

## How we manage health concerns: frequently asked questions

We recognise that how we manage concerns may be unfamiliar to you if you are a pharmacy professional that has had a concern raised about your health or you have self-referred. This resource is designed to help you understand how we manage health concerns by providing some answers to commonly asked questions.

### Q: Should I declare my health condition to the GPhC?

We need to be aware if you have a health condition that:

- is affecting, or is likely to affect, your ability to practise safely and effectively, or
- is preventing, or is likely to prevent, you from doing any of the regular tasks carried out by a practising pharmacy professional.

We **do not** need to know when:

- you have a health condition that is being managed and for which you are getting appropriate treatment, or
- you have removed yourself from work for a limited period of time due to a health condition.

### Q: What can I expect if I declare my health condition or have a concern about my health raised with the GPhC?

We believe in taking a person-centred approach to managing concerns. This means we will listen to, and understand, what your personal needs are, and support your needs where we can.

To make sure we put people at the heart of what we do, we promise to:

- communicate with you clearly and tailor our communications to address your needs
- explain what you can expect from us
- handle your information with care
- act with professionalism, kindness and respect at all times
- provide an accessible service to everyone involved
- listen and respond to feedback and use this to learn and improve our services.

We recognise that an investigation into your health can be stressful and worrying. We will treat you fairly and with respect throughout the process.

## Q: How will the GPhC manage a concern about my health?

If we receive information about your physical or mental health, we will assess the information to see if we need to investigate. If the information we receive suggests that you have a health condition which could pose a risk to patient safety, we will usually investigate.

During an investigation, we will make enquiries to see if you are managing your health condition and if you are able to practise safely and effectively. Some of the enquiries we may make include:

- asking you for more information about your health
- asking your treating doctor for more information about your health
- contacting your employer to find out if your health condition has affected your professional duties (such as to put patients at risk), whether your employer is aware of your health condition and if you and your employer are appropriately managing it
- asking you to have a medical assessment by an independent medical assessor, if needed.

Once our investigation is complete, we will assess all the information we have gathered to decide what to do next. At this stage, we may take a number of actions including:

- taking no further action
- providing you with some informal guidance
- offering to make a **voluntary agreement** with you, or
- referring the concern to the Investigating Committee.

All concerns are assessed against **threshold criteria** which we use to decide whether or not the concern should be referred to the **Investigating Committee** or **Fitness to Practise Committee**. The concerns that do not meet the threshold criteria are closed. More information about how we deal with health concerns can be found in our **Investigations and threshold criteria guidance** and on **our website**.

## Q: How long is the health investigation process and when can I expect an outcome?

The length of an investigation depends on the nature of the concern and its complexity. We aim to finish an investigation as soon as possible. This is usually within nine months of receiving a concern, but more complex concerns may take longer. We will keep you updated on the progress of the investigation every two months. At the end of the investigation, we will inform you of our decision.

## Q: What happens if I sign the GPhC's consent form?

It is important to provide us with consent so we can access information relevant to the investigation. If you have any concerns about signing the form, please seek independent advice or contact us for an explanation. Signing the consent form will allow us to:

- contact your doctors to ask them for more information about your health
- get copies of any relevant medical records and pass these records on to the medical assessor if we need to

- pass your details to a medical assessor, who will contact you to discuss arrangements for carrying out the medical assessment (if we need one)
- talk with your doctors and the medical assessor about your health and see copies of your medical records and the medical assessor's report.

If the case reaches a hearing, the Fitness to Practise Committee (FtPC) will be able to see the relevant parts of your medical records and the report of the medical assessment to help them when making a decision.

Please note, we will not always need to do everything listed above.

### Q: What happens if I agree to have a medical assessment?

If you agree to be medically assessed, we will pay for the costs of the medical assessment and the costs of getting copies of your medical records.

The medical assessor will contact you, using the method that you asked for when signing the consent form. The medical assessor will meet with you and will prepare a medical report. They will send a copy of that report to us. We will give you a copy.

Depending on the content of the report and the findings of our other enquiries, we may take a number of actions including:

- taking no further action,
- providing you with some guidance,
- offering to make a **voluntary agreement** with you, or
- referring the concern to the Investigating Committee.

If you are very unwell and unable to manage your health condition and we decide that your ill health puts patients at risk, we may refer the concern to the FtPC asking it to make an **Interim Order**. If the FtPC decides to make the order, this may impose conditions on your practice or suspend you from the register while we investigate the concern. However, this action will not usually be necessary.

### Q: What happens if I do not agree to a medical assessment?

We understand that the prospect of having a medical assessment may be daunting. While you do not have to consent to have a medical assessment, we strongly recommend that you do. By giving consent and cooperating with our investigation, you will help us reach a fair outcome as soon as possible.

If you do not give consent and we decide that your health condition puts patients at risk, we may refer the concern to the **Fitness to Practise Committee** for non-cooperation. This action will only be necessary if we decide that you have not provided a reasonable explanation for not consenting or because your health condition is stopping you from consenting.

### Q: What happens if I agree to be examined but do not co-operate with the procedures for assessing my health?

We recognise that an investigation into your health may be stressful and overwhelming, and therefore you may be reluctant to co-operate with us. We strongly recommend that you co-operate with our investigation as much as you can. By co-operating you will help us reach a fair outcome to the concern as quickly as possible.

If you do not co-operate with the procedures for assessing your health, we will talk to you to try and understand why you are not co-operating. We may be able to offer solutions to ease your worries about the process. However, if we decide that your health condition puts patients at risk and you have not provided a reasonable explanation for not cooperating or your ill health is preventing you from cooperating, we may refer the concern to the **Fitness to Practise Committee** for non-cooperation.

### **Q: What will the GPhC do with my medical records?**

If you consent to be medically assessed, we will contact your treating doctor to get copies of your medical records. We will only request medical records which are relevant to our enquiries. We will pay for the costs of getting copies of your medical records. We will send your medical records, and any other relevant information, to the medical assessor who will carry out the medical assessment. These records are treated confidentially and will be destroyed when the matter has been finalised.

Your medical records will also be used to decide what action, if any, we need to take. If the concern progresses to a fitness to practise hearing, your medical records may be considered by the committee as evidence.

Copies of all correspondence relating to the concern and copies of your medical records, will be held securely on our system. They may be used when assessing any future concern about you. Only those dealing with the concern will access the documents.

### **Q: Who will carry out the medical assessment?**

The medical assessment will be carried out by an independent medical assessor nominated by the GPhC. The aim of this assessment is to get more information about your health and an opinion from an appropriately qualified healthcare professional as to whether your physical or mental health condition could pose a risk to patient safety.

The medical assessor will contact you directly, using the contact details you provided on your consent form, to arrange a date and time for the medical assessment.

### **Q: What will happen with the medical assessor's report?**

After the assessment, the medical assessor will prepare a report and send us a copy. This report will include information such as details of your medical history, any current medication and treatment, the investigations the medical assessor carried out and a diagnosis. We will send you a copy of this report.

Once we receive the medical assessor's report, we will decide what action to take. We will write to tell you what action we have decided to take as well as why we are taking this action and what it means for you.

If the concern progresses to a fitness to practise hearing, the medical assessor's report may be considered by the committee as evidence.

### **Q: Where can I find more about how we manage health concerns?**

More information on how we manage concerns about pharmacy professionals can be found on the **raising concerns** page of our website.

What can happen at each stage of our fitness to practise process is set out in our *Good decision-making* guidance documents:

- **Investigations and threshold criteria guidance**

- **Investigating committee meetings and outcomes guidance**
- **Fitness to practise hearings and sanctions guidance.**

To help you understand our guidance documents and webpages, we have produced a **Glossary of terms**. This document contains definitions of some of the terms commonly used throughout our fitness to practise process.