

We are proposing to include the [paragraphs outlined in the shaded box on page 12 of the discussion paper](#) in the revised guidance document. These set out our position on how serious concerns involving discrimination are, and will support decision making.

**Do you agree or disagree with the proposed text on discriminatory behaviour for inclusion in our guidance? \***

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know

**Please explain your answer:**

The messaging in this section is important and correct to outline to pharmacy professionals that discriminatory behaviour and attitudes are unacceptable towards patients, members of the public and colleagues and it is good to make it clear that these incidents will be taken seriously. It is also important to ensure this expands to outside of the workplace and the working environment as these behaviours may continue outside of the individuals direct working environment.

There are some amendments that could be made to strengthen the statement:

- Within the bullet points giving examples of the protected characteristics disability should be exclusively listed as this was highlighted as one of the biggest barriers to working in the profession in the RPS 2018 Inclusion and Diversity survey.
- Under the bullet point of treating a colleague less favourably because of their protected characteristic there could be some examples to demonstrate this such as not offering a training or development opportunity.
- Not all examples of discrimination are direct such as abusive comments or threatening behaviour. They could also be inappropriate comments such as microaggressions that the perpetrator may consider to be 'banter' or a joke but these can be very harmful to the victim which people may not consider to be discriminatory behaviour. RPS have created a series of microaggressions related references <https://www.rpharms.com/recognition/inclusion-diversity/microaggressions> which can be linked to.

Regarding the examples in Table 1; the second example about the Superintendent what would be considered a significant impact on the colleague?

Also, it would be good to demonstrate some examples of sexism or ableism to demonstrate they're also unacceptable forms of discrimination to ensure an intersectional perspective is being considered.

We are proposing to include the paragraphs outlined within the shaded boxes on page 14 and 15 of the discussion paper in the revised guidance document. This will support committee decision making and will help to make sure their decisions are fair and free from discrimination and bias.

**Do you agree or disagree with the proposed text on cultural factors in insight, remediation and testimonials for inclusion in the guidance? \***

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know

**Please explain your answer:**

The main message of the text based on cultural factors is correct to demonstrate the importance of taking into account different cultural considerations in how people may behave or communicate through a fitness to practice case. However, with the large focus on cultural background there is little consideration of neurodiversity and how neurodiverse individual may also express their remorse or sorrow in a different way, this also needs to be taken into consideration as this could also result in decision makers mistakenly thinking the pharmacy professionals have no insight and may conclude their fitness to practice is impaired. In the proposed text personal circumstances such as ill-health have been included however this does not accurately capture neurodiversity as that is not a health condition and therefore should be cited as a separate thing. By framing this all under cultural factors other factors such as disability may not be considered in the decision making, this may have a particular negative impact if the individual undergoing the fitness to practice process has more than one protected characteristic.

**We want to understand whether our proposals may have a positive or negative impact on any individuals or groups sharing any of the protected characteristics in the Equality Act 2010. The protected characteristics are:**

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race/ethnicity
- religion or belief
- sex
- sexual orientation

**Do you think our proposals will have a *positive* or *negative* impact on individuals or groups who share any of the protected characteristics? \***

- Yes - positive impact
- Yes - negative impact
- Yes - both positive and negative impact
- No impact
- Don't know

**Please explain your answer:**

The proposals will broadly have a positive impact across the protected characteristics that have been reported to have been overrepresented in previous fitness to practice cases such as ethnicity. However, in focusing on race and ethnicity in particular the proposals may disadvantage individuals with a disability as highlighted above the ways neurodiverse individuals may demonstrate remorse or communicate has not been explicitly expressed in the same way race has. An intersectional perspective is missing.

**Do you have any other comments about the impact of the proposals on individuals or groups sharing protected characteristics?**

A point that has not been considered throughout the proposals is the impact of a Fitness to Practice case on an individuals mental health. Undergoing a FtP will have a negative impact on all individuals mental health. However, there is a cultural element to consider here as black pharmacy professionals may not share, they're undergoing an investigation with their friends or family or if there is an impact of the FtP on their mental health due as it is still taboo to talk about it. This may have an even bigger impact if they are an overseas pharmacist with no family close by.

A suggestion would be at the point of instigation of a FtP and throughout its duration a mental health assessment is conducted to identify if support is needed.