

October 2015

PSNC Briefing 055/15: Dealing with problems arising from the 'Direction of Prescriptions' poster

The posters reminding patients of their right to choose their pharmacy supplements the joint work of the British Medical Association (BMA), Pharmaceutical Services Negotiating Committee (PSNC) and Pharmacy Voice which issued [joint guidance in 2013](#). LMCs and LPCs have several years' experience of jointly dealing with complaints about inappropriate direction of prescriptions.

It is expected that the request that pharmacies and medical practices display the posters will reduce further the incidence of inappropriate conduct, as all patients will become aware of their right to choose. Most patients, once they become aware of their choice, will feel empowered to exercise that choice and will not be influenced by the staff in practices or pharmacies. Some of those patients who feel that their choice is being undermined will follow the instructions on the poster and make their concerns known to NHS England.

By the time a patient feels that it is necessary that a complaint should be made to NHS England, the conduct by the practice or pharmacy staff is likely to have been ongoing for some time. The opportunity for remedial action to be taken will occur much earlier, and the LPCs and LMCs will wish to have processes to nip in the bud any conduct that is likely to result in escalation to formal complaints.

Actions for LPCs

To ensure consistency, PSNC would suggest that LPCs adopt the following measures:

- If a complaint is made (usually, but not necessarily by a pharmacy) that a pharmacy has not displayed the poster close to where prescriptions are accepted, the LPC should remind the owner / pharmacist of the NHS England letter, and take steps if necessary to help the pharmacy to obtain a poster, and to display this appropriately. If a medical practice is not displaying the poster, the LMC should respond in a similar way to any complaints it receives.
- If, despite the display of the poster, a pharmacy or medical practice is alleged to be acting inappropriately, and attempting to influence a patient's decision as to where to present their prescription, the LPC or LMC as appropriate will contact the owner of the pharmacy / senior partner to say that allegations have been received, and setting out the nature of the allegations. These allegations need not have direct evidence from a patient, but the LPC or LMC should be reasonably satisfied that the allegation is not malicious. Informal discussions should take place about the purpose behind the poster campaign, and the importance of no patient experiencing pressure to use a particular pharmacy. The LPC / LMC may inform the pharmacy / practice as appropriate that it is in the best interests of both professions to respond positively to this campaign.
- If a pharmacy owner or practice denies that there is a problem, the person making the allegations should be approached, and evidence from a patient (or patients) sought. Because patients may be unwilling to make a formal complaint, the LPC and LMC may make arrangements for an agreed independent third party to discuss with the patient their complaint on a confidential basis and to submit to the LPC and LMC a report, protecting the identity of the patient. The LPC / LMC will again contact the pharmacy / practice on

an informal basis to attempt to resolve the disparity, but is not expected to judge which account is accurate. It is an attempt only to avoid escalation to NHS England.

- If a complaint cannot be resolved informally by the LPC / LMC with an agreed remedial action plan, then the patient or other informant is to be advised to take the matter directly to NHS England for investigation.

If you have queries on this PSNC Briefing or you require more information please contact [Steve Lutener, Director of Regulation and Support](#).