

Our performance review process

We have a statutory duty to report annually to Parliament on the performance of the 10 regulators we oversee. We do this by reviewing each regulator's performance against our Standards of Good Regulation and reporting what we find. Our performance reviews are carried out on a three-year cycle; every three years, we carry out a more intensive 'periodic review' and in the other two years we monitor performance and produce shorter monitoring reports. Find out more about our review process [here](#).

This monitoring report covers the period 1 January 2023 to 31 December 2023.

Key findings

- The PSNI did not meet Standard 4 because of the PSNI's inability to provide timely and accurate information to us. These issues raise serious questions about the confidence we and the PSNI's Council can have on the PSNI's reporting and ability to address our concerns.
- The PSNI did not meet Standard 10 because there have been a number of registration errors on the PSNI's register during the review period. The PSNI did not have robust processes and controls in place throughout the review period to ensure the accuracy of the register and the PSNI has not yet taken action to reduce the risk of similar errors occurring in the future.
- The PSNI did not meet Standard 15 because it is taking too long to deal with fitness to practise cases and the number of open older cases has increased. The PSNI was not able to provide us with sufficient explanation of the reasons behind the delays on cases closed by the Statutory Committee during the review period and the actions it took to minimise delays. It is our view that, in light of its small caseload, the PSNI should be able to manage delays to its cases more effectively.

Standards met 2022/23



General Standards	4 out of 5
Guidance and Standards	2 out of 2
Education and Training	2 out of 2
Registration	3 out of 4
Fitness to Practise	4 out of 5
Total	15 out of 18

PSNI standards met 2019-21

2021/22	18
2020/21	17



3,141¹

professionals on the register
(as at 31 December 2023)

545

premises on the register
(as at 31 December 2023)

General Standards

The PSNI met four out of five General Standards this year. It met Standards 1, 2, 3 and 5 and did not meet Standard 4.

These five Standards cover a range of areas including: providing accurate, accessible information; clarity of purpose; equality, diversity and inclusion; reporting on performance and addressing organisational concerns; and consultation and engagement with stakeholders to manage risk to the public.

Provision of information

While conducting this year's performance review, we have experienced various problems with the information provided to us by the PSNI in terms of its accuracy, completeness and timeliness. These issues raise serious questions about the confidence we and the PSNI's Council can have on the PSNI's reporting and ability to address our concerns. The PSNI has told us that it has started work to resolve these problems, but we have not yet seen evidence of improvement at this stage. We therefore concluded that Standard 4 is not met this year.

Publishing information about its work

The PSNI provided information about its work through its website and through direct emails to registrants. We welcome its commitment to publishing its annual Business Plans in future.

Transparency about the powers of the PSNI's Statutory Committee

In our previous two reports we said that the PSNI should publish information about its interpretation of the powers of its Statutory Committee in relation to the length of time a Conditions of Practice Order could be imposed.

In May 2023, the PSNI published a [Practice Direction](#) on its website which sets out how it approaches Interim Order reviews. It also

updated its FtP Manual which addresses the issues we previously reported on.

Ongoing work

The PSNI extended its Corporate Strategy for a further year (2023-24) following discussion at the March 2023 Council meeting, and is working with a team of consultants to develop its new 2024-28 strategy. The PSNI also plans to redevelop its website and aims to complete this work later this year.

Equality, Diversity and Inclusion (EDI)

We have previously reported that the PSNI does not collect diversity data about its Council members, and its reasons why. Even though the PSNI does not recruit or appoint its Council members, it is important that the PSNI understands the diversity of its key decision-makers. We therefore remain of the view that the PSNI should monitor the diversity of its Council members.

The PSNI collects EDI data from its registrants through an annual online survey and publishes the results on its website. Response rates remain relatively low, meaning that the PSNI has less complete data than the other regulators. It has told us that response rates have increased slightly for the 2023/24 survey. The PSNI has committed to improving this further as it explores ways to embed the collection of this data into the registration process.

The PSNI currently lacks a public-facing EDI strategy, although we note it plans to publish one in 2024. We encourage the PSNI to accelerate its work in this area; from 2024/25, we will be assessing all regulators against a new evidence framework² for Standard 3 which sets out more demanding expectations over the next three years.

Guidance and Standards

The PSNI met both Standards for Guidance and Standards this year.

The Code (Professional standards of conduct, ethics and performance for pharmacists in Northern Ireland)

The PSNI established an Advisory Group of internal and external stakeholders and hosted a number of engagement events as part of its work on reviewing *The Code*. It also launched a public consultation which closed at the end of 2023, following which the PSNI plans to publish the new Code later in 2024.

Guidance on safe staffing levels and premises standards

Last year we reported that the PSNI was developing guidance on safe staffing levels in light of the recommendations and action plan from the Pharmacy Workforce Review 2020.³ This work is linked to the PSNI's work on *Premises Standards*, which is on hold while the PSNI awaits a Commencement Order to be introduced by the Department of Health Northern Ireland and approved by the Northern Ireland Assembly.⁴

Online pharmacy services

Last year we reported that the PSNI plans to update its existing standards and guidance on internet pharmacy in the financial year 2022/23⁵. This work has been delayed and the PSNI now plans to begin this work in 2024 including engaging with stakeholders through its Advisory Group. It is important that the PSNI takes prompt action to ensure it understands, and is managing, the risks arising from online pharmacy, and we will monitor the work it is doing.

Education and Training

The PSNI met both Standards for Education and Training this year.

Education reform

For several years, we have been monitoring work the PSNI has been doing to reform education and training for pharmacists in Northern Ireland. The PSNI adopted new education standards in January 2021 and the PSNI has continued working with key stakeholders on the implementation of these new standards through its Education Reform Implementation Group. The new Standards will be fully implemented by 2025/26.

As part of the wider education reforms, the PSNI plans to incorporate independent prescribing into the five-year training programme. To implement this, the Pharmaceutical Society of Northern Ireland (General) Regulations (Northern Ireland) 1994 will need to be amended. The PSNI has secured Government approval for this work to be completed by June 2025. In the meantime, the PSNI plans to work with the General Pharmaceutical Council and other relevant stakeholders to develop guidance for course entry in advance of the changes being introduced.

Foundation Training Year

In Summer 2021, the pre-registration training year run by the PSNI became a Foundation Training Year (FTY) run by the Northern Ireland Centre for Pharmacy Learning and Development (NICPLD). For the first year of the FTY, the two organisations agreed transitional arrangements for the management and quality assurance of the programme. From 1 July 2022, NICPLD took over full responsibility for quality management and quality control, with the PSNI retaining responsibility for quality assurance.

Last year we said that the PSNI will be developing a more formal quality assurance arrangement for the 2022/23 FTY onwards. However, in September the PSNI informed us that it has decided to temporarily pause progression of pursuing an alternative model for the accreditation of the FTY. The PSNI is revisiting its 1994 Regulations, and its memorandum of understanding with NICPLD which is due for review in 2024. In the meantime, the PSNI's previous quality assurance process remains in place. We will continue to monitor developments.

Registration

The PSNI met four out of five Standards for Registration this year. It met Standards 11, 12 and 13 and did not meet Standard 10.

Accuracy of the register

The PSNI notified us of a register entry that did not show a live interim suspension order imposed on a registrant. It also told us about a number of historic sanctions that were missing from the public register throughout the review period, which it only discovered when carrying out a full check of the register after the initial error was noted. The PSNI also told us about an incident concerning a registrant whose suspension order lapsed on the understanding that the registrant would be voluntarily removed from the register before the expiry of the order. The PSNI did not process the voluntary removal application and the registrant was not removed from the register; the suspension order therefore lapsed upon expiry. We welcome the PSNI's openness and transparency in bringing these issues to our attention and noted the actions the PSNI took to correct the register on each occasion. However, we would expect the PSNI to manage those cases more closely and avoid such errors and delays. We are concerned that the PSNI did not have robust processes and controls in place throughout

the review period to ensure the accuracy of the register and the PSNI has not yet taken action to reduce the risk of similar errors occurring in the future. We therefore concluded that Standard 10 is not met this year.

Continuing Professional Development (CPD)

The period under review marked the second year of the PSNI's revised CPD framework. Last year, we were assured that the PSNI's CPD framework had worked as expected and this year we did not receive any concerns from stakeholders or third parties about the process.

In order to further improve the user experience, the PSNI said it will make changes to its CPD IT platform and make minor revisions to its CPD Framework in light of stakeholder feedback. The PSNI said it will communicate any changes to registrants ahead of the next CPD cycle, starting on 1 June 2024.

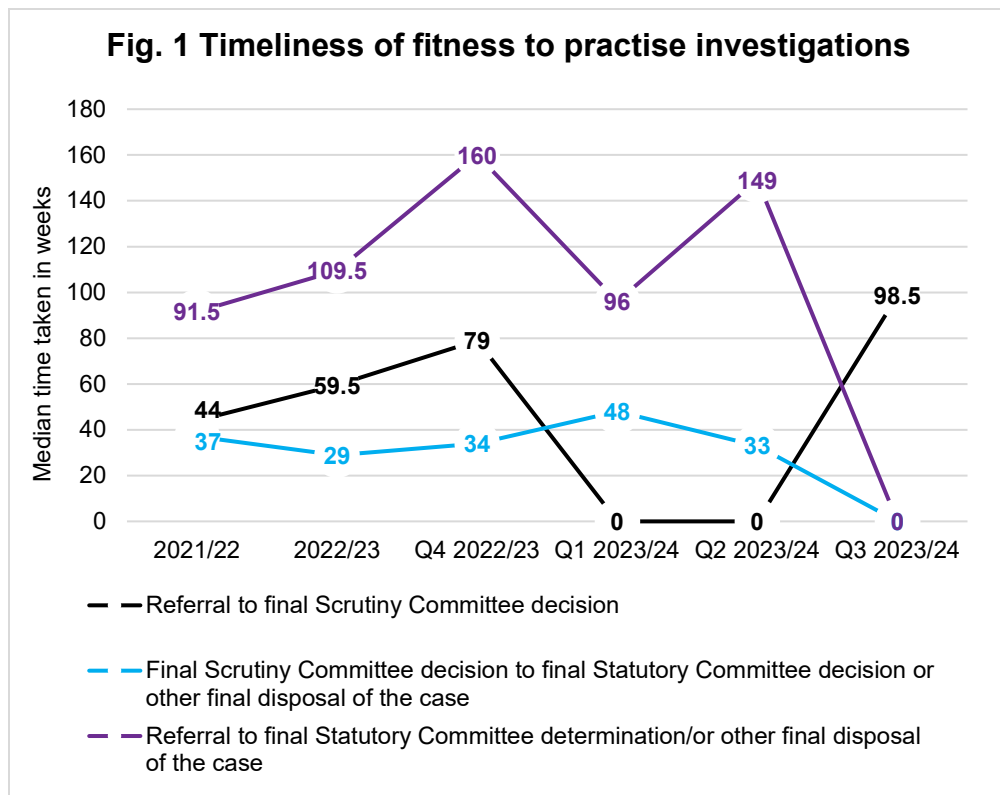
Fitness to Practise

The PSNI met four out of five Standards for Fitness to Practise this year. It met Standards 14, 16, 17 and 18 and did not meet Standard 15.

Time taken to progress cases

Figure 1 shows that the PSNI's performance against our key timeliness measures has deteriorated from Q4 2022/23 onwards. The PSNI makes very few decisions at Scrutiny Committee or Statutory Committee each quarter, and in the past, we have seen some acceptable fluctuations in the PSNI's quarterly data because of its small caseload. However, this year, these fluctuations have increased and the end-to-end time from referral to final disposal has increased beyond what we consider acceptable. The PSNI was not able to

provide us with sufficient explanation of the reasons behind the delays on cases closed by the Statutory Committee during the review period and the actions it took to minimise delays. It is our view that, in light of its small caseload, the PSNI should be able to manage delays to its cases and explain any delays more effectively.



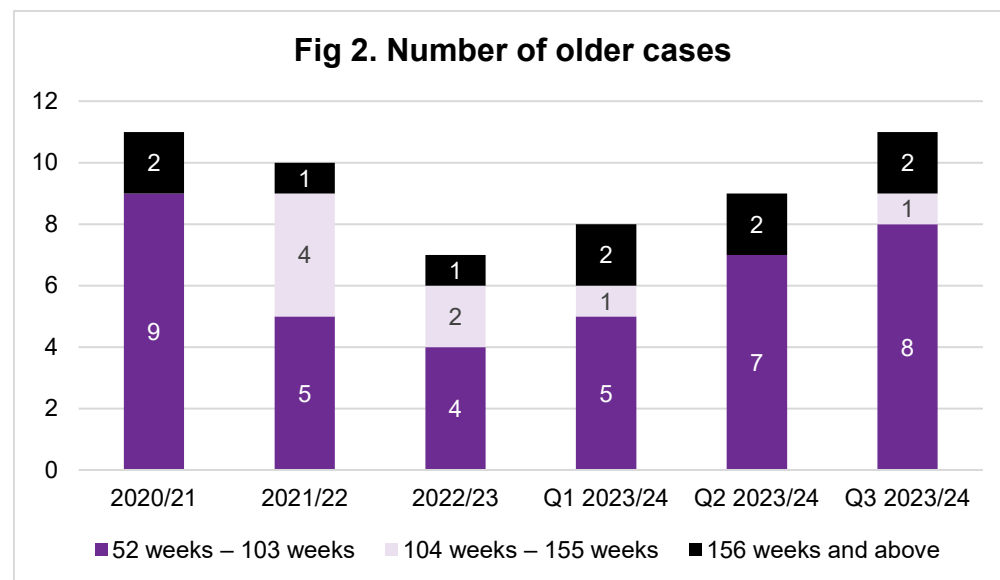
Voluntary removal process

The PSNI provided us with details of a case in which a registrant had applied to be taken off the register using the PSNI’s voluntary removal process. Given the length of time the PSNI took to remove the individual from the register, we cannot be assured that the PSNI’s voluntary removal process⁶ deals with cases as quickly as is

consistent with a fair resolution of the case and ensures that appropriate evidence is available to support decision-makers to reach a fair decision that protects the public at each stage of the process.

Open older cases

As Figure 2 shows, the number of older cases in the PSNI’s caseload has steadily increased during this review period. As the PSNI concludes these cases this will tend to negatively affect the PSNI’s timeliness data, which is already deteriorating.



The deterioration in the timeliness data, combined with the PSNI’s inability to explain the delays in case progression and the increase in the number of open older cases, presents a concerning picture. We concluded that Standard 15 is not met.

Interim orders

Last year we were concerned that the PSNI had not understood its Statutory Committee was required to continue reviewing interim orders that were extended by the High Court and had been operating on that basis for a long time. We are pleased to note that the PSNI has published a [Practice Direction](#) setting out its interpretation of the Statutory Committee's Powers to impose a further review when reviewing Conditions of Practice Orders.

Timeliness of interim orders

The PSNI applies for very few interim orders each year. The PSNI was able to explain the delay in one interim order hearing which we conclude was reasonable in the circumstances. It remains important that regulators do what they can to prioritise and progress serious cases without delay. We will continue to monitor this area in our next review.

¹ This figure includes 127 trainees.

² https://www.professionalstandards.org.uk/docs/default-source/publications/standards/professional-standards-authority-standard-3-evidence-matrix.pdf?sfvrsn=29bb4a20_2

³ <https://www.health-ni.gov.uk/sites/default/files/publications/health/doh-pharmacy-workforce-review.pdf>



Quick links/find out more

- ▶ [Find out more about our performance review process](#)
- ▶ [Read the PSNI's 2021/22 performance review](#)
- ▶ [Read our Standards of Good Regulation](#)

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⁴ The PSNI approved new *Premises Standards* in June 2018 but they will not come into effect until the introduction of a Commencement Order to bring The Pharmacy (Premises Standards, Information Obligations, etc.) Order 2016 into operation.

⁵ The PSNI's financial year runs from 1 June to 31 May.

⁶ PSNI's voluntary removal process is outlined at Section 7 of PSNI's 2012 Fitness to Practise regulations [The Council of the Pharmaceutical Society of Northern Ireland \(Fitness to Practise and Disqualification\) Regulations \(Northern Ireland\) 2012 \(legislation.gov.uk\)](#)