All children should be protected from abuse and neglect and pharmacists and pharmacy technicians should share their concerns if they think a child is at risk.

What is the new mandatory duty for pharmacy professionals in England and Wales?

All pharmacists and pharmacy technicians now have a mandatory legal duty to report, orally or in writing, to the police if:

- they observe physical signs indicating that female genital mutilation (FGM) may have occurred in a girl under the age of 18, or
- a child/young person tells them that they have had FGM

The mandatory duty to report is the responsibility of the pharmacy professional and cannot be passed onto anyone else.

There is no specific legal duty to report suspected FGM in Scotland, but professional obligations to raise concerns and existing child protection framework requirements do apply.

How do I report FGM?

The Department of Health (DH) has produced guidance and resources to help support pharmacy professionals to report, including www.gov.uk/government/publications/fgm-mandatory-reporting-in-healthcare

What is FGM?

FGM includes all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons. FGM may also be referred to as circumcision, initiation, or being ‘cut’, as well as specific terms used in other languages, for example ‘sunna’.

FGM is a criminal act and illegal in Great Britain.

What do our standards say?

Pharmacists and pharmacy technicians

Pharmacy professionals have a responsibility to:

- act to safeguard children
- take action to protect the well-being of patients and the public, and consider and act in the best interests of individual patients and the public
- respect and protect people’s dignity and privacy and only disclose confidential information without consent when required to do so by the law or in exceptional circumstances

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1 Female Genital Mutilation Act 2003, as amended by the Serious Crime Act 2015 (section 74)
2 For the purposes of the duty, the relevant age is the girl’s age at the time of the disclosure/identification of FGM.
3 Female Genital Mutilation Risk and Safeguarding guidance for professionals Part 4
4 Multi-Agency Practice Guidelines: Female Genital Mutilation, Appendix B
5 In England and Wales under the Female Genital Mutilation Act 2003, in Scotland under the Prohibition of Female Genital Mutilation (Scotland) Act 2005, both as amended by the Serious Crime Act 2015.
• comply with legal and professional requirements and accepted guidance on professional practice
• make the relevant authority aware of any actions of others that may affect patient care or public safety

Every pharmacy professional has a duty to raise any concerns about individuals, actions or circumstances that may be unacceptable and that could result in risks to patient and public safety (see GPhC guidance on raising concerns).

**Pharmacy owners and superintendent pharmacists**

Pharmacy owners and superintendent pharmacists must make sure our standards for registered pharmacies are met. They must:

• have safeguarding policies in place
• make sure all staff are appropriately trained in relation to child protection and safeguarding issues

Owners and superintendents should make sure all members of the pharmacy team are aware of the new mandatory duty to report and they should also review their current safeguarding policies and practice to reflect this.

**When does the duty to report not apply?**

The mandatory duty to report will not apply:

• if a pharmacy professional can identify that another individual working in the same profession has already made a report to the police in connection with the same act of FGM
• to those at risk of FGM
• to suspected cases of FGM
• to women over 18, in which case their right to patient confidentiality must be respected if they do not wish any action to be taken

In these circumstances pharmacy professionals must apply local safeguarding protocols.

**How does the new duty work alongside obligations to maintain patient confidentiality?**

Pharmacists and pharmacy technicians must respect and protect people’s dignity and privacy and only disclose confidential information without consent when required to do so by the law or in exceptional circumstances.

The law allows for disclosure of confidential patient information in specific circumstances, including when the law says it is required, or when it is in the public interest to do so (see GPhC guidance on confidentiality). The Home Office guidance states that the duty to report does not breach any confidentiality requirement or other restriction on disclosure which might otherwise apply.

**What will happen if pharmacy professionals fail to report?**

Pharmacy professionals in England and Wales have a mandatory duty to report FGM in under 18s. Our regulatory standards and guidance are clear and apply to pharmacy professionals across Great Britain. Failure to meet our standards could place a pharmacy professional’s registration at risk.

**Further guidance and resources**

- Female Genital Mutilation (FGM) Information Resources from the Scottish Government
- Home Office Mandatory Reporting of FGM procedural information
- Safeguarding women and girls at risk of FGM safeguarding guidance (DH)
- Health Education England FGM e-learning resource
- NHS Choices FGM guidance and resources for professionals
- Department of Health leaflet about FGM
- Working Together to Safeguard Children (March 2015) (Applies in England only)