



February 2015

PSNC Briefing 009/15: Promotion of Pharmacy premises

Frequently Asked Questions

Q: My patients have received promotional leaflets from another pharmacy about ordering prescriptions online, and seeking their registration. Because of the way these leaflets are worded, some of the patients thought the leaflets have come from our pharmacy. Is this allowed? Are there any steps that I should take?

A: It is a requirement for an NHS pharmacy to publicise its essential services and any advanced services that are available at or from the pharmacy (Schedule 4, Part 4, Regulation 2(1) (a) (ii) of the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013). A pharmacy is not acting unlawfully as long as their advertising and promotional materials are legal, decent and truthful.

If you become aware that patients have received promotional materials from other pharmacies, you could first ensure that you have let all your patients know about the services that your pharmacy provides, and that the leaflet they have received is not from you, so that the patients do not inadvertently think they are registering with their local pharmacy. A leaflet which you can use and can be found [here](#) and a template is available [here](#) which you can customise. The leaflet also contains information about the Electronic Prescription Service.

A pharmacy can add the NHS logo and pharmacy descriptor line to leaflets that cover information solely on the NHS services they provide (for example, this is required in the pharmacy practice leaflet) but the NHS logo cannot be used in promotional materials. Therefore, when you are promoting your own pharmacy, be careful not to contravene the NHS branding rules. For further information on the NHS branding rules see [here](#).

If your patient has inadvertently registered with another pharmacy, offer to assist them in undoing that (nomination for EPS can be reset on the patient's request and you can assist with a letter to the pharmacy to ask to be removed from any reminders etc.).

If you think a pharmacy's promotional materials are inappropriate, you can:

- Raise this with the pharmacy
- Raise this with NHS England (for example if the NHS branding rules are contravened)
- Raise with the General Pharmaceutical Council (if you believe the promotional materials breach the GPhC standards)

Q. A patient has received a promotional leaflet from another pharmacy, and they are concerned that their medical records have been used to generate the letter. How do I advise him?

A: GP must not allow his medical records to be used to generate mailings promoting a pharmacy. It is highly unlikely that the GP has allowed such access, but if the patient is concerned, they can:

- Ask the GP
- Ask NHS England to investigate
- Ask the Information Commissioner's Office to investigate.

Q. Where can I go for further support?

A. If your patients are receiving promotional leaflets, it is likely that other patients will be as well. The LPC may be alert to promotional campaigns (which sometimes occur as GPs go live with EPSr2). Discuss your concerns with the LPC, especially if a GP may be complicit and actively directing patients to use a particular pharmacy, as the LPC can work with the LMC to try to resolve this locally.

Further information

[General Pharmaceutical Council](#) (e.g. if there are queries about professional standards of pharmacies)

[NHS branding](#) team (for queries about the use of NHS branding)

[NHS England](#), (if you have a complaint about a pharmacy)

[Information Commissioner's Office](#) (for queries about data protection)

If you have queries on this PSNC Briefing or you require more information please contact [Maria Georgiou, Regulations Officer](#)