

**General
Pharmaceutical
Council**

**In practice:
Guidance on
raising concerns**

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About this guidance

The General Pharmaceutical Council is the regulator for pharmacists, pharmacy technicians and registered pharmacies in England, Scotland and Wales. As part of our role, we set the standards that pharmacy professionals have to meet throughout their careers.

This guidance explains to pharmacy professionals (pharmacists and pharmacy technicians) the importance of raising concerns, and their relevant responsibilities. Pharmacy professionals should use their professional judgement in applying this guidance.

Pharmacy professionals should satisfy themselves that all members of the team are familiar with the issues raised within this guidance and understand their own responsibilities in relation to raising concerns.

If a pharmacy professional is not sure about what they should do in a specific situation, they should always ask for advice from their employer, professional indemnity insurance provider, union, professional body or other pharmacy organisation, or get independent legal advice.

This guidance should be read alongside the **standards for pharmacy professionals** which all pharmacy professionals must meet. This guidance covers standard 8 of the standards for pharmacy professionals, which says:

Pharmacy professionals must speak up when they have concerns or when things go wrong



Applying the standard

The quality of care that people receive is improved when pharmacy professionals learn from feedback and incidents, and challenge poor practice and behaviours. This includes speaking up when they have concerns. At the heart of this standard is the requirement to be candid with the person concerned and with colleagues and employers. This is usually called the 'duty of candour' – which means being honest when things go wrong. There are a number of ways to meet this standard and below are examples of the attitudes and behaviours expected.

People receive safe and effective care when pharmacy professionals:

- promote and encourage a culture of learning and improvement
- challenge poor practice and behaviours
- raise a concern, even when it is not easy to do so
- promptly tell their employer and all relevant authorities (including the GPhC) about concerns they may have
- support people who raise concerns and provide feedback
- are open and honest when things go wrong
- say sorry, provide an explanation and put things right when things go wrong

- reflect on feedback or concerns, taking action as appropriate and thinking about what can be done to prevent the same thing happening again
- improve the quality of care and pharmacy practice by learning from feedback and when things go wrong

Guidance on raising concerns

1. The importance of raising concerns

- 1.1. 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 people receiving care and public safety.
- 1.2. Pharmacy professionals have a professional responsibility to take action to protect the well-being of people receiving care and the public. Raising concerns about individual pharmacy professionals, the members of the pharmacy team they work with (including trainees), employers and the environment they work in is a key part of this.
- 1.3. This includes raising and reporting any concerns pharmacy professionals have about the people they come into contact with during the course of their work, including pharmacists, pharmacy technicians, pharmacy owners, managers and employers, other healthcare professionals or people responsible for providing care and treatment for others, such as carers, care home staff or key workers. It includes concerns about behaviours, competency, the working environment and any action that may compromise an individual's safety.
- 1.4. We recognise that pharmacy professionals may be reluctant to raise a concern for a variety of reasons. For example, they may be worried that:
 - they will cause trouble for their colleagues
 - there may be a negative impact on their career
 - it may lead to difficult working relationships with their colleagues
 - they could face reprisals
 - nothing will be done as a result of the concern being raised
- 1.5. Raising concerns at an early stage can help to identify areas of practice that can be improved. It allows employers, regulators and other authorities to take correct action as quickly as possible and before any direct harm comes to people receiving care and the public.
- 1.6. Pharmacy professionals must remember that:
 - their professional duty to safeguard the people they are providing care for and public safety must come before any other loyalties or considerations
 - failing to raise concerns about poor practice could result in harm to people receiving care
 - the Public Interest Disclosure Act 1998 (PIDA) protects employees who raise genuine concerns and expose 'malpractice' in the workplace

- if they do not report any concerns they may have about a colleague or others it may be out of line with our standards for pharmacy professionals, and this may call into question their own fitness to practise

2. How to raise a concern

2.1. Pharmacy professionals have a professional responsibility to raise genuine concerns. They have this responsibility whether they are an employer, employee, a locum or temporary staff. Pharmacy professionals should normally raise their concern with their employer first, before taking it to a regulator or other organisations. If they are not sure whether or how to raise their concern they should get advice from one of the organisations listed in the *Other sources of information* section. How pharmacy professionals raise a concern will vary, depending on:

- the nature of their concern
- who or what they are concerned about, and
- whether they consider there is a direct or immediate risk of harm to people receiving care or the public

2.2. Find out the organisation's policy

Pharmacy professionals should find out their employer's policy on raising concerns

or 'whistle blowing' and follow this whenever possible.

2.3. Report without delay

If pharmacy professionals believe that people receiving care are, or may be, at risk of death or serious harm they should report their concern without delay.

2.4. Report to the immediate supervisor

The person pharmacy professionals report their concerns to will vary depending on the nature of the concern. In most situations they will be able to raise their concerns with their line manager.

2.5. Report to another suitable person in authority or an outside body

There may be some situations when it isn't possible for pharmacy professionals to raise their concerns with their line manager. For example, they may be the cause of the concern or may have strong loyalties to those who are the cause of the concern. In these situations pharmacy professionals may need to speak to:

- a person who has been named as responsible for handling concerns
- a senior manager in the organisation for example a chief pharmacist, pharmacy owner or superintendent pharmacist or non-pharmacist manager

- the primary care organisation (including the accountable officer if the concern is about controlled drugs)
- the health or social care profession regulator¹
- the relevant systems regulator for the organisation²

2.6. **Keep a record**

Pharmacy professionals should keep a record of the concerns they have, who they have raised them with and the response or action that has been taken as a result of their action.

2.7. **Maintain confidentiality**

If a concern raised by a pharmacy professional is about a specific person, for example a person receiving care or colleague, they should, where possible, maintain confidentiality and not disclose information without consent.

¹ The healthcare regulators are: General Chiropractic Council; General Dental Council; General Medical Council; General Optical Council; General Osteopathic Council; Health and Care Professions Council; Nursing and Midwifery Council; General Pharmaceutical Council and Pharmaceutical Society of Northern Ireland. The social care regulators are the Care Council in Wales; Health and Care Professions Council in England; Northern Ireland Social Care Council and the Scottish Social Services Council.

² These include, within the hospital setting, the Care Quality Commission in England, the Health Inspectorate Wales, Healthcare Improvement Scotland and the General Pharmaceutical Council if the concern is about registered pharmacy premises.

3. The law

3.1 The PIDA sets out a step-by-step approach to raising and escalating concerns. It aims to protect employees from unfair treatment or victimisation from their employer if they have made certain disclosures of information in the public interest.

3.2 Under the PIDA pharmacy professionals should raise a concern about issues which have happened, or which they reasonably believe are likely to happen, and involve:

- a danger to the health or safety of an individual (for example, irresponsible or illegal prescribing, abuse of a person receiving care, or a professional whose health or fitness to practise may be impaired)
- a crime, or a civil offence (for example, fraud, theft or the illegal diversion of drugs)
- a miscarriage of justice
- damage to the environment
- a cover-up of information about any of the above

3.3 This is not a full list. The *Other sources of information* section gives contact details for other sources of information if pharmacy professionals have a concern and are unsure about whether or how they should raise it.



4. Extra guidance for employers

- 4.1 It is important that employees know about the procedures to follow if they have a concern about a colleague or the organisation they work in. There should also be procedures to identify concerns that should be referred to a regulatory body such as ourselves. Creating an open working environment where employees feel comfortable raising concerns will safeguard people's safety by helping to identify and therefore improve poor practice.
- 4.2 Employers should:
- make sure they have fair and robust policies and procedures to manage concerns that are raised with them. These policies and procedures need to be accessible to all staff.
 - encourage all staff, including temporary staff and locums, to raise concerns about the safety of people receiving care, including risks posed by colleagues.
 - make sure that all concerns raised with them are taken seriously and the person who has raised them is not victimised.
 - make sure that all concerns are properly investigated and that all staff, including temporary staff and locums, are kept informed of the progress.
- have systems in place to give adequate support to pharmacy professionals who have raised concerns, and treat any information they are given in confidence.
 - take appropriate steps to deal with concerns that have been raised because of a failure to maintain standards.
 - have systems in place to support pharmacy professionals who are the subject of the concern, whether it is due to their poor performance, health or behaviour.
 - keep appropriate records of any concerns raised and the action taken to deal with them.
 - pass records of concerns raised to the manager or superintendent pharmacist so that they can consider an overall assessment of the concerns.
 - not stop anyone from raising a concern

5. Where to go for more advice

5.1 For more information on the PIDA and how to raise concerns under this employment legislation pharmacy professionals may want to contact the charity **Public Concern at Work (PCaW)**. This is an independent charity that gives free, confidential legal advice to people who are not sure whether or how to raise concerns about 'malpractice' at work.

If pharmacy professionals are not sure whether or how to raise their concern they should get advice from:

- senior members of staff in their organisation
- the accountable officer, if the concern is about controlled drugs
- their professional indemnity insurance provider, professional body or other pharmacy organisation
- the General Pharmaceutical Council or, if their concern is about a colleague in another healthcare profession, the appropriate regulatory body
- the charity Pharmacist Support
- their union

Other sources of information

- Association of Pharmacy Technicians UK
www.aptuk.org
- Guild of Healthcare Pharmacists (Head Office)
www.ghp.org.uk
Scotland Office
www.ghpscot.org.uk
- National Pharmacy Association
www.npa.co.uk
- National Whistleblowing Helpline
08000 724 725
- Pharmacists' Defence Association
www.the-pda.org
- Pharmacist Support
Phone: **0808 168 2233** (freephone)
www.pharmacistsupport.org
- Public Concern at Work
www.pcaw.co.uk
- Royal Pharmaceutical Society
www.rpharms.com
- UNISON
www.unison.org.uk

If you have questions or comments about the content of this guidance, please contact our Policy and Standards Team:

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We have also produced guidance on other topics that you may find useful:

www.pharmacyregulation.org/standards/guidance



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