

Fitness to Practise Communications policy

Introduction

1. This policy sets out the Pharmaceutical Society of Northern Ireland's approach to communicating with persons raising concerns, registrants and external bodies regarding the progress of fitness to practise investigations.
2. When a concern is raised with the Pharmaceutical Society of Northern Ireland, it is important that persons raising concerns and registrants are kept informed regarding key decisions and the general progress of the investigation and care is taken to avoid creating the false impression that a case has been concluded.
3. This policy sets out the commitments the Registrar has made to keeping parties informed during investigations, over and above the statutory obligations to notify certain persons and bodies in the Pharmacy (NI) Order 1976 and the Fitness to Practise Regulations 2012. The policy also governs communications with external bodies when the Registrar suspends an investigation in compliance with the Parallel Investigations policy.

Jurisdictional Test

(i) Persons raising concerns

4. When a concern is received, the person raising the concern (if it is not an anonymous concern and they have provided contact details) will be contacted to acknowledge receipt of the concern. A link to the Concerns Information will be shared with the person raising the concern and they will be informed if the Registrar has made a decision as to whether the matter falls within her jurisdiction to investigate as a fitness to practise concern.
5. The Registrar may make enquiries including seeking further information from the person raising the concern in order to make that decision. If the Registrar has not yet decided on jurisdiction, they will be told that the Registrar is considering that matter.
6. Once a decision is made in relation to jurisdiction, the person raising the concern will be notified of that decision (if it is not an anonymous concern and they have provided contact details). If the Registrar decides that the matter does not fall within her jurisdiction, the matter is closed. If the Registrar decides that the matter does fall within her jurisdiction, a fitness to practise investigation will begin.

(ii) Registrants

7. Similarly, when a concern is received and the person raising the concern has consented for the details of the concern to be shared with the pharmacy and, if appropriate, the Health and Social Care Board, Superintendents/ owners or pharmacists named in a concern will be informed of the concern. This is usually done when the Registrar has sufficient information in relation to the

concern to put it to the registrant(s). The Information leaflet for registrants will be shared with the registrant(s) and they will be informed if the Registrar has made a decision as to whether the matter falls within her jurisdiction to investigate as a fitness to practise concern.

8. The Registrar may make enquiries including seeking further information from the registrant(s) in order to make that decision. If the Registrar has not yet decided on jurisdiction, they will be told that the Registrar is considering that matter.
9. Once a decision is made in relation to jurisdiction, the registrant(s) will be notified of that decision. If the Registrar decides that the matter does not fall within her jurisdiction, the matter is closed. If the Registrar decides that the matter does fall within her jurisdiction, a fitness to practise investigation will begin.

Fitness to practise investigation

(i) Persons raising concerns

10. At the beginning of a fitness to practise investigation, the person raising the concern (if it is not an anonymous concern and they have provided contact details) will be informed that the Registrar has decided that the matter falls within her jurisdiction to investigate as a fitness to practise concern. They will also be informed, at that time, that the Registrar will update them in relation to any significant developments in the case and will communicate with them at least every 3 months regarding the progress of the investigation, unless they have requested more frequent updates in writing.
11. If the Registrar's investigation is suspended in compliance with the Parallel Investigations policy, the person raising the concern (if it is not an anonymous concern and they have provided contact details) will be informed of the suspension and updates will be sought each month from the external body carrying out the investigation.

(i) Registrant(s)

12. At the beginning of a fitness to practise investigation, the **registrants(s)** will be informed that the Registrar has decided that the matter falls within her jurisdiction to investigate as a fitness to practise concern. They will also be informed, at that time, that the Registrar will update them in relation to any significant developments in the case and will communicate with them at least every 3 months regarding the progress of the investigation, unless they have requested more frequent updates in writing.
13. If the Registrar's investigation is suspended in compliance with the Parallel Investigations policy, the registrant(s) will be informed of the suspension and updates will be sought each month from the external body carrying out the investigation.

Threshold Criteria decision

(i) Persons raising concerns

14. At the conclusion of a fitness to practise investigation, the person raising the concern (if it is not an anonymous concern and they have provided contact details) will be informed of the Registrar's decision as to whether the evidence gathered in relation to the concern meets the Threshold Criteria for referral to a Scrutiny Committee (or in certain circumstances, the Statutory Committee).
15. If the Registrar decides that it does not meet the Threshold Criteria for referral, she must close the case with or without advice to the registrant(s).
16. If the Registrar decides that it does meet the Threshold Criteria for referral, she must refer the case to the appropriate Committee.

(ii) Registrant(s)

17. At the conclusion of a fitness to practise investigation, the **registrant(s)** will be informed of the Registrar's decision as to whether the evidence gathered in relation to the concern meets the Threshold Criteria for referral to a Scrutiny Committee (or in certain circumstances, the Statutory Committee).
18. If the Registrar decides that it does not meet the Threshold Criteria for referral, she must close the case with or without advice to the registrant(s).
19. If the Registrar decides that it does meet the Threshold Criteria for referral, she must refer the case to the appropriate Committee.

Post-referral

20. If a case is referred to the Scrutiny Committee or the Statutory Committee, the Registrar will keep the person who raised the concern and any relevant witnesses updated in relation to any significant developments in the proceedings and will communicate with them at least every 3 months regarding progress, unless they have requested more frequent updates in writing.

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