

HEALTH AND SPORT COMMITTEE

CONSULTATION ON THE PROPOSALS FOR NEW INDEPENDENT NATIONAL WHISTLEBLOWING OFFICER ROLE

SUBMISSION FROM GENERAL PHARMACEUTICAL COUNCIL

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

We have a statutory role in relation to 'system' regulation (as we regulate registered pharmacies) as well as 'professional' regulation of individual pharmacists and pharmacy technicians. Our main work includes:

- setting standards for the education and training of pharmacists, pharmacy technicians and pharmacy support staff, and approving and accrediting their qualifications and training
- maintaining a register of pharmacists, pharmacy technicians and pharmacies
- setting the standards that pharmacy professionals have to meet throughout their careers
- investigating concerns that pharmacy professionals are not meeting our standards, and taking action to restrict their ability to practise when this is necessary to protect patients and the public or to uphold public confidence in pharmacy
- setting standards for registered pharmacies which require them to provide a safe and effective service to patients
- inspecting registered pharmacies to check if they are meeting our standards.

We welcome the opportunity to respond to the call for written views for proposals for a new Independent National Whistleblowing Officer role (INWO). Whilst all the proposals are of interest to us, we have limited our response to areas where we feel our work is directly relevant to the proposed changes.

Health professionals being open and honest when things go wrong and having confidence that any genuine concerns they raise will be appropriately investigated is fundamental to protecting patients and upholding public confidence. We believe that a culture of openness in the NHS, and across healthcare in general, is critical to improving safety and ensuring less emphasis on blame and more focus on transparency, speaking up and learning from mistakes when things go wrong. We also believe that no one organisation or individual can drive cultural change. It will take a joint effort from all involved; professionals and their leadership bodies, employers, education providers, regulators and governments; to embed the culture of openness and make it the everyday norm.

The GPhC is committed to embedding the learning from key failures in care in all areas of our work and to playing our part in promoting and supporting an open and honest culture.

To date, we have:

- produced a joint statement with other health professional regulators about the duty of candour
- made explicit the requirement for pharmacy professionals to speak up when things go wrong in our standards for pharmacy professionals and produced supporting guidance for pharmacy professionals on raising concerns
- included a specific standard about 'openness, honesty and learning' in our standards for registered pharmacies, and check for evidence of this through our programme of inspections
- included specific guidance about the duty of candour and raising concerns in our decision-making guidance for statutory committees

We welcome the introduction of a new INWO role and view it as a further means of helping bring confidence to those wishing to raise concerns, as well as providing an important element of external review and assurance that genuine concerns are being treated seriously and investigated appropriately. We also support the proposals that the Scottish Public Services Ombudsman (SPSO) will fulfil this role.

A number of different organisations have a role to play in handling whistleblowing concerns and there is a wide range of advice and support mechanisms available to healthcare professionals when they have a concern. Given the complex landscape it will be imperative that the INWO role not only enhances existing frameworks, but that the purpose and scope of the INWO is widely understood. There is a need for clear concise information about when the SPSO can investigate concerns by whistleblowers. In particular it will be important to know:

- which individuals may qualify as whistleblowers
- what type of concerns can be investigated
- what whistleblowers will need to do to refer a concern, and
- what support will be available to whistleblowers

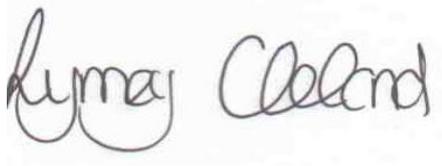
It will also be important that the process for reporting concerns and engaging with the INWO is as simple and accessible as possible.

The relationship between the INWO and health professional regulators, including ourselves, will also be important and is something that we believe is missing from the current proposals. It is our view that, in addition to the bodies already listed in the draft Order, the INWO should have the power to share proportionate information with the health professional regulators. The relationship between the INWO and health professional regulators should complement and support the strong focus on openness, honesty and candour in our current work. This is an area that that we would be keen to explore further with relevant stakeholders in terms of both our systems and professional regulation work to help ensure that the INWO effectively links to all organisations that have a role to play in considering concerns about the safe and effective provision of healthcare services in Scotland.

REF NO.

If you would like to discuss the points raised in this response, or any other aspects of the GPhC's work, please do not hesitate to contact me on the details below.

Yours sincerely

A handwritten signature in black ink that reads "Lynsey Cleland". The signature is written in a cursive style with a large initial 'L'.

Lynsey Cleland

Director for Scotland

General Pharmaceutical Council

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