

Equality Impact Assessment

Section One: General Information:

1.1 Name of person completing this assessment:

**McKenzie HR Consultants in Consultation with the General
Pharmaceutical Council**

Function: Diversity and Equality

**Contact Tel No: Christine Gray, Head of Corporate Governance, General
Pharmaceutical Council 020 3365 3503**

1.2 Title of Policy/Service/Function/Project being assessed:

The General Pharmaceutical Council (Fees) Rules 2010
(Referred to hereafter as '*The Policy*').

Copy of policy attached to this assessment please tick



Equality Impact Assessment

Section One: General Information:

1.3 Is this policy, service, function or project: ✓

New

Existing

Proposed

Changing

When was it issued ?
(DD/MM/YY)

?

Please list below, any other policies or documents that are either related to the policy, service, function or project being assessed or are referred to within this assessment:

Articles 36 and 66(1) (c) *The Pharmacy Order 2010*

**The Council's register (which includes three parts). Register of:
1: Pharmacists, 2: Pharmacy Technicians and 3: Registered Pharmacies.**

General Pharmaceutical Council (Registration Rules) Order of Council 2010

General Pharmaceutical Council (Fitness to Practise and Disqualification etc. Rules) Order of Council 2010

Equality Impact Assessment

Section One: General Information (continued):

1.4 What are the principal aims of the policy, service, function or project being assessed ? For example, why does this exist within the GPhC (the Council) and what is it designed to achieve ?

The General Pharmaceutical Council proposes to make these Rules in exercise of the powers conferred by articles 36 and 66(1)(c) of the Pharmacy Order 2010 having consulted such persons and organisations listed in paragraphs (a) to (d) of article 36(6) and in paragraphs (a) to (h) of article 66(3) as it considered appropriate in relation to rules under Part 3 of that Order.

The principal aim of this policy is to detail the fees that will apply when:

A person applies to the Council to be entered in either 'Part One' of the Council's register; *Registered Pharmacists*, or Part Two' of the Council's register; *Registered Pharmacy Technicians*.

A person's application to the Council (as above) is successful and a subsequent entry is made in either 'Part One' or 'Part Two' of the Council's register.

An application is submitted as either a UK qualified person or a non-UK qualified person.

A request is made by an existing Pharmacist or Pharmacy Technician to amend / append the information held on the Council's register. For example, to detail specialisations or to request removal of an entry.

A person requests that the Council issue certificates of 'good standing or professional status' which details information relating to their registration with the Council.

Equality Impact Assessment

Section One: General Information (continued):

1.4 What are the principal aims of the policy, service, function or project being assessed ? For example, why does this exist within the GPhC (the Council') and what is it designed to achieve ?

The principal aims of this policy (continued)

An application is made to the Council to enter the details of premises into 'Part Three' of the Council's register *Registered Pharmacies*.

A person's application to the Council (as above) is successful and a subsequent entry is made in 'Part Three' of the Council's register

Other administrative work is performed by the council.

Equality Impact Assessment

Section One: General Information (continued):

1.4 **List the main activities of the policy, service, function or project being assessed.** For example, what does it involve? Are there any key milestones or achievements that can be measured as a result of its implementation? The aims of the policy are four fold:

- 1: To communicate the fees that will be charged by the Council when a person applies for registration on the Council's Register or applies to change existing information held on the Council's Register.
- 2: To set out the rules relating to the qualifications and experience required to be entered on the Council's register as either a *Pharmacist* or *Pharmacy Technician*.
- 3: To communicate the fees that will be charged by the Council when an application is made to register premises (as a registered Pharmacy) on the Council's Register.
- 4: To communicate the fees that will apply when the Council performs other administrative tasks, for example, determining the suitability of a qualification or period of work experience, dealing with dishonoured bank payments etc.

A key milestone, particularly in terms of equality, would be the availability of evidence that this policy is clearly understood by all persons who have reason to use it - particularly people for whom English is not their first language.

This could be measured by the Council, for example, by the use of feedback from individuals when registering for fees, (from the UK with particular emphasis for overseas pharmacists) surveys for all or a representative sample population post registration and via a process of internal consultation with the group of employees responsible for registration to ascertain how well the document is understood generally by the people that are using it.

Equality Impact Assessment

Section One: General Information (continued):

1.5 Who does this project involve and affect ?

Consider both the internal (employment) and external aspects.
For example, GPhC employees, members, pharmacists, pharmacy technicians, pharmacy owners, patients and other organisations or members of the public who have dealings with the GPhC.

This policy potentially involves and affects:

- (i) Overseas pharmacists who satisfy GB registration criteria
- (ii) All GB Registered Pharmacists.
- (iii) All GB Registered Pharmacy Technicians.
- (iv) All GB Registered Pharmacies.
- (v) Any person who applies (successfully or unsuccessfully) to the Council to be registered as a Pharmacist, Pharmacy Technician or any person wishing to register premises as a Pharmacy.
- (vi) Members of the public / other stakeholders who wish to access the information held on the Council's register.

1.6 What are the key performance indicators of this policy, service, function or project ?

As previously stated, to communicate the fees payable to the Council in connection with professional registration (persons or premises) and to ensure that Council's register contains details of suitably qualified / equipped individuals or premises.

The 'appeals' process and its effectiveness is also a key performance indicator.

Equality Impact Assessment

Section One: General Information (continued):

1.8 Was any *Equalities Research Data* utilised ✓

Yes

No

Equalities Research Data is internal or external information available (in relation to Equality) that was taken into account in the development or implementation of the policy, service, function or project being assessed. Examples might include internal employment information, staff or pharmacists surveys or research, information from the *Equalities and Human Rights Commission etc.* Where you believe there are gaps in research please state what further research could or should be undertaken. Please include your recommendations within the *Further Actions* section of this document (section 4.0).

Please list any *Equalities Research Data* used below:

At the time of completing this assessment, no evidence was available relating to the use of *Equalities Research Data* in the formulation of this policy.

A future recommendation for the Council would be to capture and analyse the profile of all applications for registration made by the six equality groups. This is particularly important as it would appear that policy can often be used as a decision making process – ergo it can create ‘successful’ and ‘unsuccessful’ applicants.

Capturing and monitoring the equality data of applicants would allow the Council to ascertain if any trends, in terms of equality exist. (For example, if a greater number of applications are refused to female applicants.)

Whilst any such trends may be coincidental or unintentional, it is important that the Council captures and analyses its own equality data for the purposes of awareness, prevention of discrimination and to constantly review its approach to ensure it promotes equality of opportunity to all equality groups.

Equality Impact Assessment

Section One: General Information (continued):

1.9 Who has been, or will be, consulted in the development or implementation of the policy, service, project or function being assessed ? Consultation should be with representatives of groups affected or directly involved. Please refer to Section 1.6 of this document.

The Council has published (in accordance with *The Pharmacy Order 2010*) a set of draft rules which are currently the subject of consultation with the people most likely to be affected by the introduction of any new rules.

The consultation on the draft rules covers:

- Fees
- Registration
- Appeals
- Statutory committees and their advisers
- Fitness to practise

There is a legal requirement (as part of *The Pharmacy Order*) that the Council must consult such persons or organisations that it considers appropriate before making rules under Parts 3 – 7 of the Order, and that rules cannot come into force until approved by order of the Privy Council (except in the case of the Fees rules).

Consultations on further sets of rules e.g. fees for 2011, continuing professional development and pharmacy owners and superintendents will take place later in 2010.

After the close of the consultation, the Council will review the outcome and ensure that any necessary amendments are made to the rules prior to seeking Privy Council approval and their coming into force. The consultation closes on 4 May 2010.

Equality Impact Assessment

Section Two: Screening Impact:

Assessing Positive Impact

Please tick *Yes* or *No* to the initial questions below

2.0 Could this policy, service, project or function have a major impact (*positive, negative or differential*) on GPhC employees, members, pharmacists, pharmacy Technicians/owners, members of the public or any other GPhC stakeholders ?

✓

✓ Yes	 No
----------	--------

2.1 Could this policy, service, project or function impact positively or differentially on any other different groups of people that have contact with the GPhC ?

✓

✓ Yes	 No
----------	--------

If you have answered *Yes* to either of the above questions, please complete Section 2.2. of this document (overleaf). Otherwise, please proceed to Section 2.3.

Equality Impact Assessment

Section Two: Screening Impact (continued) :

Assessing Positive Impact	
2.2 How does the policy, service, project or function impact positively on the following groups:	
Group:	Evidence:
Race	<p>The policy has a positive impact on people drawn from all <i>equality groups</i> in that the registration process effectively provides a 'kite mark' of registered and qualified pharmacists, pharmacy technicians and premises used as pharmacies.</p>
Gender	
Disability	
Sexual Orientation	
Religion / Belief	
Age	
Different Socio and Economic Groups	

Please now proceed to Section 2.4

Equality Impact Assessment

Section Two: Screening Impact (continued) :

2.3 Please state why, in your assessment, you consider that the policy, service, project or function is likely to have no *Positive Impact on Equality Groups*. Please attach evidence to support your assessment.

Not applicable

Equality Impact Assessment

Section Two: Screening Impact (continued) :

Assessing Adverse Impact

Please tick Yes or No to the following questions and where available, provide evidence to support your answers.

2.4 Could this policy, service, project or function impact adversely or differentially on different equality groups ?

<input checked="" type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------

Yes No

Do people from different equalities groups have different expectations and needs of or from this policy, project service or function ?

<input checked="" type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------

Yes No

Is there evidence that any part of the policy, project, service or function could discriminate unlawfully either directly or indirectly against any equality groups ?

<input checked="" type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------

Yes No

If you have answered yes to any of the above questions, please complete Section 2.5. of this document (overleaf) otherwise, please proceed to Section 2.6

- 2: Adversely impact is where the affect or impact of the policy, service, project or function results in less favourable treatment, discrimination or disadvantage which may be direct, indirect or not immediately obvious and is not capable of being justified.
- 3: Equality groups are people of a different *Race, Gender, Religion/Belief, Sexual Orientation, Age Disabled* people and people drawn from different *Socio and Economic* groupings. Note that at the time of writing, the assessment of *Socio and Economic Groupings* should be performed at a 'strategic level only'¹.

1 Draft Government Guidelines on Interpreting *The Equality Bill 2010*

Equality Impact Assessment

Section Two: Screening Impact (continued) :

2.5 How does the policy, service, project or function adversely impact on the following groups:

Group:	Evidence:
Race	<p>Different rules and fees apply for 'overseas applications' (Section 2 of the policy). Whilst not inevitable, it is more likely than not, that overseas applications will be made by non British applicants and therefore potentially people from ethnic minorities.</p> <p>As a result of performing this equality impact assessment, a number of risks of potential inequality to people of different races have been identified. It is recommended that the Council investigate the points listed below and as a result of this investigation, either amends the policy to remove these risks or adds supplementary information to the policy to provide objective justification for this potential inequality.</p> <p>1: A person applying from overseas to be a Pharmacy Technician must satisfy the following criteria to meet registration standards:</p> <ul style="list-style-type: none"> (i) Hold a qualification equivalent to the UK S/NVQ level 3 (ii) Completed a specified period of work experience <u>in the United Kingdom</u>. The fastest method of completion requires a minimum of 28 hours per week over at least a two year period. <p>By way of comparison, a 'suitably qualified UK person' (policy quote) can gain registration by completing just 14 hours per week work experience over a two year period via a 'route (b) application.</p> <p>There are two considerations for the Council in respect of the above:</p> <p>1: If the Council accepts certain overseas qualifications as comparable to that of the UK, should the same not apply to work experience ?</p> <p>2: How the Council will provide objective justification of the difference in acceptable work experience required of overseas applicants and 'route b' UK applications ?</p>

2.5 How does the policy, service, project or function adversely impact on the following groups: (continued)

Group:	Evidence:
Race (continued)	<p>The fee to register as a Pharmacy Technician for a UK applicant (via a route A application) is £ 49.00.</p> <p>For an overseas applicant (identical criteria required) the fee is £ 234.00. As previously stated, it is recommended that this disparity is investigated and either amended or supplementary information provided to justify this different treatment.</p> <p>Further recommendations in this area include:</p> <p>1: That this policy is made available in number of different languages. This should be particularly directed towards countries where frequent applications are made to the Council. It is not evident from the Fitness to Practise guidelines whether a high standard of written and spoken English is a requirement for all pharmacists and pharmacy technicians for reasons of risk, health and safety to the general public. It may be that in UK communities where English is rarely spoken and for example Urdu is a primary language requirement that a high standard of spoken English is not required, drug labelling will be in English.</p> <p>2: Examples of non UK equivalent qualifications are listed within the appendices of this policy document.</p> <p>There is a requirement to monitor and analyse ethnicity during the registration process</p>

2.5 How does the policy, service, project or function adversely impact on the following groups: (continued)

Group:	Evidence:
Gender	<p>The requirement to work a minimum of 28 hours per week for two out of the four years prior to registration, may prove to be harder to comply with by women than men. Particularly during pregnancy and school years for children when it is law and common practice in the UK to offer flexible working</p> <p>This is an area which should be explored as part of future consultations relating to this document.</p> <p>There is a requirement to monitor and analyse gender during the registration process</p> <p>Note: Gender reassignment should also be monitored</p>
Disability	<p>The policy is published in very small font and is supplied as a PDF file. It is recommended that this document be provided in different formats or in larger print to make adjustments for applicants who have visual impairments.</p> <p>There is a requirement to monitor and analyse disability during the fee registration process</p>

2.5 How does the policy, service, project or function adversely impact on the following groups: (continued)	
Group:	Evidence:
Sexual Orientation	No impacts identified. However, there is a requirement to monitor and analyse sexual orientation during the registration process
Religion / Belief	No impacts identified other than the need to monitor and analyse registration applications and success rates, as previously advised, to identify potential inequality issues.
Age	The minimum work experience criteria of two years (Pharmacy Technicians) should be explained / justified as it could be potentially more difficult for younger people to comply with this requirement. There is a requirement to monitor and analyse age during the registration process
Different Socio and Economic Groups	<p>The forthcoming duty to promote equality, at a strategic level, to people of different <i>Socio and Economic Groups</i> is likely to be introduced in the UK during 2010 as part of <i>The Equality Bill</i>.</p> <p>It is recommended that the Council captures and monitors the locations (for example the postcodes) of all applications for registration of premises as licensed pharmacies.</p> <p>This will allow the Council to identify if any particular areas / geographical regions are more likely to be successful or less successful when applying for registration.</p> <p>It is recommended that registration success and rejection rates are compared to national socio and economic profiling data to establish if any particular socio / economic regions or areas within the UK are disadvantaged by the Council's registration rules and processes.</p>

Please now proceed to Section 3.0

Equality Impact Assessment

Section Two: Screening Impact (continued) :

2.4 Please state why, in your assessment, you consider that the policy, service, project or function is likely to have no *Adverse Impact on Equality Groups*. Please attach evidence to support your assessment

Not applicable

Equality Impact Assessment

Section Three: Promoting Inclusivity:

3.0 How does this policy, project, service or function contribute towards the provision of fair and equal treatment to all people who have contact or dealings with the GPhC as detailed within the GPhC Equality and Diversity Policy:

The results of both the consultation exercise and the implementation of the action points raised as part of this Equality Impact Assessment will ensure that this policy gives due consideration as to how equalities will be incorporated into both the registration processes and the corresponding fees charged by the Council.

Equality Impact Assessment

Section Three: Promoting Inclusivity (continued) :

3.2 How will you ensure that this policy, project service or function is continuously communicated to and available to all equality groups ?

As a result of performing this Equality Impact Assessment, it has been identified that this policy should be (potentially – see notes) made available in both different languages and formats.

As detailed in this EqIA monitoring and analysing the equality strands as well as obtaining feedback is key. By carrying out this exercise at the different stages of the registration process, evidence will be available as to any inconsistencies which may require further investigation or changes to remove any adverse impacts and to positively promote equality.

The policy is also the subject of formal consultation.

3.3 Is there an opportunity to promote equality and diversity in developing this policy? Please explain.

Fundamentally, the policy has been developed to communicate both the rules and fee structures charged by the Council in relation to registration.

Whilst the policy itself does not necessarily 'promote' equality, by implementing the action points recommended as part of this *Equality Impact Assessment*, the Council will be identifying and addressing the equalities issues that currently exist in relation to this policy.

Equality Impact Assessment

Section Four: Further Actions:

4.1 What are your specific actions/recommendations to amend this policy/project/service (based on your responses to Sections 2 and 3).

	Proposed Action	Timescale	Responsible Lead	Measure/Outcomes
1:	Feedback from and survey both the users of this policy and the employees responsible for processing registration applications within the Council to ascertain how well the document is understood generally by service users.			
2:	Capture equality information (all six equality groups) of applicants, success rates, rejection rates etc. within the registration process.			
3:	Monitor the above information to identify any equality related trends.			

Section Four: Further Actions:

	Proposed Action	Timescale	Responsible Lead	Measure/Outcomes
4:	Complete the formal consultation exercise in relation to this document.			
5:	Remove or provide objective justification for the different rules applying to work experience for UK and overseas applications			
6:	Remove or provide objective justification for the different fees applied to UK and overseas applications in both registration and determining qualifications and experience			
7:	Publish this policy in a range of other languages (if applicable refer to notes) – based on historical data of overseas applications.			

Section Four: Further Actions:

	Proposed Action	Timescale	Responsible Lead	Measure/Outcomes
8:	Consult with applicants from both genders relating to the work experience rules to ensure that these do not represent indirect discrimination.			
9:	Publish this policy in a range of different formats and font sizes to meet the needs of visually impaired applicants.			
10:	Capture and monitor Premises (part 3 registration) applications to identify any geographical Socio and Economic trends in both acceptance and rejection rates.			
11:	Benchmark this document with similar professional regulatory bodies to gain an insight into how equality and diversity is promoted as part of the registration process within similar organisations.			
12:	Include within this document, reference to equality strands, fairness and inclusivity.			

Equality Impact Assessment

Section Four: Further Actions: (continued) :

4.2 How do you intend to monitor and report on the impact of the project, policy, service or function and the associated recommendations and actions ?

Via both the consultation process and agreed period of reviews of the action points raised as part of this and other Equality Impact Assessments performed within the Council.

Equality Impact Assessment

Section Five: Assessment Approval:

5.1 This Equality Impact Assessment has been completed by:

Signed **Date**.....

This Equality Impact Assessment has been examined and is approved / signed off on behalf of the GPhC

Signed **Date**.....

Notes:

Completed assessments must be sent to: