



Public Consultation on the Proposed Amendments to the PSI (Registration) Rules 2008

For Decision by PSI Council on 24 October 2019

INDEX

Introduction.....	3
Background.....	3
About the Consultation.....	4
Response to the Consultation.....	4
The Survey.....	4
Conclusion.....	14
Thematic Discussion.....	15

Introduction

This report summarises the feedback received during the 2019 consultation process on the Proposed Amendments to the *PSI (Registration) Rules 2008* for the Recognition and Registration of UK Qualifications. It includes the outcome of the online survey.

Background

Pharmacists must be registered with the Pharmaceutical Society of Ireland (PSI) in order to practise in Ireland. There are three routes of recognition/registration for pharmacists, dependant on where a person has obtained their pharmacy qualification:

- National Route - this process is for graduates who have obtained a qualification as a pharmacist from an Irish School of Pharmacy irrespective of nationality.
- EU/EEA Route – this process is for individuals who have obtained a qualification as a pharmacist from an EU/EEA Member state
- Third Country Qualification Recognition Route (TCQR)- this process is for people who have obtained a qualification as a pharmacist from a Non-EU/EEA country, regardless of their nationality

Currently all Union citizens presenting with a UK/NI qualification would progress through the EU/EEA route with the qualification recognition based on either;

- Automatic recognition based on holding a qualification compliant with the provisions of Article 44 of the Directive (including the derogation in place in respect of 4 vs 5 year qualifications),
- Automatic recognition based on holding an older EU qualification and presenting evidence of 3 out of the last 5 years' experience as a practising pharmacist, or
- Recognition based on the utilisation of General system provisions where a case by case evaluation is carried out on the qualification and experience presented by the applicant.

On 29 March 2017, the United Kingdom notified the European Council of its intention to leave the European Union, in accordance with Article 50 of the Treaty on European Union. On the 31 October 2019 it is expected that the UK will leave the EU and notwithstanding the position that an agreed deal is the hoped for scenario, circumstances may arise where this does not occur. The PSI is required to ensure that appropriate preparations are put in place to mitigate against any potential challenges arising which are within its remit, ability and function to address and mitigate, including recognition of qualifications.

In circumstances where a hard-Brexit occurs the mechanism currently available to persons holding a UK/NI qualification to register to practice in Ireland would be the Third-Country (Non-EU/EEA) Qualification Recognition route. In anticipation of a no deal Brexit to occur on the 31 October 2019, at their meeting on the 19 September 2019, the Council approved for consultation a draft set of rules to amend the *PSI (Registration) Rules 2008*. This would make minor technical amendments to this secondary legislation, providing for transitional provisions to be utilised to recognise UK/NI

qualifications in the context of a “**no deal Brexit**”. The objective is to provide a framework which would minimise disruption to recognition and registration procedures for those individuals holding Annex V qualifications obtained in the UK and/or NI, compliant with Article 44 of the Directive, who wished to practice as a pharmacist in Ireland.

About the Consultation

The public consultation opened on September 20, 2019 and closed on October 9, 2019.

The consultation was notified to the public on the PSI website.

Pharmacists, Pharmaceutical Assistants, and approximately 100 stakeholders were made aware of the consultation through email.

Response to the Consultation

In total **n=90** responses were received to the public consultation.

88 responses were received to the online survey.

2 responses were received via email

The Survey

Prior to completing the survey, respondents were asked to review the documents below and to provide their comments to the survey:

- A copy of the proposed amendments to the PSI (Registration) Rules 2008
- The PSI (Registration) Rules 2008
- The Professional Qualifications Directive

The online survey comprised of 6 questions

Responses are anonymous, except where the respondent wished to be identified.

Responses were also accepted by email to consultation@psi.ie.

Survey Question 1

Respondents were required to answer this question¹ before progressing through the remainder of the survey as it pertained to data protection and freedom of information.

This survey is voluntary. By completing it you are agreeing to allow your responses to be processed and analysed by the PSI for the purpose of seeking feedback on the proposed amendments to PSI (Registration) Rules 2008 as amended. A consultation report will be compiled and will be published on the PSI website in due course. The information you provide to this survey will be stored in a secure and confidential manner by the PSI, it will only be used for the purposes outlined above and it will be deleted in line with the PSI's record retention policy. The PSI uses SurveyMonkey to gather feedback to our public consultations. Full details of how your information is processed via SurveyMonkey is documented in this [privacy policy](#). Submissions made to public consultations carried out by the PSI are subject to the provisions of the Freedom of Information Act 2014.

Do you agree to the terms above? By selecting 'Yes' you are confirming you consent to providing your answers to the questions in this survey

n=88

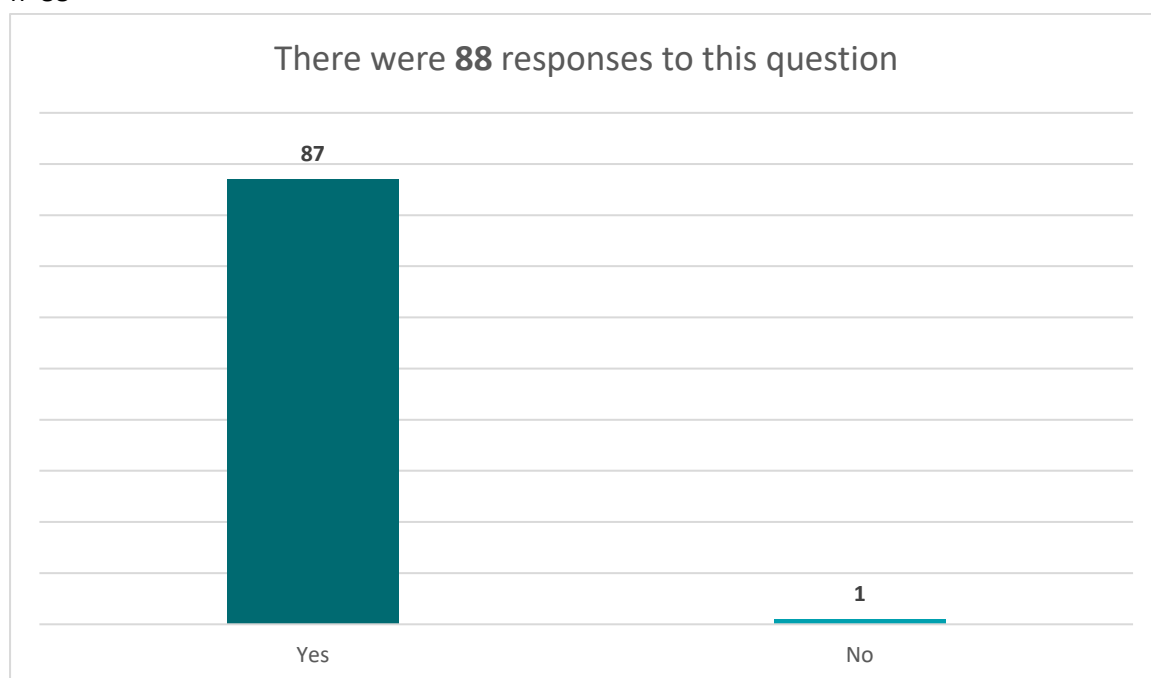


Figure 1: All respondents wishing to partake further in the survey were required to select 'Yes'²

¹ As all respondents wishing to partake in the survey were required to answer this question (n=88).

² By answering 'no' the respondent was blocked from continuing the survey and instructed to contact PSI should they wish to participate further.

Survey Question 2

Respondents were asked to identity the category that best described them.³

There were **86** responses to this question⁴. The profile of respondents is indicated in the graph below.

n=86

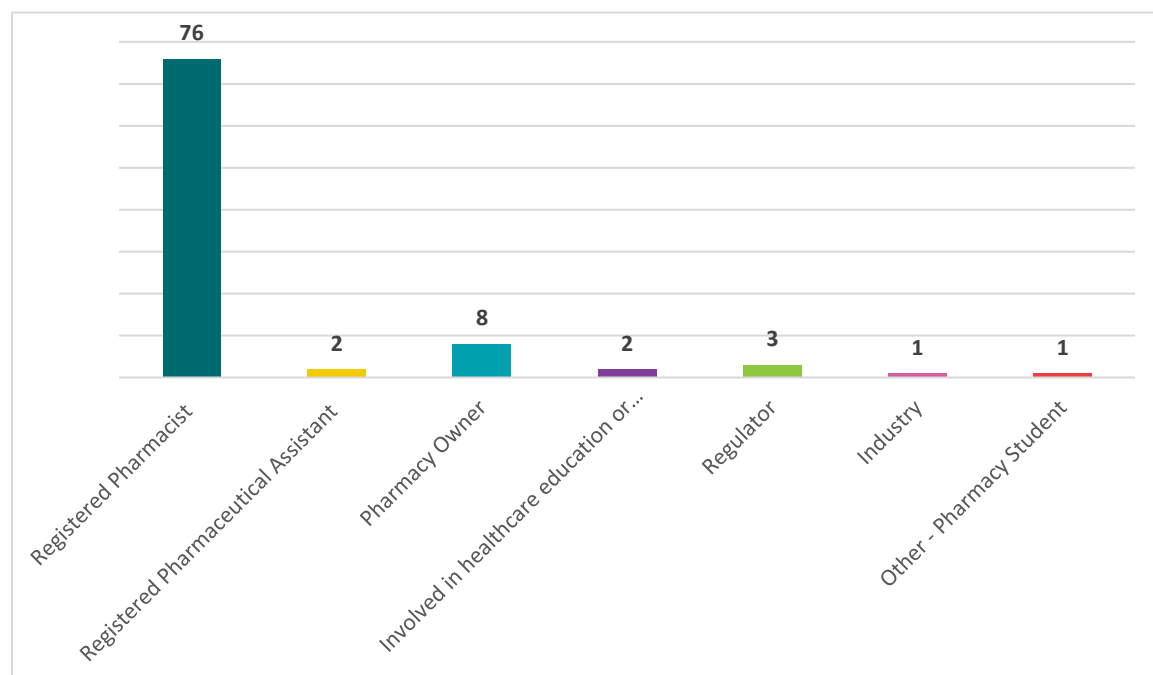


Figure 2: Breakdown of consultation respondents (Survey Question 2)

³ Additional categories were provided

⁴ Respondents were permitted to identify with multiple categories

Survey Question 3

Respondents were asked if they were responding on their own behalf or on the behalf of an organisation.

As demonstrated in figure 3, 82 respondents responded on their own behalf, and 3 responded on behalf of an organisation.

n=85

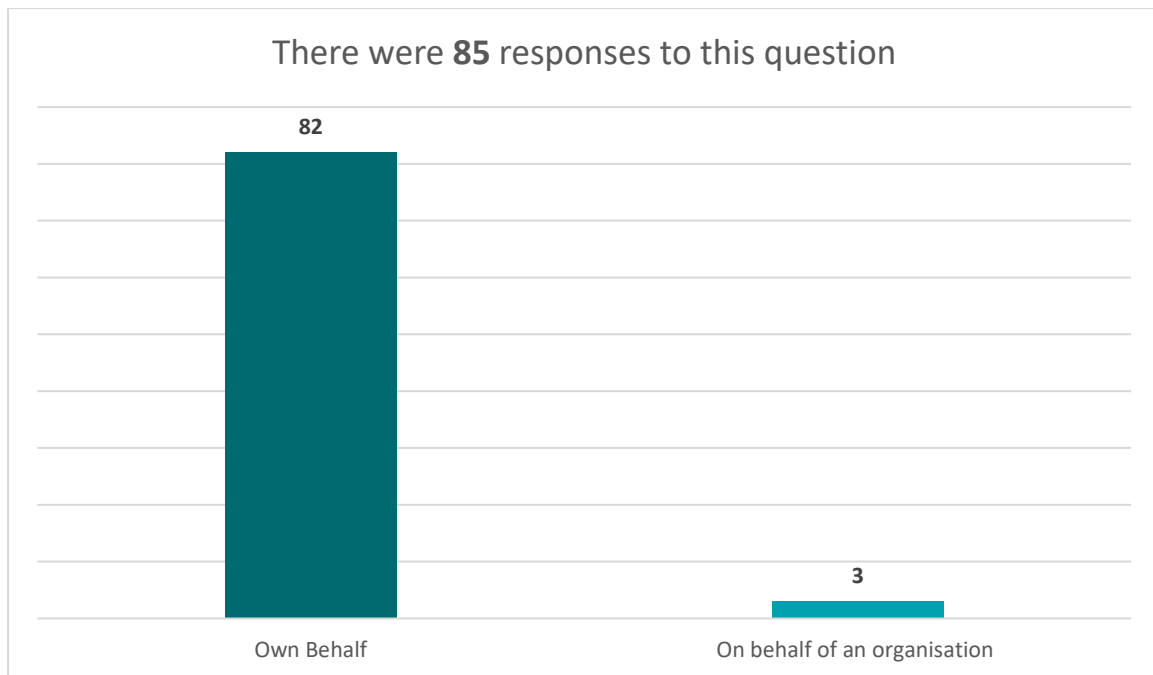


Figure 3: Responding on own behalf/behalf of an organisation

Two organisations elected to identify themselves

- i. Brittons Pharmacy
- ii. Irish Pharmacy Union

Survey Question 4

Do you agree the proposed amendments to Rule 18 of the *PSI (Registration) Rules 2008 as amended* are clear?

As seen in figure 3, the 73% of respondents believed the amendments were clear.

n=63

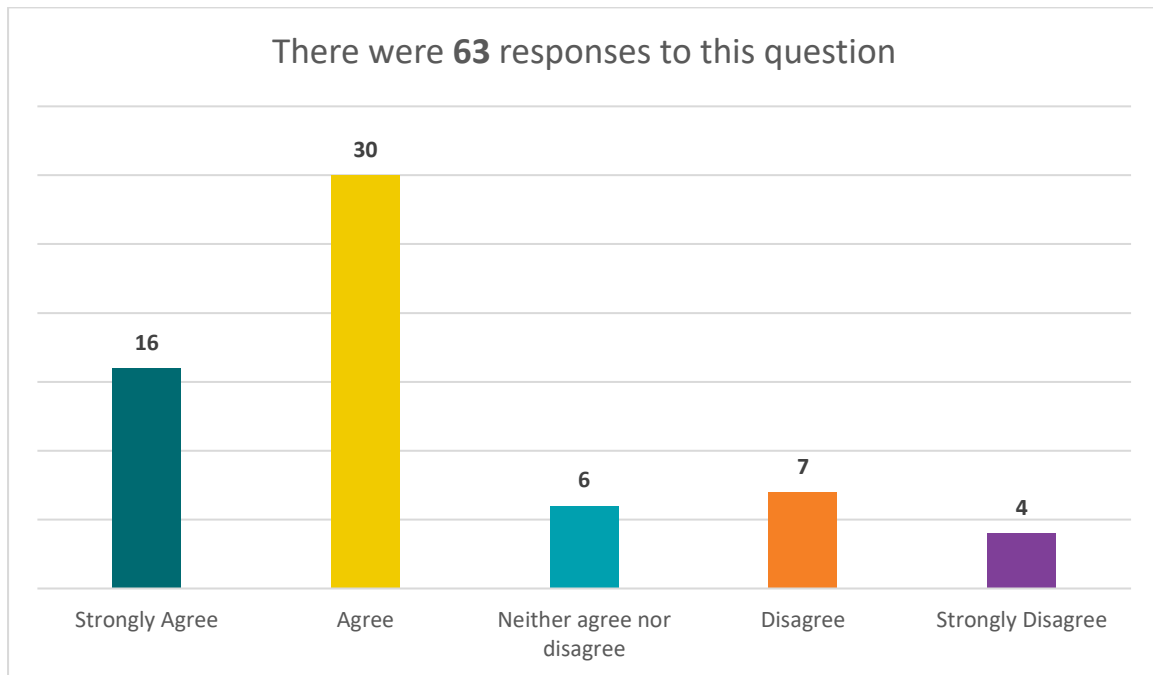


Figure 4: Do you agree the proposed amendments are clear?

Survey Question 5

Is there anything you believe is missing from the proposed amendments to Rule 18 of the *PSI (Registration) Rules 2008 as amended*?

n=62

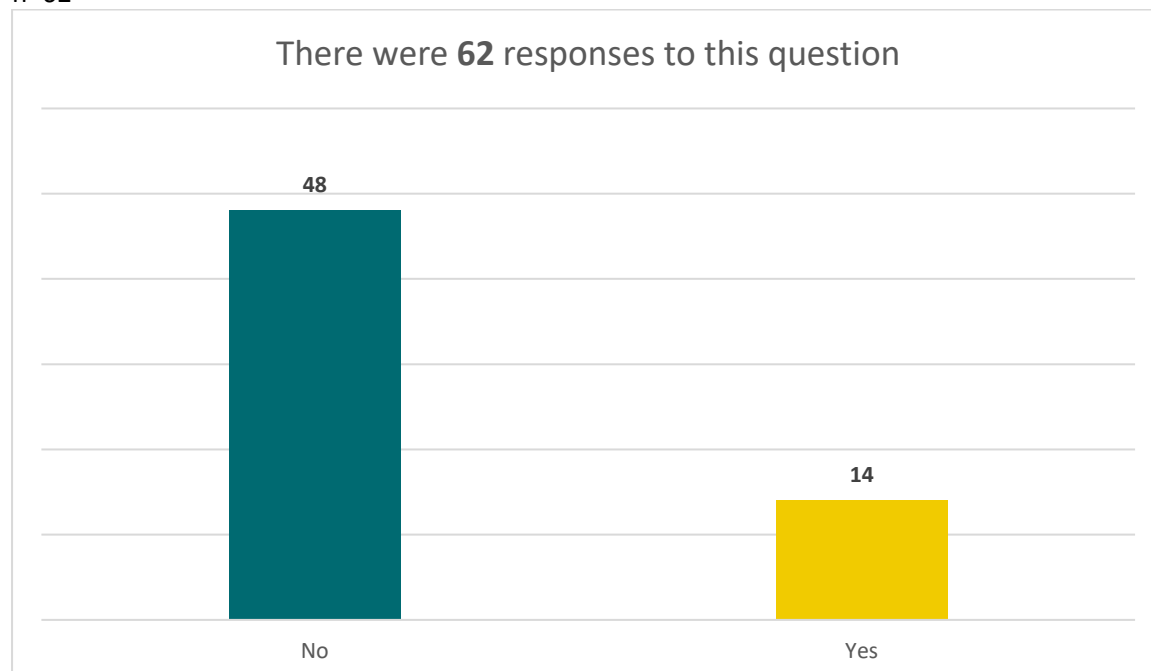


Figure 5: Do you believe anything is missing from the proposed amendments?

There were **14** comments left for this question

14	I think the amendment should specifically mention graduates of UK universities whose qualifications are currently recognised.
18	Given the sizable number of UK trained pharmacists currently registered and practicing in Ireland, assurances should be given in relation to continued recognition of their qualification post a 'No Deal' Brexit. The possibility of retrospective application of Rule 18 to existing registrants is possible given the phrasing employed.
29	Brexit means Brexit
30	What about Those undertaking study in uk post 2019.? Provide for those
42	I don't understand it
47	Assuming the PSI has taken good care in drafting the proposed amendments - and there's no reason why it would not - the intent should be to ensure that pharmacy qualifications obtained in the UK continue to be recognised in Ireland, so graduates don't have to endure a lengthy lay-off while they wait for a costly exam, which they ought not to have to take at all. May I suggest that the Pharmacy Regulators in Ireland and the UK agree to require the Universities and Colleges to notify them e.g. through normal accreditation requirements, of any material changes in their curriculum, so Regulators can make an assessment of whether these materially alter the state of the art in pharmacy education, training and development.
55	Put the obligation on the colleges in the UK and Ireland to report any material change in their curriculum. This gives the regulator an easy way to determine if there is a divergence of standards. Such a system does not require a huge resource commitment.
61	Where do existing UK graduates, practicing and living in ireland already fit in on this

62	Most people (including me) aren't accustomed to reading legalese. I read the proposed amendments in full. I have absolutely no idea what the effect of them would be. Will current UK-qualified pharmacists who have already registered in the Republic or Ireland remain registered? Will current UK-qualified pharmacists who have not yet registered be allowed to register? Will future UK-qualified pharmacists be allowed to register?
64	Acknowledgement of our large numbers of Irish qualified pharmacists so we do not rely on UK pharmacists. Recognition that to treat UK qualifications differently to other third party countries could amount to discrimination and lead to potential legal issues and perception of unfair or dare I say racial bias against other nations outside EU/EEA
68	Pharmacist coming from other countries should be provided with some degree of training with regard to the Irish pharmacy set-up, in particular practical aspects such as the community drug schemes with differ greatly from the NHS and other national set-ups
69	I believe that this rule should also apply for pharmacists who have completed their degrees through English (language) coming from other countries with similar healthcare standards e.g. Australia, New Zealand and Canada etc.
84	Needs to be read in conjunction with original legislation which was not provided. Not clear what the change from 'may' to 'shall' relates to and the potential implications as this is a tightening of requirements
85	An allowance for those who have already enrolled on a pharmacy course and are yet to graduate to enable skilled labour to enter the market post hard Brexit.

Survey Question 6

Do you have any comments or suggestions in how the proposed amendments to Rule 18 of the *PSI (Registration) Rules 2008 as amended* could be improved?

n=63

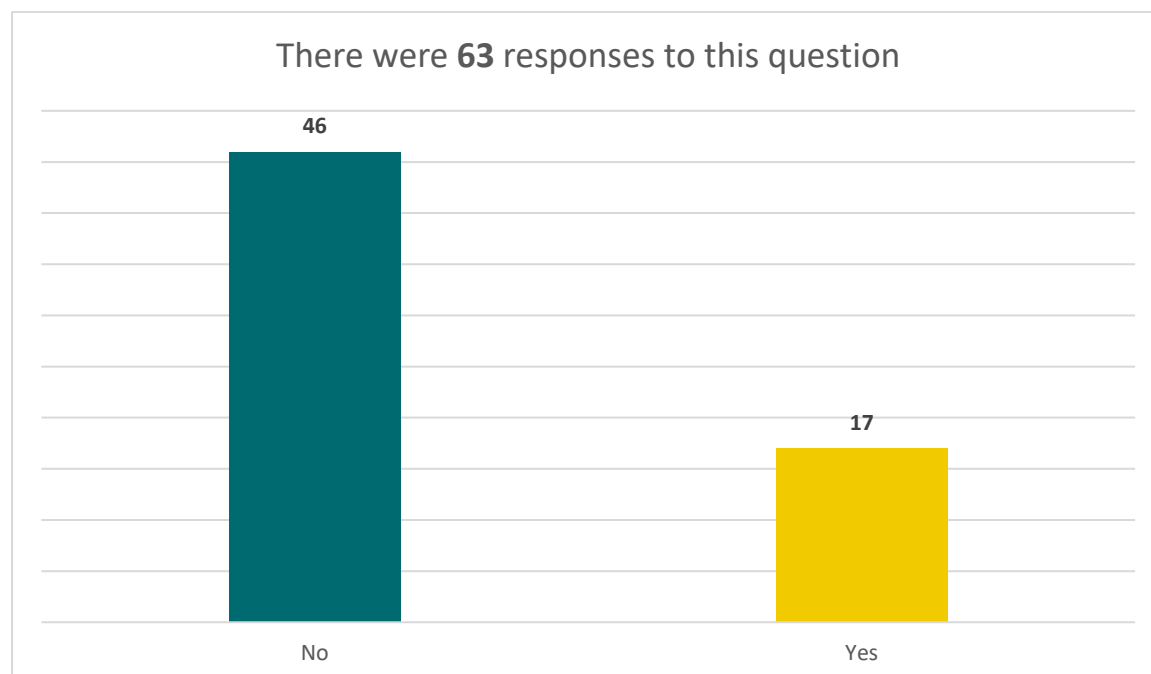


Figure 6: Do you have any comments or suggestions for improvement?

There were **15** comments left for this question

4	Paragraph (b) B refers only to a state which was a member of the EU when the qualifications were obtained. It is unclear why the paragraph then goes on to state 'if' - please see amendment suggested below. "...the qualifications were obtained in a state which was, at the time they obtained, a member state of the European Union and are qualifications to which the applied rights provided for in Regulation 55 of the Professional Qualifications Regulations would have applied when the state was a relevant state."
14	I feel that the amendment and its wording should be specifically supportive of our colleagues from uk Universities, and should specifically favour them as a mark of respect and collegiality.
18	Provide assurance to the sizable number of UK trained pharmacists currently registered and practicing in Ireland that their qualification will continue to be recognised once active registration is maintained. Also the substitution of 'may' for 'shall' facilitates ambiguity, what conditions if any do the PSI intend to impose upon UK qualification recognition for prospective registrants? Also could these rules be applied retrospectively to current registrants? Clarity should be provided in Rule 18 providing assurances of the registration status of UK trained pharmacists registered prior to Brexit.
29	non EU route should apply no exceptions Brexit means Brexit
30	Provide for those will continue to study in uk in future
42	If you made it clear maybe more people will respond as they will understand what is involved

47	Again, the sensible approach is to recognise the reality that standards are HIGHLY UNLIKELY TO DIVERGE as a result of Brexit, irrespective of whether there is a deal or no-deal. The PSI must surely recognise that providers in the UK have nothing to gain by lowering standards such that the employability of their graduates, or the perceived quality of their qualifications in the marketplace, would be diminished. To reiterate, the Regulators in all three jurisdictions can get a cast-iron, copper-bottomed outcome simply by requiring the providers to notify any *material* curriculum change, material being a change that materially alters the state of the art in pharmacy education, training and development.
50	any individual who has commenced a undergraduate degree this year should be allowed to apply for registration in the years to come.As should graduates from Canada,Australia and New Zealand.
55	as above
60	PSI could work with PSNI and jointly accredit courses either side of the border
61	mutual reciprocity between the two countries, and anyone already living here and practicing here in Ireland should not be affected
62	Please just tell us, in simple language, what the effect of the proposals will be, as I have detailed above.
64	Keep the process of registering new post Brexit UK pharmacists in line with other non EU countries to avoid bias
69	As outlined in 5 above
84	As above

Email Responses to the Consultation

No.	Email	Date
1	<p>To whom it may concern,</p> <p>I am a pharmacist from County Fermanagh, I went to Queens in Belfast and when I graduated in 2006 I immediately registered with the Pharmaceutical Society of Ireland, as well as the Pharmaceutical Society in the North. I am extremely proud as an Irish man to be registered with the PSI. Living on the border I have worked both sides for 14 years since first registering. I have recently began locuming full time in the South. I cross the border every day to work so I am already worried about the effect a hard border will have on my work so I would urge you's to do everything in your power to allow people like myself to continue to register with the PSI and continue to work in the South of Ireland. I'm sure you's are aware of the shortage of locums and pharmacists in general so I think it would have an adverse effect for all involved if the current set up was to change.</p> <p>Many thanks</p> <p>██████████</p> <p>██████████</p> <p>██████████</p> <p>██████████</p> <p>██████████</p> <p>██████████</p> <p>Sent from my Huawei phone</p>	<p>20th September, 2019</p>
2	<p>Will british universities see how the PSI is responding to a no deal brexit and decide no to be so welcoming to Irish students?</p> <p>Regards</p> <p>██████████</p>	<p>22nd September, 2019</p>

Conclusion

We have noted all responses with thanks. The feedback and comments will be provided to the Council of the PSI for their consideration.

**Thematic Discussion:
Public Consultation on the Proposed
Amendments to the PSI (Registration) Rules
2008**

Version 1

October 2019

Background

Questions 1 – 3 of the consultation survey were in relation to data protection and respondent demographics and question 4 did not provide for free comments to be made by respondents. Hence these questions are not included in this thematic discussion document.

Between questions 5 and 6, **29** comments were received in total. Key themes were identified and were similarly represented for each question.

All comments received are available for review in full under questions 5 and 6 in the Consultation Report

Thematic Analysis

Survey Question 5

Is there anything you believe is missing from the proposed amendments to Rule 18 of the *PSI (Registration) Rules 2008 as amended*?

There were 62 responses to this question with 48 respondents indicating there was nothing further to add to the amendments. Of the **14** comments left for this question the themes were as follows:

Theme/Category	Comments
Queries on current UK graduates/continued registration of pharmacists with UK qualifications	14, 18, 61, 85
UK graduates should go through unamended/standard TCQR process	29, 64, 68
Undecided/Need more clarity	42, 62, 84
Provide for UK qualifications commenced post-2019	30
Monitoring accreditation/changes of UK pharmacy programmes	47, 55
Extend to graduates of other countries with English-taught qualifications	69

Survey Question 6

Do you have any comments or suggestions in how the proposed amendments to Rule 18 of the *PSI (Registration) Rules 2008 as amended* could be improved?

There were 63 responses to this question with 46 respondents indicating they did not have any comments or suggestions for improvements and 2 respondents not leaving comments. Of the **15** comments left for this question the themes were as follows:

Theme/Category	Comments
Provide further support/clarity to UK graduates	4, 14, 18
UK graduates should go through unamended TCQR route	29, 64
Provide for UK qualifications commenced post-2019	30
Undecided/Need more clarity	42, 62, 84
Monitoring accreditation/changes of UK pharmacy programmes + mutual recognition	47, 55, 60, 61
Extend to graduates of other countries with English-taught qualifications	50, 69