

Consultation on Knowledge of English Guidance

A consultation document

26 July 2023 – 26 September 2023

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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 pharmacists, 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.

The Pharmacy (Northern Ireland) Order 1976 requires that the organisation ensures the provision of professional leadership – the Council has established a Pharmacy Forum for this purpose.

What is this consultation about?

[The Pharmacy \(Northern Ireland\) Order 1976 \('the 1976 Order'\)](#) is the main legislation governing the regulation of pharmacists in Northern Ireland. This legislation was amended by the [Health Care and Associated Professions \(Knowledge of English\) Order 2015](#) (the '2015 Order') to ensure that pharmacists in Northern Ireland have adequate knowledge of English to safely and effectively perform their roles. The 2015 Order is UK-wide legislation and applies to a range of healthcare professionals including pharmacists, nurses and dentists.¹ Similar legislation has also been introduced in respect of doctors.²

As a result of these amendments, the 1976 Order now provides that a person is not entitled to be registered as a pharmacist in Northern Ireland unless they satisfy any conditions as to their knowledge of English which are prescribed by the Society in regulations.³ The Council of the Pharmaceutical Society has powers to make regulations in relation to language conditions⁴ and must make regulations requiring persons who wish to be registered with the Society to satisfy the registrar that they have the necessary knowledge of English.⁵ The Society must also consult on and publish guidance in relation to the evidence, information or documents to be provided for the purpose of satisfying the registrar.⁶ Such consultation must

¹ The relevant provisions amending the 1976 Order came into force on 1st June 2016.

² See for example [The General Medical Council \(Fitness to Practise and Overarching Objective\)](#) and the [Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015](#) at: http://www.legislation.gov.uk/uksi/2015/794/pdfs/uksi_20150794_en.pdf

³ Article 8(2A) of the 1976 Order as amended by Article 7 of the 2015 Order.

⁴ Article 5(1)(bb) of the 1976 Order as amended by Article 6(2) of the 2015 Order.

⁵ Article 5(1B) of the 1976 Order as amended by Article 6(3) of the 2015 Order.

⁶ Article 8AA of the 1976 Order as inserted by Article 8 of the 2015 Order.

include such persons or representatives of such persons as the Society considers appropriate including, as it sees fit, registered pharmaceutical chemists, employers of registered pharmaceutical chemists, users of services of registered pharmaceutical chemists and the Department of Health.⁷

The Pharmaceutical Society of NI is now consulting all stakeholders on draft Guidance which, in the view of the Society, will (alongside the Knowledge of English Regulations – see [Consultation on Knowledge of English](#)) introduce fair and proportionate language controls for pharmacists in Northern Ireland. All applicants and registrants will be required to have the necessary knowledge of English for safe and effective practise.

How to respond to this consultation

We welcome your response to this consultation and have listed some questions to assist you. In order to help us analyse responses, we would strongly encourage you to complete the response template provided.

Responses should be sent by post or email to:

Knowledge of English Guidance Consultation 2023

Pharmaceutical Society of Northern Ireland

73 University Street Belfast,

BT7 1HL

Tel: 028 9032 6927

Email: Mark Neale, Consultation coordinator: consultations@psni.org.uk

Accessibility of information

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

The Pharmaceutical Society NI will publish a summary of responses following the completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. We can only withhold information in exceptional circumstances. We will only consider withholding information in cases where the respondent has indicated, at the time of submission, that the information is to be withheld, and only where a legitimate reason has been provided. If you wish your response to remain confidential, please provide your reasons in writing, setting out why you believe the information should remain confidential. It

⁷ Article 8AA(9) of the 1976 Order as inserted by Article 8 of the 2015 Order and amended by para 57 of Sch 1 to the [Health and Social Care Act \(Northern Ireland\) 2022](#).

should be noted that such reasons must be capable of being justified to the information Commissioner as we are subject to the Freedom of Information Act 2000.

Consultation period

The consultation will run for 8 weeks from 26 July 2023 until 12 noon on 26 September 2023.

When the consultation closes, we will analyse the responses we receive which will be considered by the Council of the Pharmaceutical Society NI before making a final decision on any amendments.

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 comments, where possible, in order for the Council of the Pharmaceutical Society NI to consider 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/>

The draft Guidance can be found at Appendix A to this document.

Criteria for assessing language evidence

Question 1

In line with the approach of other healthcare regulators, including the General Pharmaceutical Council ('GPhC'), it is proposed that applicants should be able to demonstrate their knowledge of English in each of the following areas:

- reading;
- writing;
- listening;
- speaking.

The draft Guidance also proposes criteria that any evidence must be:

- recent, independent, robust, objective and capable of verification;
- should clearly demonstrate that the applicant can read, write and communicate in English with patients, pharmacy service users, carers, relatives and other healthcare professionals.

Do you agree with the proposed criteria to be considered by the registrar when assessing evidence of English language skills?

Types of evidence to demonstrate knowledge of English

It is proposed that applicants will be allowed to demonstrate that they have the necessary knowledge of English for safe and effective practice by producing varying types of evidence, depending on their circumstances.

UK qualified applicants

Question 2

UK qualified applicants wishing to register as a pharmacist having completed:

(a) a General Pharmaceutical Council ('GPhC') accredited or PSNI/GPhC jointly accredited Master of Pharmacy ('MPharm') degree from a university within the UK *and*

(b) Foundation Training Year and the registration assessment within the UK,

will in most cases automatically satisfy the registrar of the necessary knowledge of English for registration.

Do you agree that the MPharm qualification, Foundation Training Year and the registration assessment within the UK would usually provide sufficient evidence of knowledge of English for safe and effective practice in relation to UK qualified applicants?

Non-UK qualified applicants

Questions 3 & 4

As set out in the draft guidance, it is proposed that non-UK qualified applicants can demonstrate that they have the necessary knowledge of English to practise safely in Northern Ireland in a number of ways:

Evidence type 1: A recent⁸ pass of either:

(a) the academic version of International English Language Testing System⁹ ('IELTS') test with no score of less than 7 in each of the four areas of reading, writing, listening and speaking at one sitting of the test;

(b) the Pharmacy Occupational English Language Test¹⁰ ('OET') with a score of at least a B in each of the four areas of reading, writing, listening and speaking at one sitting of the test.

⁸ 'Recent', in this context, means evidence relating to the IELTS test or the OET which is less than two years old at the time of the application to the Society.

⁹ <https://www.ielts.org/>

¹⁰ <https://www.occupationalenglishtest.org/>

Evidence type 2: A recent¹¹ pharmacy qualification that has been taught and examined in English in a majority English speaking country (other than the UK)¹² (e.g. Ireland, United States of America, Australia or New Zealand).

Evidence type 3: Recent¹³ practice for at least two years as a pharmacist in a majority English speaking country.¹⁴

Do you agree that the types of evidence outlined above would provide sufficient evidence of knowledge of English for safe and effective practise in relation to non-UK qualified applicants?

Do you agree that 'recent' for the purposes of evidence of knowledge of English should mean evidence which is less than two years old at the time of application to the Society?

Restoration

Question 5

The draft Regulations would require applicants for retention and restoration to provide a written declaration as to whether they hold evidence, information or documents to satisfy the registrar that they have the necessary knowledge of English and may be required to provide further evidence if requested to do so by the registrar.

In restoration cases, the draft Guidance proposes that the following criteria will be used to determine whether an applicant has shown the necessary knowledge of English or if further evidence is required:

- The length of time since the applicant last practised in Northern Ireland or elsewhere in the UK;
- Whether the applicant had practised elsewhere or continued to live in Northern Ireland or elsewhere in the UK whilst off the register;
- Whether the applicant had previously demonstrated English language competence at initial registration;
- The length of time the applicant was registered and practising in Northern Ireland or elsewhere in the UK;
- Other information as may be relevant, for example, whether concerns were raised about the applicant's English language competence while previously registered.

This is not an exhaustive list but gives an indication of matters which will be taken into account in determining whether to request further evidence.

¹¹ 'Recent', in this context, means a pharmacy qualification that was awarded less than two years ago at the time of the application to the Society.

¹² The list of countries accepted by the Society is modelled on the UK Border Agency's list of 'majority English speaking countries', plus Ireland. See: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/984675/english-language-v19.0ext.pdf

¹³ 'Recent', in this context, means practice that was completed less than two years ago at the time of the application to the Society.

¹⁴ See footnote 12, above.

Do you agree with the Society's approach to requesting further evidence of knowledge of English before an applicant is restored to the register?

Fitness to practise

Question 6

It is proposed in the Guidance that if the Society receives an allegation or has a concern about a registrant's knowledge of English, they may be asked by the registrar or directed by the Scrutiny Committee or the Statutory Committee to undertake either the academic version of the IELTS test and achieve no score less than 7 in each of the four areas of reading, writing, listening and speaking at one sitting of the test or the OET and achieve a score of at least a B in each of the four areas of reading, writing, listening and speaking at one sitting of the test.

Do you agree where there is an allegation or concern about a registrant's knowledge of English that they can be required to undertake either the academic version of the IELTS test or the OET and achieve the scores outlined at one sitting of the test?

Equality screening

Question 7

The Pharmaceutical Society NI has carried out an equality screening exercise on the proposals within this consultation. Our assessment concluded that there are no differential impacts on any of the equality categories. We would however, welcome any further feedback on this important area. The Equality Screening exercise can be found at Appendix B to this document.

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.

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