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14 October 2016

Dear Sir/Madam,

**Reporting and acting on child abuse and neglect**

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

Pharmacy professionals and the pharmacy team working in registered pharmacies are well placed to identify people who may be experiencing abuse or neglect. 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 of conduct and performance that pharmacy professionals have to meet throughout their careers
- setting the standards of continuing professional development that pharmacy professionals have to achieve 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
- 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 consultation and have limited our response to where we feel our work is directly relevant.

## Our approach

We are committed to a regulatory approach that supports an environment that safeguards children and vulnerable adults. Our [Standards of Conduct, Ethics and Performance](#) and [Guidance on Raising Concerns](#) aim to protect the well-being of patients and the public by empowering pharmacy professionals to raise concerns where necessary about individuals, actions or circumstances that may be unacceptable and that could result in risks to patients and public safety.

Earlier this year we undertook a consultation on our [Standards for Pharmacy Professionals](#). The standards promote a culture of person-centred care, and reflect the importance of pharmacy professionals using their professional judgment and speaking up when they have concerns or things go wrong. The standards also include referring patients to other health and social care professionals and sharing information when appropriate, to ensure patient safety.

The [Standards for Registered Pharmacies](#) also set out our expectations that pharmacy owners must ensure they have adequate governance arrangements in place to protect the health, safety and well-being of patients and the public, and specifically safeguarding children and adults at risk.

In addition, we recently published the article, *Focus on safeguarding children and vulnerable adults*, in our registrant newsletter Regulate, to raise awareness and an understanding of the possible signs of abuse, neglect or exploitation and how to manage these.

## Impact of a new duty on pharmacy professionals and the GPhC

We anticipate a new duty would apply to the professionals regulated by the GPhC, pharmacists and pharmacy technicians, as they interact closely with children and vulnerable adults as part of their day-to-day activities.

The duty should clearly indicate which health and social care professionals this duty would apply to and the associated responsibilities. This includes clarifying if the duty applies to other staff who are not health or social care professionals, but their work involves coming into contact with children or information to suggest a child is being abused or neglected. It may also benefit to distinguish between specialist safeguarding professionals such as a child protection social worker and other health and social care professionals.

Noting the consultation does not provide an exhaustive list of professionals, we would suggest the policy gives consideration to the role pharmacy professionals play in delivering health care services in the community.

We also understand the introduction of a new mandatory reporting duty may supersede the existing duty to report to the police any known cases of [Female Genital Mutilation](#) (FGM) under the age of 18 in England and Wales, as proposed at Paragraph 48.

The existing FGM duty applies to all pharmacy professionals. We support this existing duty and any new duty that may supersede the current approach should not weaken it. We believe a replacement duty should be clear and explicit about the health and social care professionals to which it would

apply and be consistently applied. It may also be helpful to consider any lessons learned from the implementation of the FGM duty throughout the policy development process.

In addition, we note the consultation is specific to England only. However, as a regulator of pharmacy professionals and pharmacies in Great Britain, we would expect the legislation to be clear in scope about how a new duty and professional obligations to raise concerns would apply in each of the countries in Great Britain.

Protecting and promoting a fair approach to fitness to practise of pharmacy professionals and enforcement of standards for registered pharmacies

As a regulator, we are interested in ensuring pharmacy professionals are able to demonstrate the skills, knowledge, character and health required to do their job safely and effectively. We can take proportionate regulatory action when a pharmacy professional's fitness to practise is found to fall below expected standards.

We would be interested in further exploring how existing practitioner and organisation specific sanctions, including regulatory sanctions, would incorporate this new legal duty, as proposed in Paragraph 72. It would be essential to clarify the expectations of regulatory bodies to monitor and enforce any newly introduced obligations.

We are happy to provide relevant information to help inform the consultation process and keen to further explore the potential implications for pharmacy professionals and registered pharmacies in this respect. 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, reading "Hugh Simpson". The signature is written in a cursive style with a long horizontal flourish underneath.

Hugh Simpson  
**Director of Strategy**

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