

# **CPD Standards and Framework**

**April 2014**

## Contents

---

About the Pharmaceutical Society of Northern Ireland.....	4
What is Continuing Professional Development (CPD)?.....	4
Why is Continuing Professional Development important? .....	5
About the CPD Framework .....	6
CPD Declaration.....	8
Standards for Continuing Professional Development.....	9
1. Amount and type .....	10
2. Information to be provided by registrants about CPD .....	12
3. Calling your CPD for assessment.....	14
4. Criteria for assessment.....	16
5. Records of registrants' CPD kept by the Pharmaceutical Society NI.....	19
6. Extenuating circumstances.....	20
6 (a) Application for extenuating circumstances .....	23
6 (b) Standard of evidence .....	25
6 (c) Fitness to Practise .....	26
6 (d) Information provided to registrants after making an application for extenuating circumstances .....	27
6 (e) Maternity leave .....	28
6 (f) Paternity leave .....	29
7. Return to practice after withdrawal from the register .....	30
8. Visiting pharmacists.....	30
9. Failure to comply with the CPD framework.....	31
9 (a) Remedial measures.....	33
9 (b) The process for removal of an entry or annotation from the Register .....	34
9 (c) Suspension from the Register pending appeal .....	37
9 (d) Proceedings at appeals.....	37
10. Restoration to the Register .....	37
10 (a) Restoration of a name to the Register following removal for CPD non-compliance .....	38
10 (b) Restoration of an annotation to a registered person's name in the Register following removal for CPD non-compliance .....	38

<b>10 (c) The Registrar’s role .....</b>	<b>39</b>
<b>10 (d) Supporting evidence (in relation to personal learning and development or continuing education (CE) .....</b>	<b>40</b>
<b>10 (e) Refusal of an application for the restoration of a name or an annotation to a registrant’s name – the right of Appeal.....</b>	<b>42</b>
<b>10 (f) Post-restoration.....</b>	<b>43</b>
<b>Glossary of terms .....</b>	<b>44</b>
<b>Appendix 1: Practice Direction for appeals on papers.....</b>	<b>48</b>
<b>Appendix 2: Practice Direction following the refusal of an application for restoration of the Registrant’s name to the Register.....</b>	<b>50</b>

## **About the Pharmaceutical Society of Northern Ireland**

---

The Pharmaceutical Society of Northern Ireland is the regulatory body for pharmacists in Northern Ireland.

Our primary purpose is to ensure that practising pharmacists in Northern Ireland are fit to practise, keep their skills and knowledge up to date and deliver high quality safe care to patients.

It is the organisation's responsibility to protect and maintain public safety in pharmacy by:

- setting and promoting standards for pharmacists admission to the Register and for remaining on the Register;
- maintaining a publicly accessible Register of pharmacists, and pharmacy premises;
- handling concerns about the Fitness to Practise of registrants, acting as a complaints portal and taking action to protect the public; and
- ensuring high standards of education and training for pharmacists in Northern Ireland.

## **What is Continuing Professional Development (CPD)?**

---

The term 'continuing professional development' (CPD) is used by the majority of professional groups.

Continuing Professional Development is a formative and positive process that helps professionals to continually update and improve their knowledge and skills.

It helps maintain standards of practice and thereby helps to maintain and improve the quality of care to patients and the public.

## **Why is Continuing Professional Development important?**

Continuing Professional Development (CPD) is a continual process of lifelong learning. It follows the four-stage cycle of reflection, planning, action and evaluation.

CPD offers an opportunity to registrants to reflect on their current practice and to anticipate and respond to changing demands. It enables them to keep up to date and fit to practise, and to maintain the professional standards required for registration throughout their professional career.

CPD provides a number of important benefits for patients, for registrants and the pharmacy profession alike. Amongst these are:

### **(1) Benefits for patients**

- It improves quality of patient care by ensuring the knowledge and skills of registrants are kept up to date
- It increases patient and public confidence in the pharmacy profession as it demonstrates a commitment to maintaining and developing professional knowledge and expertise.

### **(2) Benefits for registrants**

- It improves your competence and performance in your work
- It helps you to contribute to the delivery of high quality services as part of the healthcare team
- It helps you to keep up to date with new treatments, technologies, organisations and ways of working
- It improves your ability and confidence to respond positively to change
- It makes your learning more focused and effective
- It enhances your career progression and job satisfaction by continually improving your skills and knowledge
- It provides evidence of your development for appraisal/performance reviews.

### **(3) Benefits for the pharmacy profession**

- It improves standards for the profession by assuring high standards of knowledge and competence are maintained
- It provides a greater sense of professionalism and raises the profile of the profession
- It makes the profession more cohesive and consistent in their approach to practice
- It establishes the profession as a key player and valued member of the healthcare team
- It instils greater public confidence.

## About the CPD Framework

---

The Pharmaceutical Society NI is the regulatory body for all pharmacists and pharmacy premises registered in Northern Ireland. Our primary purpose is to ensure that pharmacists or registrants in Northern Ireland are fit to practise, keep their skills and knowledge up to date and deliver high quality safe care to patients.

Following a public consultation, the Pharmaceutical Society NI produced a new CPD framework to support registrants in how they approach their continuing professional development. It also helps patients and the public understand what the regulator expects registrants to do to stay up to date and improve the safety and quality of the care they provide.

The CPD requirements outlined in the framework apply equally to all registrants registered with the Pharmaceutical Society NI. All registrants must undertake CPD activities relevant to the safe and effective practice of pharmacy and to their scope of practice.

While the CPD framework has been written to reflect the current legislative provisions for CPD this framework will be subject to regular review. The organisation will consult with registrants following any legislative change which may affect the translation of the framework into practice.

### The legislative context

In the amendment to article 4 A (6) of the Pharmacy (Northern Ireland) Order, the Council of the Pharmaceutical Society NI has committed to developing a CPD framework relating to the requirements and conditions to be met by registrants in respect of their continuing professional development. It states:

(1) (a) *set the standards of proficiency for the safe and effective practice of pharmacy which it is necessary for a registered person to maintain in order for their name to be retained in the register; and*

(b) *set the standards of continuing professional development which it is necessary for a registered person to maintain in order to continue to meet the standards of proficiency referred to in subparagraph (a);*

....and

(6) *The Council shall:*

(a) *adopt and maintain a framework relating to the requirements and conditions to be met by registered persons in respect of their continuing professional development; and*

(b) *require registered persons –*

i. *to complete an annual declaration regarding their compliance with such requirements and conditions in respect of their continuing professional development as they are obliged to meet by that framework, and*

ii. *to submit records about any continuing professional development undertaken by them to the Registrar for review.*

Throughout this document we refer to The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012

<http://www.legislation.gov.uk>

AND,

The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) (Amendment) Regulations (Northern Ireland) 2013

<http://www.legislation.gov.uk>

Where reference is made to either of these regulations it is important to consider both.

Throughout this document we endeavour to explain and clarify complex legislative matters. For the avoidance of doubt the legislative provisions must be adhered to in all cases.

## **CPD Declaration**

---

From 1 June 2013, with the enactment of new legislation, CPD became a statutory legal requirement of registration. This means that each year when you renew your registration you must complete a statutory declaration stating that you comply with the legislative provisions and statutory requirements of this CPD framework.

Each year, the Council of the Pharmaceutical Society NI requires registrants to:

- i. complete an annual declaration on their annual registration form (see below) regarding their compliance with such requirements and conditions in respect of their continuing professional development, and
- ii. submit CPD records undertaken by the registrant on request by the Registrar for review.

### **CPD DECLARATION**

Continuing Professional Development (CPD) is a statutory and professional requirement for all registered pharmacists in Northern Ireland from 1 June 2013 and annually thereafter.

### **ANNUAL DECLARATION BY THE PHARMACIST**

I declare that I have met the requirements and conditions of the CPD framework in respect of my continuing professional development.

1. I have submitted CPD records to the Registrar for review by the required deadline.
2. I have undertaken a minimum of 30 hours CPD.
3. The information provided about my continuing professional development is in the form and manner required.
4. The information relates to the 'relevant period' or CPD year.
5. The records submitted are relevant to:
  - a. the safe and effective practice of pharmacy, and
  - b. the scope of my pharmacy practice, including any specialist area of practice.
6. I understand that the consequences of making a false declaration on this registration form may include removal from the Register.

Signed by

Dated



## **Standards for Continuing Professional Development**

**Principle 6** of the Code of Ethics (2009) and its underpinning obligations clearly state the ethical and professional importance of continuing professional development to registrants registered with the Pharmaceutical Society NI. The obligation on registrants to complete CPD is further amplified with the introduction of new legislation making CPD a mandatory statutory requirement.

The standards for continuing professional development are **mandatory professional standards** (indicated by the word '*must*') for all registrants. They are designed to ensure that all registrants are clear about the minimum requirements they must adhere to when undertaking CPD activity to promote and maintain public confidence in the pharmacy profession. If a concern is raised about a registrant to this organisation, these standards may be taken into account when considering if further action is necessary.

Serious or persistent failure by a registrant to follow these standards may jeopardise their registration. The registrant must, in all instances, be prepared to explain and justify their actions.

As a registrant of the Pharmaceutical Society NI, **you must:**

1. Keep a legible record of your CPD (either electronically online or as a hardcopy on paper) in the form and manner specified in the CPD framework.
2. Complete a minimum of 30 hours of CPD learning activity annually: allowing 5 hours for documentation of that learning.

[‘Partial submissions’\* are only allowed in extenuating circumstances upon application to the Pharmaceutical Society NI.]

3. Complete a minimum of 4 CPD cycle entries per year relevant to the safe and effective practice of pharmacy and to your scope of practice. Maintain appropriate evidence of participation.
4. Develop a reflective approach to learning ensuring that there is a predominance of scheduled learning activity, where prior learning needs have been identified.
5. Ensure that your CPD portfolio record complies with the Pharmaceutical Society NI recording format and the essential assessment criteria.
6. Record if your CPD is relevant to the safe and effective practice of pharmacy **and** to your scope of practice.
7. Submit your CPD portfolio record annually to the Pharmaceutical Society NI and by the published deadline.

## 1. Amount and type

---

There is an ethical and professional obligation for every registrant to keep their knowledge and skills up to date and promote the highest standards of learning and development. This commitment to Continuing Professional Development (CPD) not only maintains and improves the quality and safety of care to patients it also raises standards for the entire pharmacy profession and the services they provide.

CPD covers formal and informal learning activities. It must be recorded using the specific recording format for scheduled and unscheduled learning downloadable from our website at <http://www.psni.org.uk/CPD-cycles-2017.pdf>

The CPD year runs from the 1 June to the 31 May in a calendar year for any registrant renewing their annual registration. For those entering the Register or being restored to the Register, the *'relevant period'* is *'the period that commences with, and includes, the date on which the registrant's name was entered in, or restored to the Register, and ends on 31 May following that date.'*

The registrant is required to complete a minimum of 30 hours CPD learning activity during this time except in *'extenuating circumstances'* (see section 6). Whilst we require a submission of 30 hours CPD activity we do not impose an upper limit on the number of CPD hours to be undertaken in any CPD year.

As a registrant of the Pharmaceutical Society NI you must meet the following requirements:

- Record your CPD in a legible form, either electronically online or as a hardcopy on paper, using the recording format (downloadable from our website at <http://www.psni.org.uk/CPD-cycles-2017.pdf> and ensure that it is presented in a legible and clear manner to be assessed
- Complete a minimum of 30 hours CPD learning activity each year (allowing 5 hours for documentation )<sup>1</sup>
- Submit a partial submission of 15 hours CPD learning activity only in extenuating circumstances [Refer to section 6: Extenuating Circumstances]
- Submit a minimum of 4 CPD cycle entries during a CPD year

---

<sup>1</sup> Where a registrant submits a portfolio record which greatly exceeds the 30 hours we reserve the option to require the registrant to designate those individual cycles which are to be assessed.

- Record a predominance of scheduled learning cycles in your portfolio record where you have identified prior learning needs. Where this is not the case, and there is evidence of more unscheduled learning activity, your CPD portfolio may be actively targeted<sup>2</sup> for sampling in the following CPD year. This is primarily in the interest of the registrant to support them to embrace a more reflective approach to practice
- Record your CPD in compliance with the criteria for assessment outlined in section 4: Criteria for Assessment
- Record in the compulsory fields how your CPD relates to the safe and effective practice of pharmacy and is relevant to your scope of practice
- Submit your CPD portfolio record by the 31 May to the Pharmaceutical Society NI.

---

<sup>2</sup> **Targeted sampling:** some registrants will be targeted for CPD assessment according to their risk profile. For example, if the registrant:

- has changed pharmacy sector within the CPD year or 'relevant period'
- has been restored to practice
- records a predominance of unscheduled learning cycles in their CPD portfolio, or
- is subject to fitness to practise proceedings.

## **2. Information to be provided by registrants about CPD**

Continuing Professional Development must be relevant to the professional work of a registrant and needs to be recorded clearly in the CPD cycle entry.

CPD is a cyclical process of learning. Even though there are four stages to the CPD cycle not every learning experience includes all the stages. Although you can start your CPD entries at any stage of the cycle, every entry must include an evaluation of what was learnt and its benefits to your personal development or practice.

As a registrant you are responsible for your own personal learning and development and it must cover the broad scope of your practice. This includes pharmaceutical and non-pharmaceutical aspects of practice such as management, research, administration and teaching or training responsibilities.

Your CPD activities must also take into account potential changes to your role and the learning you must undertake to prepare you to better deal with emerging changes in professional practice as well as team and service developments.

Whilst the regulator encourages a reflective approach to practice we<sup>3</sup> also recognise that not all CPD activity can be planned for. There are always occasions for spontaneous or opportunistic learning (unscheduled) activity in day-to-day practice which can be very constructive and valuable in bringing benefit to your practice and improving patient outcomes.

In accordance with the amended Pharmacy Order 1976 and its enabling regulations, the primary aim of any CPD learning activity undertaken by a registrant is that it must be relevant to the safe and effective practice of pharmacy and to the scope of practice. It is incumbent upon the registrant to articulate this clearly in the recording of their CPD information.

When recording your CPD cycle entry, you must:

- display relevant skills and competence relevant to your scope of practice including any specialisation in order to ensure patient and public confidence and safety.
- address learning needs that are specific and relevant to your current scope of practice.
- in the case of a scheduled learning cycle entry, follow the 4-stage CPD cycle of reflection, planning, action and evaluation, downloadable from our website at <http://www.psn.org.uk/CPD-cycles-2017.pdf>

---

<sup>3</sup> 'we' or 'our' and 'the organisation' is taken to mean The Regulatory Council of the Pharmaceutical Society NI.

- in the case of an unscheduled learning cycle entry, follow the two-stage CPD cycle of action and evaluation, downloadable from our website at <http://www.psni.org.uk/CPD-cycles-2017.pdf>
- record how you have applied or will apply your learning in practice in the evaluation stage of the CPD cycle entry. In the latter case, you must provide specific detail on how you will apply your learning in future.
- detail the number of hours of learning attributed to each CPD cycle entry.
- record evidence of participation in respect of each CPD cycle entry, which must be retained for at least five years. This may be requested for submission by the Pharmaceutical Society NI as evidence of your participation in CPD activity however we do not routinely request presentation of this evidence.
- record in your CPD cycle how your CPD activity has contributed to:
  - the safe and effective practice of pharmacy **AND** is relevant to
  - your scope of practice.
- if you have more than one role, your CPD portfolio record should capture learning activity across all of the sectors in which you work.
- if you are unable to close a CPD learning cycle because of lack of opportunity to apply your learning in practice, you may record how you will apply your learning in future. In the latter case, you must detail how specifically you will apply your learning in future.
- simulated role play is an acceptable means of evidencing your learning and therefore can be used to 'close' a CPD cycle.

On some occasions, it might be difficult to implement your learning after training, such as, the administration of an Epipen® or the performance of Cardiopulmonary Resuscitation (CPR). In such cases, if you have no means of generating evidence, simulation or role play will be accepted to evidence the impact of learning to your practice.

In the best interests of patient safety and practice development, the registrant should always aim to apply their learning in their practice and thereby complete or 'close' the evaluation stage of a CPD cycle.

Where this it is not possible, it will be acceptable for a registrant to record an example of 'simulated role play' or a 'future application of learning'. In the latter case you must detail how specifically you will apply your learning in future.

**100% of your learning activity may be recorded as 'future application of learning' and/or 'simulated role-play'.**

### **3. Calling your CPD for assessment**

---

All CPD portfolio records should be maintained throughout the CPD year in a manner suitable to be assessed.

Each year, registrants are requested to maintain their CPD portfolio record either online or as a paper copy. Whilst the Pharmaceutical Society NI accepts paper portfolios we prefer that registrants submit their CPD portfolio online. Not only is it more straightforward for registrants to record their CPD information correctly by using the online facility it also minimises the administrative and handling costs to the Pharmaceutical Society NI.

All registrants are required to submit a CPD portfolio record, either electronically online or as a paper copy, by the 31 May deadline each year.

The Pharmaceutical Society NI will sample a number of CPD portfolio records to verify that the information documented by registrants is correct and meets our standard for assessment. Those registrants whose portfolio records are sampled and assessed will receive a result and individual feedback will be made available online or on paper where appropriate.

#### **Submit your CPD portfolio record annually:**

- when you are notified to submit your CPD portfolio record, you will be given details of how to do this and the date by which you need to submit it. Please note, paper submissions will be expected to arrive by the 31 May deadline.
- if you do not submit your CPD portfolio record by the published deadline, without good reason, the Pharmaceutical Society NI may take steps to remove your name from the Register.

#### **[Note: the 'portal' for making CPD submissions online will open on 1 April and close 31 May in any CPD year]**

- From all the portfolios submitted, a sample of portfolio records will be selected for formal assessment. A minimum of 10% of the Register will be sampled annually in accordance with Council policy. Sampling will be a combination of randomised and targeted<sup>4</sup> selection.
- A reminder email will be sent 7 working days before the final submission deadline (31 May) if your portfolio record has not been received before this date. [Please note: for registrants with no email addresses, reminder letters will be posted. It is the registrant's responsibility to ensure that all contact details held by the Pharmaceutical Society NI are always kept up-to-date].

---

<sup>4</sup> See glossary of terms

- Keep evidence of your participation in CPD activity in case you are asked to submit it as evidence to verify the information you have recorded in your portfolio record submission.
- Your CPD portfolio will be assessed by one of a team of CPD assessors (see supporting documentation for details) who have been appointed and specially trained by the Pharmaceutical Society NI. The assessors are recruited and appointed on the basis of their ability to assess information objectively against the relevant assessment criteria. The quality of their work is monitored frequently by the Pharmaceutical Society NI to ensure conformity with the criteria and consistency with their application.
- Your portfolio record will be awarded one of two results:
  - met standard (40% or more cycles acceptable)
  - or
  - not met standard (< 40% of cycles acceptable).
- You will be informed in writing, of the percentage of cycle entries that have met the required standard along with the overall result.
- Online feedback will be provided to those registrants whose portfolios were unsuccessful in meeting the standard for assessment.
- All portfolio records not meeting the standard after first assessment will be marked by a second assessor before a final result is awarded and sent to the registrant.
- Should it happen that the two assessors produce two differing results (that is, 'not met standard' and 'met standard') the Post-Registration Lead<sup>5</sup> will arbitrate by assessing the portfolio record for a third and final time. This assessment shall be final and binding, save for application of the other statutory processes by the Registrar.
  - If you are unable to meet your CPD deadline without 'reasonable excuse', as a result of an extenuating circumstance, you must complete the Pharmaceutical Society NI ['Extenuating Circumstances \(EC\) Form'](#) which is downloadable from our website and submit this to the Post-Registration Lead, normally within 21 days after the extenuating circumstance arising. [Refer to Section 6: 'Extenuating Circumstances'.]
  - If, at any time during the CPD year, or '*relevant period*', you have been unable to undertake and record your CPD, you must inform the Post-Registration Lead, in writing or by email, before submitting your portfolio record for assessment. Gaps in your CPD portfolio record must be supported with relevant evidence and should not normally exceed 12 months.

---

<sup>5</sup> See glossary of terms

#### 4. **Criteria for assessment**

---

The nine assessment criteria for planned or scheduled learning cycles are developed around the prompt questions assigned to the 4 stages of the CPD cycle (reflection, planning, action and evaluation) to encourage pharmacists to engage in all aspects of the reflective learning cycle.

You must provide precise and succinct information when answering each of the nine prompt questions; your portfolio will be assessed and scored on how well you answer the five essential criteria which have been clearly denoted.

In contrast, there are two assessment criteria for unplanned or unscheduled learning cycles that are developed around two stages of the CPD cycle (action and evaluation).

The current system is robust and quality assured and has been in operation since January 2005 during which time it has been regularly reviewed.

- For the CPD year or '*relevant period*<sup>6</sup>', you must have a predominance of scheduled learning cycles, where you have identified a prior learning need through embracing a reflective approach to your practice.
- Each scheduled cycle entry is '*assessed*' against 9 assessment criteria – 5 of which are '*essential*'. By failing any one of the 5 '*essential*' criteria the cycle entry will not meet standard. The 5 essential criteria are clearly denoted [ESSENTIAL\*].

Please note that it is still important to answer the 4 non-essential or supplementary criteria as they help to 'frame' and 'contextualise' your CPD information for ease of explaining your 'CPD journey'. It also helps you to follow a logical thought process to clearly map your learning needs throughout the CPD cycle.

- The assessor assesses scheduled cycle entries against the assessment criteria outlined in table 1, which follows herein.

A **CPD Assessment Guide** is available to download at <http://www.psni.org.uk/CPD-Assessment-Guide> and it gives clear guidance on how to complete a 'scheduled' and 'unscheduled' learning cycle successfully to meet the assessment criteria.

The **CPD Exemplars** are another useful resource for registrants to refer to available at <http://www.psni.org.uk/CPD-EXEMPLARS>

---

<sup>6</sup> See Glossary of Terms



Table 1

<b>Reflection</b>
Did the pharmacist: 1. Identify specific learning need(s)? [ESSENTIAL*]
2. Describe why they wanted to learn about this?
<b>Planning</b>
Did the pharmacist: 3. Describe the activity/activities that they planned to undertake to meet these need(s)? [ESSENTIAL*]
4. Indicate when they planned to complete these by?
<b>Action</b>
Did the pharmacist: 5. Provide a brief description of the learning activity/activities they completed to meet the learning needs?
6. Include a brief summary of what they learnt? [ESSENTIAL*]
<b>Evaluation</b>
Did the pharmacist: 7. Indicate if they have met their learning need(s)?
8. Indicate how their practice has changed or will change as a result of their learning or how they have applied or will apply their learning? [ESSENTIAL*]
Finally, considering the CPD cycle in its entirety: 9. Is it evident that their original learning need(s) have been addressed within the cycle? [ESSENTIAL*]

[ESSENTIAL\*]: denotes the 5 essential criteria. By failing to answer any one of these 5 essential criteria successfully, the CPD cycle entry will not meet standard.

- Each **unscheduled** cycle entry is *'assessed'* against 2 assessment criteria – both of which are *'essential'*. By failing any one of the 2 *'essential'* criteria the cycle entry will not meet standard.
- You must **ONLY** record your CPD activity as unscheduled when no prior learning need(s) has (have) been identified. This type of learning is characteristically spontaneous or opportunistic in nature and is unplanned.
- The assessor assesses unscheduled cycle entries against the following assessment criteria outlined in the following table:

**Table 2**

Action
<b>1. Did the pharmacist include a brief description of the unscheduled learning activity and a brief summary of what was learnt? [ESSENTIAL*]</b>
Evaluation
<b>2. Has the pharmacist indicated how their practice has changed or will change as a result of their learning or how they have applied or will apply their learning? [ESSENTIAL*]</b>

- Each portfolio record is assessed and given a final mark based on the number of CPD cycles which have met the essential assessment criteria for scheduled and unscheduled learning activity.

## **5. Records of registrants' CPD kept by the Pharmaceutical Society NI**

The Pharmaceutical Society NI keeps personal files/records on all registrants. All records are treated as strictly confidential.

- A record is kept by the office of the Pharmaceutical Society NI of each CPD assessment undertaken by a registrant, the outcome of the assessment and the date on which it was completed.
- Copies of CPD portfolio records submitted for assessment and a record of any supplementary information submitted or obtained during the assessment process will be retained securely and in accordance with Data Protection Act requirements for a period of five years after the assessment has been completed, after which the data will be destroyed.

## 6. Extenuating circumstances

---

**An extenuating circumstance or ‘reasonable excuse’<sup>7</sup> is detailed as ‘a circumstance beyond the individual’s control which has had a significant and/or detrimental impact on the individual’s ability to comply with their CPD requirements’<sup>8</sup>.**

CPD activity should be undertaken and recorded throughout the CPD year<sup>9</sup> and not left to the final month before the submission deadline.

On this basis, it is only in cases where a registrant’s ability to undertake CPD activity throughout the CPD year has been significantly affected that an application for extenuating circumstances should be made.

In making an application to the Registrar, the registrant must include independent, verifiable documentary evidence relevant to their case and which has been declared on the application form.

If, at any point, the registrant is unsure about making an application it is advisable to contact the regulator for further information and to seek clarification.

It is not possible to list every circumstance that the Registrar will or will not take into account when considering an application for extenuating circumstances. Each application will be considered on its own merits and on a case by case basis.

- **An exemption<sup>10</sup> or deferral<sup>11</sup>** can be requested in extenuating circumstances in which you have been unable to work because of, for example, a long term illness. Please note that long- term unemployment is not considered a valid reason for an exemption or deferral.
- **A partial submission<sup>12</sup>** can be requested if you have been on the Register for less than 6 months of the year or have worked less than 6 consecutive months in the CPD year. A partial submission of 15 hours will be needed (that is, 12.5 hours CPD learning activity + 2.5 hours documentation time).

---

<sup>7</sup> The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012, paragraph 2(2) to (4).

<sup>8</sup> <https://www1.essex.ac.uk/students/exams-and-coursework/ext-circ.aspx>

<sup>9</sup> The CPD year commences on 1 June and ends 31 May in the following calendar year.

<sup>10</sup> See Glossary of Terms

<sup>11</sup> See Glossary of Terms

<sup>12</sup> See Glossary of Terms

**Table 3: Generally acceptable circumstances**

Table 3 lists some examples of extenuating circumstances which will be generally acceptable: this list should be used only as a guide and is not meant to be exhaustive or prescriptive.

Generally acceptable circumstances	Examples of evidence
<b>1</b> Long term illness	An original medical certificate or letter from an appropriate medical professional confirming the nature of the illness that prevents the registrant from working.
<b>2</b> Acute personal/emotional circumstances e.g. due to a bereavement	An original medical certificate or letter from an appropriate medical professional confirming the nature of the circumstances.
<b>3</b> Hospitalisation	A medical certificate/letter from an appropriate medical professional confirming the nature and severity of the illness or circumstances.
<b>4</b> Family illness	A medical certificate/letter from an appropriate medical professional confirming the nature and severity of the family illness.
<b>5</b> Victim of crime	A written statement of events that is supported by written evidence from the Police (including a crime reference number). Where relevant, an original medical certificate or letter from an appropriate medical professional or counsellor.
<b>6</b> Criminal investigation or proceedings, litigation, other legal matters	A solicitor's letter.
<b>7</b> Maternity leave	Maternity exemption certificate (MatB1form) Letter from employer.
<b>8</b> Paternity leave	Letter from employer.

**Table 4: Generally not acceptable circumstances**

Generally not acceptable	Notes
<b>1</b> General pressure of work	
<b>2</b> A short-term illness	Illness that has occurred during the year
<b>3</b> Non serious personal disruptions or events	Holidays, staying or living abroad, weddings, changing address or employment
<b>4</b> Excessive demands on time or pressure of one's employment	
<b>5</b> Financial problems	
<b>6</b> Unemployment	

## 6 (a) Application for extenuating circumstances

---

**All applications for 'extenuating circumstances' will be judged on the following principles:**

1. Does the 'extenuating circumstance' prevent the registrant from completing their statutory CPD requirement?
2. Has the registrant completed any part of the CPD requirement for that year? If so, the Registrar may accept a 'partial submission' under certain circumstances e.g. paternity leave?
3. Has the registrant previously provided details of an extenuating circumstance and, if so, did this relate to the same issue or a different issue?
4. Is there a health impairment affecting the registrant's ability to practise safely?
5. Is there relevant and verifiable documentation to support the registrant's case to continue to practise as a pharmacist whilst not undertaking statutory CPD?
6. Is the application timely and in the appropriate form?

The registrant should inform the Registrar of the change of circumstance by submitting an application form normally within 21 days of the untoward event arising, and normally before the 30 April deadline for applications. Each application for extenuating circumstances will be considered on its own merits and on a case by case basis.

In the meantime, the registrant must ensure that they maintain their CPD records, insofar as they are able, in readiness to make a CPD portfolio submission by the 31 May deadline. A registrant must not assume that an application has been granted until they receive written confirmation from the Registrar that this is the case.

An acknowledgement will be sent to the applicant within 3 working days of receipt of an application. The outcome of the application will be notified formally, in writing, to the registrant, usually within 21 days.

The registrant can make an application for extenuating circumstances by completing the downloadable Extenuating Circumstances (EC) form available from our website <http://www.psni.org.uk/Extenuating-Circumstances-Form-sept-2017.pdf>. The application for extenuating circumstances will only be relevant for the CPD year in which the application is being made.

The following points must be considered before submitting the EC form.

- ✓ complete all sections of the EC form and submit to the Pharmaceutical Society NI **normally within 21 days of the untoward event arising and normally before the 30 April application deadline.**

'Late applications' for extenuating circumstances received after the application deadline (30 April), may only be considered at the discretion of the Registrar. With any late application the registrant should provide a reason for the delay, for example, if the registrant has been unable to submit the EC form due to incapacitation through illness. Where such an exception is made, the registrant's claim will be considered without prejudice.

- ✓ **clearly indicate the reason for your application**, either:
  - an 'exemption'
  - a 'deferral', or
  - a 'partial submission'.
- ✓ **if the registrant is unable to complete the application** for justifiable reasons a 'next of kin' or other suitable person may contact the regulator on their behalf explaining their circumstances. This individual may complete and submit an EC form on their behalf.
- ✓ **submit independent, reliable, documentary evidence** of inability to work or the circumstance preventing the registrant from undertaking CPD activities, refer to Table 6a for information. All supporting evidence will be treated confidentially and in accordance with the Data Protection Act 1998.

After considering the registrant's application form and the supporting evidence, the Registrar<sup>13</sup> will determine whether or not there is sufficient cause for non-compliance with the CPD requirements outlined in the CPD framework and whether or not the application will be granted.

---

<sup>13</sup> The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012, paragraph 2(2) to (4).



## **6 (b) Standard of evidence**

---

The '*burden of proof*' to produce sufficient evidence to support an application lies with the registrant at all times. The Pharmaceutical Society NI reserves the right, without prior notification, to take any steps deemed necessary to verify the evidence submitted.

Where the Pharmaceutical Society NI is unable to verify the evidence to its satisfaction, the application may be rejected.

Evidence presented must meet the following standards and should:

- be written by an appropriately qualified professional who is independent of the registrant.
- be on headed paper and signed and dated by the author.
- be dated at the time that the extenuating circumstances took place.
- be in English.
- be original. Copies of supporting evidence will only be accepted in exceptional circumstances.
- be unaltered by the registrant. Documentation that has been amended for any reason will be deemed inadmissible by the Pharmaceutical Society NI. If there is evidence that a registrant has fraudulently presented documentation to the Pharmaceutical Society NI the matter will be referred to a Fitness to Practise Committee and may result in removal from the Register.

**An application form will only be considered by the Registrar when it is fully completed and accompanied by the supporting documentary evidence or information stated in the application form.**

## 6 (c) Fitness to Practise

---

Should a registrant make a disclosure on the application form, for example, that they have a health impairment which may affect their ability to practise safely or may call into question their fitness to practise, the application will automatically be referred to the Registrar for consideration.

The Registrar must determine whether to refer the matter to:

- a. the Scrutiny Committee in accordance with paragraphs 5 (1) of schedule 3 to the Order<sup>14</sup>; or
- b. the Statutory Committee in accordance with whichever of regulations 5 (5) or (8) of the Fitness to Practise regulations<sup>15</sup> the Registrar considers to be appropriate in all circumstances of the registrant's case.

---

<sup>14</sup> Pharmacy (Northern Ireland) Order 1976

<sup>15</sup> The Council of the Pharmaceutical Society of Northern Ireland (Fitness to Practise and Disqualification) Regulations (Northern Ireland) 2012

## **6 (d) Information provided to registrants after making an application for extenuating circumstances**

---

After consideration of the application for extenuating circumstances and taking into account the supporting evidence, the Registrar will send a formal written statement to the registrant outlining whether:

- the application has been granted for that CPD year, for either:
  - an exemption
  - a deferral, or
  - a partial submission.

or if,

- the application has not been granted, outlining the reason for the refusal and the date by when the registrant must make a CPD submission.

In accordance with the legislation, the Registrar's decision on the application for extenuating circumstances will be final.

It is important to note that should an applicant subsequently fail to make a CPD submission, a notice of removal will be served which will outline the right of appeal to the Statutory Committee within 28 days of service of that notice.

## 6 (e) Maternity leave

---

If a registrant is on maternity leave, the normal CPD requirements do not apply.

In this special circumstance, the registrant may be eligible to apply for either:

- a CPD exemption - if the period of maternity leave runs over the submission deadline,  
or
- a partial submission - if the registrant has worked less than six consecutive months in the CPD year.

Therefore, the nature of the request on the application form will depend on the period of maternity leave and when it falls during the registration year.

It is essential that the registrant can produce documentary evidence to verify the application such as a maternity exemption certificate (MatB1Form) with details of the Expected Week of Confinement (EWC) and a letter from their employer with details of when they left work and when they expect to return to work.

## 6 (f) Paternity leave

---

If a registrant is on paternity leave, the normal CPD requirements do not apply.

This is considered a special circumstance and can apply to a registrant following the birth or adoption of a child. The registrant will be eligible to take paternity leave to care for the child or support the mother or adopter.

In these circumstances, a registrant can apply for:

- a CPD exemption - if the period of paternity leave runs over the submission deadline,  
  
or
- a partial submission - if the registrant has worked less than six consecutive months in the CPD year due to the registrant taking the maximum period of parental leave.

The registrant must provide the Pharmaceutical Society NI with a completed application form for extenuating circumstances along with any documentation the registrant can provide to substantiate the information on the application form.

*Note: Under employment law, an employee is entitled to undertake 10 days (keeping in touch (KIT) days) during maternity, adoption or additional paternity leave.*

*This means that a registrant can undertake 10 statutory KIT<sup>16</sup> days and be exempt from their CPD requirements. Any work undertaken by the registrant over and above these statutory KIT days will be considered 'locum work' and the registrant will be eligible to make a CPD submission.*

---

<sup>16</sup> Whilst undertaking keeping in touch (KIT) days the registrant has an ethical obligation, under principle 6 of the Code of Ethics (2009), to ensure they have the requisite knowledge and skills to allow the safe and effective practice of pharmacy.

## **7. Return to practice after withdrawal from the register**

---

An unregistered pharmacist – who was previously registered with the Pharmaceutical Society NI and who applies for restoration to the Register after *‘withdrawing from the Register’*, needs to fulfil certain requirements before restoration to the Register and return to practice. [Please note: this is different to the procedure for ‘restoration to the Register and practice after CPD non-compliance’ detailed in section 10].

This CPD framework establishes that:

- if you have been off the Register *for more than* 12 months and wish to have your name restored, you must submit a ‘personal development plan’<sup>17</sup> in support of your application. This must be forwarded to the Registrar.
- if you have been off the Register *for less than* 12 months and wish to have your name restored there is no requirement to submit a *‘personal development plan’* unless the Registrar requires you to do so.

## **8. Visiting pharmacists**

---

This applies to pharmacists visiting Northern Ireland from other EEA states who are entered onto the *‘temporary service Register’* of the Pharmaceutical Society NI are referred to as *‘visiting practitioners’*<sup>18</sup>.

- If you are registered on the Pharmaceutical Society NI’s *‘temporary’*<sup>19</sup> service Register because you are registered as a pharmacist in another European state, where you normally practise, then the Registrar shall take account of any continuing professional development that you are required to undertake in your home state.

### **The Pharmacy (1976 Order) (Amendment) Order (Northern Ireland) 2012 Article 4 A 7 c (i) & (ii)**

In so far as it relates to a person (‘P’) who is registered person only as a result of being registered in the register mentioned in Article 6 (1)(d) –

- (i) may not impose requirements on P if P is required to undertake, in P’s home State, continuing professional development in relation to the profession of pharmacy; and
- (ii) where they impose requirements on P –
  - (a) must take account of the fact that P is fully qualified to pursue the profession in P’s home State, and
  - (b) must specify that continuing professional development which P is required to undertake by the requirements may be undertaken outside Northern Ireland.

---

<sup>17</sup> See Glossary of Terms

<sup>18</sup> See Glossary of Terms

<sup>19</sup> <http://www.legislation.gov.uk/nisi/1976/1213/schedule/2B>

## 9. Failure to comply with the CPD framework

---

Regulations 2 (2) to (10) of The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012<sup>20</sup> outlines the circumstances in which a registrant can be regarded as having failed to comply with the CPD framework or if the registrant makes a false declaration about their compliance with the terms of the CPD framework.

To paraphrase what is written in Regulations 2 (2) to (10), you will be regarded as having failed to comply with the requirements and conditions of the CPD framework if, without reasonable excuse:

- you have failed to make an annual declaration that you will comply with the requirements and conditions of the CPD framework for the *'relevant period'*<sup>21</sup>
- you have failed to meet the requisite hours for the relevant period
- you have submitted an insufficient number of cycle entries (less than 4 cycle entries) amounting to the requisite number of CPD hours
- you have failed to submit your CPD portfolio record by the published deadline without *'reasonable excuse'*<sup>22</sup>
- the information you have recorded about your CPD has not been recorded in the form and manner specified in the CPD framework and/or fails to adequately record the dates the CPD has been undertaken
- your CPD portfolio record does not demonstrate or have evidence that the CPD undertaken is relevant to:
  - ✓ the safe and effective practice of pharmacy,
  - ✓ your individual learning needs, including any specialisations,
  - ✓ your scope of practice.
- you have submitted a CPD portfolio record which is not in a *'fit and proper state'*<sup>23</sup> to be assessed
- you have not complied with remedial measures previously imposed by the Registrar

---

<sup>20</sup> The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012, 2 (2) to (10)

<sup>21</sup> The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012, 2 (11) a - c

<sup>22</sup> The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012, paragraph 2(2) to (4).

<sup>23</sup> The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012, 2 (10) b

- your CPD portfolio record does not adequately reflect any special conditions that have been placed on your practice by the Pharmaceutical Society NI e.g. by virtue of a direction given by a Fitness to Practise Committee, or if you are a visiting practitioner, the relevant authority in your Home State
- you have failed to reflect any additional CPD activity required by the Registrar following restoration to the Register

Further, the Council of the Pharmaceutical Society NI states that a registrant will be regarded as having failed to comply with the requirements and conditions of the CPD framework if:

- your CPD portfolio record has been found to be false
- your CPD portfolio record is found to contain false or misleading information
- your CPD portfolio record has been completed by a third party

Please note, if you are subject to fitness to practise proceedings it may be considered necessary by the Registrar to share CPD information/ portfolio records with other relevant bodies including other regulatory bodies within and outside the UK.



## 9 (a) Remedial measures

---

In circumstances of non-compliance as outlined in 9 above, or if the registrant makes a false declaration about their CPD, the Registrar may either:

- impose remedial measures
- initiate steps to remove a registrant from the Register, or
- remove an annotation to a registrant's registration in respect of a specialist area of practice.

Please note these latter steps may also apply to a visiting practitioner if it is considered 'appropriate and proportionate' by the Registrar.

Regulation 4 (1) (a) to (e) and 4 (2) of The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012 outlines the remedial measures the Registrar may impose on a registrant in connection with the registrant's CPD if it has not met standard for assessment.

Remedial measures happen in two stages. The first stage of the process is most often *Reassessment 1* where the registrant will submit three new CPD cycles from the new CPD year (that is, CPD activity undertaken from 1 June in any CPD year). The second stage of the process mirrors this and is called *Reassessment 2*.

The registrant will be given two months in which to submit a reassessment portfolio after receiving notification that their original CPD submission had not met standard, on first assessment. The registrant will usually receive their result for the reassessment process, one month after portfolio submission.

If successful, the registrant will not be required to enter into the second stage of the remedial process or *Reassessment 2*. If, however, the registrant is unsuccessful, they will automatically enter into the second stage of the process or second reassessment. The second stage will most often involve the submission of a further three new CPD cycles within a two month time-frame.

The Registrar has the discretionary power to permit a registrant to resubmit a revised CPD portfolio, for first reassessment, if the original portfolio has not been submitted 'in the form and manner' specified in the CPD framework for assessment. The registrant will be advised by the Registrar of the amendments required to the original portfolio submission in order for it to meet the assessment criteria. It is important to note, that the Registrar will exercise this discretionary power by exception only.

**Please note that if you meet the standard after first stage remedial measures you will not be required to enter the second stage.**

## **9 (b) The process for removal of an entry or annotation<sup>24</sup> from the Register**

The full statutory provisions have precedence to this summary and registrants are referred to The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012.

In most cases, a single failure to comply with the requirements and conditions of the CPD framework will result in one or more remedial measures being imposed. The remedial measures applied to registrants will be, in most cases, a process of reassessment as described in 9(a).

In some circumstances, for example, where a registrant fails, without 'reasonable excuse' to submit a compliant CPD portfolio record for assessment when requested to do so, or in the specified form and manner, or fails to comply with any remedial measures imposed, the Registrar may proceed to remove a registrant from the Register, or to remove an annotation from a Register entry.

- Where the Registrar initiates steps to remove a registrant from the Register, or to remove an annotation to registration, he will consider if there is an issue with fitness to practise - if no case arises he will send out a **'notice of intention to remove'**.
- If the Registrar believes on reasonable grounds that the fitness to practise of the registrant is called into question he will determine whether to refer the matter to either the Scrutiny Committee or Statutory Committee in accordance with the relevant legislative provision.

---

<sup>24</sup> See Glossary of terms

The **'Notice of Intention to Remove'** will:

- a. set out the grounds for believing that the registrant:
  - i. has failed to comply with the requirements or conditions of the CPD framework, or
  - ii. has made a false declaration about their compliance with the requirements or conditions of the framework.
- b. be accompanied by copies of evidence on which the Registrar would seek to rely in any proceedings.
- c. invite the registrant to submit written representations, and any relevant evidence, to the Registrar as to why the registrant's name or annotation against the registrant's name should not be removed from the Register (that is, evidence that is in a form to be copied).
- d. inform the registrant that any written representations or evidence must be submitted no later than 28 days after service of the notice.
- e. inform the registrant that, if the registrant fails to submit written representations to the Registrar within the 28 day period referred to in paragraph d (above), the registrant's name or the annotation recorded against the registrant's name may be removed from the Register.

- When written submissions are received, the Registrar will consider the submissions and evidence and determine whether or not the registrant failed to meet the CPD requirements and terms of the CPD framework or made a false declaration. The Registrar will either then:
  - determine that no failure has taken place and close the matter;
  - determine that the registrant has failed to meet their CPD requirements;
  - make further inquiries (including obtaining legal advice) as considered necessary or expedient.
- Where the Registrar is relying on new evidence in making a determination, the Registrar will send copies of evidence to the registrant and issue a **'supplementary notice'**.

A '**supplementary notice**' is a notice which:

- invites the registered person to submit written representations, and any relevant additional evidence, to the Registrar as to why the name of the registered person or the annotation recorded against the registrant's name should not be removed from the Register,

**AND,**

- informs the registrant that any such representations or evidence must be submitted no later than 28 days after the notice has been served
- The Registrar may serve more than one supplementary notice on the registrant
- Where more than one supplementary notice has been served on the registrant, the Registrar will take into account the most recent supplementary notice in making his determination on the written representations.

## **9 (c) Suspension from the Register pending appeal**

---

Information on the Appeals process is found in the CPD regulations, regulations 12-29<sup>25</sup>.

The Registrar has the power to suspend<sup>26</sup> registration pending the final outcome of any appeal lodged.

## **9 (d) Proceedings at appeals**

---

**The process for lodging an Appeal against removal of a name or annotation where a registrant has requested a hearing**, is detailed in regulations 12-20 and 22 to 29 of The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2013 which can be accessed at: <http://www.legislation.gov.uk>

Normally, and unless an Appeals hearing is requested by the registrant, appeals will be dealt with on the papers submitted in the evidence bundle.

**The process for lodging an Appeal on the papers** is detailed in regulation 21 of The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2013. In consideration of an appeal on the papers:

- (1) The Statutory Committee is to determine an appeal on the papers unless the appellant has requested a hearing in the Notice of Appeal.
- (2) No later than 7 days of a meeting held for the purposes of determining an appeal on the papers, the secretary must provide the Statutory Committee with an agenda and the documents relevant to the consideration of the appeal.
- (3) An appeal on the papers shall be considered in accordance with regulations 18, 19 and 20 insofar as those regulations apply to an appeal on the papers and in accordance with practice directions given by the chair under regulation 24 of the Council of the Pharmaceutical Society of Northern Ireland (Fitness to Practise and Disqualification) Regulations (Northern Ireland) 2012 (a).

Refer to the appendix 1 for a copy of the practice directions referred in the paragraph above.

---

<sup>25</sup> The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) (Amendment) Regulations (Northern Ireland) 2013

<sup>26</sup> (1) The provisions of paragraph 8(2) to (10) of Schedule 3 to the Order are to have effect in relation to the registrar's decision to suspend an entry under paragraph (1) as if that decision were an interim suspension order made by the Statutory Committee under paragraph 8(1)(a) to Schedule 3 of the Order.

## **10. Restoration to the Register**

### **10 (a) Restoration of a name to the Register following removal for CPD non-compliance**

---

The procedures for this process are detailed in regulation 10 of The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012.<sup>27</sup>

An application form for restoration of a name to the Register can be downloaded from the Pharmaceutical Society NI website [www.psni.org.uk](http://www.psni.org.uk)

### **10 (b) Restoration of an annotation to a registered person's name in the Register following removal for CPD non-compliance**

---

The procedures for this process are detailed in regulation 11 of The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012.<sup>28</sup>

An application form for restoration of an annotation to a name to the register can be downloaded from the Pharmaceutical Society NI website [www.psni.org.uk](http://www.psni.org.uk)

---

<sup>27</sup> <http://www.legislation.gov.uk/nisr/2012/312/contents/made>

<sup>28</sup> <http://www.legislation.gov.uk/nisr/2012/312/contents/made>

## **10 (c) The Registrar's role**

---

1. The Registrar must consider:

- i. whether or not the applicant should be required to undertake any additional education, training and development or continuing education(CE) upon removal and before restoration to the Register; and,
- ii. whether the applicant should be required to undertake any additional CPD after the registrant's name or annotation is restored to the Register.

2. Following non-compliance with the CPD requirements under regulation 6 or 7 of The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012, a registrant wishing to apply for restoration of a name or an annotation to a name to the Register will be required under regulation 10 (2 and 3) and 11 (2 and 3) of the regulations<sup>29</sup>, to submit to the Registrar:

- a completed application form;
- payment of the prescribed fee;

and, in addition:

- a personal development plan<sup>30</sup>;
- a portfolio of documentary evidence of participation in additional learning activities that the Registrar may reasonably require for the purposes of determining the application. This shall amount to a total of 30 hours learning activity.

The granting of an application by the Registrar is subject to the condition that, where required, the applicant agrees to comply with undertakings with regard their CE activity and which is appropriate in their particular case.

---

<sup>29</sup> The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012

<sup>30</sup> See Glossary of terms

## 10 (d) Supporting evidence (in relation to personal learning and development or continuing education (CE))

---

What the regulations state:

*“The registrar must consider:*

*(a) whether the applicant should be required to undertake any additional education, training or experience before the applicant’s name is restored to the register; and  
(b) whether the applicant should be required to undertake any additional continuing professional development after the applicant’s name is restored to the register, and, where necessary, the registrar may determine the additional education, training or experience or additional continuing professional development that is appropriate for the applicant to undertake in the circumstances of the applicant’s case.”*

***Regulation 10 (5) The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012.***

### Timeframe

An application form for restoration to the Register along with relevant supporting evidence can be submitted **any time after the applicant has been removed from the Register** subject to the discharge of any particular directions made in regard to the applicant’s case by the Registrar or otherwise.

### Evidence

The Registrar requests that an applicant submits a portfolio of evidence to support 30 hours of education, training and experience or continuing education (CE) which has been appropriately recorded using a record form available at <http://www.psni.org.uk/studyforms> . The nature of the supporting evidence must:

- reflect the applicant’s intended scope of practice, specialty and other professional roles.
- be focused on intended outcomes.
- be relevant, authentic, sufficient and timely.

The evidence will be reviewed by the Registrar on its own merits.



## Learning activity

The applicant's personal learning and development or CE activity can be made up of a combination of:

1. **Supervised practice** - a period during which the registrant practises under the supervision of a registered health professional (normally a pharmacist).
2. **Private study** - a period of structured study. If this approach is chosen the applicant can use resources such as on-line information, libraries and journals.

Please note that private study can only make up a maximum of 50% of the total learning activities.

3. **Formal study** - a period of structured study which is provided by a person or organisation. For example:
  - return to practice programmes run by educational institutes, health trusts, health boards or other organisations;
  - relevant CE courses;
  - distance learning modules or programmes offered by professional organisations;
  - attendance at a conference.

Please note, the registrant must fill in the relevant form available at <http://www.psni.org.uk/studyforms> for each category of learning activity undertaken.

## **10 (e) Refusal of an application for the restoration of a name or an annotation to a registrant's name – the right of Appeal**

---

Where an application has been unsuccessful the Registrar is obliged to send a written statement to the applicant outlining both:

- a. the reason for refusal of the application;
- and
- b. the right of an appeal to the Statutory Committee.

An Appeal on the refusal of restoration of a name to the Register under regulation 10 will be dealt with in accordance with a Practice Direction issued by the Chair of the Statutory Committee.

Where the Registrar has refused an application for the restoration of an annotation to a registrant's name under Regulation 11, the applicant may appeal to the Statutory Committee under Article 4 A(13) of the Order (in accordance with regulations 13 and 14 of the CPD regulations) against the refusal of the application.

The proceedings will be conducted in accordance with Regulations 13 to 29<sup>31</sup>; for details refer to the practice directions available at available at appendix 2.

---

<sup>31</sup> The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012, 13 to 29

## 10 (f) Post-restoration

---

In assuring patient and public protection, the Registrar may seek early verification that the newly restored registrant is maintaining their fitness to practise and is compliant with their CPD requirements.

Under regulation 10, paragraph 6 and regulation 11, paragraph 6 of the regulations<sup>32</sup>, the Registrar may grant an application for restoration of a name or annotation to a name to the Register under this regulation *“subject to the condition that the applicant agrees to comply with such undertakings with regard to continuing professional development as the considers appropriate in the applicant’s case.”*

To provide early verification, the Registrar may seek evidence of up to 15 hours satisfactory CPD activity within 6 months of restoration to the Register or at such a period specified by the Registrar.

For the purposes of clarification, this CPD submission should be understood to be an early submission and a component of the 30 hour compulsory annual submission.

---

<sup>32</sup> The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012

## Glossary of terms

**Annotation:** appears next to a registrant's entry on the Register indicating a specialism awarded to advanced or specialist practitioners, for example, independent pharmacist prescriber (IP) or supplementary pharmacist prescriber (SP).

**Assessment:** a CPD portfolio record is assessed against assessment criteria by a specially trained assessor contracted by the Pharmaceutical Society NI for the purpose.

**Assessment criteria:** the criteria used to assess a registrant's CPD portfolio record. There are nine assessment criteria for a scheduled CPD cycle and two assessment criteria for an unscheduled CPD cycle.

**Continuing Professional Development (CPD):** is a process that all registrants are engaged in throughout their professional life to maintain their competence. A registrant's CPD must have relevance to the safe and effective practice of pharmacy, within the scope of their practice.

**CPD cycle entry:** a registrant's individual record of learning activity with specific details of the activity or activities undertaken, what was learnt as a result and how it has benefited patients and/or practice.

**CPD framework:** sets out the requirements and conditions that must be met by registrants in respect of their CPD.

**CPD portfolio record:** means a written record in either electronic or hard copy form which is completed by the registrant about the CPD that has been undertaken.

**CPD year:** commences from 1 June and runs to the 31 May in any calendar year.

**Deferral:** is a postponement granted to a registrant in respect of their CPD submission due to a circumstance beyond their control, until an agreed specified time.

**Documentation time:** is the time allowed by the Pharmaceutical Society NI to a registrant to record their CPD activity in a portfolio record prior to submission.

**Exemption:** an immunity which is granted to a registrant who is unable to fulfil their CPD requirements due to a circumstance beyond their control.

**Extenuating circumstance:** is *'a circumstance beyond the individual's control which has had a significant and/or detrimental impact on the individual's ability to comply with their CPD requirement.'* See also definition for *'reasonable excuse'*

**Inadequate response:** is where the portfolio record falls significantly short of the requirements for portfolio submission in the form, type, cycles or hours recorded, or the submission is post the CPD deadline.

**Learning need:** identifying something you need to learn.

**'Notice of intention to remove':** means where the Registrar proposes to remove the name of a registered person or the annotation recorded against the name of the registered person from the register.

**'Notice of appeal':** means a notice of appeal against an appealable decision.

**'Notice of removal':** means where the Registrar has decided to remove the name of a registered person or the annotation recorded against the name of the registered person from the register.

**'The Order':** means the Pharmacy (Northern Ireland) Order 1976 which was amended in 2012 by the Pharmacy (1976 Order) (Amendment) Order (Northern Ireland) 2012.'

**Online submission:** a legible CPD portfolio record which is submitted online via the link <https://members.psni.org.uk/Account/Login>. The registrant must submit a CPD portfolio record annually preferably, in this format by the published deadline.

**'Patient-facing':** where the registrant communicates and interacts directly with patients and the public, in person, in the provision of pharmaceutical care services.

**Paternity leave:** registrants who are parents are permitted to take paternity leave from their place of employment in respect of the following circumstances: adoption, paternity and maternity leave.

**Partial submission:** previously called a 'pro-rata' submission. This is allowed in circumstances where a registrant has been registered for less than 6 calendar months or has worked less than 6 consecutive months in the CPD year. The registrant is permitted to submit a portfolio of 15 hours made up of 12.5 hours learning activity + 2.5 hours documentation.

**Personal Development Plan (PDP):** a plan that helps the registrant to think about their own learning, performance and/or achievements and to plan for their personal, educational and career development. The responsibility is on the registrant to plan their learning, to act on the plans and to generate evidence of what they have achieved.

**Pharmacy Forum of the Pharmaceutical Society NI:** carries out the professional leadership function of the Pharmaceutical Society NI and will perform the function of CPD facilitation to registrants on their behalf.

**Post-registration Lead:** is employed by the Pharmaceutical Society NI and reports to the Registrar. The lead carries responsibility for the management and oversight of the CPD process and the assessor team.

**Reassessment:** in the process of reassessment there is a requirement to complete three additional cycle entries and these must be submitted by a specified deadline. There are two opportunities available to registrants in first and second reassessment to submit successful portfolio records if the first assessment attempt is unsuccessful.

**Reasonable excuse:** refers to a circumstance 'where the Registrar is of the opinion that the registered person has failed without reasonable excuse to make an annual declaration regarding the registered person's compliance with the requirements or conditions of the CPD framework.' *See also the definition for extenuating circumstance.*

[The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012]

**Registrar:** appointed by the Department of Health, Social Services and Public Safety Northern Ireland under the Pharmacy (Northern Ireland) Order 1976 Part III Article 9 and is responsible for the registration and regulation of registered pharmacists and pharmacy premises.

**'Relevant period':** the period that commences with, and includes, the date on which the registrant person's name was entered in, or restored to the Register, and ends on 31 May following that date. [The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012 regulation 2(11) (a) – (c)]

**Remedial measure:** any requirement specified in The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012 regulation 4 (1) (a) -(h). This will exclusively pertain to two reassessment opportunities for registrants.

**Risk analysis:** is a mechanism to identify and assess factors that may introduce an element of risk into a registrant's practice.

**'Sample' and 'sampling':** the sample, is the percentage number of registrants, on the Register of the Pharmaceutical Society NI, that will have CPD portfolio records assessed against the assessment criteria detailed in the statutory CPD framework. The number to be sampled will be set by the policy of the Council of the Pharmaceutical Society NI. The sample generated from the Pharmaceutical Society NI's database is a mixture of 'targeted' and 'random' sampling. 'Sampling' is the name given to the process of generating the sample.

**Scheduled learning cycle:** a cycle which has a prior identified learning need and all four stages of the CPD cycle must be completed – reflection, planning, action and evaluation.

**Scope of practice:** area of practice or realm of competency. Put another way, the scope of your practice is a way of describing what you are trained and competent to do. It describes the areas in which you have the knowledge, skills and experience to practise safely and effectively in the best interests of patients and the public.

**Simulation:** any structured exercise involving a specific task that reproduces real-life situations. If simulation is used, care must be taken to ensure that the conditions in which you are being assessed/ observed mirror the work environment, and is realistic.

**Targeted sampling:** some registrants will be targeted for CPD assessment according to their risk profile. For example, if the registrant:

- has changed pharmacy sector within the CPD year or ‘relevant period’
- has been restored to practice
- records a predominance of unscheduled learning cycles in their CPD portfolio, or
- is subject to fitness to practise proceedings.

**Temporary Register:** a visiting practitioner from a relevant EEA state, other than the UK, is entitled to apply and be registered in a pharmaceutical Register by the Registrar of the Pharmaceutical Society NI and is thereby entitled to provide ‘occasional pharmacy services’ in Northern Ireland.

**Unscheduled learning cycle:** a cycle which does not start with a prior identified learning need and only two stages of the CPD cycle must be completed – action and evaluation.

**Visiting pharmacists/practitioners:** refers to pharmacy practitioners visiting Northern Ireland from other EEA States who are entered onto the ‘temporary service Register’ of the Pharmaceutical Society NI and referred to as ‘visiting practitioners’. [The Pharmacy (Northern Ireland Order) 1967 Article 6 (1) (d)]

## **Appendix 1: Practice Direction for appeals on papers**

### **PRACTICE DIRECTION OF THE CHAIRS OF THE STATUTORY COMMITTEE**

DATED [            ]

#### **MADE PURSUANT TO REGULATION 24 OF THE COUNCIL OF THE PHARMACEUTICAL SOCIETY OF NORTHERN IRELAND (FITNESS TO PRACTISE AND DISQUALIFICATION) REGULATIONS (NORTHERN IRELAND) 2012**

1. The Statutory Committee has been provided under Regulation 21 (3) of The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012 (“the Regulations”) with the ability to make practice directions in regard to appeals on the papers.
2. Any appeal on the papers shall be conducted in accordance with Regulations 13, 14 and 15 of the Regulations.
3. The Chair by the Chair’s own motion or at the written request of one or both of the parties may hold a case management meeting.
4. Case management meetings
  - 4.1 Where a case management meeting is to be convened the secretary must give the parties such notice of it as is reasonable (in the opinion of the chair) in all the circumstances of the case.
  - 4.2 A case management meeting may be conducted by teleconference or such other method as is determined by the chair, in consultation with the parties.
  - 4.3 A case management meeting must be held in private.
  - 4.4 At a case management meeting, the chair (in addition to the matters mentioned in regulation 14 (3) of the Regulations may issue such directions as the chair considers necessary for the just and expeditious management of the case and may give preliminary rulings for the purpose of resolving questions of law and admissibility of evidence.
5. Any preliminary rulings mentioned in paragraph 4.4 are binding on the Committee hearing the appeal.
6. Procedures of the Statutory Committee for a hearing of the papers pursuant to Regulation 21 of the Regulations
  - 6.1 The Statutory Committee is to meet in private.
  - 6.2 The Chair of the Statutory Committee may give practice directions of general application to any proceedings of the Statutory Committee.



6.3 Before disposing of any appeal before it, the Statutory Committee –

(a) must –

- (i) consider all documents and recommendations placed before it by the parties, and
- (ii) consider any other relevant documents placed before it;

(b) may –

- (iii) direct that further investigations should be undertaken;
- (iv) obtain advice from a legal, clinical or other specialist adviser;
- (v) adjourn its consideration of an allegation until such time as any further information has been obtained, if any, are received, or where the person concerned has undergone a medical examination, a report on the person concerned has been prepared; and
- (vi) adjourn the matter for any other matter at the discretion of the chair.

7. Notification

7.1 The secretary shall inform the parties of the decision or direction of the Statutory Committee no later than 10 days after and including the date on which the relevant decision or direction was made.

7.2 Should the notice under 7.1 be a decision it must include the reasons for the decision.

The Chairs of the Statutory Committee

Dated [                      ]

## **Appendix 2: Practice Direction following the refusal of an application for restoration of the Registrant’s name to the Register.**

### **PRACTICE DIRECTION OF THE CHAIRS OF THE STATUTORY COMMITTEE**

DATED [            ]

#### **MADE PURSUANT TO REGULATION 24 OF THE COUNCIL OF THE PHARMACEUTICAL SOCIETY OF NORTHERN IRELAND (FITNESS TO PRACTISE AND DISQUALIFICATION) REGULATIONS (NORTHERN IRELAND) 2012**

With effect from [    ], in respect of all appeals pursuant to Article 4A (13) (c) of The Pharmacy Northern Ireland Order 1976 (“the Order”) to the Statutory Committee following the refusal of an application for restoration of the Registrant’s name to the Register shall be conducted in accordance with this practice direction.

Where the Registrar had decided to refuse an application for restoration to the Register the Registrar will send the formerly registered person/applicant a written statement giving notice of –

- (a) the decision to refuse an application for restoration; and
- (b) the reasons for it; and
- (c) the right of appeal under Article 4A (13) of the Order to the Statutory Committee.

Should the formerly registered person exercise their right of appeal under Article 4A (13) of the Order after having an application for restoration of a name to the Register under Regulation 10 of The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012 (“the Regulations”) refused by the Registrar it shall be conducted in compliance with this practice direction.

#### Time for serving Notice of Appeal

- (1) Subject to paragraph 4 (2), on receipt of the written statement sent by the Registrar under Article 4A (13) of the Order, the registered person or applicant as the case may be, (hereinafter referred to as “the appellant”) must serve a Notice of Appeal on the secretary in accordance with Regulation 14 of the Regulations, within 28 days beginning with, and including, the date on which the written statement was sent.
- (2) Where the Secretary to the Statutory Committee (“the secretary”) considers that it was not reasonably practicable for the Notice of Appeal to be served within 28 days, the secretary may by authorisation in writing extend the time limit for serving the Notice of Appeal.

The appeal of the decision to refuse restoration to the Register shall be conducted in accordance with the Regulations and in particular Regulations 14 to 29 set out in the Regulations.

The Chairs of the Statutory Committee

Dated [            ]