

Guidance for hearings carried out remotely

Required equipment and documentation

- Device with webcam and microphone and internet and/or Wi-Fi connection
- Zoom- How to join a meeting guidance
- Chair's opening note wording (only required by chairs)

Introduction

1. The General Pharmaceutical Council (GPhC) facilitates some Fitness to Practise Hearings remotely via videolink. This guidance is aimed at hearing parties to set out how a videolink hearing is facilitated and the procedure it will follow. This guidance also includes steps to ensure information security is maintained.

Hearing preparation

2. The committee secretary (the secretary) will invite you to a videolink test prior to the hearing date. It's recommended you participate in the test if you aren't familiar with Zoom so any issues can be dealt with beforehand.
3. You will also be sent the papers electronically via secure email in advance of the hearing, please ensure you can open the documents and let the secretary know of any issues. All hearing papers are confidential and it's important these papers are not shared with anyone outside the appropriate parties who are part of the same hearing. You may wish to use two devices at the hearing, one to connect to the Zoom meeting and one for the hearing documents, although one device is workable. You should ensure any device you use is fully charged.

Joining the hearing

4. When taking part in a hearing remotely you should sit alone in a quiet room. You should make sure the hearing and any private conversations can't be overheard. You may want to take extra measures such as wearing headphones to achieve this. Be mindful of any personal items near and behind you as these may be visible to the other attendees.
5. You should join the hearing using the 'Zoom- How to join a meeting' guidance. All participants will be placed in a waiting room until the secretary admits them. The secretary will ensure everyone can see and hear each other as they join and ask people to mute microphones when not speaking.

6. Before the hearing starts the committee and legal adviser (if present) can be placed in a breakout room so that they can talk privately if needed. The case presenter, registrant, representative, shorthand writer and any observers will be admitted to the main room when it's time to start.
7. If any party indicates on the day of the hearing that they want a private discussion with another party the secretary can set up a breakout room for that purpose. The secretary can move between or send a message to the rooms and, once everyone is ready, will ensure everyone is in the main room for the hearing to start.
8. The secretary can mute or remove any participant, please be aware that a 'removed participant' will not be able to re-join that meeting. The secretary will tell everyone to contact them either in the chat, email or by phone if they're having connection problems and the hearing will adjourn until its resolved.

Procedure at the start of a hearing

9. The chair should introduce themselves, ask each attendee to introduce themselves and announce if there are any observers present. The chair should confirm the registrants full name and registration number. The chair should read out the opening note wording for that type of hearing and confirm everyone has all the hearing papers.
10. The chair and secretary must ensure regular breaks are taken at suitable points, taking into account the hearings scheduled time. During short breaks its best to remain on the Zoom meeting but turn your camera off and mute yourself. For longer breaks the secretary can place parties in the waiting room and admit them again when it's time to continue.
11. If someone leaves the meeting, they can re-join using the same link the secretary originally sent them and they can be admitted back in. If anyone wants a private discussion, breakout rooms can be set up for the relevant people. The chair must clearly announce to parties what time they should return to the meeting before any break.

Giving evidence

12. When someone gives evidence, they must read out the affirmation wording first, an oath cannot be taken at remote hearings. The secretary will ensure the relevant person has access to the wording or can read out the wording line by line for them to repeat back.
13. Introductions should be made for any new witness. The process of giving evidence should be explained to the person giving evidence, just as would happen at an in-person hearing. Please note that the chat function will be disabled during someone giving evidence.

In camera

14. When private deliberations need to take place the committee and legal adviser will go into the breakout room. If it will be a quick decision which doesn't require a determination at that stage (e.g whether to proceed in absence, hold parts of the hearing in private or admit further evidence) the other parties can remain in the main room.
15. For longer decisions which need to be handed down at that stage (for instance, decision on facts, impairment or sanction) the chair must announce a 'not before' time so parties know they won't

need to return until at least a certain time. The secretary can liaise with the committee whilst in camera and keep the other parties updated on the return time.

Determination

16. The chair must send the draft via egress to the other committee members and legal adviser or send it to the secretary who can forward it for them. Once they've read the draft, the committee and legal adviser must convene to go through amendments and agree the final version.
17. The chair must then send the final version via egress to the secretary.

Handing down decisions

18. Each decision of the main stages (facts, impairment, sanction) of a Principal Hearing, and the final decision at other types of hearing, must be handed down when announced. The secretary will ensure all hearing parties are back in the main room of the meeting for this.
19. The chair will confirm the hearing is continuing. The chair will announce the decision and say a copy of the written determination will be emailed. The secretary will email the determination via egress to the registrant, representative and case presenter. The parties should be given time to read the determination and make any comments to the committee.
20. If the hearing is continuing, then the next stage will commence. If that's the end of the hearing the chair must announce that then everyone can leave the meeting and the secretary will end it.
21. If you have printed paper copies of hearing papers or have any paper copies of notes made throughout the hearing you should shred these after the hearing. Any electronic copies of papers should also be deleted from your device following a hearing.

Observers

22. As a starting point, all GPhC Principal and Principal Review Hearings are held in public, except for health cases. Any interested parties can contact the hearings team and be given details for how to access a remote hearing to observe.
23. The secretary will inform all hearing parties before a hearing starts if there are any observers. The secretary will ensure any observers are muted throughout and the secretary has the ability to remove anyone from the meeting if necessary.