

By email

27 March 2020

Dear colleagues,

On 18 March 2020, we issued a joint statement with the Pharmaceutical Society of Northern Ireland recognising that in highly challenging circumstances, professionals may need to depart from established procedures in order to care for patients and their families.

This included advice on the specific issue of already dispensed medicines that had been checked by the pharmacist and that were awaiting collection, in circumstances where the responsible pharmacist has to unavoidably leave the pharmacy at short notice part-way through the day, for example if they are ill and need to self-isolate.

We are concerned about reports that some pharmacies are going beyond the advice in the statement and standardising these arrangements. We want to make clear that, even during the COVID-19 emergency, it is unacceptable to normalise operating a pharmacy without a responsible pharmacist (except as provided for in the current Regulations). We would expect this to happen rarely and only in exceptional circumstances. It is essential that employers continue to act responsibly, and in line with the general legislation.

We would ask you to discuss this letter and statement with your members, to ensure that they are applying this appropriately in the current circumstances.

To recap, our statement said:

*“Even during highly challenging circumstances professionals quite rightly want to meet the legal requirements that apply. This includes the duty on the responsible pharmacist to secure the safe and effective running of the pharmacy in relation to the retail sale and supply of all medicines. We recognise there may be situations where the responsible pharmacist unavoidably has to leave the pharmacy at short notice part-way through the day, (e.g. if they are unwell and need to self-isolate).*

*Where no locum cover can be secured at the pharmacy, and recognising the potential effects of the current pandemic, it would be in the patient’s best interest for medicines already dispensed to be supplied from the pharmacy rather than not supplied at all, even though this may not be in strict accordance with the law as normally understood.*

*The pharmacy regulators will support pharmacy professionals in the front line making this judgement in patients’ best interests. In such circumstances we would expect there to be access to a pharmacist by phone or video link to provide direction for the remaining staff in the pharmacy.*

*Such an approach should only be adopted for a short time period, where other options have been exhausted. Except in such exceptional circumstances, even in the current pandemic situation, arrangements must be made for a pharmacist to be at the pharmacy, including to undertake the responsible pharmacist role and supervise the sale and supply of POM and P medicines”.*

The full statement is available [here](#).

To clarify, we are saying that supplying dispensed medicines in such a situation is still unlawful; however, if the responsible pharmacist falls ill during a shift, then as the frontline healthcare professional they could use their professional judgement to step outside of the law to provide person-centred care and allow such medicines to be handed out as long as arrangements have been made for another pharmacist to be available via phone or video link. In such circumstances, though still unlawful, we would support such a decision and not seek to enforce the law in these exceptional circumstances.

This exception is only capable of being approved by the responsible pharmacist as the person directly at the front line and able to make this professional decision.

In doing so, the responsible pharmacist should consider the associated risks, including the procedures and practices at the pharmacy, as well as the pharmacy team’s knowledge and training, to ensure that patient safety is maintained. The responsible pharmacist should discuss options with those responsible for running the pharmacy business and may decide that they need to close the pharmacy if it is not safe for the pharmacy to remain open or patients are at risk.

Even in the current challenging circumstances it is illegal and professionally unacceptable, to normalise operating a pharmacy without a responsible pharmacist (except as provided for in the current Regulations). By definition, therefore, **operating a pharmacy in ways that are not compatible with the law cannot under any circumstances form part of a standard operating procedure, apart from for the specific emergency situation set out in our original statement.**

We would appreciate your support in ensuring that this message is shared with your members.

Yours sincerely



**Duncan Rudkin**  
**Chief Executive**  
E [duncan.rudkin@pharmacyregulation.org](mailto:duncan.rudkin@pharmacyregulation.org) | T 0203 713 8000