



# Legal Adviser: Role and person specification

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## Introduction

The General Pharmaceutical Council (GPhC) is the independent regulator for pharmacists, pharmacy technicians and pharmacy premises in Great Britain. It is our job to protect, promote and maintain the health, safety and wellbeing of members of the public by upholding standards and public trust in pharmacy.

Our principal functions include:

1. Approving qualifications for pharmacists and pharmacy technicians and accrediting education and training providers;
2. Maintaining a register of pharmacists, pharmacy technicians and pharmacy premises;
3. Setting standards for conduct, ethics, proficiency, education and training, and continuing professional development (CPD);
4. Establishing and promoting standards for the safe and effective practice of pharmacy at registered pharmacies;
5. Establishing fitness to practise requirements, monitoring pharmacy professionals' fitness to practise and dealing fairly and proportionately with concerns.

The General Pharmaceutical Council (GPhC) has three statutory committees; the Investigating Committee, the Fitness to Practise Committee and the Registration Appeals Committee. The Investigating Committee considers allegations that a Registrant's fitness to practise is impaired and decides whether to refer the case to the Fitness to Practise Committee for a full enquiry. The Fitness to Practise Committee hears cases where a registrant's fitness to practise is in question, considers allegations, hears oral evidence, and takes decisions including sanctions or advice. The Registration Appeals Committee considers appeals against decisions relating to applications for registration.

## Main purpose of the role

Legal Advisers are practising legal professionals who ensure that proceedings before the Statutory Committees are conducted fairly. They advise, if required on points of law, and intervene with advice where it appears that an error of law or irregular proceeding may be made. Legal Advisers will also be expected on occasions to draft high-quality determinations for publishing.

Our Investigating Committee meetings take place remotely and our Fitness to Practice Committee hearings take place both remotely and in-person at our offices in Canary Wharf.

## Responsibilities of the role

- Read and assimilate papers before hearings;
- Attend hearings and meetings of the Statutory Committees, advising the committee before the start of the hearing/ meeting of any preliminary matters;
- Advise the committee on questions of law that are referred to them by members of the committee;
- Intervene to advise the committee on an issue of law where it appears that without intervention there is a possibility of an error of law being made;
- Inform the committee immediately of any irregularity in the conduct of proceedings before it;
- When required draft high-quality determinations conforming to legal and GPhC standards.

## Eligibility/Conflicts of interest

To be eligible to apply for this role, you need to be legally qualified either as a Solicitor or Barrister, registered with the Solicitors Regulation Authority or the Bar Standards Board with a current practicing certificate for the UK.

Due to the nature of this role, you may have a potential or perceived conflict of interest. Conflicts of interest are managed on a case-by-case basis. If you feel you may have a conflict of interest that may keep you from applying for this role, please contact the Associates and Partners team at [A&P@Pharmacyregulation.org](mailto:A&P@Pharmacyregulation.org) and the team will advise you.

## Knowledge, experience, essential and desirable criteria

### Essential knowledges and skills

- Legally qualified to practise law in Great Britain
- Hold a current practicing certificate.
- Extensive experience in public law and/or regulatory law.
- Up to date working knowledge of healthcare regulatory case law.
- Experience of giving advice to tribunals or similar bodies.
- Excellent drafting skills.
- Good communication, intellectual and analytical ability.
- Have regard to organisational EDI culture and policies.

### Desirable knowledge and skills

- General understanding of and interest in the NHS, healthcare professions and pharmacy in Great Britain.
- Court or Tribunal Experience.

## Terms of office and remuneration

The appointments will be for a period of four years in the first instance.

This role will be remunerated, with expenses covered in line with our GPhC's Associate and Partners Expenses Policy.

## Ways of working

Legal Advisers are drawn from a pool to advise Statutory Committees considering a case, subject to availability and case workflow at the GPhC's discretion. The number of days' commitment is dependent on the number of meetings or hearings taking place where advice is needed.

Please note that a guarantee of a minimum number of days attendance during the appointment period cannot be given. In addition, the GPhC is not obliged to offer you work under this agreement.

## Confidentiality

Legal Advisers must always maintain confidentiality. Legal Advisers **must not**:

- Share any confidential information gained from sitting on a GPhC hearing or whilst carrying out work on behalf of the GPhC.
- Speak on behalf of the GPhC or comment publicly on its work or a case. This includes communication in written form and via social media.
- Discuss the work of the GPhC with anyone other than fellow committee members or with the administrator of the work given to Legal Advisers.

## The Nolan Principles

**The Seven Principles of Public Life (also known as the Nolan Principles)** apply to anyone who works as a public officeholder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services.

## GPhC Associate workers

Legal Advisers are associate workers of the GPhC. As such they are bound by the GPhC's:

- *Code of conduct for Council members and GPhC associates;*
- *Standard of education and training for Council members and GPhC associates;* and
- *Standard of attendance at meetings for Council members and GPhC associates*

These are available on request.