

Annex F: Consultation response form

Health Care and Associated Professions: Setting standards – proposals for consultation

Please fill in and/or tick the appropriate response. Completed forms should be sent to info@chre.org.uk

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Confidentiality: Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, among other things, with obligations of confidence. In view of this, it would be helpful if you could explain to us why you regard the information that you have provided to be confidential. If we receive a request for disclosure of the information we will take full account of your request, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the CHRE.

The CHRE will process your personal data in accordance with the DPA and, in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

The information you send us will be passed on to colleagues within the Department of Health and may also be passed on to colleagues within other Health Departments or published in a summary of responses to this consultation.

- I do not wish my response to be passed to other UK Health Departments
- I do not wish my response to be published in a summary of responses

Please indicate all the countries to which your comments relate:

- | | |
|---|-----------------------------------|
| <input type="checkbox"/> UK and/or | <input type="checkbox"/> Scotland |
| <input checked="" type="checkbox"/> England | <input type="checkbox"/> Wales |
| <input type="checkbox"/> Northern Ireland | |

Are you responding:

- as a member of the public
 as a health or social care professional
 on behalf of an organisation

If you are responding as a member of the public, please supply the following details:

Profession

If you are responding as a health or social care professional, please supply the following details:

Profession

Country of qualification

Please indicate as appropriate:

- UK
 Other European Economic Area country
 Rest of world

Area of work

- | | |
|--|--|
| <input type="checkbox"/> NHS | <input type="checkbox"/> Union |
| <input type="checkbox"/> Social care | <input type="checkbox"/> Pharmaceutical industry/company |
| <input type="checkbox"/> Private health | <input type="checkbox"/> Trade body |
| <input type="checkbox"/> Voluntary | <input type="checkbox"/> Other (please give details) |
| <input type="checkbox"/> Regulatory body | |
| <input type="checkbox"/> Professional body | |
| <input type="checkbox"/> Education | |

If you are responding on behalf of an organisation, please supply the following details:

Area of work

- NHS
 Social care
 Private health
 Voluntary
 Regulatory body
 Professional body
 Education
 Union
 Pharmaceutical industry
 Trade body
 Other (please give details)

Consumer Focus is the statutory organisation campaigning for a fair deal for consumers in England, Wales, Scotland, and, for postal services, in Northern Ireland. We are the voice of consumers and work to secure a fair deal on their behalf. We were created through the merger of three consumer organisations – energywatch, Postwatch and the National Consumer Council (including the Welsh and Scottish Consumer Councils). The new approach allows for more coherent consumer advocacy, with a single organisation speaking with a powerful voice and able to more readily bring cross-sector expertise to issues of concern.

Consultation questions

We have responded only to questions we can apply our expertise.

DRAFT STANDARDS – GENERAL PRINCIPLES

Question 1

Do you agree that overall the standards adequately reflect an outcome and patient focussed, broad and flexible approach?

- Agree
- Disagree
- Unsure

Comments

Consumer Focus welcomes the clear patient-focus in the Draft Standards. By putting patients first the Draft Standards seek to ensure pharmacists provide a responsive service to customers.

On the issue of patient confidentiality Consumer Focus believes the Draft Standards should go further, setting out the need for patients to be provided with information on how their information will be stored as well as the circumstances in which it may be shared by the pharmacist. This includes who will have access to it and under what circumstances. It should also include how patients can view, amend or correct the information held about them.

Question 3

The GPhC is committed to embedding Equality and Diversity at the heart of everything it does. Do you think that the draft standards support this commitment?

- Agree
- Disagree
- Unsure

Comments

The Draft Standards do support GPhCs commitment to embedding Equality and Diversity but Consumer Focus is concerned at Question 8 in the consultation, regarding provision allowing registrants to withhold services according to their personal beliefs. This is in contradiction to the standards laid out in the Draft, and directly undermines the notion of a patient-focus within the standards.

ANNEX B - DRAFT STANDARDS - CONDUCT, ETHICS and PERFORMANCE

Question 7

Do you think that the draft code of conduct, ethics and performance adequately applies to registered pharmacists and pharmacy technicians in all sectors of practice?

- Agree
 Disagree
 Unsure

Comments

All customers should receive high standards of service across all relevant sectors of pharmacy practice.

Question 8

Do you agree that there should be provision within the Code which allows personal beliefs of registrants to prevent them from providing a particular professional service? (subject to ensuring that patients and the public are referred to alternative providers of the service they require)?

- Agree
 Disagree
 Unsure

Comments

Consumer Focus believes that in a patient focused approach the balance of interest should be in favour of the patient. By creating a provision for withholding particular professional services based on the personal beliefs of the professional there is a danger that if there is too much concern for the personal beliefs of the professional, in some instances this will create a professional-centred rather than a patient-centred service.

Further, exemptions based on personal beliefs are clearly contrary to several points within the Draft Standards. The Draft Standards state safeguarding the well-being of patients must come ahead of registrants' personal beliefs. An exemption based on personal beliefs of the professional goes against the spirit of embedding equality and diversity the Draft Standards have sought to achieve. It is clearly in direct contradiction to the notion of respecting the dignity, rights and beliefs of patients if they are secondary to those of the pharmacist.

Consumer Focus recognises that where personal beliefs do influence the provision of services the General Medical Council guidance for doctors provides clear direction to practitioners and seeks to safeguard the interests of patients where this does happen. GMC guidance makes it clear that whatever the personal beliefs of doctors, their responsibility is to ensure that

patients get the service which they need. The GPhC Standards should have equally detailed guidance to ensure that pharmacists may not withhold treatment to patients.

Where a registrant has beliefs which conflict with the objective of providing patient focused care, Consumer Focus does not believe they should be able to refer patients to neighbouring pharmacies without regard for how far patients will be forced to travel and how much time this will involve.

Lastly, the Draft Standards rightly commit registrants to listen to what patients want and this must be backed up by a meaningful, appropriate response based on professional competency and not the personal preferences of the provider. The Draft Standards, as a forward looking document promoting equality and diversity and a patient focused approach should aim for the highest possible standards in developing the ethics of modern pharmacy practice.

ANNEX E - DRAFT STANDARDS - CONTINUING PROFESSIONAL DEVELOPMENT

Question 18

Do you agree that registrants, regardless of their scope of practice, should record some CPD that relates to their ability to practise according to the GPhC standards of conduct, ethics and performance?

- Agree
- Disagree
- Unsure

Comments

Ethics change over time and standards of conduct and performance must evolve to meet those changes. Equally, the notion of patient focused services is changing too, as patients become more involved in the care and services they receive. As such ongoing CPD should reflect changes in how pharmacies operate to ensure services continue to be relevant and patient focused.