Responding to devolution

Purpose
To agree a strategy to ensure pharmacy regulation is developed in a way which is responsive to devolution in Scotland and Wales

Recommendations
The Council is asked to agree:

i. the devolution strategy set out in Appendix 1

ii. that opportunities for joint appointments and/or shared premises with other professional regulators in Scotland and Wales be investigated

iii. that further detailed work is carried out on cost and resource implications and that further consultation and engagement be carried out with key interest groups in Scotland and Wales.

1.0 Introduction

1.1 Council has already endorsed the principle that pharmacy regulation must be responsive to, and reflective of, developments in England, Scotland and Wales.

1.2 These developments are likely to include changes in legislation for which the Scottish Parliament and Welsh Assembly have competency, changes in professional working practices as well as the variety of patient and public involvement structures across the United Kingdom.

1.3 The recent health white paper, Equity and Excellence: Liberating the NHS, published by the Department of Health (England), sets out a new structure for the delivery of healthcare in England. The policy proposals contained within the
white paper demonstrate increasingly divergent policies in healthcare delivery in England to other parts of the UK. It will be important for effective pharmacy regulation that the GPhC identifies and reflects these divergent policies in the development of its own standards and guidance for the pharmacy profession across Great Britain.

1.4 A draft strategy (Appendix 1) has been developed to ensure regulation by the GPhC identifies and reflects these divergent policies in our work and that we are engaging effectively with all key interest groups in pharmacy across the UK.

1.5 Furthermore, as part of the commitment of Council to engaging with key interest groups across the UK, it has agreed to hold meetings in Edinburgh and Cardiff as well as in London, during the first year of taking on legal responsibility for regulating pharmacists, pharmacy technicians and pharmacy premises.

1.6 The Council is also required to have at least one person on the Council who lives or works wholly or mainly in each of the three participating countries to help ensure regulation reflects the differences in health service delivery in England, Scotland and Wales.

2.0 Key considerations

2.1 The draft strategy set out in Appendix 1 reaffirms the vision and values agreed by Council.

2.2 The other healthcare professional regulators have a public commitment to engaging effectively with key groups across the UK. However, there is significant variation in how this is demonstrated.

2.3 Preliminary discussions have been had with a number of other regulators and these will continue with a view to establishing formal, interim, arrangements as soon as practical to assist the GPhC in carrying out the proposed activities for the first two years of operation as set out in the draft strategy.

2.4 We would propose to keep these under review to ensure the arrangements are cost effective and that we retain flexibility to enhance our presence if required.

3.0 Equality and diversity implications

3.1 The development of a devolution strategy has a number of implications for equality and diversity.

3.2 Engaging effectively with all key interest groups across the UK and having policies reflective of the differences in healthcare delivery and pharmacy
practice is critical to the GPhC’s commitment to equality and diversity.

3.3 Consulting effectively with patient groups and others in a way that ensures accessibility, for example through the Welsh Language Scheme, will also support equality and diversity.

4.0 Communications implications

4.1 A significant part of the devolution strategy focuses on the requirement to communicate effectively with key audiences across the UK.

5.0 Resource implications

5.1 There will be resource implications associated with engaging effectively in Scotland and Wales. These will be identified in more detail alongside specific proposals developed following further consultation and engagement in Scotland and Wales.

6.0 Risk implications

6.1 Failure to engage effectively in all countries of the UK where the GPhC is the competent authority carries significant risks, both in terms of failure to develop appropriate regulatory policy consistent with legislative requirements locally and also in terms of reputation risk.

Recommendations

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i. the devolution strategy set out in Appendix 1

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iii. that further detailed work is carried out on cost and resource implications and that further consultation and engagement be carried out with key interest groups in Scotland and Wales.

Hugh Simpson, Director of Policy and Communications
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1.0 **Introduction**

1.1 The General Pharmaceutical Council (GPhC) is the regulator for pharmacists, pharmacy technicians and pharmacy premises in Great Britain. It is our job to protect, promote and maintain the health, safety and wellbeing of patients and the public who use pharmaceutical services in England, Scotland and Wales.

1.2 The GPhC is a newly established regulator. This document sets out our strategy for the first two years of GPhC operation, to ensure pharmacy regulation is developed in a way which is responsive to devolution in Scotland and Wales.

2.0 **Our Purpose**

2.1 We will protect and promote the health and safety of patients and the public by assuring the maintenance and development of safe and effective pharmacy practice in Great Britain. We will also contribute to the continued development of trust and confidence in pharmacy by patients and the public and other health professionals.

3.0 **Devolution and regulation**

3.1 As a statutory regulatory body we work within the remit of our legislation and the relevant legal and political context. It is not for the Council to have a political position on devolution, however it is our responsibility is to provide effective regulation taking into account the current devolved settlement and any further developments in devolution.

3.2 The General Pharmaceutical Council does not have regulatory responsibility in relation to Northern Ireland. Any change to this situation is a matter for the Northern Ireland Assembly. We will continue to work closely with the Pharmaceutical Society of Northern Ireland and engage with colleagues in Northern Ireland and the Department for Health, Social Services and Public Safety on regulation and safety issues of interest across the UK.

4.0 **Our Vision and Values**

4.1 We aim to secure the confidence of patients, the public and pharmacy professionals by being a healthcare regulator that demonstrates effectiveness and efficiency and supports innovation in delivering its functions. We will ensure that our values are at the heart of everything we do and as a regulator we will endeavour to:

(a) be focused on improvement
(b) be responsive to change
(c) develop policies that are inclusive
(d) be independent and fair
(e) demonstrate respect for others
(f) ensure that regulation is proportionate

4.2 As a Council, we have adopted the Nolan principles of public life and have undertaken to apply these in exercising our role as a governing body.

4.3 You can find out more about our equality and diversity scheme by clicking here: [link].

4.4 You can find out more about the role of pharmacy professionals by clicking here: [link].

5.0 Living up to our values in the context of devolution

5.1 Our focus on improvement means that we aim to ensure that our standards and the ways in which we use our regulatory powers keep pace with changes in pharmacy practice, recognising that the ways in which services are organised and delivered vary in different parts of Great Britain.

5.2 We will be responsive to change in the needs and expectations of patients and the public in different parts of Britain, and to changes in pharmacy, or in pharmacy education, which may be specific to a particular country of Great Britain.

5.3 We will develop policies that are inclusive of people who work and live in all types of communities and locations throughout England, Scotland and Wales. We will not assume that one particular population’s experience of pharmacy is identical to another’s.

5.4 We recognise and appreciate the different roles and responsibilities of the UK Parliament and Government; the Scottish Parliament and Scottish Ministers; the Welsh Assembly and Welsh Ministers, and their respective health departments. As an independent and fair regulator, we operate independently of government bodies, within the legal framework established through the parliamentary process. We also operate independently of pharmacy professionals and pharmacy owners. We understand that fairness does not always mean treating people in the same way, if circumstances are different, as they may be in
different parts of Great Britain. Process may vary; we seek consistency of outcome in terms of public safety and standards.

5.5 We will demonstrate respect for others by being thoughtful about the language we use and by working to appreciate the differing experiences, concerns and aspirations of people in different parts of Great Britain. We have already begun development of a Welsh Language Scheme as part of our commitment to complying with the requirements of the Welsh Language Act 2003. This will be consulted upon and considered by Council once we have received formal notification of the requirement for a scheme from the Welsh Language Board.

5.6 Our commitment to making sure regulation is proportionate includes a recognition that the costs and benefits of regulatory requirements are affected by the context in which pharmacy services are delivered, which may vary according to location. Proportionate regulation also means our ensuring that the costs of implementing our devolution strategy are themselves kept in proportion to the benefits and costs of all our regulatory and corporate activity.

6.0 What we will do

6.1 During the first two years of operation our work will focus on three key themes:

(a) Delivering effective regulation
(b) Establishing ourselves
(c) Developing our future programme

6.2 These themes are supported by a number of strategic objectives, which are set out in our Vision and Strategy document. During our first two years of operation we will take the following steps, to support our objectives from a devolution perspective:

a. We will hold at least one GPhC Council meeting in England, Scotland and Wales each year.

b. We will be proactive and opportunistic in participating in a wide range of relevant meetings, seminars, conferences and other events in Scotland and Wales, and in England outside London.

c. We will seek to build and maintain high-level relationships at ministerial and senior official levels in Scotland and Wales as well as at the UK level.

d. We will ensure that we engage fully with the Scottish Parliament and Welsh Assembly in the development of pharmacy regulation and contribute to debates where we may be able to assist.
e. We will hold regular meetings and informal discussions with relevant country-specific patient, public and professional groups, and with each of the national Chief Pharmaceutical Officers/Advisers and their senior health department colleagues to ensure we are responding appropriately to developments in both Scotland and Wales.

f. We will work in partnership with relevant country-specific regulatory and public bodies to ensure the views of all key interest groups are considered in the development of GPhC policies.

g. We will ensure we engage effectively with both the public and the profession in Scotland and Wales including communicating through appropriate media channels.

h. We will work with one or more of the other health professions regulatory bodies to identify opportunities to develop our presence further in Scotland and Wales. We expect that this will include appointment of staff in each of these countries. To ensure that this is cost effective we are exploring the opportunity to make appointments jointly with another regulatory body.

i. We will consider – and consult widely on - the business and financial case for development of a GPhC office presence outside London, in the context of a wider discussion of GPhC accommodation strategy.

6.3 Ensuring we engage effectively with key interest groups across Great Britain is a priority for the GPhC. We will continue to review our activities and presence in Scotland and Wales during 2010/11 as we establish ourselves further.