

## **Memorandum of Understanding between Health Education England and the General Pharmaceutical Council**

### **1. Introduction**

1.1. The parties to this Memorandum of Understanding (“MoU”) are:

*General Pharmaceutical Council, 25 Canada Square, London E14 5LQ; and*

*Health Education England, Blenheim House, Duncombe Street, Leeds LS1 4PL;*

1.2. The purpose of this MoU is to support the working relationship between Health Education England (HEE) and the General Pharmaceutical Council (GPhC), in order to promote high quality healthcare education and the safety and well-being of pharmacy service users.

1.3. The MoU outlines the basis of co-operation between HEE and the GPhC.

1.4. HEE and the GPhC agree to adhere to the contents and spirit of this MoU. However, it is not a legally binding document. It does not override the organisations’ statutory responsibilities or functions, nor infringe the autonomy and accountability of HEE and the GPhC or their governing bodies.

### **2. Roles and responsibilities**

2.1. Health Education England (HEE) supports the delivery of healthcare and health improvement by ensuring the current and future NHS workforce has the right numbers, skills, values and behaviours to meet the needs of patients at the right time and place. It spends nearly £5bn a year on undergraduate and postgraduate education and training to ensure that the whole health and healthcare sector in England, including the NHS, the independent sector and public health have the most highly qualified new professionals in the world.

2.2. HEE has primary responsibility for healthcare education and training in England and provides national leadership and strategic direction for education, training and development in order to provide the best care, now and in the future. HEE works with Local Education and Training Boards (LETBs) and primary care healthcare providers (such as pharmacies) to deliver high quality clinical placements supported by high quality and effective supervision and assessment of students and trainees. HEE must address any issues that come to its attention regarding the quality of education and training openly and transparently.

- 2.3. Education and placement providers should be given the opportunity to address quality issues but information may also need to be shared to ensure that the interests of patients, trainees and students are protected. HEE can use a range of powers to take action when a service is not meeting its standards in order to drive improvement.
- 2.4. The GPhC is the independent regulator for pharmacists, pharmacy technicians and pharmacy premises in England, Scotland and Wales. In accordance with the Pharmacy Order 2010, the over-arching objective of the Council in exercising its functions is the protection of the public. This involves the following objectives.
- a. to protect, promote and maintain the health, safety and wellbeing of the public;
  - b. to promote and maintain public confidence in the professions regulated by the GPhC;
  - c. to promote and maintain proper professional standards and conduct for members of those professions; and
  - d. to promote and maintain proper standards in relation to the carrying on of retail pharmacy businesses at registered pharmacies.

### **3. Principles of co-operation**

- 3.1. GPhC and HEE intend to work together in the interests of the education and training of pharmacy professionals that will enable better, safer services to be provided to patients and the public
- 3.2. HEE and the GPhC intend that their working relationship will be characterised by:
- 3.2.1. making decisions that promote patient and public safety;
  - 3.2.2. respecting each other's independent status;
  - 3.2.3. maintaining public confidence in the two organisations;
  - 3.2.4. cooperating openly and transparently with the other organisation; and
  - 3.2.5. using resources effectively and efficiently.

### **4. Collaborative working arrangements**

#### **Key Contacts**

- 4.1. Details of key contacts within the HEE and GPhC are contained in appendix A.
- 4.2. HEE and GPhC will endeavour to update the other as to any changes to these key contacts and their contact details that may be made from time to time.

#### **Cross-referral of concerns**

- 4.3. Where HEE and the GPhC encounter a concern, which affects the work and remit of the other, they will at the earliest opportunity, where necessary and lawful, will share details of this concern and any relevant information at the earliest

opportunity. It is not always necessary for the referring organisation to wait until the conclusion of its own investigation before sharing concerns.

4.4. In particular, to the extent that such matters may come to the attention of HEE, HEE will refer to the GPhC:

4.4.1. any concerns and relevant information about a pharmacist or pharmacy technician, or a pre-registration trainee of either profession, which may call their fitness to practise into question;

4.4.2. any concerns and relevant information about a primary education provider for pharmacy programmes/courses, which may impact on its suitability as an education provider;

4.4.3. any concerns about specialist training that either call a GPhC registrant's fitness to practise into question or indicate a provider is non-compliant with GPhC standards for training;

4.4.4. any concerns and relevant information about a registered pharmacy and the provision of pharmacy services, which indicates non-compliance with legal requirements and regulatory standards and therefore presents a risk to patient and public safety; and

4.4.6. any concerns about a registered pharmacy which is operating in the context of a placement provider and is operating in a manner which indicates non-compliance with regulatory guidance for training pre-registration pharmacists or pharmacy technicians, and is detrimental to the individual's progression and/or safety of the public.

4.5. In particular, to the extent that such matters may come to the attention of the GPhC, the GPhC will refer to HEE:

4.5.1. any concerns and relevant information about an education provider in which healthcare and pharmacy professionals practice or are trained, which may cause concerns for HEE;

4.5.2. any concerns and relevant information about an education provider which may call into question the robustness of its systems of appraisal and clinical governance;

4.5.3. any relevant information from fitness to practise processes and procedures which impact upon or concern a trainee pharmacy professional; and

4.5.4. any concerns and relevant information about pharmacy premises in which healthcare professionals practice or are trained, which may cause concern for HEE.

## **Workforce planning**

- 4.6 The GPhC will assist HEE with its work on workforce planning by sharing relevant data it holds.

## **Policy development**

- 4.7 Where relevant, the GPhC and HEE will seek each other's engagement when developing policy related to pharmacy professionals' education, training and development.

## **5 Information sharing**

- 5.1. The cooperation outlined in section 4 will require HEE and GPhC to exchange information where appropriate. Both organisations agree to abide by the Information Commissioner's Office data sharing code of practice, and, recognise their respective responsibilities as data controllers under the Data Protection Act and public bodies under the Freedom of Information Act.
- 5.2. In addition, all information shared between the Parties will be in accordance with their respective legal responsibilities under the Human Rights Act, the common law duty of confidence and other relevant legislation.
- 5.3. Where regular information sharing is justified and supports the effective delivery of their respective roles and responsibilities, both organisations will explore systematically and routinely sharing specific data sets to the extent possible by law. An information sharing agreement will be established to effect any such arrangement put into place.

## **6. Communication and liaison**

- 6.1. A commitment to the timely exchange of relevant information between HEE and the GPhC is necessary to promote patient and public safety.
- 6.2. The working relationship between HEE and the GPhC is characterised by regular contact and open exchange of information, through both formal and informal meetings at all levels, including senior levels. This is kept under review by the lead contacts named in this MoU.

## 7. Liaison and dispute resolution

- 7.1. The effectiveness of the working relationship between HEE and GPhC will be promoted through regular informal and formal contact between the two organisations where necessary and as required. Any dispute between HEE and the GPhC will normally be resolved at working level. If this is not possible, it may be referred to staff, in the respective organisation, named in appendix A of this MOU.
- 7.2. Unresolved disputes may be referred upwards through those responsible for operating this MoU, up to and including the Chief Executives of each organisation, who will be jointly responsible for ensuring a mutually satisfactory resolution.

## 8. Duration and review

- 8.1. This MoU takes effect from the date of signing and will remain in force until it is terminated or superseded by a revised document.
- 8.2. Either party may terminate this MoU by 28 days' notice in writing to the other at its Head Office.
- 8.3. This MoU will be reviewed by both organisations no less frequently than on each anniversary of signing to ensure that the arrangements are working appropriately and effectively, it is kept up to date and to identify (and manage) any emerging issues in the working relationship between the two organisations.



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Rob Smith  
Executive Director of Strategy and Planning  
Signed for and on behalf of Health Education England



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Duncan Rudkin  
Chief Executive and Registrar  
Signed for and on behalf of the General Pharmaceutical Council

## **Appendix A**

### **General Pharmaceutical Council**

MoU management:

Aiysha Hanif, Project and Planning Coordinator  
General Pharmaceutical Council, 25 Canada Square, London E14 5LQ  
0203 713 7967 | Aiysha.Hanif@pharmacyregulation.org

Head of Education:

Damian Day, General Pharmaceutical Council  
25 Canada Square | Canary Wharf | London | E14 5LQ  
0203 713 7959 | Damian.day@pharmacyregulation.org

Other key contacts:

Hugh Simpson, Director of Strategy  
General Pharmaceutical Council, 25 Canada Square, London E14 5LQ  
020 3713 7803 | hugh.simpson@pharmacyregulation.org

Matthew Hayday, Head of Governance and Data Protection Officer  
General Pharmaceutical Council, 25 Canada Square, London E14 5LQ  
020 3713 7809 | matthew.hayday@pharmacyregulation.org

### **Health Education England**

Marlon Edwards, National Workforce Planner  
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Helen Mansfield, Head of Information Development  
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