

Subject: FW: Freedom of Information Request on Pharmacy Premises Regulation (2)
Date: 03 December 2018 16:28:51

From: foi <foi@pharmacyregulation.org>

Sent: 21 August 2018 16:21

To: PDA FOI

Subject: RE: Freedom of Information Request on Pharmacy Premises Regulation (2)

Hello Alima,

Please see our response below. Please accept our apologies for the delayed response. I have included Q1 – Q3 below for completeness.

1. ***A list of the organisations with which the GPhC has a “Memorandum of Understanding” setting out how the organisations will share information with each other.***

This information is available via our website. Please see the following link.
<https://www.pharmacyregulation.org/about-us/who-we-work>

[Who we work with | General Pharmaceutical Council](#)

www.pharmacyregulation.org

We work closely with many different people, groups and organisations. Patients and the public We regularly work with patients, carers and users of pharmacy services, and the groups that represent them to inform the development of our policies and the way we regulate.

2. ***A list of organisations with which the GPhC has formal information sharing agreements.***

We do not have an up to date list of information sharing agreements with other organisations. We are currently in the process of setting up new agreements. We recently signed an agreement with seven regulators regarding sharing emerging concerns. Please see the below link for further information.

<https://www.pharmacyregulation.org/news/gphc-signs-new-agreement-other-regulators-help-share-concerns-effectively>

3. An up-to-date figure of the number of pharmacies that have been given the following overall ratings in GPhC inspections since 1 November 2013:

- a. **Poor**
- b. **Satisfactory**
- c. **Satisfactory but some standards not met (we understand an action plan will be issued in such cases)**
- d. **Good**
- e. **Excellent**

As at 7 August 2018, the up-to-date figures of the number of pharmacies that have been given the following overall ratings in GPhC routine inspections since 1 November 2013 are as follows. Please note this includes data for all routine inspection visits to pharmacies that were registered at that time, some of the pharmacies below may not currently be registered. This also includes repeat inspections to the same pharmacy in some cases and is a count of all distinct routine inspection ratings.

- a. Poor - 690
- b. Satisfactory - 10574
- c. Satisfactory but some standards not met - 1926
- d. Good - 2735
- e. Excellent – 6

4. The number of times that the GPhC has, since its inception in 2010:

- a. **Issued an improvement notice to a pharmacy owner**

We have not issued any improvement notices to date to pharmacy owners. Up until May 2018, we had powers to issue improvements notices with respect to patient safety issues related to the Medicines Act. Since May 2018 we now have powers to issue improvement notices with respect to the standards for registered pharmacies. What we have used successfully are improvement action plans to secure improvements. Our recent consultation on registered pharmacies and our approach to regulation described that 99% of pharmacies that had to complete improvement action plans in 2016/17 made the improvements needed. The remaining 1% was made up of action plans where actions were not yet due or where they had long lead times. Since 2010, we have issued 2616 improvement action plans.

- b. ***Brought a fitness to practise case against a registrant for a failure to comply with the Standards for Registered Pharmacies.***

We do not draft allegations of a failure to comply with the Standards for Registered Pharmacies in fitness to practise cases against a registrant. It is not the failure to comply by itself which amounts to misconduct but the actual mischief of the registrant involved i.e. the act or omission. There will be cases which involve poor practice within the pharmacy but these are not captured as a failure to comply with the Standards for Registered Pharmacies. There is therefore no data to provide in response to this question.

- c. ***Disqualified, removed, or sought to disqualify or remove, a pharmacy premises from the register (article 14 of the Pharmacy Order 2010)***

Previously, disqualification of a pharmacy owner and the removal of their premises from the register could only be ordered against a body corporate owner of a pharmacy (of course, a pharmacist who is also an owner may be removed from the register of pharmacists under fitness to practise proceedings, but this does not result in the automatic removal of their premises from the register). In May 2018 the law was changed and the GPhC was given new powers. The GPhC can now potentially disqualify other types of pharmacy owners (partnerships and individual pharmacists), who own pharmacies, not just body corporate pharmacy owners. The GPhC has not disqualified, removed, or yet sought to disqualify, any pharmacy owners or remove any premises from the register under this power.

- d. ***Sought or obtained a conviction against a pharmacy owner under articles 12 or 14 of the Pharmacy Order 2010 (failing to assist or obstructing an inspector, providing false or misleading information to an inspector, failing to produce a document or record to an inspector when requested to do so or failure to comply with an improvement notice)***

The GPhC has not sought or obtained a conviction against a pharmacy owner under either article 12 or article 14 of the Pharmacy Order 2010. The GPhC has not had any instances where evidence has resulted in us needing to obtain a conviction.

- e. ***Imposed, sought to impose or considered imposing conditions on the registration of a registered pharmacy premises (section 74D of the Medicines Act 1968)***

The GPhC has not imposed any conditions on the registration of a registered pharmacy premises. In light of the GPhC's new powers, as of May 2018, under the Pharmacy (Premises Standards, Information Obligations etc) Order 2016 which gives us new enforcement powers for pharmacies failing to meet the standards for registered pharmacies, we are developing an enforcement policy that will set out how the GPhC will use these powers. This policy will set out how we intend to use these powers.

5. Information as to whether the GPhC has established a category in its fitness to practice database for recording allegations which relate to compliance with the Standards for Registered Pharmacies.

The GPhC does not have a category for recording fitness to practise allegations against a Standard for Registered Premises or Standard for Pharmacy Professionals. We are in the process of looking at this.

6. Information as to whether the GPhC has established a category in its general complaints database for recording allegations which relate to compliance with the Standards for Registered Pharmacies

Our corporate complaints database is related to complaints made about the service offered by the GPhC. The categories we use for this are related to the aspects of our service delivery and are not related to compliance with standards for registered pharmacies. The categories for this can be found on our website as part of the complaints procedure linked [here](#) for your ease of reference and reported on in our quarterly performance monitoring reports to Council.

Please note that our corporate complaints database is completely separate to our case management complaints database that we use to record fitness to practise allegations.

Yours sincerely

Mpande

Information requests

General Pharmaceutical Council

25 Canada Square | London | E14 5LQ

Email: foi@pharmacyregulation.org

www.pharmacyregulation.org

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to: Duncan Rudkin, Chief Executive & Registrar, General Pharmaceutical Council, 25 Canada Square, London, E14 5LQ foi@pharmacyregulation.org.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

From: foi

Sent: Tuesday, August 21, 2018 10:08

To: PDA FOI <foi.requests@the-pda.org>

Subject: RE: Freedom of Information Request on Pharmacy Premises Regulation (2)

Hello Alima,

Yes, the remaining part of the request will be sent shortly.

Kind regards

Mpande.

From: PDA FOI [<mailto:foi.requests@the-pda.org>]

Sent: Tuesday, August 21, 2018 09:54

To: foi <foi@pharmacyregulation.org>

Subject: RE: Freedom of Information Request on Pharmacy Premises Regulation (2)

Dear Mpande,

Many thanks for your email and for taking the time to respond. Please could you advise whether the remaining information will be sent today?

Kind regards,

Alima

From: foi <foi@pharmacyregulation.org>

Sent: 17 August 2018 17:18

To: PDA FOI <foi.requests@the-pda.org>

Subject: RE: Freedom of Information Request on Pharmacy Premises Regulation (2)

Dear Alima

Thank you for your email.

Please accept our sincere apologies for the delay in getting back to you. We are currently in the process of finalising our response and will be in a position to provide you with the requested information in full on Monday. In the meantime please see our response in relation to questions 1 – 3.

Under the Freedom of Information Act 2000, please provide me with the following information:

1. ***A list of the organisations with which the GPhC has a “Memorandum of Understanding” setting out how the organisations will share information with each other.***

This information is available via our website. Please see the following link.

<https://www.pharmacyregulation.org/about-us/who-we-work>

2. ***A list of organisations with which the GPhC has formal information sharing agreements.***

We do not have an up to date list of information sharing agreements with other organisations. We are currently in the process of setting up new agreements. We recently signed an agreement with seven regulators regarding sharing emerging concerns. Please see the below link for further information.

<https://www.pharmacyregulation.org/news/gphc-signs-new-agreement-other-regulators-help-share-concerns-effectively>

3. ***An up-to-date figure of the number of pharmacies that have been given the following overall ratings in GPhC inspections since 1 November 2013:***
 - a. ***Poor***
 - b. ***Satisfactory***

c. Satisfactory but some standards not met (we understand an action plan will be issued in such cases)

d. Good

e. Excellent

As at 7 August 2018, the up-to-date figures of the number of pharmacies that have been given the following overall ratings in GPhC routine inspections since 1 November 2013 are as follows. Please note this includes data for all routine inspection visits to pharmacies that were registered at that time, some of the pharmacies below may not currently be registered. This also includes repeat inspections to the same pharmacy in some cases and is a count of all distinct routine inspection ratings.

- a. Poor - 690
- b. Satisfactory - 10574
- c. Satisfactory but some standards not met - 1926
- d. Good - 2735
- e. Excellent – 6

As mentioned above, we will be in touch on Monday with a full response.

Yours sincerely

Mpande

Information requests

General Pharmaceutical Council

25 Canada Square | London | E14 5LQ

Email: foi@pharmacyregulation.org

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If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

From: PDA FOI [<mailto:foi.requests@the-pda.org>]

Sent: Friday, August 17, 2018 15:44

To: foi <foi@pharmacyregulation.org>

Subject: Re: Freedom of Information Request on Pharmacy Premises Regulation (2)

Dear Sir / Madam,

I would be grateful if you could provide an update in relation to this request. My understanding is that your response was would have been due yesterday, which was 20 working days from the date of the initial request.

Kind regards,

Alima

From: Alima Batchelor

Sent: 19 July 2018 14:58

To: foi@pharmacyregulation.org

Subject: Freedom of Information Request on Pharmacy Premises Regulation (2)

Dear Sir/Madam,

I am writing to you to request information under the Freedom of Information Act 2000.

Under the Freedom of Information Act 2000, please provide me with the following information:

1. A list of the organisations with which the GPhC has a "Memorandum of Understanding" setting out how the organisations will share information with each other.
2. A list of organisations with which the GPhC has formal information sharing agreements.
3. An up-to-date figure of the number of pharmacies that have been given the following overall ratings in GPhC inspections since 1 November 2013:
 - a. Poor
 - b. Satisfactory
 - c. Satisfactory but some standards not met (we understand an action plan will be issued in such cases)
 - d. Good
 - e. Excellent
4. The number of times that the GPhC has, since its inception in 2010:
 - a. Issued an improvement notice to a pharmacy owner

- b. Brought a fitness to practise case against a registrant for a failure to comply with the Standards for Registered Pharmacies.
 - c. Disqualified, removed, or sought to disqualify or remove, a pharmacy premises from the register (article 14 of the Pharmacy Order 2010)
 - d. Sought or obtained a conviction against a pharmacy owner under articles 12 or 14 of the Pharmacy Order 2010 (failing to assist or obstructing an inspector, providing false or misleading information to an inspector, failing to produce a document or record to an inspector when requested to do so or failure to comply with an improvement notice)
 - e. Imposed, sought to impose or considered imposing conditions on the registration of a registered pharmacy premises (section 74D of the Medicines Act 1968)
4. Information as to whether the GPhC has established a category in its fitness to practice database for recording allegations which relate to compliance with the Standards for Registered Pharmacies
5. Information as to whether the GPhC has established a category in its general complaints database for recording allegations which relate to compliance with the Standards for Registered Pharmacies

I understand that under the Act I am entitled to a response within 20 working days of your receipt of this request. I recognise that some parts of the request may be easier to answer than others. Should this be the case, I would be grateful if you could release the information that you are able to easily gather sooner than information that might take longer to assemble.

If you require any clarification or find any aspect of this FOI request problematic, please contact me to advise me of this and assist me in making this request.

I would prefer to receive the information electronically if that is possible.

Please acknowledge receipt of this request. I look forward to receiving the information.

Thank you in advance for your help.

Kind regards

Alima Batchelor