

Annual Report of the Scrutiny Committee 2019

One of the obligations placed upon the Scrutiny Committee under the “The Council of the Pharmaceutical Society of Northern Ireland (Statutory Committee, Scrutiny Committee and Advisers) Regulations (Northern Ireland) 2012”, is the provision of an Annual Report. The legislation states as follows at Regulation 7(1)

7(1) The Scrutiny Committee has the following additional functions—

- (a) providing an annual report to the Council in respect of each calendar year, by a date specified by the Council, which is to include
 - (i) trends, patterns and learning points observed from cases considered by the Scrutiny Committee,
 - (ii) details of the numbers of fitness to practise and disqualification allegations which were disposed of by the Scrutiny Committee by means of warnings and undertakings during that year, and
 - (iii) the reasons why the allegations referred to in sub-paragraph (ii) were not referred to the Statutory Committee.

This is the seventh annual report and covers the calendar year of 2019. The report also includes a 2018 case which was concluded after the submission of the last report.

Although not covered by the period of this report, the Committee wishes to mark the resignation of the Chairperson, John Gibbons. John Gibbons in addition to his role as Chairperson, ran a busy solicitor’s practice and held several other high-profile public posts. John Gibbons’s legal background and experience of both regulation and procedure made him a highly respected Chair of the Scrutiny Committee of the Pharmaceutical Society of NI and the Committee wishes to record its thanks for his many years of service.

Composition of the Scrutiny Committee

The Scrutiny Committee which sat during 2019, consists of a publicly recruited panel, trained in fitness to practise proceedings.

Chair and legally qualified member	Mr. John Gibbons (resigned June 2020)
Deputy chair and legally qualified member	Ms. Rosemary Connolly
Lay member	Mr. Andrew Popplewell
Lay member	Mr. Colin Kennedy
Pharmacist member	Mrs. Bronagh White
Pharmacist member	Mr. James Taggart

Pharmacist member
Pharmacist member

Prof. Colin Adair**
Mrs. Anita Lowther

** Retired due to time served in October 2019

Background

Following the enactment of new legislation in October 2012, additional powers enable the Fitness to Practice Committees of the Pharmaceutical Society NI to take more proportionate approaches to the management of fitness to practise case outcomes, than simply removal from the register.

The Committees are empowered to

- Give advice,
- Issue formal warnings,
- Agree undertakings,
- Place conditions on the practise of a pharmacist,
- Impose suspension,
- Issue interim orders and
- Remove registrants from the register.

Fitness to Practise Committees

Under the legislation, two committees have been established which determine allegations regarding fitness to practise.

Scrutiny Committee (Initial Proceedings)

This committee considers initial allegations on a paper based format and it has the power to dismiss a case, give advice, issue warnings and agree undertakings if appropriate and refer more serious cases to the Statutory Committee (subject to threshold criteria).

Statutory Committee (Hearings Committee)

This committee considers allegations at hearings of misconduct of registered pharmacists. Registrants are invited to make representations with legal support should they so wish. The Statutory Committee deals with all categories of alleged impairment referred to it by either the Registrar or the Scrutiny Committee and may utilise the full range of fitness to practise sanctions i.e. Give advice, issue formal warnings, agree undertakings, place conditions on the practise of a pharmacist, impose suspension and remove registrants from the register. It also deals with interim orders, restoration applications and review hearings.

The Work of the Scrutiny Committee, 2019

The committee sat on three occasions this year, over six days, dealing with a total of nine cases, in the full calendar year. Seven of these cases were part of a complex multi-registrant case which deliberated over five days. In addition, one case (2 days)

which concluded in 2018 after the submission of last report is also included in the current report.

A table outlining the date of hearing, the Registrar’s recommendation in each case and the method of disposal by the Committee is shown below at **Table 1**. A short summary of those cases is attached hereto at **Appendix one**.

To better understand the reasoning of the Scrutiny Committee, in such cases, the “Threshold Criteria” for referral to the Statutory Committee are set out in full at **Appendix two** hereto. These criteria guide the Scrutiny Committee as to how to assess which cases met the criteria for referral to the Statutory Committee. In each of the ten cases, the Legal Chairperson supplied a full written determination setting out how these criteria have been applied in each case, after deliberation by the committee.

The committee concluded that in two of these cases (Registrant C and J) the threshold for referral to the Statutory Committee had been met and these are not further reported on. In two of the cases, the committee concluded that the Scrutiny Committee was able to deal with those matters, using the powers granted to it by the legislation and six of the cases were dismissed. Further information on those matters is provided later, in the section of this report that deals with Regulation 7(1)a(iii).

Table A: Table showing the Recommendation of the Registrar compared to the method of disposal by the Scrutiny Committee

Registrant	Date of hearing	Registrar’s recommendation for disposal	Disposal by the Scrutiny Committee
A	9/11/18 and 14/12/18	Undertaking and Warning	Undertaking
B	28/5/19	Referral to Statutory Committee or Warning	Warning
C	28/5/19	Referral to Statutory Committee	Referral to Statutory Committee

D	18-20/11/19 and 12-13/12/19	Warning	Dismissed
E	18-20/11/19 and 12-13/12/19	Warning	Dismissed
F	18-20/11/19 and 12-13/12/19	Warning	Dismissed
G	18-20/11/19 and 12-13/12/19	Referral to Statutory Committee	Dismissed
H	18-20/11/19 and 12-13/12/19	Referral to Statutory Committee	Dismissed
I	18-20/11/19 and 12-13/12/19	Referral to Statutory Committee	Dismissed
J	18-20/11/19 and 12-13/12/19	Referral to Statutory Committee	Referral to Statutory Committee

THE STATUTORY PURPOSE OF THIS REPORT:

Regulation 7(1) a(i): “Trends, Patterns and Learning Points”

As required by legislation, the key purpose of this report is to identify “trends, patterns and learning points” and bring these to the attention of the Council of the Society, with a view to enabling issues to be identified at as early a stage as possible.

Trends and Patterns:

The Scrutiny Committee noted that, as with last year, it was *not* dealing with cases involved dispensing errors.

Of the ten cases reported, 2 met the statutory criteria and were referred to the Statutory Committee, six cases were dismissed. Of the remaining cases disposed of by the Scrutiny Committee one case involved a registrant who processed their own and their partner’s local smoking cessation Pharmacy Services Vouchers and falsified a carbon monoxide reading and in the other case a Registrant was reported to the Scrutiny Committee following registration in Northern Ireland with declared misconduct in the Republic of Ireland.

The cases that do come before the Committee highlight a diverse mix of cases, but given the low numbers of cases, again this year, it was impossible to discern any particular pattern of concern.

Learning Points

Each panel considering a case comprises of a Legal Chair, a Lay member and a Pharmacist member. The pharmacist members of each panel were asked to comment on any learning points they felt had arisen in each case they were involved in, as they were felt to be best placed to comment on what may or may not be the considered view of the average member of the profession. Other members were asked to put forward any points they felt may be relevant, from their more general experience.

Below is a summary of the points made by committee members, as to what could be considered learning points, which were considered and gathered from the panel members at the end of each hearing, on the dates given. These are issues which may already be addressed in training and guidance given to the profession, but as they have arisen in the context of the caseload of the committee, these may be areas where further emphasis may be needed. That would be a matter for the Pharmaceutical Society to consider.

Learning points for the profession – recorded at the Scrutiny Committee meetings in 2019.

Hearing date: 9-11-2018

1. When joining the Register, it is vital that applicants continue to disclose all Fitness to Practice issues, in order the public can be satisfied of the calibre of person entering the profession. Misconduct in another jurisdiction may have implications on registration in this jurisdiction.

Hearing date 28-05-2019

1. The Committee expects registrants to fully co-operate and provide expeditious responses to queries from the Registrar

Hearing dates (18-20/11/19 and 12-13/12/19)

Learning points for the Scrutiny Committee and the Pharmaceutical Society NI

Following the conclusion of a complex, multi registrant case, issues were identified in relation to operational processes and procedures that required further examination. In February 2020, Council commissioned a lessons learned report and following the presentation of the report, certain procedural changes were made, and refresher training was given to Committee members and relevant staff. At no stage were the decisions or conclusions of the Committee called into question and the learnings of this case will also form the basis of induction and ongoing training in 2020.

Regulation 7(1)a(ii): “Details of disposals by warnings and undertakings”

As required by the legislation mentioned earlier, the second purpose of this report is to identify those cases where the Scrutiny Committee felt able to dispose of the case by way of warnings and/or undertakings, rather than refer the case onto the Statutory Committee.

Two cases presented to the Scrutiny Committee were disposed of in this way with one being disposed of by Registrant (A) agreeing an undertaking with the committee and the second by the issuing of a warning to Registrant (B) by the committee. There was no case resulting in advice about future conduct being given.

These cases are identified and summarised in the report at **Appendix one** hereto.

Regulation 7(1)a(iii): Reasons for non-referral to Statutory Committee

The Scrutiny Committee is obliged to explain, in this third part of the report, the reasons why the six cases mentioned above did not pass the threshold for referral to the Statutory Committee. The purpose of this, is to satisfy the Council of the Society that the Scrutiny Committee is exercising its powers in an appropriate way.

For example, if the Council of the Society was concerned that the Committee was being too lenient in the way it disposed of any particular case or category of case, then the reasoning of the Committee should be readily available to be understood and explored.

The Scrutiny Committee must not refer a fitness to practice allegation to the Statutory Committee unless it is satisfied that there is a real prospect that the Statutory Committee will make a finding that the registrant's fitness to practise is impaired. Each case will have its own unique factual matrix, with mitigating factors in play.

All of the six cases (three former pre-registrants trainees, two tutor pharmacists and a registrant who was not a tutor) were part of a complex multi-registrant community pharmacy case considered by the Scrutiny Committee which involved a large number of allegations surrounding the training arrangements and non-compliance with the Standards for Pre-Registration Training (July 2012), the potential to undermine the integrity of the pre-registration training programme and creating a risk to patient safety, the Registrants' professional integrity and in some cases alleged dishonesty.

The interrelated cases while considered during a single session over several days were considered and determined on a case by case basis. In three of these cases (the former pre-registrant trainees - Registrants D, E and F), the Registrar recommended a warning to be issued to the Registrants, noting that referral to a Statutory Committee was unlikely to result in a finding of current impairment and to warrant a greater sanction. In the other three cases, two tutors and a non-tutor pharmacist (Registrants G, H and I), the recommendation by the Registrar had been for referral to the Statutory Committee,

Following consideration of the evidence in these cases, in particular the guidance of the Pre-registration Training on direct personal supervision and the recording of evidence when tutor has not observed your performance, applicable at the time of the allegations, the committee determined that there was no real prospect of the Statutory Committee finding that the Registrants' fitness to practice is impaired. The committee on examining the evidence in each of the cases was also not satisfied, that there was sufficient evidence within the papers to support any of the allegations and dismissed the cases.

A short summary of the reasoning of the Committee in each case is attached hereto at **Appendix one**.

Details of disposals by warnings and undertakings

1. Registrant A (9/11/18 and 14/12/18)

The High Court of the Republic of Ireland ordered in 2017 that the registrant's practise as a pharmacist in that jurisdiction be censured and subject to the following condition following a finding that they had supplied prescription only medications in 2015. The Registrant was ordered to inform any future employer of the findings of the PCC for a period of three years; and they inform the PSI of their workplace for a period of three years.

The Registrar of the Pharmaceutical Society of Northern Ireland alleged that the registrant's fitness to practice as a registered pharmacist may be impaired in accordance with Schedule 3 of the Pharmacy (Northern Ireland) Order 1976 (as amended), namely on grounds pursuant to paragraph 4(1)(a) misconduct, (b) deficient professional performance, and (i) an adverse determination made by another regulatory body that your fitness to practise was and or is impaired.

Following consideration of the evidence and legal advice requested by the committee, the committee concluded that the matter should be dealt by the registrant agreeing to an undertaking which largely mirrored the sanctions already in existence in the Republic of Ireland jurisdiction.

The undertakings agreed by the Registrant were:

- (1) To inform any current and future employer of the findings of the PCC in ROI for a period of two years.
- (2) To inform any current and future employer of the findings of this Scrutiny Committee for a period of two years.
- (3) To inform the Pharmaceutical Society of NI of all his employers (whether full time or locum) for a period of two years.

The Committee had regard to the following issues in reaching its decision in this case:

- The committee were satisfied by the extent of the remorse and regret expressed by the person concerned and that the seriousness of what they had done was now fully appreciated.
- The Committee noted that some insight and learning had been shown by the person concerned in that he had complied with the sanctions imposed in the Republic of Ireland, and was availing himself of relevant CPD.
- The Registrant had reduced the risk of any future incidents of this nature occurring, by taking employment in a non-dispensing clinical role and that

the person concerned had thereby taken action to remove himself from scenarios where there was likely to be any repetition.

- The Committee noted that there was no evidence of any patient harm as a result of the supply of the medicines.
- The Committee noted the significant pressure the Registrant had been under from a close family member.
- The Committee noted that the Registrant was inexperienced at the time of the misconduct, and he had the capacity to learn from the experience.

The Committee was also concerned about the principle of “double jeopardy” and not to be seen to punish the Registrant twice for the same offences. However, the Committee considered that the sanction imposed did not do so as they were designed to follow the theme of the sanction already imposed in the ROI jurisdiction where the matter occurred.

The committee considered it appropriate that the Registrant was not able to circumvent the sanction there, and avoid informing prospective employers about what has occurred, by re-registering in Northern Ireland.

2. Registrant B (28/5/19)

In this case, it was alleged that while employed as a locum pharmacist in a community pharmacist in 2017, the registrant had processed their own and their partner’s local smoking cessation Pharmacy Services Vouchers and had also falsified a carbon monoxide reading.

The Registrar submitted that the relevant Threshold criteria in this case are as follows:

Points a) to c) of Criteria 3: Act with professionalism and integrity at all times

Criterion 3(a) – There is evidence that the registered person behaved dishonestly.

Criterion 3(b) – There is evidence of behaviour on the part of the registered person which is likely to undermine public confidence in the profession generally, if not challenged by the regulatory body.

Criterion 3(c) – There is evidence that the registered person failed to demonstrate high standards of personal and/or professional conduct.

The Committee also felt that an additional criterion could have been included; Criterion 3 (d) -There is evidence that the registered person failed to maintain appropriate professional boundaries in their relationship with patients and/or others.

The committee following an examination of the evidence concluded that while the Registrant had failed to act in a professional manner there was no real prospect of finding that the Registrant's fitness to practice was impaired and that this was a singular event. The committee was concerned about the falsification of the carbon monoxide reading and that the Registrant throughout this process displayed a lack of appreciation of the seriousness of this matter. The combination of these matters led the Committee to conclude that that the imposition of appropriate warnings was required as a way of disposal to appear against the Registrant name for two years.

Reasons for non-referral to Statutory Committee

1. Registrants D, E and F (18-20/11/19 and 12-13/12/19)

In these 3 cases, which were part of a complex multi-registrant case presented to the Scrutiny Committee which contained the same allegations that the three Registrants, D, E and F, had failed to properly and satisfactorily complete their pre-registration training in accordance with standards prescribed by the Pharmaceutical Society of Northern Ireland in that they did not receive the required level of personal supervision by a tutor recognised by the Pharmaceutical Society of Northern Ireland throughout their pre-registration training in breach of the Standards for Pre-Registration Training (July 2012).

It was alleged that by the Registrants' acts and omissions, the Registrants caused, allowed or permitted the Registrar to incorrectly believe that they had properly and satisfactorily completed their pre-registration training, in accordance with the published standards which resulted in the Registrar subsequently placing their names on the Pharmaceutical Register when this was not in fact the case. It was alleged that this not only has the potential to undermine the integrity of the pre-registration training programme, but also calls into question the Registrant's own professional integrity, creates a risk to patient safety and has the potential to bring the profession into disrepute.

It was submitted on behalf of the Society that the relevant referral (threshold) criteria for each case were as follows:

Criterion 2 (e): There is evidence of a course of conduct which is likely to put patient safety at risk or undermine public confidence in the profession generally, if not challenged.

Criterion 3 (b): There is evidence of behaviour on the part of the registered person which is likely to undermine public confidence in the profession generally, if not challenged by the regulatory body.

Criterion 3 (c) There is evidence that the registered person failed to demonstrate high standards of personal and or professional conduct.

In each of the cases, the Registrar recommended that the Scrutiny Committee considered, at the very least, giving a warning to the Registrant regarding their future conduct and professional integrity commenting that they as a registered pharmacist were responsible and accountable for their own actions or omissions. The Registrar further commented that referral to a Statutory Committee was unlikely to result in a finding of current impairment and warrant a greater sanction.

In each case, the Scrutiny Committee considered whether the information, documents and recommendations placed before it by the Registrar was sufficient to allow it to proceed to make a decision. Following consideration of the evidence the Scrutiny Committee requested further information, including other materials around the pre-registration training system. The Committee adjourned for that purpose and reconvened on the 12-13/12/19 when the additional information was obtained.

The committee carefully considered the obligations under the Standards for Pre-Registration Training (July 2012) which set out some information and the framework as to how the system would work. There are requirements for employers, for students and for tutors. Following an examination of the evidence presented, the committee in each case was not satisfied that there was sufficient evidence to support the allegations to meet the threshold criteria. All three cases were therefore dismissed.

3. Registrant G (18-20/11/19 and 12-13/12/19)

In this case, which was also of a complex multi-registrant case presented to the Scrutiny Committee it was alleged that Registrant G while undertaking the role of pre-registration tutor, had failed to properly and satisfactorily observe the standards prescribed by the Pharmaceutical Society of Northern Ireland Standards for Pre-Registration Training (July 2012).

It was alleged that that by their acts and/or omissions, the Registrant acted in a manner that was dishonest, misrepresented proper compliance with due processes, caused, allowed or permitted an impression to be created which they knew to be false, inaccurate and misleading and also caused, allowed or permitted 4 pre-registrants to become registered with the Society without them having properly or satisfactorily completed their pre-registration training in accordance the Standards for

Pre-Registration Training (July 2012). The Registrant also failed in their duty as a pre-registration tutor causing harm to two pre-registrants.

It was submitted on behalf of the Society that the relevant referral (threshold) criteria were as follows:

Criterion 2 (e): There is evidence of a course of conduct which is likely to put patient safety at risk or undermine public confidence in the profession generally, if not challenged.

Criterion 3 (b): There is evidence of behaviour on the part of the registered person which is likely to undermine public confidence in the profession generally, if not challenged by the regulatory body.

Criterion 3 (c): There is evidence that the registered person failed to demonstrate high standards of personal and or professional conduct.

The Registrar recommended that the case be referred to the Statutory Committee.

The Scrutiny Committee considered whether the information, documents and recommendations placed before it by the Registrar was sufficient to allow it to proceed to make a decision. Following consideration of the evidence the Scrutiny Committee requested further information including other materials around the pre-registration training system. The Committee adjourned for that purpose and reconvened on the 12-13/12/19 when the additional information was obtained.

The Scrutiny Committee considered all the documents and recommendations placed before it, by the Registrar and the written communications from the registrant and their legal advisers.

The committee carefully considered the obligations under the Standards for Pre-Registration Training (July 2012) which set out some information and the framework as to how the system would work. There are requirements for employers, for students and for tutors.

The committee was not satisfied, in relation to the allegations, there was sufficient evidence within the papers to meet the threshold criteria and it was the decision of the Scrutiny Committee was that the case was dismissed.

4. Registrant H (18-20/11/19 and 12-13/12/19)

This case was also part of the complex multi-registrant case presented to the Scrutiny Committee.

In this case it was alleged that the registrant who was not a registered pre-registration tutor, allowed and actively facilitated the Standards for Pre-Registration Training (July 2012) to be breached. In doing so, the Registrant caused, allowed or permitted the integrity of the pre-registration training programme to be undermined and also caused, allowed or permitted two pre-registrant trainees to become registered with the Society without them having properly or satisfactorily completed their pre-registration training in accordance the Standards for Pre-Registration Training.

It was further alleged that the Registrant failed to properly and satisfactorily observe or ensure compliance with the Standards for Pre-Registration Training (July 2012) when working alongside three two pre-registrant trainees during their respective pre-registration training years. In particular, the Registrant communicated information about each trainee with the person they believed was their actual tutor. In addition, the Registrant failed to act to stop irregular practices in respect of their pre-registration training and failed to notify the Pharmaceutical Society NI of such irregular practices nor did it appear that they properly or effectively challenged the arrangements in place for any of the aforementioned trainees with the superintendent pharmacist.

It was submitted on behalf of the Society that the relevant referral (threshold) criteria were as follows:

Criterion 2 (e): There is evidence of a course of conduct which is likely to put patient safety at risk or undermine public confidence in the profession generally, if not challenged.

Criterion 3 (b): There is evidence of behaviour on the part of the registered person which is likely to undermine public confidence in the profession generally, if not challenged by the regulatory body.

Criterion 3 (c) There is evidence that the registered person failed to demonstrate high standards of personal and or professional conduct.

The Registrar recommended referral to the Statutory Committee.

Following consideration of the evidence the Scrutiny Committee requested further information including other materials around the pre-registration training system. The Committee adjourned for that purpose and reconvened on the 12-13/12/19 when the additional information was obtained.

The committee carefully considered the obligations under the Standards for Pre-Registration Training (July 2012) which set out some information and the framework as to how the system would work. There are requirements for employers, for students and for tutors.

The committee was not satisfied, in relation to the allegations, there was sufficient evidence within the papers to meet the threshold criteria and it was the decision of the Scrutiny Committee was that the case was dismissed.

5. Registrant I (18-20/11/19 and 12-13/12/19)

This case was part of the complex multi-registrant case presented to the Scrutiny Committee.

In this case it was alleged that the Registrant whilst undertaking the role of pre-registration tutor, had failed to properly and satisfactorily observe the standards prescribed by the Pharmaceutical Society of Northern Ireland (“the Society”), namely the Standards for Pre-Registration Training (July 2012).

It was further alleged that by their acts and/or omissions, the Registrant acted in a manner that was dishonest and misrepresented proper compliance with due processes. The registrant caused, allowed or permitted an impression to be created, which they knew to be false, inaccurate and misleading and also caused, allowed or permitted two pre-registration trainees to become registered as pharmacists with the Society without them having properly or satisfactorily completed their pre-registration training in accordance the Standards for Pre-Registration Training (July 2012). The Registrant also failed in their duty as a pre-registration tutor causing two Pre-registrant trainees harm. The Registrant was involved in arranging training placements on behalf the limited company and was involved with the placement of a trainee who was not trained during 2015-16 in accordance with the Standards for Pre-Registration Training (July 2012).

It was submitted on behalf of the Society that the relevant referral (threshold) criteria were as follows:

Criterion 2(e): There is evidence of a course of conduct which is likely to put patient safety at risk or undermine public confidence in the profession generally, if not challenged.

Criterion 3(a) – There is evidence that the registered person behaved dishonestly.

Criterion 3(b): There is evidence of behaviour on the part of the registered person which is likely to undermine public confidence in the profession generally, if not challenged by the regulatory body.

Criterion 3(c) There is evidence that the registered person failed to demonstrate high standards of personal and or professional conduct.

The Registrar recommended referral to the Statutory Committee.

The Scrutiny Committee considered whether the information, documents and recommendations placed before it by the Registrar was sufficient to allow it to proceed to make a decision. Following consideration of the evidence the Scrutiny Committee requested further information including other materials around the pre-registration training system. The Committee adjourned for that purpose and reconvened on the 12-13/12/19 when the additional information was obtained.

The committee carefully considered the obligations under the Standards for Pre-Registration Training (July 2012) which set out some information and the framework as to how the system would work. There are requirements for employers, for students and for tutors.

The committee was not satisfied, in relation to the allegations, there was sufficient evidence within the papers to meet the threshold criteria and the case was dismissed.

Conclusion

I trust that this report will again provide a useful insight into the work of the Scrutiny Committee in the past year, and reassurance to the Society that these important issues are being addressed in accordance with the legislation, and in a satisfactory and proportionate way. As Deputy Chair, I am again delighted that my colleagues and I have dealt with the cases in a timely and professional way and to a high standard.

Accordingly, I commend this report to you.

As Deputy Chair of the Scrutiny Committee I can report that the Committee members have found the work they have been tasked with, to be challenging, varied and interesting. We have benefitted greatly from the training and assistance provided by the Society, together with the dedicated and professional preparatory work carried out by the administration office, to whom we owe a debt of gratitude.

Rosemary Connolly
(Deputy Chair of the Scrutiny Committee)
8 September 2020

Threshold Criteria for referral to Scrutiny Committee

Cases are not to be referred to the Scrutiny Committee unless one of the following statements is true:

Principle 1: Make the safety and welfare of patients your prime concern

- There is evidence that the registered person's conduct or performance caused moderate or severe harm or death, which could and should have been avoided.
- There is evidence that the registered person deliberately attempted to cause harm to patients and the public or others.
- There is evidence that the registered person was reckless with the safety and well-being of others.

Principle 2: Respect and protect confidential information

- There is evidence that the registered person failed to respect the confidentiality of information or misused confidential information acquired in the course of professional practice to an extent likely to undermine public confidence in the profession if not challenged by the regulatory body.

Principle 3: Show respect for others

- There is evidence that the registered person failed to respect the human rights of patients or demonstrated in their behaviour attitudes which are incompatible with registration as a pharmacy professional.
- There is evidence that the registered person failed to maintain appropriate professional boundaries in their relationship with patients and/or others.

Principle 4: Exercise professional judgment in the interests of patients and public

- There is evidence that the registered person put their own interests, or those of a third party, before those of their patients.
- There is evidence that the registered person culpably failed to act when necessary in order to protect the safety of patients.

Principle 5: Encourage patients (and/or their carers as appropriate) to participate in decisions about their care

- There is evidence that the registered person damaged or put at significant risk the best interests of patients by failing to communicate appropriately with patients or others.

Principle 6: Maintain and develop professional knowledge and competence

- There is evidence that the registered person practised outside of their current competence.
- There is evidence that the registered person failed to maintain their knowledge and skills in a field relevant to their practice.
- There is evidence of a course of conduct, which is likely to undermine public confidence in the profession generally or put patient safety at risk, if not challenged by the regulatory body.
- There is evidence of adverse physical or mental health which impairs the registered person's ability to practice safely or effectively.

Principle 7: Act with honesty and integrity

- There is evidence that the registered person behaved dishonestly.
- There is evidence of behaviour on the part of the registered person which is likely to undermine public confidence in the profession generally, if not challenged by the regulatory body.

Principle 8: Provide a high standard of practice and care at all times

- There is evidence that the registered person has practised in a way that was systematically unsafe, or has allowed or encouraged others to do so, where he or she has responsibilities for ensuring a safe system of working.

If the Registrar is in doubt as to whether the above criteria have been met, he shall refer the case to the Scrutiny Committee.