

Draft Guidance on the Provision of Services - Consultation

08 July 2020 – 30 September 2020

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About the Pharmaceutical Society of Northern Ireland

The Pharmaceutical Society of Northern Ireland is the regulatory body for pharmacists and registered pharmacies 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, and the standards for registered pharmacy premises;
- maintaining a publicly accessible Register of pharmacists and pharmacy premises;
- handling concerns about the Fitness to Practise of pharmacists, acting as a complaints portal and acting to protect the public; and
- ensuring high standards of education and training for pharmacists in Northern Ireland.

Why are we consulting?

In 2018, the Council of the Pharmaceutical Society NI considered an initial assessment on the need for new guidance for pharmacists in Northern Ireland on the provision of services and recommended that Guidance be developed.

Following a period of policy development, which included engagement with charities and organisations representing different public interests, pharmacy representative groups and government bodies, the Council of the Pharmaceutical Society NI developed draft Guidance in November 2019. Council did not launch a public consultation at this stage, in order to take into consideration changes to the law in relation to abortion in Northern Ireland, which is relevant to this guidance. Having had time to consider these changes, Council is now consulting on draft Provision of Services Guidance. The proposed Guidance primarily seeks to provide help to pharmacists in Northern Ireland when considering their obligations under Principle 1 of the Code – Always put the patient first – and Standard 1.1.5 – If, for any reason you are unable to provide a professional service, you have a professional responsibility to take reasonable steps to refer the patient or service user to an appropriate alternative provider for the service they require.

The proposed Guidance covers the following three main areas relating to the provision of services:

- the impact of a pharmacist's religion and/or beliefs on their willingness to provide a specific service;
- a patient or service user is violent, threatens violence or is verbally abusive; and
- the medicine, service or medicinal device is not currently in stock or available.

The consultation will run for twelve weeks from 08 July 2020 – 30 September 2020.

Who should be interested in responding?

The proposed Provision of Services Guidance should be of interest to the public and patient representative bodies in Northern Ireland, as it outlines what they may expect in relation to the provision of services from pharmacists. It should also be of interest to pharmacists, pharmacist representative bodies, the Government, and the Professional Standards Authority.

Draft Guidance on the Provision of Services document

The proposed Provision of Services Guidance is split into four main sections.

Section 2 outlines the legal framework within which the guidance is located, providing pharmacists with reference points, whilst making clear that when providing professional services, pharmacists must make sure that they keep up to date and comply with the law and that our standards or guidance do not set out the law in detail or provide legal advice. Pharmacists need to understand how the law applies to them and get legal advice when they need it.

Section 3 sets out a number of circumstances when a pharmacist may not be willing to deliver a certain service, because of the religion and/or beliefs, and further sets out the steps both pharmacists and employers should take in such circumstances to ensure patients receive the care they need, whilst pharmacists' rights are respected.

Section 4 sets out that pharmacies and healthcare settings need to be safe places for patients, service users, pharmacists and other staff. It further outlines that pharmacists have a right to protect themselves, their staff and patients in instances where a pharmacist believes that patients and/or service users pose a threat or are displaying threatening behaviour within a healthcare setting. This section provides guidance on when and how pharmacists should consider how to balance their rights to protect themselves and their staff, with patients' and service users' rights to receive the treatment they require within public healthcare settings.

Section 5 sets out guidance as to what a pharmacist should consider if they are unable to provide a service because a medicine, professional service or medicinal device is not currently in stock or available.

How can I respond to this Consultation?

You can find the Draft Guidance on the Provision of Services and all documents relating to the Consultation on the Pharmaceutical Society NI website: <http://www.psni.org.uk/publications/consultations/>

You will be asked to complete a response form based on the questions outlined below and return it to the Pharmaceutical Society NI.

This **12-week** Consultation starts on **08 July 2020** and ends at **12 noon on 30 September 2020**.

Responses can be returned electronically to consultations@psni.org.uk and hard copy responses may be sent to Mark Neale at:

Guidance on the Provision of Services
Pharmaceutical Society of Northern Ireland
73 University Street
Belfast
BT7 1HL

For further information on responding to this Consultation, please contact Mark Neale at consultations@psni.org.uk or telephone 02890326927.

Consultation Questions

We would welcome any views you may wish to submit on the questions outlined below. **It is important that you provide reasons for your answers, where possible, so the Council of the Pharmaceutical Society NI can understand the rationale for your views.** We have provided a response template to complete which is available on the website: <http://www.psni.org.uk/publications/consultations/>

1. Does Section 1 (Introduction) of the draft Guidance clearly set out the purpose of the document?

Yes, No, Unsure

2. Does Section 2 (Legal Framework) of the document clearly set out the basic legal framework within which this Guidance sits?

Yes, No, Unsure

3. Is the information provided in Section 2 (Legal Framework) appropriate?

Yes, No, Unsure

4. Should any further information be included in Section 2 (Legal Framework)?

Yes, No, Unsure (If you answered 'Yes' please provide details of the additional information you consider should be included)

5. Is the Guidance provided in Section 3 (Religion and Beliefs) clear?

Yes, No, Unsure

6. Is the Guidance provided in section 3 (Religion and Beliefs) appropriate?

Yes, No, Unsure

7. Is the Guidance in Section 4 (A patient or service user is violent, threatens violence or is verbally abusive) clear?

Yes, No, Unsure

8. Is the Guidance in Section 4 (A patient or service user is violent, threatens violence or is verbally abusive) appropriate?

Yes, No, Unsure

9. Is the Guidance in Section 5 (The medicine, service or medicinal device is not currently in stock or available) clear?

Yes, No, Unsure

10. Is the Guidance in Section 5 (The medicine, service or medicinal device is not currently in stock or available) appropriate?

Yes, No, Unsure

11. Do Sections 6 (Help and Advice) and 7 (Useful Contacts) contain the appropriate information?

Yes, No, Unsure (If you answered 'No' please advise what information is not appropriate and/or what information is missing)

The Pharmaceutical Society NI has carried out an equality assessment on the proposed Guidance on the Provision of Services. This equality assessment is available alongside this public consultation.

12. Do any aspects of our proposals have equality implications for groups or individuals based on one or more of the following categories? If yes, please explain what could be done to change this. We would welcome any research/sources you may have to evidence your response.

- Age
- Gender

- Disability
- Pregnancy and maternity
- Race /ethnicity
- Religion or belief
- Political Opinion
- People with dependants
- Sexual orientation
- Marital Status

Yes, No, Unsure

13. Do you have any other comments about the proposed Guidance on the Provision of Services?

Yes, No, Unsure

Accessibility of information

If you are having difficulties accessing the documentation or you need us to make adjustments to enable you to respond to this Consultation, please contact us and we will do our best to address the issue.

If you wish your response to remain confidential, you should indicate this in your response and the Pharmaceutical Society NI will generally respect this request. However, the information you provide may be subject to disclosure under the Freedom of Information Act 2000.

How will we respond to Consultation feedback?

Once the Consultation period ends, all Consultation responses will be considered and a report analysing the Consultation responses will be produced and published on our website.

The Council of the Pharmaceutical Society NI will consider all the Consultation responses and, based on the feedback received, will decide if and how the draft Guidance on the Provision of Services should be amended.

New Guidance on Provision of Services will subsequently be approved and published by the Council of the Pharmaceutical Society NI.