

On **25 March 2024** the General Pharmaceutical Council's Investigating Committee considered an allegation in relation to **Miss Dilsha Kiran Shah, registration number: 2049787** and determined to issue the registrant concerned with a warning in relation to the conduct alleged.

The Committee concluded that the appropriate outcome in this case is a warning with the wording of:

Miss Shah was, at the relevant time, the Superintendent Pharmacist of Jhoots Healthcare Ltd and, as such, had a statutory obligation under s. 71(1) of the Medicines Act 1968 to have under her management "keeping, preparing and dispensing of medicinal products other than medicinal products on a general sale list".

Pharmacies are not permitted to operate to dispense or supply prescription only medicines unless a responsible pharmacist is signed in and in attendance at a pharmacy to supervise all aspects of the pharmacy operations. To do anything otherwise would be to put patients at risk or harm.

A Jhoots Healthcare Ltd pharmacy branch under Miss Shah's statutory remit as Superintendent was reported in around August 2021 to be operating without a responsible pharmacist. Pharmacy staff were said to have been instructed to continue operating without a responsible pharmacist being in attendance. Subsequently, by letter dated August 2021, the GPhC assessment team confirmed that an unreasonable and unjustified risk had been created at the pharmacy. Miss Shah was notified that should the situation arise in the future it might lead to a formal fitness to practise investigation.

Notwithstanding that clear advice or guidance on the issue, on 26 May 2022 pharmacy inspectors attended another branch of Jhoots Healthcare Ltd to find it operating without a responsible pharmacist in attendance and noted a patient being supplied a prescription only medicine.

When inspectors questioned pharmacy staff, they confirmed they knew they should not be dispensing or supplying prescription only medicines in the absence of a responsible pharmacist but had been instructed to do so.

In the circumstances Miss Shah, as the Superintendent, had failed to ensure that the pharmacies she was accountable for as Superintendent were only dispensing or supplying prescription only medicines when a responsible pharmacist was in attendance and/or had failed to ensure that pharmacy staff were not directed to continue dispensing or supplying when a responsible pharmacist was not in attendance.

Miss Shah's conduct has breached the following standards for pharmacy professionals (2017):

**Standard 5** – Pharmacy professionals must use their professional judgement.

**Standard 6** – pharmacy professionals must behave in a professional manner.

**Standard 9** – pharmacy professionals must demonstrate leadership.

Miss Shah is warned that she must ensure that any pharmacy for which she is a superintendent does not dispense or supply prescription only medicines unless a responsible pharmacist is in attendance. She is also warned that, on no account, should any pharmacy staff be instructed to do so when a responsible pharmacist is not in attendance.

Any similar conduct will be likely to result in further regulatory intervention.

The Committee directs that this warning as written above will be published on the register for a period of 12 months.