



Actions to address the unacceptable delays experienced by some registration assessment candidates: appeals, refunds and provisional registration

Introduction

On 29 June 2022, just under 2,700 candidates sat the registration assessment in test centres across the UK. Although the majority of candidates were able to complete the assessment with no issues, some candidates experienced delays in starting either Paper 1 or Paper 2 due to IT or other technical issues.

This paper sets out the approach we are taking to ensure candidates affected by delays caused by IT or technical issues are not disadvantaged as a result.

While there can be many reasons for an assessment of any kind to begin slightly after the scheduled start time, we believe that a delay of 30 mins or more in starting either or both parts of the online registration assessment is unacceptable and amounts to a procedural error in the conduct of the assessment.

A delay of 30 minutes or more potentially affects the ability of candidates to perform at the level they would expect to be able to do, beyond a level of anxiety that might normally be expected for any high-stakes national assessment. This reflects the specific context of the June 2022 online assessment which was designed to be completed at a set time on one day. It also reflects the potential anxiety for candidates given the uncertainty about exactly when, and if, IT or technical issues would be resolved to allow them to begin and complete the online assessment on the scheduled day.

We therefore are setting out an approach in relation to appeal rights, refunds and provisional registration which maintains our primary regulatory function of protecting the public while addressing the potential disadvantages that candidates might otherwise have.

In setting out this approach, we acknowledge it cannot undo the significant emotional upset and worry that has been caused and for which we again apologise.

a) Appeals

We will automatically accept a delay of 30 minutes or more in starting either or both parts of the registration assessment as grounds for appeal. This means that if a candidate does not pass the assessment, this sitting would not count as one of their attempts to pass. We will not require candidates to complete appeal forms.

b) Refunds

We will automatically accept a delay of 30 minutes or more in starting either or both parts of the registration assessment as a reason for refunding the fee for sitting the registration assessment.

c) Provisional registration

We have also considered carefully what further measures can be put in place to ensure the candidates are not further disadvantaged as a result of the unacceptable delays at particular test centres and believe it is right and proportionate to offer provisional registration to candidates who experienced a delay in starting either or both parts of the registration assessment, providing they meet the eligibility criteria below.

Legislative framework

Article 4(3)(e) of the Pharmacy Order 2010 (“the Order”) states that one of the Council’s principal functions is to set standards and requirements in respect of the education, training, acquisition of experience and continual professional development that it is necessary for pharmacists and pharmacy technicians to achieve in order to be entered in the Register.

Article 7 of the Order states that the Council must set the standards that are to be met in connection with the carrying on of a retail pharmacy business at a registered pharmacy.

Articles 20 and 21 of the Order set out the requirements for pharmacists and pharmacy technicians to gain entry to the Register and for the pre-entry requirements in respect of qualifications and additional education, training and experience.

Under Article 42 of the Order, the Council must set the standards of proficiency for the safe and effective practice of pharmacy which it is necessary for a person to achieve in order to be entered in Part 1 of the Register (pharmacists) or Part 2 (pharmacy technicians).

Under Article 48 of the Order, the Council must set standards relating to the conduct, ethics and performance expected of registrants.

Policy purpose

The purpose of this policy is to amend the criteria for registering as a pharmacist for a time-limited period in order to allow candidates who experienced delays of 30 minutes or more to the start of either or both Part 1 and Part 2 of the registration assessment at the sitting on 29 June 2022, and who meet specific requirements, to be provisionally entered on Part 1 of the register.

Policy statement

Our approach is based on the following principles:

- To safeguard the welfare of candidates
- To enable candidates who were unable to demonstrate that they have passed the registration assessment yet due to the severe delays in starting either or both Part 1 and/or Part 2 of the registration assessment on 29 June 2022 to begin employment and contribute to the pharmacy workforce.

- To maintain standards for entry to the register to protect patient safety and the quality of care given to patients and the public both now and over the long term
- To ensure there is a framework of support for provisionally-registered pharmacists in their initial period of work
- To support the pharmacy workforce to provide key services to the public, given the current and existing pressures across the health and care system.

Eligibility criteria for registration

Individuals must sit the registration assessment at the first available opportunity on which they are fit to do so and must pass the registration assessment in order to renew their registration on a full permanent basis. Any individual who sits the registration assessment when fit to do so and is not successful will not be eligible to remain on the register provisionally. They will need to sit and pass the registration assessment at a future date in order to return to the register.

All individuals who sat the registration assessment on 29 June 2022 will have already been awarded a GPhC-accredited Master of Pharmacy (MPharm) degree or Overseas Pharmacists' Assessment Programme (OSPAP). In addition, to be eligible for provisional registration a person must:

- have sat the registration assessment on 29 June 2022 and experienced delays of 30 minutes or more in starting or completing either or both Part 1 and/or Part 2 of the registration assessment due to technical or other IT difficulties (This also includes those who withdrew from the registration assessment on the day due to the start of the assessment being delayed by 30 minutes or more); and
- have not previously failed the registration assessment at a sitting earlier than 29 June 2022.
- have successfully completed 52 weeks pre-registration or foundation training and received a final declaration from their tutor that they have met all performance standards or learning outcomes
- not be subject to fitness to practise proceedings

In addition, we will provisionally register candidates where their appeal is upheld due to other issues that would constitute procedural error in the conduct of the assessment.

Employers

Employers must complete a risk assessment (referred to below) before a provisionally registered pharmacist starts work.

Practising as a provisionally registered pharmacist

Persons who are registered provisionally must not work as a locum pharmacist by which we mean they must not work on a self-employed basis, or only have a contract or agreement in place with a locum agency. The provisional registration scheme is intended to ensure that all provisionally registered pharmacists will be employed directly by the organisation or business in which they are working.

Persons must practise under the guidance and direction of a senior pharmacist. Individuals who are provisionally registered are not eligible to be a Superintendent Pharmacist or Chief Pharmacist. They

may operate as the Responsible Pharmacist. The requirements set out below apply to all persons registered provisionally and both the patient safety and support requirements are mandatory.

Employers must follow the framework published in July 2022 setting out how pharmacists who are registered provisionally must operate. This includes information about the structured support that must be in place and the requirements that must be fulfilled when considering the location in which they will practise and the responsibilities they will be expected to undertake. In particular, the standards include:

Patient safety requirements

Guidance and direction of a senior pharmacist

Persons who are registered provisionally must have a contract of employment with the organisation or business in which they are practising.

They may only practise within an organisation which has either a Superintendent pharmacist or a Chief Pharmacist or is owned by a pharmacist.

Provisionally registered persons must practise only under the guidance and direction of a senior pharmacist.

The senior pharmacist must be either:

- the owner of the registered pharmacy (in the context of a registered pharmacy owned by an individual pharmacist), or
- the Superintendent Pharmacist or Chief Pharmacist, or
- a pharmacist with at least two years' experience and who has been nominated by the Superintendent or Chief Pharmacist

The senior pharmacist must be available to be contacted by the provisionally registered pharmacist to provide guidance and direction to them. The senior pharmacist must also conduct a review at least monthly of the risk assessment mentioned below and update it no less frequently.

Risk assessment

Before the provisionally registered pharmacist begins working, the pharmacy owner or Superintendent Pharmacist or Chief Pharmacist (as relevant) must carry out (or cause to be carried out) a risk assessment to take account of:

- The registrant's experience and portfolio of learning, particularly the sector(s) in which they undertook their pre-registration or foundation training, and any information provided by the tutor;
- The nature and volume of services carried out in the locations where the registrant will practise
- The number and qualifications of other members of the pharmacy team.

Additional support requirements

Provision for study time prior to the registration assessment on 3 November 2022.

Signposting to relevant programmes and training provided by professional bodies and education providers, including the availability of a mentor, so the provisionally-registered pharmacist can consider what programmes and training may be appropriate and useful for them.

Standards

All persons registered provisionally will be required to meet the standards for pharmacy professionals. As part of this, they will be required to work within their areas of competence and make clear to their employer if there are specific tasks or practices that they do not feel competent to undertake.

Any fitness to practise concern about a person who is registered provisionally will be investigated in line with the published organisational policy, with account taken of the context in which the person is working.

GPhC

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