

Guidance on voluntary closure of a GPhC-accredited course or recognised qualification for pharmacy technicians – December 2019

1. Introduction

1.1 The GPhC is the pharmacy regulator in Great Britain and was established in 2010 through the *Pharmacy Order*.

1.2 One of the GPhC's principal functions is to set standards and requirements in respect of the education, training, and acquisition of experience necessary for pharmacy professionals to achieve to be eligible for entry in the GPhC's register as a pharmacist or pharmacy technician.

1.3 This function is supplemented by the GPhC's specific duties to:

- set the standards that education providers must meet (*Pharmacy Order*, Article 42(1)(b)(i));
- approve courses and qualifications of education or training (*Pharmacy Order*, Article 42(4));
- and
- set and publish the criteria for course accreditation and qualification recognition (*Pharmacy Order* Article 42(6)).

1.4 Courses/qualifications of study leading to registration as a pharmacy technician are approved by the GPhC and course accreditation/recognition is how the GPhC's governing Council is reassured that courses/qualifications meet the GPhC's published requirements. The GPhC's accreditation criteria are agreed by its Council and are available publicly¹.

1.5 This guidance is concerned with the voluntary closure by a provider of an accredited/recognised course/qualification. Its purpose is to set out for providers the steps they should take as part of their responsibilities to trainees and to the GPhC as the regulator of the course/qualification.

¹ <http://www.pharmacyregulation.org/education/approval-courses/accreditation-guidance>

1.6 The guidance builds on existing provision in the GPhC's 2011 accreditation methodology which takes account of situations where providers may no longer be willing or able to continue delivering courses/qualifications:

9.5 VOLUNTARY WITHDRAWAL

A course provider may withdraw from the accreditation process. In these circumstances, the provider must inform the GPhC how the best interests of students currently on an accredited course will be served. Voluntary withdrawal does not preclude either re-entering the accreditation process or entering it afresh from the beginning. The GPhC will decide at what point a provider may join/rejoin the process.

and on a standing condition of accreditation/recognition, which is that a:

...provider/awarding body must seek approval from the GPhC for any substantial change (or proposed change) which is, or has the potential to be, material to the delivery of an accredited/recognised course/qualification. This includes, but is not limited to:

- a. the content, structure or delivery of the accredited/recognised course/qualification;*
- b. ownership or management structure of the institution;*
- c. resources and/or funding;*
- d. trainee numbers and/or admissions policy;*
- e. changes/conditions imposed by other regulators;*
- f. any existing partnership, licensing or franchise agreement;*
- g. staff associated with the course.*

1.7 This guidance applies to fully accredited/recognised courses/qualifications, and courses/qualifications on probation.

2. Voluntary course/qualification closure

2.1 Notwithstanding the provisions in the *Pharmacy Order* for withdrawal of accreditation (and the potential of course/qualification closure), there are circumstances in which a provider may decide to close a course/qualification voluntarily. These include when:

- a. a course/qualification ceases to be financially viable; or
- b. a course/qualification is closed due to a realignment of a provider's course/qualification portfolio based on educational and strategic reasons; or
- c. a provider can no longer sustain its current portfolio and has no choice but to close some courses/qualifications (or close itself).

2.2 This list is not exhaustive and closure may be a result of a combination of factors.

2.3 In any of these circumstances the GPhC must ensure that the course/qualification delivers the required learning outcomes and meets its standards. To achieve this, the GPhC will offer the course provider the opportunity to work with the GPhC to manage out the

course/qualification. The GPhC regards this option as being the most proportionate in such circumstances.

2.4 If a course/qualification provider declines to engage with the GPhC in this manner then Article 47 of the *Pharmacy Order* may be invoked, and the withdrawal of accreditation/recognition will be taken forward in accordance with it.

3. Guidance for voluntary closure of an accredited/recognised course/qualification

3.1 This section sets out guidance for voluntary course/qualification closure.

3.2 The GPhC understands that course/qualification closures are sensitive, therefore all communications/discussions with a course/qualification provider will be treated in confidence, while having due regard for legal Freedom of Information obligations. For the GPhC to exercise its statutory functions in relation to course accreditation and qualification recognition, providers should inform the GPhC that they are considering the closure of an accredited/recognised course/qualification at the earliest opportunity. This may be in advance of the two-month period mentioned in 4.5. It is the GPhC's experience that while the time between the decision to close a course/qualification being made and announcing the closure can be relatively short, the period leading up to the decision may be much longer.

3.3 The course/qualification provider should agree a course/qualification closure plan with the GPhC before the closure is announced. It is not for the GPhC to dictate the detail of the plan but it must be reassured that, on balance of probabilities, the plan will deliver the learning outcomes and meet its standards until the course/qualification is taught out and all trainees have graduated or left the provider in accordance with the plan.

3.4 For accreditation/recognition purposes, the course/qualification closure plan should include, but is not limited to:

- a. a general risk register for the closure;
- b. a pharmacy technician trainee impact assessment, including but not limited to financial hardship, location/travelling issues, health and wellbeing issues particularly mental health, dependent/carer responsibilities;
- c. how the course/qualification will be delivered until the final accredited/recognised cohort completes (this may include teaching out the course/qualification, service teaching and/or trainee transfers to other accredited/recognised courses/qualifications);
- d. trainee support arrangements over and above the provision of general trainee support services. It must be made clear how the arrangements will be made available to trainees proactively. Support includes educational support but also pastoral, including

support for physical and mental health issues exacerbated by the decision to close the course/qualification; and

- e. a communications plan for course/qualification teaching staff, trainees and relatives.

3.5 It will take up to two months for the GPhC to agree a course/qualification closure plan and that should be taken account of by providers. The Registrar will evaluate a plan based on the papers and advice from GPhC staff and an accreditation team leader. The Registrar may request a meeting with the provider to clarify their closure plans. If the Registrar deems the plan to be inadequate, a full accreditation/recognition event may be triggered and, in these circumstances, Article 47 of the *Pharmacy Order* may be applied.

3.6 The course/qualification closure must be accompanied by a trainee offer explaining what options are available to them once course/qualification closure has been agreed. The offer must be 1. agreed in advance by the course/qualification provider and 2. available to trainees as soon as the course/qualification closure is announced. When the closure is announced, trainees must be told who can offer them definitive advice about the offer and where to turn for support.

3.7 The course/qualification provider should time a course/qualification closure in such a way that trainees are consulted as appropriate and given time to transfer to other institutions or make other arrangements. It is unreasonable if trainees have less than three months to make a decision about their educational future closure announcements should not be made before major assessment periods.

3.8 Based on the course/qualification closure plan, the GPhC will write a bespoke, variant accreditation/recognition methodology covering the period from the announcement of the closure to the completion of the final cohort of trainees (including resits).

3.9 The variant methodology will be binding on the course/qualification provider.

4. Involuntary withdrawal of accreditation/recognition

4.1 In the *Pharmacy Order*, Article 47 refers to removal of approval from a course if it no longer satisfies the GPhC's requirements. Such removal is not likely to be at the course/qualification provider's request. See Appendix 1: Refusal or withdrawal of approval of courses, qualifications and institutions (*Pharmacy Order* 2010) for further information. While this guidance has been written for cases of voluntary closure, it could be used by providers closing a course/qualification involuntarily.

5. Cost recovery

5.1 The provider will bear the costs of all accreditation activity linked to course/qualification closure until the GPhC formally allows accreditation/recognition to lapse.

6. External communications

7.1 Any external communications from the provider about course/qualification closure making reference to the GPhC must be sent to the GPhC's Communications team in advance for references to the GPhC to be approved.

General Pharmaceutical Council - November 2019

Appendix 1: Refusal or withdrawal of approval of courses, qualifications and institutions (*Pharmacy Order 2010*)

Article 47

(1) Paragraph (2) applies to a case where, as a result of any visitor's report or other information acquired by the Council, the Council is of the opinion that—

(a) the standards set under article 42(1)(b)(i) are not, or will not, be met by an institution or other provider; or

(b) an institution or other provider is not observing the requirements referred to in article 42(1)(b)(ii).

(2) In a case to which this paragraph applies, the Council may—

(a) impose such probationary or remedial arrangements (including action plans for providers of new courses) or such conditions as may be prescribed; or

(b) refuse to approve, or withdraw approval from, any course of education or training, qualification, test, or institution or other provider to which that opinion relates.

(3) If the Council is considering taking any action under paragraph (2)(a) or (b), the Council must act in accordance with paragraphs (4) to (6).

(4) The Council must—

(a) notify the institution or other provider concerned of its opinion, setting out its reasons; and

(b) inform the institution or other provider of the period within which it may make observations on the matters raised, which must not be less than one month beginning with the date on which the reasons are sent to the institution or other provider under subparagraph (a).

(5) The Council may take no further steps before the expiry of the period about which the institution or other provider has been informed under paragraph (4)(b).

(6) If, taking account of any visitor's report or other information acquired by the Council together with any observations submitted by the institution or other provider under paragraph (4), the Council decides that it is appropriate to—

(a) impose probationary or remedial arrangements or conditions on the institution or other provider; or

(b) refuse or withdraw approval,

it must send to the institution or other provider concerned at the last known address of the institution or provider a statement in writing giving the institution or other provider notice of the decision and the reasons for it and of the right of appeal to the Appeals Committee under article 40.

(7) A decision under paragraph (6) has effect from the date of the decision or from such later date as may be specified in the decision.

(8) Where, under this article, approval of a course of education or training or an institution or other provider is withdrawn, the Council must use its best endeavours to secure that any person who, at that time, is undertaking that course or is studying at that institution or with that other provider is given the opportunity to attend an approved course conducted by an approved institution or other provider.

(9) Where, under this article, approval of a qualification, a course of education or training or an institution or other provider is withdrawn, that withdrawal does not affect the entitlement of any person to be entered in a part of the Register on the basis of the award of a qualification to that person before the date on which the decision withdrawing approval from that qualification, the course of education or training which led to the award of that qualification or, as the case may be, the institution or other provider that conducted the course that led to the award of that qualification, had effect.

[In connection with Article 47]

Article 46 [Information to be given by institutions or other providers]

46.— (1) This article applies to any institution or other provider in Great Britain by which, or under whose direction, whether inside or outside Great Britain—

(a) any relevant course of education or training is, or is proposed to be, given; or

(b) any test of competence is, or is proposed to be, conducted in connection with any such course or for any other purpose connected with this Order.

(2) In paragraph (1), “test of competence” and “relevant course of education or training” have the same meaning as in article 45.

(3) Whenever required to do so by the Council, any institution or other provider to which this article applies must give to the Council such information and assistance as the Council may reasonably require in connection with the exercise of its functions under this Order.

(4) Where an institution or other provider refuses any reasonable request for information made by the Council under this article, the Council may, in accordance with article 47, refuse to approve or withdraw approval from, any course of education or training, qualification, test or institution or other provider to which the information relates.