs. These local processes include assessing the risk to others in the patient's household or with access to their home if controlled drugs are to be supplied and prescribed in anticipation of need at the end of life. The risk and likelihood of accidental or deliberate overdose, misuse and diversion are all matters that should be considered.

Additionally, in circumstances where a local risk assessment has identified that the continued presence of the controlled drugs poses a significant and immediate risk, either of deliberate or accidental harm, then local arrangements may be made to remove the controlled drugs from the home for destruction.

I hope this information is helpful. It may also interest you to note that work is underway to reduce waste medicines in the first place, which may help mitigate situations highlighted by the unfortunate circumstances surrounding Mr Delahunty's death.

Medicines optimisation is a key workstream within NHS England's Medicines Value Programme<sup>3</sup> that aims to ensure that the right patients get the right choice of medicine, at the right time. Through focusing on patients and their experiences, the goal is to help patients to improve their outcomes; take their medicines as intended; avoid taking unnecessary medicines; reduce wastage of medicines; and improve medicines safety.

In addition, the Secretary of State for Health and Social Care, Matt Hancock, has asked Dr [REDACTED], the Chief Pharmaceutical Officer for England, to carry out a review of over-prescribing in the NHS. This work is looking at reducing inappropriate prescribing, with a particular focus on the role of digital technologies; research; culture change and social prescribing; repeat prescribing; and transfer of care. The report of the review will provide recommendations to reduce overprescribing to improve patient safety and reduce medicines wastage.

I hope this response is helpful. I am grateful to you for bringing these concerns to my attention.



**LORD BETHELL**

---

<sup>3</sup> <https://www.england.nhs.uk/medicines-2/value-programme/>