Dear Colleague

This letter authorises the extended use of the following policy until 1st January 2020:

**Procedure for Dealing With a Suspected Unauthorised Drug or Other Suspicious Substance Found on a Non Staff Member or on NHS Grampian Hospital Premises**

The review of this guidance is currently underway and it is expected to be available for use in mid 2019.

If you have any queries regarding this please do not hesitate to contact the Pharmacy and Medicines Directorate.

Yours sincerely

[Signature]

Lesley Thomson
Chair of Medicines Guidelines and Policies Group
**Procedure For Dealing With a Suspected Unauthorised Drug or Other Suspicious Substance Found on a Non Staff Member or on NHS Grampian Hospital Premises**

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<tr>
<td>Clinical Pharmacist ARI</td>
<td>See relevant page in the PGD</td>
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**UNCONTROLLED WHEN PRINTED**

**VERSION 2**
Title: Procedure for dealing with a suspected unauthorised drug or other suspicious substance found on a non staff member or on NHS Grampian hospital premises

Replaces: Version 1 March 2006

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Review date: 1st March 2010

Author: Clinical Pharmacist ARI

Keywords: Procedure protocol illegal unauthorised suspicious patient visitor

Policy application: NHS Grampian

Purpose: To give all NHS Grampian Hospital staff guidance on how to deal with the discovery and removal of a suspected unauthorised drug or other suspicious substance from their area.

Responsibilities for implementation:

Organisational: NHS Grampian Management Teams and Chief Executives
Clinical group: Clinical Group Co-ordinators
Corporate: Senior Managers
Departmental: Heads of Service / Clinical Leads
Area: Line Managers

Policy statement: It is the responsibility of individual healthcare professionals and their line managers to ensure that they work within the terms laid down in this policy and that individuals using this policy act within their own level of competence.

Review: This policy will be reviewed every two years

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Procedure for dealing with a suspected unauthorised drug or other suspicious substance found on a non-staff member or on NHS Grampian hospital premises

1. Introduction

Many patients who misuse drugs are treated every year in NHS Grampian premises either as a direct result of drug misuse or for other reasons. In some cases, the medical and nursing staff already know the fact that a patient misuses drugs. In others, it is not clear. Sometimes, a patient may be found to be in possession of suspicious powders, tablets, capsules or other substances for which he or she does not have an adequate explanation. Although the exact nature of the substance may be unclear, it could be a drug such as heroin, cocaine, LSD or amphetamines, the possession of which may be an offence under the Misuse of Drugs Act, 1971 and Regulations made there under.

When a member of staff takes possession of the suspected unauthorised drug or other suspicious substance, he or she may be placed in a vulnerable position i.e. to be in possession of an illegal drug or substance. The member of staff must demonstrate that the suspected unauthorised drug or other suspicious substance was taken solely for the purpose of delivering it into the safe custody of a person lawfully entitled to possess it or destroy it. It is, therefore, important that all actions relating to the safe custody or destruction of a suspected unauthorised drug or other suspicious substance are fully and correctly documented and witnessed and the procedures set out in this protocol followed. Unless large quantities of illegal drugs are involved, the main aim is to ensure that the suspected unauthorised drug or other suspicious substance are handled and destroyed in a safe and legal manner.

If quantities of suspected unauthorised drugs or other suspicious substances, which are not consistent with personal use, are found on a patient's person, the police should always be informed and fully assisted in their enquiries. It is recommended that in these circumstances Grampian Police be contacted directly. An experienced officer, properly briefed in this type of situation will then discuss the situation and, if appropriate, attend the ward and initiate enquiries. In these circumstances, the legal position is that the public interest overrides that of confidentiality. This does not entitle police the access to confidential medical information.

It is widely recognised that the possession of suspected unauthorised drugs or other suspicious substances is illegal and could be liable to prosecution. It is, however, also recognised that a direct response can compromise patient care and cause considerable disruption to ward/department routines and waste much time and effort.

All parties recognise that the delicacy of the circumstances demands a balanced and sensitive approach. Consequently, following discussions with Grampian Police, it is recommended that the decision to contact the police or arrange for a lawful destruction of the substance should be taken jointly by the Senior Nurse Manager of the site in conjunction with the person in charge for the clinical area.
2. Procedure on discovery and removal of a suspected unauthorised drug or other suspicious substance

Hospital staff are advised **NOT** to exercise force in removing a suspected unauthorised drug or other suspicious substance from patients or visitors (see section 4).

2.1 If a PATIENT is found in possession of a suspected unauthorised drug or other suspicious substance

- He or she should be advised that possession of the item may be unlawful and asked to hand it over voluntarily to a member of staff and a witness. When he/she has done so, the individual should then be asked to complete and sign a disclaimer form (see Appendix A) which should be filed in the patient's notes. The member of staff should then follow the procedure as described in section 2.4.

- If the person refuses to sign the disclaimer form this fact should be recorded in the patient's notes, and signed by two members of staff (one of whom must be the finder and the other must be in charge of the ward/department).

- If the patient is unconscious or otherwise unable voluntarily to hand over the item, it should be removed and they should be asked to complete the disclaimer form when able.

- In addition, where it is reasonably suspected that any package/envelope forwarded to a patient by whatever means contains suspected unauthorised drug or other suspicious substance, the patient should be asked to open the item in the presence of staff and a witness.

- If a patient refuses to hand over any suspected unauthorised drug or other suspicious substance, or open a suspicious package in the presence of staff, he/she should be advised that an offence may be being committed and that the police may be called (see section 5). If the person still refuses, senior medical staff should be advised immediately.

- A decision should be taken by senior medical staff as to whether the patient should be asked to leave the premises (see section 6). If the patient is asked to leave the premises but refuses to do so the police should be called immediately (see section 5).

- In cases where it is considered that the patient's medical condition warrants continued admission then senior medical staff should take the appropriate action.
2.2 If a VISITOR is found in possession of a suspected unauthorised drug or other suspicious substance

- He or she should be advised that possession of the item may be unlawful and asked to hand it over voluntarily to a member of staff and a witness. When he/she has done so, the individual should then be asked to complete and sign a disclaimer form (see Appendix A) which should be held within the ward or department. The Visitor should then be asked to leave the premises. The member of staff should then follow the procedure as described in section 2.4 for removal of the suspected unauthorised drug or other suspicious substance.

- If the person refuses to sign the disclaimer form this fact should be recorded on the disclaimer form and signed by two members of staff (one of who must be the finder and the other must be in charge of the ward/department).

- If a visitor refuses to hand over any suspected unauthorised drug or other suspicious substance; they should be asked to leave the premises. If they fail to do so, he or she should be advised that an offence may be being committed and that the police may be called. If the person still refuses, the police should be called immediately.

2.3 If a suspected unauthorised drug or other suspicious substance is found on NHS Grampian hospital premises but cannot be attributed to a specific person

- Where a suspected unauthorised drug or other suspicious substance is found on NHS Grampian hospital premises, but cannot be attributed to a specific person, the member of staff who discovered the suspected unauthorised drug or other suspicious substance should then follow the procedure as described in section 2.4.

2.4 Procedure for removal of a suspected unauthorised drug or other suspicious substance

- The member of staff who discovered the suspected unauthorised drug or other suspicious substance should immediately inform the person in charge of the ward or department. If the person in charge is the person finding the suspected unauthorised drug or other suspicious substance then they will need a member of staff as a witness.

- The person in charge of the ward or department should wear gloves and place the suspected unauthorised drug or other suspicious substance in a secure container with a label identifying the source (e.g. where exactly found, patient’s initials and hospital number if appropriate) and a brief description of the contents. The label should be placed over the seal and signed by the person in charge and the member of staff who found the suspected unauthorised drug or other suspicious substance.

- The container should then be placed in a locked controlled drugs cupboard (or a suitably locked cupboard). The substance is assumed to be illicit and, therefore, a controlled substance and should be treated as such until determined otherwise.
• The member of staff who found the suspected unauthorised drug or other suspicious substance should then complete **part A** of the “Form for the removal of suspected unauthorised drug or other suspicious substance” (Appendix B). This should be witnessed and signed by the person in charge for the ward/department and an entry should also be made in a specified section for this purpose at the back of the Controlled Drug Register (or a similar hard-backed book). The person in charge for the ward/department should then contact the senior nurse manager for the site.

• The hospital pharmacist should then be contacted during normal working hours (see section 5 if no pharmacy department is in the hospital). A request to remove the suspected unauthorised drug or other suspicious should then be made to the pharmacist. If the senior nurse manager (or bleep holder) for the site, the person in charge for the ward/department and the pharmacist (if applicable) agree that the quantity of the suspected unauthorised drug or other suspicious substance found is consistent with the patient’s own personal use, then **part B** should be completed (Appendix B).

• Where either the senior (nurse) manager for the site, the person in charge for the ward/department or pharmacist consider the quantity of the suspected unauthorised drug or other suspicious substance found is not consistent with the patient’s own personal use, **part B** of the form in appendix B must be completed. The senior nurse manager for the site should then contact the senior medical staff and the police (see section 5).

• If all parties agree it was for “personal use” then the pharmacist should complete **part C** (appendix B) and follow the guidelines in section 2.5. An entry of removal should be made in the CD register (or a suitable hard-backed book) by the pharmacist and witnessed.

• One copy of the form may be filed in the patient’s medical records, but the pharmacy department must retain the original copy for the police.

• **If the patient objects to this course of action, then senior medical staff and the police must be contacted.**

2.5 Receiving a suspected unauthorised drug or other suspicious substance into the Pharmacy

• The pharmacist should return immediately to the Pharmacy department after completing the first stage of **part C** of the “Form for the removal of suspected unauthorised drug or other suspicious substance”. (Appendix B). The pharmacist should have a member of Pharmacy staff witness the return of the suspected unauthorised drug or other suspicious substance into the Controlled Drugs cupboard by completing **part C**. Details of the suspected unauthorised drug or other suspicious substance should be recorded in a section of the Controlled Drugs Register.

• The completed form up to **part C** (Appendix B) should then be sealed in a clear plastic bag along with the sealed suspected unauthorised drug or other suspicious substance.
3. Reporting of incident by a member of staff on an OR1 form (or an equivalent form)

When any suspected unauthorised drug or other suspicious substance has been discovered or when any of the procedures in the preceding paragraphs have been implemented, an incident report form (OR1) (or equivalent) detailing all the circumstances must be completed and forwarded immediately to the appropriate (nurse) manager of the ward/department.

4. NHS Grampian hospital staff responsibilities

- It is the responsibility of NHS Grampian hospital staff not to endanger themselves at any time if a suspected unauthorised drug or other suspicious substance is found in their area.

- It is the responsibility of NHS Grampian hospital staff to inform senior members of staff and senior medical staff if a suspected unauthorised drug or other suspicious substance is found on the person or taken by a patient.

- It is the responsibility of NHS Grampian hospital staff to have all paperwork correct and complete before substance removal from their area.

- It is the responsibility of NHS Grampian hospital staff to follow this document accurately. If they are unsure they should ask their line manager for guidance.

5. Procedure to be followed by the senior (nurse) manager of the ward/department for removal of a suspected unauthorised drug or other suspicious substance to the police

- He/she will check that parts A to C (where applicable) of the “Form for the removal of suspected unauthorised drug or other suspicious substance” (Appendix B) have been properly completed.

- He/she will contact the Grampian Police Service Centre, Aberdeen (Tel: 0845 600 5 700) and request that the suspected unauthorised drug or other suspicious substance be collected for disposal.

- Each case will be treated on its own merits and it is therefore not possible to indicate the precise action the police will take. However, the patient will never be questioned or removed from the ward or department if it is considered by senior medical staff to be inappropriate on clinical grounds (see section 6).

- When the police officer attends, the members of staff should endeavour to cooperate with the officer. As in the investigation of an alleged criminal offence, confidentiality is unlikely to be a sufficient defence in law against disclosure.

- Following their enquiries, the police officer will remove the suspected unauthorised drug or other suspicious substance either directly from the ward or from the pharmacy if it had already been transferred there. In either case, Part D should be signed by the police officer and the nurse or pharmacist witnessing the transfer. The original copy should be given to the police. A copy may be retained by pharmacy/clinical area if appropriate. An entry of removal should be made in
the CD register (or a suitable hard-backed book) when the police remove the suspected unauthorised drug or other suspicious substance from NHS Grampian hospital premises.

6. Need to continue with treatment where possible

Except where there is considered to be a risk of injury to NHS Grampian hospital staff, action taken to ensure the removal of a suspected unauthorised drug or other suspicious substance from a patient should not be allowed to delay or otherwise affect essential treatment, care or counselling.

7. Management and monitoring of protocol

7.1 Consultative Group

A list of names and positions of the multidisciplinary group involved in drawing up and reviewing the Protocol “Procedure for dealing with suspected unauthorised drugs or other suspicious substances found on a person or on NHS Grampian premises”

Mr. Graham Rodgers  [Clinical Pharmacist, Pharmacy Department, Aberdeen Royal Infirmary]
Dr. Caroline Hind    [Principal Pharmacist, Medicines Unit, Westholme, Woodend Hospital]
Mrs Eileen Howitt    [Principal Pharmacist, Pharmacy Department, Royal Cornhill Hospital]
Mrs Kate Livock      [Nurse Manager, A&E Department, Aberdeen Royal Infirmary]
Ms Isobel Morison    [Clinical Pharmacist, Aberdeen Maternity Hospital]
Mrs Elaine Neil      [CHP Pharmacist, Grampian Community Hospitals]
Insp. Ally Prockter  [Force Substance Misuse Co Ordinator, Grampian Police Force]
Mr. Sandy Thomson    [Principal Pharmacist, Pharmacy Department, Dr Gray’s Hospital]
Mrs. Rachel Wilson   [Pharmacy Service Manager, Pharmacy Department, Royal Infirmary]
Mr. John Hiscox      [Consultant, A&E Department, Aberdeen Royal Infirmary ]

7.2 Professional advisory group approving protocol

Grampian Medicines Guidelines and Policies Group
7.3 Authorising Managers

**NHS Grampian**

Mr Richard Carey  
Chief Executive, NHS Grampian

Dr. Roelf Dijkhuizen  
Medical Director, NHS Grampian

Mr George Downie  
Director of Pharmacy and Medicines Management,  
NHS Grampian

Colin McKerracher LLB  
Chief Constable, Grampian Police

Mrs Elinor Smith  
Nursing Director, NHS Grampian

8. Audit

A designated person within NHS Grampian will be responsible for auditing documentation used with this protocol and the outcomes with the police.

9. References

a) Illegal Substance Procedure, GPCT/POL/23, December 2001
b) Procedure for dealing with unauthorised drugs or other suspicious substances found on NHS hospital premises, ARI Draft.
c) Misuse of Drugs Act 1971

**Document:** Drafted 15th December 2005  
Effective from 1st March 2006  
Reviewed May 2008

**Review date:** 2 years from date becomes effective or sooner if current recommendations change.
Form to be completed by person in possession of a suspected unauthorised drug or other suspicious substance

I _________________________________ (name), hereby confirm that I have been informed by the staff that the item(s) listed below appear to be suspicious and I agree to hand this/these over to management of the hospital.

Ward: ___________________________ Hospital: __________________________________

Description of Item and where it was found (s):

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________

I understand that the item(s) listed will not be returned to me and hereby give consent for the item(s) to be disposed of in accordance with the NHS Grampian Hospital protocol "Procedure for dealing with unauthorised drug or other suspicious substance found on a person or on NHS Grampian premises". In the event of on-going concern and/or insufficient co-operation, NHS Grampian hospital staff reserve the right to involve the police.

Signature: ______________________________________________________________________

Date: ____/_____/ 20____

To be filed in patients notes or within Ward/Department
APPENDIX B

Form for removal of suspected unauthorised drug or other suspicious substance

PART A: Description of a suspected unauthorised drug or other suspicious substance removed from a patient/visitor or found on NHS Grampian hospital premises
(to be completed by the member of staff finding the drug/suspicious substance and by the ward/department manager).

Form:…………………………(E.g. powder, tablets, capsules etc)   Colour:………………………………Quantity:…………………………

Removed from: Patient’s initials and Hospital number (if appropriate) and where exactly found: (e.g. right leg pocket or on floor right side of bed)
…………………………………………………………………………………………………………………………………………………………………………………………

Ward/Department……………………   Hospital…………………   Time/Date:………  ……/……/20……

Name of Finder:…………………………………… Name of Manager:……………………………………
Designation: .............................................. Designation: ..............................................
Signature: ……………………………………… Signature: ………………………………………

PART B: Action by Senior Nurse Manager on site and the person in charge of Ward/Department

We,…………………… (Senior Nurse Manager on Site) and  …………… (Ward/Depart. person in charge)
and …………………………………… (Pharmacist if applicable)

(1) are in agreement* (2) are not in agreement* that the suspected unauthorised drug or other suspicious substance found on the person or property of the above are of a quantity consistent with his/her own personal use.

Action: (1) We have therefore authorised the removal of the suspected unauthorised drug or other suspicious substance to the Pharmacy Department*
Action: (2) We have therefore contacted the police* *Delete item (1) or item (2) as appropriate

Signature:……………….  Senior (Nurse) Manager Signature:………………..Ward/Dept. person in charge
Signature:………………..Pharmacist (if applicable) Time/Date:…………………/……/20……

PART C: Removal to the Pharmacy of a suspected unauthorised drug or other suspicious substance (if applicable)

Pharmacist (if agrees with Part B) Witness:   Received into Pharmacy Witness:

Name: ………………………………… Name:………………………… Name:…………………………
Designation: …………………………… Designation: ……………………………
Signature: …………………………… Signature: ……………………………
Time/Date:…………………/……/20…… Time/Date:……… ……/……/20…… Time/Date:……… ……/……/20……

PART D: For completion when item(s) is/are uplifted by Police

Collected by: Witnessed by:
Name: …………………………… Name:…………………………
Designation: …………………………… Destination: ……………………………
Signature: …………………………… Signature: ……………………………
Time/Date:……… ……/……/20…… Time/Date:……… ……/……/20……
NOTICE TO PATIENTS/VISITORS

Removal of suspected unauthorised drugs or other suspicious substances

Where there is reasonable suspicion that unauthorised drugs or other suspicious substances are being brought into or sent to the hospital by whatever means, NHS Grampian Hospital staff reserve the right to request the recipient to open any packages or envelopes etc in their presence.

In the event of on-going concern and/or insufficient co-operation, NHS Grampian Hospital staff reserve the right to involve the police.

NHS Grampian Hospital staff also reserve the right to refuse entry, or request to leave, any person whose behaviour is deemed unacceptable for whatever reason.
Appendix D:

Flow chart 1 - What to do when a Patient is found in possession of a suspected unauthorised drug or other suspicious substance which is **FOR PERSONAL USE ONLY**

- **Patient in possession of a suspected unauthorised drug or other suspicious substance**
  - Advise possession unlawful and request it is handed over and patient to sign disclaimer form
    - **Voluntarily handed to member of staff**
      - Sign disclaimer form and then staff follow appendix A & B: Description of a suspected unauthorised drug or other suspicious substance removed from a patient or found on NHS Grampian hospital premises
        - Patient admitted for medical reasons
    - **Patient refuses to hand over**
      - **Call Senior Medical Staff**
        - Medical staff consider appropriate for patients continued admission
          - Advise again possession unlawful and that Police may be informed.
            - Still refuses to hand over substance
              - **Patient refuses to sign disclaimer form**
                - Record in patient’s notes signed by 2 members of staff
                  - Patient requested to leave premises
                    - Refuses to leave
                    - Inform police immediately 0845 6005700
                  - Patient needs to be admitted for medical reasons
Appendix E:

Flow chart 2 - What to do when a Visitor is found in possession of a suspected unauthorised drug or other suspicious substance which is FOR PERSONAL USE ONLY

Visitor in possession of a suspected unauthorised drug or other suspicious substance

Advise possession unlawful and request it is handed over and visitor to sign disclaimer form

Voluntarily handed to Member of staff

Visitor signs disclaimer form and then staff follow Appendix A & B: Description of a suspected unauthorised drug or other suspicious substance removed from a patient or found on NHS Grampian hospital premises

Visitor refuses to hand over suspected unauthorised substance and refuses to sign disclaimer form

Record in disclaimer form refusal by visitor to co-operate and have two members of staff sign form

Visitor then requested to leave premises

If visitor refuses to leave premises

Inform police immediately 0845 6005700
Appendix F:

Flow chart 3 - What to do when a patient or visitor is found in possession of a suspected unauthorised drug or other suspicious substance which is NOT FOR PERSONAL USE ONLY

Patient or Visitor in possession of a suspected unauthorised drug or other suspicious substance

Advise possession unlawful and request it is handed over and patient/visitor to sign disclaimer form

Voluntarily handed to Member of staff

Patient/Visitor refuses to hand over suspected unauthorised substance and refuses to sign disclaimer form

Record in disclaimer form refusal by patient/visitor to co-operate and have two members of staff sign form

Patient/Visitor signs disclaimer form and then staff follow Appendix A & B: Description of a suspected unauthorised drug or other suspicious substance removed from a patient or found on NHS Grampian hospital premises

Medical staff consider appropriate for the patients continued admission
Advise again possession unlawful and that Police may be informed.

Patient admitted for medical reasons

Call Senior Medical Staff for Patient Only

Inform police immediately
0845 6005700

Patient (If medical staff agree) or Visitor then requested to leave premises

If patient/visitor refuses to leave premises

If patient/visitor refuses to leave premises

Inform police immediately
0845 6005700