

Future of Pharmacy Regulation in Northern Ireland

Consultation Response Questionnaire

Prepared by:

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Consultation Response Questionnaire

Background

The regulatory and professional leadership functions of the pharmacy profession in Northern Ireland are currently performed by one organisation, the Pharmaceutical Society of Northern Ireland (the Society). This dual role is counter to modern thinking across the UK on what constitutes effective and efficient regulation of healthcare professionals. The accompanying document sets out the case for change and seeks views on the proposed options for future pharmacy regulation in Northern Ireland. This questionnaire should therefore be read in conjunction with the full consultation.

The questionnaire can be completed by an individual health professional, stakeholder or member of the public or it can be completed on behalf of a group or organisation.

The questionnaire provides an opportunity to answer questions relating to specific proposals and/or to provide general comments on the proposals. It also provides an opportunity for respondents to give additional feedback relating to any equality or human rights implications of the proposals as well as the regulatory impact on business of the proposals suggested.

Responding to the consultation

How to respond

You can respond to the consultation document by e-mail, letter or fax using the accompanying questionnaire on the Department's website (www.dhsspsni.gov.uk/consultations).

If this document is not in a format that suits your needs, please contact us and we can discuss alternative arrangements.

Before you submit your response, please read Annex A of the consultation questionnaire about the effect of the Freedom of Information Act 2000 on the confidentiality of responses to public consultation exercises.

Responses should be sent to:

E-mail: pharmacyregulation@dhsspsni.gov.uk

Written: Workforce Projects Branch

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The closing date for responses is 5pm on the 14 June 2016

the regulation of pharmacy in Northern Ireland. Pharmacy Technicians are employed throughout the United Kingdom and are pivotal, as key members of the pharmacy team, to delivering safe and effective patient-centred care. Pharmacy Technicians throughout Great Britain (GB) are registered healthcare professionals with the regulator, the General Pharmaceutical Council. Although Pharmacy Technicians are qualified to the same level as those in GB, they are not currently registered in Northern Ireland.

PART A

The Department's proposal

Q1. DO YOU AGREE THAT THE REGULATION AND PROFESSIONAL LEADERSHIP FUNCTIONS SHOULD BE COMPLETELY SEPARATED AND UNDERTAKEN IN FUTURE BY TWO DISTINCT AND SEPARATE BODIES?

Strongly agree Agree Neither agree or disagree

Disagree Strongly disagree

Comments:

Yes: APTUK believe that the function of regulation should be seen to be independent and impartial in its actions and agrees that the role of professional leadership and regulation should be carried out by separate bodies to give the public assurance that there is no conflict between the functions.

Initial Regulatory Impact Assessment

Q2: PLEASE REVIEW THE INITIAL REGULATORY IMPACT ASSESSMENT AND DETAIL ANY FURTHER COSTS AND BENEFITS (BOTH MONETARY AND NON-MONETARY) WHICH YOU THINK THE DEPARTMENT SHOULD CONSIDER. PLEASE PROVIDE SUPPORTING EVIDENCE WHERE APPROPRIATE.

Comments:

APTUK believes that consideration should be given to both options 2 and 3, in respect of the grandparenting arrangements for the future registration of pharmacy technicians. Although option 3 indicates this is cost neutral and that this will be addressed in future, there is a potential cost associated with administering and scrutinizing grandparenting of pharmacy technicians with qualifications gained before those currently being undertaken. In addition, the number of practising pharmacy technicians should not be underestimated based on the GB experience of mandatory registration process. There were significantly more pharmacy technicians practising than originally estimated.

Analysis of options

Q3. IN YOUR VIEW, ARE THERE ANY OTHER VIABLE OPTIONS WHICH HAVE NOT BEEN CONSIDERED? PLEASE PROVIDE SUPPORTING RATIONALE FOR YOUR PROPOSAL.

Comments:

APTUK believes that the three high level options for the future arrangements for the regulation of pharmacy in Northern Ireland are appropriate.

Option One - The Society continues to function as both the regulator and professional leadership body

Q4. TO WHAT EXTENT DO YOU AGREE WITH THE DEPARTMENT'S VIEW THAT RETENTION OF REGULATION AND PROFESSIONAL LEADERSHIP FUNCTIONS IN THE SAME BODY IS NOT AN ACCEPTABLE OPTION?

Strongly agree Agree Neither agree or disagree

Disagree Strongly disagree

Comments:

APTUK strongly agrees that retaining the dual function is not appropriate in modern regulation.

Capacity and resilience of a future Northern Ireland arrangement

Q5. TO WHAT EXTENT DO YOU AGREE THAT A LACK OF SUFFICIENT CAPACITY AND FINANCIAL RESILIENCE WILL BE A CONCERN FOR A STAND-ALONE NORTHERN IRELAND BASED REGULATOR OF A RELATIVELY SMALL NUMBER OF REGISTRANTS?

Strongly agree Agree Neither agree or disagree

Disagree Strongly disagree

Comments:

The initial regulatory impact assessment suggests that increased costs would be associated with option 2. The economy of scale financial impact in option 3 appears to be a viable option. However, local regulation cannot be underestimated in terms of value and benefits for patient outcomes. In terms of the possible, and necessary in APTUKs opinion, regulation of pharmacy technicians, APTUK have concerns that developing processes from scratch would lead to a heavy administrative and financial burden. APTUK are concerned that this would delay any future regulation of pharmacy technicians.

Legislative considerations

Q6. TO WHAT EXTENT DO YOU AGREE THAT A STAND-ALONE NORTHERN IRELAND BASED REGULATOR FOR A RELATIVELY SMALL NUMBER OF PROFESSIONALS GIVES RISE TO VALUE FOR MONEY CONSIDERATIONS IN THE USE OF PUBLIC FUNDS?

Strongly agree Agree Neither agree or disagree

Disagree Strongly disagree

Comments:

APTUK believes that for pharmacy technicians a stand-alone NI regulator may be resource heavy and impact on the timeliness of future registration of this professional group.

Legislative considerations

Q7. PLEASE DETAIL ANY OTHER FACTORS IN RELATION TO A NORTHERN IRELAND BASED REGULATORY ARRANGEMENT WHICH YOU THINK THE DEPARTMENT SHOULD CONSIDER?

Comments:

Please refer to APTUK Response to Q2

Consistent UK-wide standards

Q8. TO WHAT EXTENT DO YOU AGREE THAT PUBLIC CONFIDENCE AND ASSURANCE IN THE REGULATION OF PHARMACY WOULD BE ENHANCED THROUGH CONSISTENT UK-WIDE STANDARDS?

Strongly agree Agree Neither agree or disagree

Disagree Strongly disagree

Comments:

APTUK strongly agrees that consistency of regulatory standards across the UK would be beneficial for patients and the profession. The same standards and regulatory requirements would be in place for all pharmacy staff and information to patients on professional standards and standards of practice would be consistent. Pharmacy Technician roles across the UK are mostly aligned as are the initial education and training standards which are the same for all pharmacy technicians in the UK.

Improved efficiency of the regulatory function

Q9.

A) TO WHAT EXTENT DO YOU AGREE THAT ENHANCED EFFICIENCIES EXIST WITHIN LARGER REGULATORY BODIES?

Strongly agree Agree Neither agree or disagree

Disagree Strongly disagree

B) HOW MIGHT THESE IMPACT ON THE DELIVERY OF MORE COST EFFICIENT AND EFFECTIVE REGULATION WHICH BETTER PROTECTS THE PUBLIC? PLEASE PROVIDE YOUR VIEWS.

Comments:

APTUK believes based on experience of GPhC regulation for GB Pharmacy Technicians in particular, that economy of scale brings advantages in delivering more rigorous, cost effective and efficient regulation, in that processes are developed and implemented for all registrants and reduces, to a certain extent, the burden of governance and systems.

Other issues to consider - Local influence on policy

Q10. TO WHAT EXTENT DO YOU AGREE THAT NORTHERN IRELAND COULD MAINTAIN SUFFICIENT INFLUENCE ON A UK-WIDE PHARMACY REGULATOR'S POLICY IN ORDER TO ADEQUATELY ADDRESS LOCAL NEED?

Strongly agree Agree Neither agree or disagree

Disagree Strongly disagree

Comments:

APTUK believes that systems could mirror those in place for pharmacy regulation in Scotland and Wales. APTUK would expect that the views and professional regulation of pharmacy technicians would be included in future governance.

Other issues to consider - Local influence on policy

Q11. PLEASE DETAIL ANY OTHER FACTORS IN RELATION TO A UK-WIDE REGULATORY ARRANGEMENT WHICH YOU THINK THE DEPARTMENT SHOULD CONSIDER?

Comments:

APTUK believes that this would bring consistency across the UK for the regulation of pharmacy technicians and indeed the whole pharmacy team.

It would also bring consistency of practice to UK and uphold the role and the effective utilisation of registered and regulated pharmacy technicians in the delivery of safe and effective patient centred care.

However, it does mean that Pharmacy Technicians from outside the UK would need to be registered with the UK Pharmacy regulator to practise in N.Ireland

Overview of the options

Q12. IN YOUR VIEW WHICH IS THE BEST FUTURE MODEL TO DELIVER MODERNISED AND STRENGTHENED STATUTORY REGULATION OF THE PHARMACY PROFESSION IN NORTHERN IRELAND:

- **A NORTHERN IRELAND BASED ARRANGEMENT?**
- **PART OF A UK-WIDE REGULATORY ARRANGEMENT?**

Comments:

APTUK believes that the best model for Pharmacy Technicians and the pharmacy technician profession is to be part of a UK-Wide regulatory arrangement.

Overview of the options

Q13. TO WHAT EXTENT DO YOU AGREE THAT A UK-WIDE ARRANGEMENT FOR PHARMACY REGULATION WOULD BE BEST DELIVERED BY GENERAL PHARMACEUTICAL COUNCIL?

Strongly agree Agree Neither agree or disagree

Disagree Strongly disagree

Comments:

APTUK believes that the GPhC would be the best regulator to deliver UK wide regulation as governance and system along with developing experience is already in place.

Overview of the options

Q14. DO YOU HAVE ANY OTHER COMMENTS YOU WISH TO MAKE IN RELATION TO THE OPTIONS?

Comments:

APTUK would be supportive of the regulation and registration of Pharmacy Technicians in N.Ireland through the GPhC.

Pharmacy technicians are already embedded into GPhC operations, such as the fitness to practise systems, accreditation systems etc and this would be beneficial to N.Ireland pharmacy technicians

Professional Leadership

Q15. TO WHAT EXTENT DO YOU AGREE THAT A SEPARATE LEADERSHIP BODY, WORKING INDEPENDENTLY FROM THE REGULATOR, STRENGTHENS THE PROFESSIONAL LEADERSHIP ARRANGEMENTS FOR PHARMACY?

Strongly agree Agree Neither agree or disagree

Disagree Strongly disagree

Comments:

Currently the Association of Pharmacy Technicians UK is the professional leadership body for pharmacy technicians in Northern Ireland and as such is independent from the Ireland regulator. In terms of UK wide representation, APTUK, as far as we are aware is the only organisation to represent pharmacy technicians across the UK and thus has a unique position.

APTUK aim to retain the Professional Leadership role in N. Ireland.

Professional Leadership

Q16. DO YOU HAVE ANY VIEWS ON HOW BEST THE PHARMACY PROFESSION MIGHT ESTABLISH STRONG, SUSTAINABLE PROFESSIONAL LEADERSHIP IN NORTHERN IRELAND?

Comments:

APTUK: Leading pharmacy technicians to deliver professional excellence for patient centred care.

APTUK, through strong, influential representative leadership, supports patient centred professionalism by encouraging in our membership, the attitudes and behaviours associated with outstanding healthcare professionals. We work on behalf of pharmacy technicians, championing and safeguarding the pharmacy technician profession, enhancing the education and scope of practice, by supporting the delivery of professional excellence and patient centred care for the health and wellbeing of patients and all pharmacy service users.

As above and in addition APTUK works collaboratively with the regulator, Royal Pharmaceutical Society, education and training providers and other key pharmacy stakeholders and believe this an effective and productive approach. APTUK represents pharmacy technicians at national level and responds to government, educational and practise consultations. APTUK includes a Community Pharmacy Technician Sounding Board and an Advisory Group plus other interest groups along with a national Branch network & Branch Day that all can provide additional communication routes.

Part B

Equality Implications

Section 75 of the Northern Ireland Act 1998 requires the Department to “have due regard” to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; between men and women generally; between persons with a disability and persons without; and between persons with dependants and persons without. The Department is also required to “have regard” to the desirability of promoting good relations between persons of a different religious belief, political opinion or racial group.

The Department has also carried out an equality screening exercise to determine if any of these recommendations are likely to have a differential impact on equality of opportunity for any of the Section 75 groups. At this stage, it is considered that a full Equality Impact Assessment will not be required.

We invite you to consider the recommendations from a section 75 perspective by considering and answering the question below.

EQUALITY IMPACT ASSESSMENT

Q1. ARE THE ACTIONS/PROPOSALS SET OUT IN THIS CONSULTATION DOCUMENT LIKELY TO HAVE AN ADVERSE IMPACT ON ANY OF THE NINE EQUALITY GROUPS IDENTIFIED UNDER SECTION 75 OF THE NORTHERN IRELAND ACT 1998?

Strongly agree Agree Neither agree or disagree

Disagree Strongly disagree

Comments:

APTUK can see no issues that would impact on the nine equality groups other than pharmacy technicians in the main are female and often work part-time. Therefore any future introduction of pharmacy technician registration needs to be cognisant of this when fee setting.

**Please return your response questionnaire.
Responses must be received no later than 5pm on the 14 June 2016
Thank you for your comments.**

FREEDOM OF INFORMATION ACT 2000 – CONFIDENTIALITY OF CONSULTATIONS

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. **Before** you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential. This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- The Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- The Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature;
- Acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see web site at: <http://www.informationcommissioner.gov.uk/>).

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