

Katie Tiplady-Startin
Chief Operating Officer
GenderGP

10 February 2021

Dear Katie

Re: Services to transgender patients

Thank you for your letter in which you raise concerns about recent action we have taken in relation to pharmacies dispensing prescriptions from prescribers working on behalf of GenderGP.

I wanted to begin by emphasising that we are not trying to prevent pharmacies supplying medicines to patients undergoing treatment for gender dysphoria; we just want to make sure that this is done safely. Our focus is on supporting the pharmacies to make improvements so that all their patients, including transgender patients, receive safe and effective care.

Our role in protecting patients and the public

Our role as the independent pharmacy regulator is to protect patients. One of the ways we do this is to set and uphold **standards for registered pharmacies** and **standards for pharmacy professionals**. These two sets of standards work together to help make sure people receive safe and effective pharmacy care and medicines that are clinically appropriate for them. The standards apply to all services provided by registered pharmacies and pharmacy professionals in all settings. We take action if those standards are not met and we always consider what is the best action to take in that situation to minimise risks to patient safety and to secure the necessary improvements.

In making decisions about what action to take, we consider all risks to patients and will work with others to ensure continuity of care.

As you will be aware, the GPhC does not have any role in regulating online clinics in Great Britain; that is the role of the Care Quality Commission, Healthcare Improvement Scotland and Healthcare Inspectorate Wales.

Equality, diversity and inclusion

We are committed to promoting equality, valuing diversity and being inclusive in all our work as a regulator, a public service provider and an employer. We will take all possible steps to avoid discriminating against the trans community or any other community.

One of the ways we achieve our commitments in relation to equality, diversity and inclusion is by engaging with specialist organisations to ensure that we can best understand and support the diverse needs of patients and carers.

We have been actively engaging with several organisations representing people from the LGBTQ community on the issues raised by the enforcement action we have taken against Clear Chemist and pharmacyonline.co.uk. We are very grateful to these organisations for the insights they have given us into the experiences and concerns of the transgender community when accessing healthcare, which we are taking into account at every stage of our work. We particularly recognise the challenges that the trans community can experience in accessing healthcare, as you reference in your letter.

Our guidance

We produce guidance to support pharmacy professionals to meet the standards for pharmacy professionals, and to support pharmacy owners and superintendent pharmacists to meet the standards for registered pharmacies.

This includes **our guidance for pharmacy owners on providing pharmacy services at a distance, including on the internet.**

This guidance explains the kind of patient safety issues we look at with online supplies of medicines, including ensuring there is appropriate monitoring and management where required, and that there is appropriate risk assessment and record-keeping. It provides a helpful road-map for pharmacy owners, including in relation to the assurances they should be seeking from other providers with which they work.

We would urge you to read this guidance in detail, so that you can understand what is expected of the pharmacies you work with in Great Britain when working with online prescribing services, and take steps to support the pharmacies in Great Britain that you work with to follow the guidance and meet our standards.

You will note that our guidance highlights that working with prescribers who are not appropriately registered with the relevant UK professional regulator, and with prescribing services not based in the UK, could create significant extra risks for patients and the public. The guidance states that if the pharmacy's service lawfully involves working with prescribers or prescribing services operating outside the UK, the pharmacy should make sure that they successfully manage the extra risks that this may create.

The action we have taken in relation to pharmacies dispensing prescriptions on behalf of GenderGP

I hope the information below is helpful in explaining what action we have taken so far, what this means and what will happen next.

We inspect pharmacies to seek assurance they are meeting our standards. We undertake three types of inspections; routine, intelligence-led and themed reviews. Our inspectors collect evidence in a variety of

ways to ensure their judgements are robust and evidence-based, including by speaking to the whole pharmacy team, observation and reviewing documents and a sample of prescriptions. This evidence supports decision-making against our standards. This methodology applies to all pharmacies in all settings.

Over the last six months, we have carried out two intelligence-led inspections of pharmacies that were dispensing prescriptions from prescribers working on behalf of GenderGP. We did not target these pharmacies because of the services they were providing to patients from the transgender community; instead these intelligence-led inspections took place as a result of information received which raised concerns about patient safety. In the most recent inspection, the intelligence received that prompted the inspection related to the pharmacy's supply of codeine linctus, rather than in relation to the pharmacy's links with GenderGP.

These intelligence-led inspections identified that these pharmacies were not meeting all of our standards for registered pharmacies and that there were serious failures in the governance and management of risk at these pharmacies, and a lack of safeguarding, which presents a risk to patient safety.

We have issued these pharmacies with improvement notices, which require the pharmacies to put in place a number of measures to rectify the failures and to meet all of our standards.

We have made clear to the pharmacies that they can continue to operate and dispense medicines while they are implementing these improvements.

You can read the improvement notices here:

Clear Chemist

<https://inspections.pharmacyregulation.org/pharmacy/detail/clear-chemist-1123405>

Pharmacyonline.co.uk

<https://inspections.pharmacyregulation.org/pharmacy/detail/pharmacyonline.co.uk-9011206>

We are sure it must be of significant concern to you that these pharmacies have not been meeting standards for safe and effective care and that we have identified serious risks to patient safety in the services they provide. Going forward, these pharmacies, and any other pharmacy in Great Britain that you choose to work with, should be able to give you assurances of how they are meeting our standards and following our guidance, to ensure your patients receive safe and effective pharmacy services.

The superintendents of the pharmacies independently decided to stop dispensing certain prescriptions from GenderGP while they work to implement the improvement action plan. This was their decision and was **not** requested by us. After being notified of these decisions, our inspectors have worked with the superintendent pharmacists on key issues including signposting to other services and continuity of care for patients.

Our inspectors will continue to support the pharmacies, including in ensuring continuity of care for their patients, and to help the superintendent pharmacists to make the improvements needed to protect their patients, including people from the transgender community, and improve their standards of care.

I hope this information is helpful in explaining the actions we have taken.

Yours sincerely

A handwritten signature in black ink, appearing to read "Duncan Rudkin". The signature is written in a cursive, flowing style.

Duncan Rudkin

Chief Executive & Registrar

E duncan.rudkin@pharmacyregulation.org