

**Response to the Department of Health Northern Ireland  
Consultation: *Introduction of Statutory Regulation of the Pharmacy  
Technician Workforce in Northern Ireland***

**May 2022**

**1. Introduction**

- 1.1 The Professional Standards Authority for Health and Social Care ('the Authority') promotes the health, safety and wellbeing of patients, service users and the public by raising standards of regulation and registration of people working in health and social care. We are an independent body, accountable to the UK Parliament. More information about our work and the approach we take is available at: [www.professionalstandards.org.uk](http://www.professionalstandards.org.uk)
- 1.2 As part of our work we:
- Oversee the 10 health and care professional regulators and report annually to Parliament on their performance
  - Accredit registers of healthcare practitioners working in occupations not regulated by law through the Accredited Registers programme
  - Conduct research and advise the four UK governments on improvements in regulation
  - Promote right-touch regulation and publish papers on regulatory policy and practice.

**2. General comments**

- 2.1 We welcome this consultation and recognise that this proposal would bring pharmacy technicians in Northern Ireland into alignment with the rest of the UK. We wholly appreciate the concerns regarding the shortage of workers across health and social care and our organisation is positive about adapting existing roles to meet workforce needs.
- 2.2 We understand that the Department of Health is committed to moving forward with the statutory regulation of pharmacy technicians. We would still suggest, however, that it may be beneficial to gain a detailed understanding of the risks associated with the tasks undertaken by pharmacy technicians in order to guide policy in this area.

**3. Specific comments**

**Do you support the proposal to establish a statutory Register of pharmacy technicians for NI? If you disagree, please explain why.**

- 3.1 In 2018, we published the findings of our study looking at the implications for policy-makers of a health or care occupation being regulated in fewer than all

four UK countries.<sup>1</sup> The arrangements for pharmacy technicians and social care workers provided us with helpful precedents; they demonstrated that the impacts and unintended consequences for these two groups were, as far as we could tell, relatively minor.

- 3.2 However, the overview we gained through the study also showed the complexity that these arrangements add to an already confusing regulatory landscape. In light of this, we suggested that the four-country commitment to UK-wide regulation should be maintained, but with the addition of an opt-out if an occupational risk assessment supported taking different approaches across the UK.
- 3.3 We fully appreciate that the Department of Health wishes to develop the role of pharmacy technician in Northern Ireland in order to meet pressing workforce needs and sees statutory regulation as integral to this process. Ordinarily though, we would recommend a risk-assessment of a role be undertaken, to inform a definite view on whether or not a profession should be regulated. We have recently continued to support this position in our response to the Government consultation *Healthcare regulation: deciding when statutory regulation is appropriate*.<sup>23</sup>
- 3.4 We would suggest that it may still be beneficial to consider carrying out a risk-assessment of the role. Crucially, this may show how some risks associated with their practice might not be addressed by statutory regulation. It could equally show how risks might be managed through other mechanisms; this could be of particular significance if there are any delays in bringing the legislation into force. We note your expectation that pharmacy technicians may be brought into statutory regulation quickly. However, we are also conscious that the roles of physician associate and anaesthesia associate – first consulted on in 2017 – are not yet regulated.
- 3.5 The Professional Standards Authority's own approach for determining how an occupation should be overseen is called *Right-touch assurance*.<sup>4</sup> In 2019, we undertook a risk-assessment of the role of sonographer for Health Education England.<sup>5</sup> In Annex 2 of our report we show how the individual risks associated

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<sup>1</sup> Professional Standards Authority 2018, *Regulating an occupation in fewer than all four UK countries*. Available at: [https://www.professionalstandards.org.uk/docs/default-source/publications/policy-advice/regulating-an-occupation-in-fewer-than-all-4-uk-countries-2018.pdf?sfvrsn=ce3e7220\\_11](https://www.professionalstandards.org.uk/docs/default-source/publications/policy-advice/regulating-an-occupation-in-fewer-than-all-4-uk-countries-2018.pdf?sfvrsn=ce3e7220_11)

<sup>2</sup> Professional Standards Authority response to the Government consultation on healthcare regulation. Available at: <https://www.professionalstandards.org.uk/publications/detail/professional-standards-authority-response-to-the-government-consultation-on-healthcare-regulation-deciding-when-statutory-regulation-is-appropriate>

<sup>3</sup> Department of Health and Social Care 2022, *Healthcare regulation: deciding when statutory regulation is appropriate*. Available at: <https://www.gov.uk/government/consultations/healthcare-regulation-deciding-when-statutory-regulation-is-appropriate>

<sup>4</sup> Professional Standards Authority 2016, *Right-touch assurance: a methodology for assessing and assuring occupational risk of harm*. Available at: <https://www.professionalstandards.org.uk/publications/detail/right-touch-assurance-a-methodology-for-assessing-and-assuring-occupational-risk-of-harm>

<sup>5</sup> Professional Standards Authority 2019, *Right-touch assurance for sonographers based on risk of harm arising from practice*. Available at: [https://www.professionalstandards.org.uk/docs/default-source/publications/policy-advice/right-touch-assurance-for-sonographers-a-report-for-hee.pdf?sfvrsn=9cfd7420\\_13](https://www.professionalstandards.org.uk/docs/default-source/publications/policy-advice/right-touch-assurance-for-sonographers-a-report-for-hee.pdf?sfvrsn=9cfd7420_13)

with the practice of sonography may be managed by a particular mechanism, which may not be statutory regulation. These mechanisms include: employer controls, accredited registers, developing common standards and competencies, and agreed qualification and training routes for entry to the role. Sonographers can now apply to be on the Register of Clinical Technologists, a voluntary register accredited by us. Being accredited demonstrates commitment to high standards and public protection, which increases public confidence.

- 3.6 We note that the recent Pharmacy Workforce Review found that the role of pharmacy technician remains inconsistent across Northern Ireland, particularly in community settings. We would suggest it may be worth considering if this could be addressed through developing common standards for employment in the profession, including education and training requirements. We wondered if it may then be possible to explore with organisations such as the Pharmaceutical Society of Northern Ireland and the Regulation and Quality Improvement Authority whether they could ensure that only those who meet these agreed standards are employed in community pharmacies and Health and Social Care respectively.
- 3.7 We would also suggest that there is a risk that the costs associated with statutory regulation, such as registration and annual retention fees, expenses on continuing professional development and completing required training, might create barriers to entry to the profession.

#### **4. Further information**

- 4.1 Please get in touch if you would like to discuss any aspect of this response in further detail. You can contact us at:

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