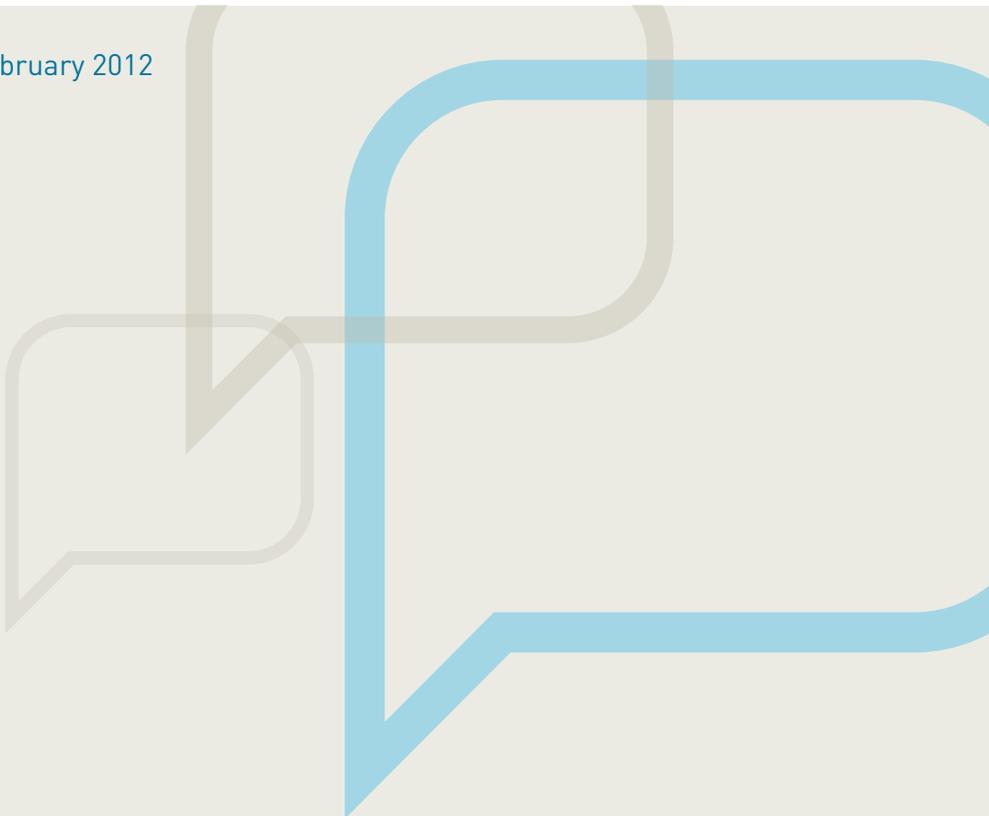


Guidance on raising concerns

February 2012



The General Pharmaceutical Council is the regulator for pharmacists, pharmacy technicians and registered pharmacy premises in England, Scotland and Wales. As part of our role, we set the standards which govern the practice of pharmacists and pharmacy technicians.

The issue of raising concerns has been the subject of several high-profile cases in the past twenty years, including the inquiry into Bristol Royal Infirmary and the Shipman Inquiry. The Health Select Committee highlighted in two public reports¹ the importance of healthcare professionals raising concerns. It is therefore important to give pharmacists and pharmacy technicians guidance on this subject. We must make sure that we all learn from past incidents and the experiences of other regulators.

About this guidance

This guidance should be read alongside the **standards of conduct, ethics and performance** which all pharmacists and pharmacy technicians must apply to their practice.

This document gives guidance on standards 1.2, 2.4 and 7.11 of the standards of conduct, ethics and performance, which say:

- You must take action to protect the well-being of patients and the public.
- You must be prepared to challenge the judgement of your colleagues and other professionals if you have reason to believe that their decisions could affect the safety or care of others.
- You must make the relevant authority aware of any policies, systems, working conditions, or the actions, professional performance, or health of others if they may affect patient care or public safety. If something goes wrong or if someone reports a concern to you, make sure that you deal with it appropriately.

The status of this guidance

This document gives guidance to pharmacy professionals on how to raise concerns. The guidance explains the importance of raising concerns and the steps that a pharmacy professional will need to consider taking.

It also contains extra guidance specifically for employers. You can find the contact details of organisations that may be able to give further support and guidance in section 6 of this document.

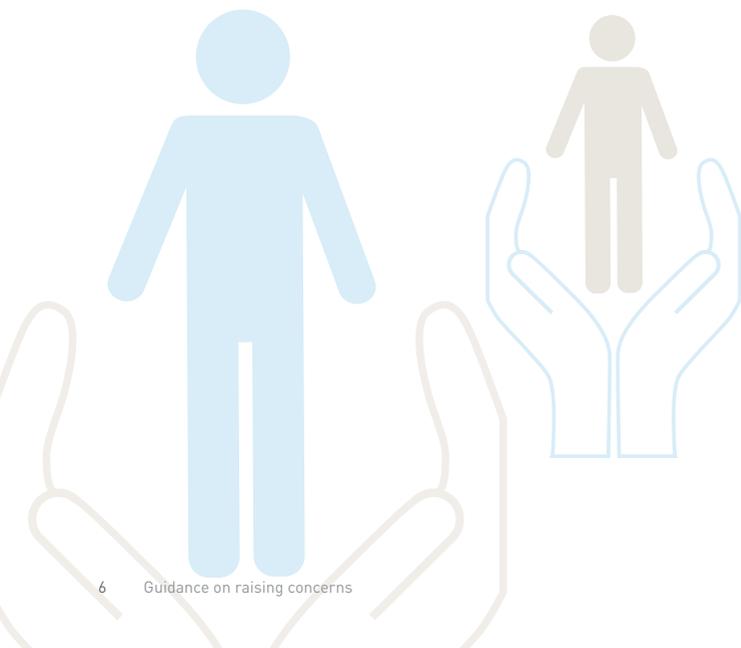
You must make sure that you keep up to date with and follow any NHS or employment policies for raising concerns where you practise. You must also make sure that all staff members you are responsible for are aware of this guidance and appropriately trained.

¹ <http://www.parliament.uk/business/committees/committees-a-z/commons-select/health-committee/news/11-07-26-nmcreportpublished/>

1 The importance of raising concerns

Every pharmacy professional has a duty to raise any concerns about individuals, actions or circumstances that may be unacceptable and that could result in risks to patient and public safety.

- 1.1 You have a professional responsibility to take action to protect the well-being of patients and the public. Raising concerns about individual pharmacy professionals, the staff you work with (including trainees), employers and the environment you work in is a key part of this.
- 1.2 This includes raising and reporting any concerns you have about the people you come into contact with during the course of your work, including pharmacists, pharmacy technicians, pharmacy owners, managers and employers, other healthcare professionals or people responsible for the care of a patient, such as carers, care home staff or key workers. It includes concerns about behaviours, competency, the working environment and any actions that may compromise patient safety.



1.3 We recognise that you may be reluctant to raise a concern for a variety of reasons. For example, you may be worried that:

- you will cause trouble for your colleagues
- there may be a negative impact on your career
- it may lead to difficult working relationships with your colleagues
- you could face reprisals
- nothing will be done as a result of the concern being raised.

Raising concerns at an early stage can help to identify areas of practice that can be improved. It allows employers, regulators and other authorities to take corrective action as quickly as possible and before any direct harm comes to patients and the public.

1.4 You must remember that:

- your professional duties to safeguard patient and public safety must come before any other loyalties or considerations
- failing to raise concerns about poor practice could result in harm to patients
- the Public Interest Disclosure Act 1998 (PIDA) protects employees who raise genuine concerns and expose 'malpractice' in the workplace
- if you do not report any concerns you may have about a colleague or others it would be a breach of our standards of conduct, ethics and performance, and this may call into question your own fitness to practise.

2 How to raise a concern

How you raise a concern will vary, depending on:

- the nature of your concern
- who or what you are concerned about, and
- whether you consider there is a direct or immediate risk of harm to patients or the public.

If you are not sure whether or how to raise your concern you should get advice from one of the organisations listed in section 6.

You have a professional responsibility to raise genuine concerns. You have this responsibility whether you are an employer, employee, a locum or temporary staff.

You should normally raise your concern with your employer first, before taking it to a regulator or other organisation.

2.1 Find out your organisation's policy

You should find out your employer's policy on raising concerns or 'whistle blowing' and follow this whenever possible.

2.2 Report without delay

If you believe that patients are or may be at risk of death or serious harm you must report your concern without delay.

2.3 Report to your immediate supervisor

The person you report your concerns to will vary depending on the nature of your concern. In most situations, you will be able to raise your concerns with your line manager.

2.4 Report to another suitable person in authority or an outside body

There may be some situations when it isn't possible to raise your concerns with your line manager. For example, they may be the cause of your concern or may have strong loyalties to those who are the cause of your concern. In these situations, you may need to speak to:

- a person who has been named as responsible for handling concerns
- a senior manager in the organisation, for example a chief pharmacist, pharmacy owner or superintendent pharmacist or non-pharmacist manager
- the primary care organisation (including the accountable officer if the concern is about controlled drugs)
- the health or social care profession regulator²
- the relevant systems regulator for the organisation³.

2.5 Keep a record

You should keep a record of the concerns you have, who you have raised them with and the response or action that has been taken as a result of your actions.

2.6 Maintain confidentiality

If your concern is about a specific person, for example a patient or colleague, you should, where possible, maintain confidentiality and not disclose information without consent.

² The healthcare regulators are: General Chiropractic Council; General Dental Council; General Medical Council; General Optical Council; General Osteopathic Council; Health Professions Council; Nursing and Midwifery Council; General Pharmaceutical Council and Pharmaceutical Society of Northern Ireland. The social care regulators are the Care Council in Wales; General Social Care Council in England; Northern Ireland Social Care Council and the Scottish Social Services Council.

³ These include, within the hospital setting, the Care Quality Commission in England, the Health Inspectorate Wales, Healthcare Improvement Scotland and the General Pharmaceutical Council if the concern is about registered pharmacy premises.

3 The law

The PIDA sets out a step-by-step approach to raising and escalating your concern. It aims to protect you from unfair treatment or victimisation from your employer if you have made certain disclosures of information in the public interest.

Under the PIDA you should raise a concern about issues which have happened, or which you reasonably believe are likely to happen, and involve:

- a danger to the health or safety of an individual (for example, irresponsible or illegal prescribing, patient abuse, or a professional whose health or fitness to practise may be impaired)
- a crime, or a civil offence (for example, fraud, theft, or the illegal diversion of drugs)
- a miscarriage of justice
- damage to the environment
- a cover-up of information about any of the above.

This is not a full list. Section 6 gives contact details for other sources of information if you have a concern and you are unsure about whether or how you should raise it.

4 Extra guidance for employers

It is important that employees know about the procedures to follow if they have a concern about a colleague or the organisation they work in. There should also be procedures to identify concerns that should be referred to a regulatory body such as ourselves. Creating an open working environment where your employees feel comfortable raising concerns will safeguard patient safety by helping to identify and therefore improve poor practice.

- 4.1 Make sure you have fair and robust policies and procedures to manage concerns that are raised with you. These policies and procedures need to be accessible to all staff.
- 4.2 Encourage all staff, including temporary staff and locums, to raise concerns about the safety of patients, including risks posed by colleagues.
- 4.3 Make sure that all concerns raised with you are taken seriously and the person who has raised them is not victimised.
- 4.4 Make sure that all concerns are properly investigated and that all staff, including temporary staff and locums, are kept informed of the progress.
- 4.5 Have systems in place to give adequate support to pharmacy professionals who have raised concerns, and treat any information you are given in confidence.

- 4.6 Take appropriate steps to deal with concerns that have been raised because of a failure to maintain standards.
- 4.7 Have systems in place to support pharmacy professionals who are the subject of the concern, whether it is due to their poor performance, health or behaviour.
- 4.8 Keep appropriate records of any concerns raised and the actions taken to deal with them.
- 4.9 Pass records of concerns raised to the manager or superintendent pharmacist so that they can consider an overall assessment of the concerns.
- 4.10 Do not stop anyone from raising a concern.



5 Where to go for more advice

For more information on the PIDA and how to raise your concern under this employment legislation you may want to contact the charity Public Concern at Work (PCaW). This is an independent charity that gives free, confidential legal advice to people who are not sure whether or how to raise concerns about ‘malpractice’ at work.

If you are not sure whether or how to raise your concern you should get advice from:

- senior members of staff in your organisation
- the accountable officer, if the concern is about controlled drugs
- your professional indemnity insurance provider, professional body or other pharmacy organisation
- the General Pharmaceutical Council or, if your concern is about a colleague in another healthcare profession, the appropriate regulatory body
- the charity Pharmacist Support
- your union
- an independent legal advisor.

6 Other sources of information

Association of Pharmacy Technicians UK

One Victoria Square,
Birmingham, B1 1BD
Phone: 020 7121 5551
www.aptuk.org

Guild of Healthcare Pharmacists

Health Sector, Unite the Union,
Unite House, 126 Theobald's Road,
London, WC1X 8TN
Phone: 0203 371 2009
www.ghp.org.uk
www.ghpscot.org.uk

National Pharmacy Association

Mallinson House, 38-42 St Peter's Street,
St Albans AL1 3NP
Phone: 01727 858687
www.npa.co.uk

National Whistleblowing Helpline

Phone: 08000 724 725

Pharmacists' Defence Association

The Old Fire Station, 69 Albion Street,
Birmingham B1 3EA
Phone: 0121 694 7000
www.the-pda.org

Pharmacist Support

Phone: 0808 168 2233 (freephone)
www.pharmacistsupport.org

Public Concern at Work

Suite 301, 16 Baldwins Gardens,
London EC1N 7RJ
Phone: 020 7404 6609
www.pcaw.co.uk

Royal Pharmaceutical Society

1 Lambeth High Street, London SE1 7JN
Phone: 0845 257 2570
www.rpharms.com

UNISON

UNISON Centre, 130 Euston Road,
London NW1 2AY
Phone: 0845 355 0845
www.unison.org.uk

More information

If you would like copies of this document in Welsh, please go to www.pharmacyregulation.org/standards/guidance where you can download a PDF. If you are seeking this document in other formats, please contact our communications team:
Email: communications@pharmacyregulation.org

If you have questions or comments about the content of this guidance, please contact our Standards Team:

Standards Team
General Pharmaceutical Council
129 Lambeth Road
London
SE1 7BT

Phone: 0203 365 3460
Email: standards@pharmacyregulation.org

We have also produced guidance on other topics that you may find useful:
www.pharmacyregulation.org/standards/guidance

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