Delegation of Authority under Health (Drugs and Poisons) Regulation 1996 – Review

Purpose
This Safety Note advises relevant parties about the current review of arrangements for UQ’s Delegation of authority under section 179A of the Health (Drugs and Poisons) 1996 Regulation, outlines options for UQ roles that could receive this delegation, and seeks feedback from UQ stakeholders about preferred option(s).

Factors giving rise to this review are:
- The age of the current delegation at UQ.
- Implementation of UQeMarket system
- A recommendation from an Enterprise Risk compliance review.

Background
The broad objective of UQ’s arrangements under the Health (Drugs and Poisons) Regulation is to manage the risks associated with UQ staff or students performing regulated activities in relation to scheduled substances.

The University has two mechanisms available to obtain medicines and poisons for research and teaching purposes.

1. The first mechanism is referred to as the “as of right” authorities. These, by virtue of the authorities prescribed in sections 179A and 265A of the regulation, allow Vice-Chancellors or their delegate to obtain, possess and give Schedule 4 drugs and Schedule 2 and 3 poisons to staff for research and teaching purposes.

2. The second mechanism allows a member of the University to seek a specific written approval from Queensland Health to obtain, possess and use controlled drugs or regulated poisons for research and teaching purposes.

This review focusses upon the first mechanism that currently delegates the authority under Sections 179A and 265A to Drugs Officers as the “appropriately qualified University Officer” for their area of responsibility. This mechanism is referred to as the “VC’s delegation of authority” as it relates to Schedule 4 drugs and Schedule 2 and 3 poisons from here-on in this review paper.

Schedule 4 drugs and Schedule 2 and 3 poisons are referred to as “Scheduled substances” for the purpose of this review paper.

Additional Information
For further information, contact your local Work Health and Safety Manager/Coordinator, or the UQ HSW Division.
Contact the HSW Division: Phone: +61 7 336-52365 Email: ohs@uq.edu.au
Options for Vice-Chancellor’s Delegation of Authority

This review paper presents broader options for the Vice Chancellor’s delegation of authority and some examples of potential advantages and disadvantages for each option. The three proposed options are:

1. **Chief Investigator, Principal Investigator or equivalent:**
   **Advantage:** Scheduled substances can be obtained, possessed and given directly by the Chief Investigator. This may offer greater administrative efficiency, and place the responsibility of acquisition of the substance/s with those better placed to carry out this function. (The Drugs Officer would still be notified of the purchase via a UniFi summary report, as is the current process).
   **Disadvantage:** Overall coordination of the obtaining, possessing and giving of Scheduled substances is not done across the business unit.

2. **Drugs Officer:**
   **Advantage:** One person coordinates and is responsible for obtaining, possessing and giving of Scheduled substances for research and teaching purposes for the business unit.
   **Disadvantage:** Additional administrative requirements within the business unit and, in some cases, a high volume of requests for the Drugs Officer to obtain, possess and give Scheduled substances. Examples of this situation include Drugs Officers for tissue culture and molecular biology laboratories that use antibiotics daily in their growth mediums and for animal surgery facilities where a diverse range of S4 drugs are used. High volumes of such requests sent to the Drugs Officer may also adversely impact on the capacity for monitoring and tracking of Scheduled substances within the business unit.

3. **Both the Chief Investigator and the Drugs Officer**
   **Advantage:** the local area has greater flexibility to determine the model to use for obtaining, possessing and giving Scheduled substances.
   **Disadvantage:** a mixed model that uses a Drugs Officer and Chief Investigator for obtaining and issuing within one School may result in staff becoming unclear about responsibilities and processes for particular areas.

**Actions to be completed**

It is important that the most workable option is determined to allow local areas to undertake their work with these substances in a compliant way and as efficiently as possible, and with appropriate risk management mechanisms in place.

Faculties, Institutes, Schools and Centres that obtain, possess and give Schedule 4 drugs and Schedule 2 and 3 poisons to staff for research and teaching purposes should indicate their preference for the Vice-Chancellor’s delegation of authority and provide any additional considerations to the HSW Division ohs@uq.edu.au by 14 March 2018.

**Additional Information**

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