Forensic Science Regulator

Terms of Reference:

Drugs and Toxicology Specialist Group

FSR-TOR-DTSG-0001

1. Introduction

1.1 Purpose

1.1.1 This document sets out the terms of reference for the Forensic Science Regulator's Drugs and Toxicology Specialist Group.

2. Implementation

2.1.1 This issue of the terms of reference is effective from 27 January 2025.

3. Terms of Reference

3.1 Status

3.1.1 The Drugs and Toxicology Specialist Group (hereafter referred to as the "Specialist Group") is a Specialist Group established to advise the Forensic Science Regulator ("the Regulator") on matters within its remit.

3.2 Composition

3.2.1 The Specialist Group will be chaired by an individual appointed by the Regulator. The Chair can nominate a deputy chair or delegate it to the Office of the Forensic Science Regulator (OFSR).

3.2.2 Membership of the Specialist Group will comprise of persons in each of the following categories. Where stated, the relevant organisation will normally be invited to nominate a suitable person to the post.

a. Chair

    i. An individual appointed by the Regulator

b. Drugs and Toxicology expertise, representatives from:

    i. Royal Society of Chemistry (RSC)
    ii. Chartered Society of Forensic Sciences (CSFS)
    iii. United Kingdom and Ireland Association of Forensic Toxicologists (UKIAFT)
    iv. Association of Forensic Science Providers (AFSP)

c. Representation from other disciplines:

   i. Law Enforcement
   ii. Statistics
   iii. Mass Spectrometry

d. Chairs from the following FSR groups:

   i. Drug Testing Kits Working Group
   ii. S5A Toxicology Working Group
   iii. FSR Interpretation Specialist Group

e. Representatives from other advisory committees:

   i. Advisory Council on the Misuse of Drugs.

3.2.3 Each organisation will submit its proposed nomination for approval by the Regulator before appointment is confirmed.

3.2.4 The Regulator may amend the membership of the Specialist Group or invite other individuals to serve on the Specialist Group for limited periods of time where additional skills, knowledge or experience are required.

3.2.5 The Regulator reserves the right to terminate any member's appointment to the Specialist Group.

3.3 Remit

3.3.1 The Specialist Group will support the Regulator by providing advice on all matters related to Drugs and Toxicology.

3.3.2 The DTSG will advise the Regulator on matters relating to the regulation of drugs and toxicology forensic science activities (FSAs) including the development and maintenance of quality standards, assessing the effectiveness of the regulatory approach, horizon scanning for future regulatory requirements and detection of issues.

3.3.3 The Specialist Group will:

a. advise the Regulator on the definitions of FSAs set out in the Code to ensure they provide the basis for effective regulation.

b. advise the Regulator on the most effective mechanism for ensuring compliance with the requirements set out in the Code, this will include where appropriate advising on the application of ISO standards, the interpretation of ISO standards in respect of the undertaking of forensic science activities that are subject to the Code and the applicability of any guidance that is used in achieving accreditation where this is a requirement of the Code.

c. advise the Regulator on the general levels of risk to criminal investigations and proceedings in any of the FSAs under the remit of the Specialist Group.

d. advise the Regulator on recommended actions to address the levels of risk to criminal investigations and proceedings in any of the FSAs under the remit of the Specialist Group.

e. advise the Regulator on issues and opportunities in the regulation of drugs and toxicology FSAs and associated activities and advise the Regulator.

3.3.4 The Specialist Group will, following a request from the Regulator, develop standards, guidance, processes or policies for consideration by the Regulator and advise on any other matter relating to drugs and toxicology or related issues.

4. Operation

4.1 General

4.1.1 The Specialist Group will operate in accordance with a plan presented by the Chair and approved by the Regulator.

4.1.2 The Specialist Group will conduct its business out of committee as far as possible but will meet every six months.

4.1.3 No budget is delegated to the Specialist Group but such assistance as is reasonably required to enable the Specialist Group to undertake its duties will be provided, within available resources.

4.1.4 Membership of the Specialist Group is unremunerated. The Regulator may approve and facilitate the booking of travel on behalf of any members who are

unable to obtain/book travel through their employers. The Regulator's written approval must be obtained in advance of any commitment. There is no mechanism for reimbursement of travel/accommodation expenditure.

4.1.5 Where the business of the Specialist Group gives rise to the need for expenditure from the Regulator's budget, the Regulator's written approval must be obtained in advance of any commitment to the expenditure.

4.1.6 The Chair of the Specialist Group may establish such other procedures as they consider appropriate for the operation of the Specialist Group, providing that these are not inconsistent with the above.

4.2 Subsidiary groups

4.2.1 The Specialist Group may, with the approval of the Regulator, establish such groups as it considers necessary for the efficient and effective conduct of its business. Such groups will be constituted with clear written terms of reference and will report and work to the direction of the Specialist Group.

Subgroups

4.2.2 Generally a long-term group, continuing to work on ongoing issues to support the work of the Specialist Group.

Working Groups (WG)

4.2.3 Generally a task and finish group commissioned to work on a specific issue/one off problem to support the work of other Groups.

5. Conduct

5.1.1 Members of the Specialist Group are required to observe the Seven Principles of Public Life endorsed by the Nolan Committee on Standards in Public Life. The Nolan Principles of standards in public life | Good Governance (good-governance.org.uk). Each member must at all times act in good faith and observe the highest standards of impartiality, integrity and objectivity in relation to the conduct of the Specialist Group's business.

5.1.2 Any Specialist Group member has the right to bring to the attention of the Regulator any matter, which they believe raises important issues relating to

their duties as a member. In such cases the member should, before approaching the Regulator, raise their concerns with the Specialist Group Chair to establish whether they might be resolved within the Specialist Group.

5.1.3 The Chair of the Specialist Group will advise the Regulator when there is a range of views for consideration due to a lack of consensus within the Group. The Regulator will consider all views and will have the final decision on the matter or point.

6. Confidentiality

6.1.1 In accepting appointment to the Specialist Group, members are required to accept that there will be some information or documents presented to the Group that should not be disclosed without the approval of the Regulator. The information or documents will be marked official sensitive for the Group and this will be indicated when raised in committee, in handling information on documents or covering emails. This includes any documents marked with any Government Protective Marking Scheme security classification (including 'Official-Sensitive') and the content of any discussions relating to such information. Members must not make copies of any such documents and must follow the requirements provided by the Regulator and OFSR about their handling.

6.1.2 In accepting appointment to the Specialist Group, members are required to accept that all information or documents presented to the Group should not be used to gain their own/commercial/organisation's advantage.

7. Data Protection

7.1.1 The contact details that members provide will be used by the Regulator, or the Regulator's representatives, and shared amongst the membership of the Specialist Group to facilitate member's involvement in the activities of the Specialist Group as the Regulator deems appropriate.

7.1.2 Typically, this would mean that a member's email address would be visible to the Specialist Group, and those supporting its work, to allow for debate within

the Specialist Group. It would also allow for members to receive other communications as the Regulator sees fit.

7.1.3 A member's contact details will not be shared beyond the Specialist group and supporting staff without the member's permission.

7.1.4 Details of how the Regulator uses a member's personal information can be found in the Regulator's personal information charter which can be found at:

Personal information charter - Forensic Science Regulator - GOV.UK (www.gov.uk)

8. Modification

8.1.1 This is the first version of the terms of reference for the Drug and Toxicology Specialist Group and is identified as FSR-TOR-DTSG-0001.

8.1.2 The PDF is the primary version of this document.

8.1.3 The Regulator uses an identification system for all documents. In the normal sequence of documents this identifier is of the form 'FSR-###-###-####' where (a) (the first three '#') indicate letters to describe the type of document, (b) (the second three '#') indicate the working group activity and (c) (the third four '#') indicates a numerical code to identify the document. For example, this document is FSR-TOR-DTSG-0001, where the 'TOR' indicates that it is a Terms of Reference document and the DTSG refers to it relating to a specialist group. Combined with the issue number (this is issue 1) this ensures that each document is uniquely identified.

8.1.4 If it is necessary to publish a modified version of a document (for example, a version in a different language), then the modified version will have an additional letter at the end of the unique identifier. The identifier thus becoming FSR-###-###-####-#.

8.1.5 In the event of any discrepancy between the primary version and a modified version then the text of the primary version shall prevail.

9. Review

9.1.1 This document is subject to review by the Forensic Science Regulator at regular intervals.

9.1.2 If you have any comments on these terms of reference, please send them to the address as set out at the following web page: www.gov.uk/government/organisations/forensic-science-regulator or send them to the following email address: FSREnquiries@forensicscienceregulator.gov.uk.

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