

Memorandum of Understanding

General Pharmaceutical Council (GPhC)
Advertising Standards Authority Ltd (ASA)
Advertising Standards Authority (Broadcast) Ltd (ASAB)
Committee of Advertising Practice Ltd (CAP)
Broadcast Committee of Advertising Practice Ltd (BCAP)

Contents

Introduction 2

Key Commitments 2

Aims and objectives 2

Functions of the Parties 3

Principles of co-operation 3

Areas of cooperation 4

Sharing information 4

Data protection 5

Duration and review 5

Date: 21/08/2026

Introduction

This Memorandum of Understanding (MoU) outlines the basis for cooperation and the sharing of information between the following organisations

- General Pharmaceutical Council (GPhC)
- Advertising Standards Authority Ltd (ASA)
- Advertising Standards Authority (Broadcast) Ltd (ASAB)
- Committee of Advertising Practice Ltd (CAP);
- Broadcast Committee of Advertising Practice Ltd (BCAP)

These organisations are referred to collectively in this document as “the Parties”.

This MOU is intended to provide a framework to assist the joint working of the Parties in order to support each organisation’s role and functions and the aims and objectives of this MoU.

It is a statement of principle; more detailed operational protocols and guidance will be developed, as and when these are required.

Although the Parties agree to adhere to the contents of this MoU, it is not intended to be a legally binding document. It does not override the organisations’ respective statutory or other responsibilities or functions, nor infringe the autonomy and accountability of the Parties.

Key Commitments

Under this MoU, the Parties agree to:

1. Share relevant intelligence and information lawfully and promptly.
2. Alert one another to significant risks relating to pharmacy advertising or public protection.
3. Support regulatory investigations where appropriate.
4. Exchange expertise, best practice and regulatory insight.
5. Share relevant enforcement outcomes and emerging trends.
6. Coordinate communications where issues are of mutual interest.
7. Maintain regular engagement to review emerging risks and opportunities for collaboration.

Aims and objectives

The Parties will work together to support:

- the protection of patients, the public and consumers through safe pharmacy practice and responsible advertising;
- effective, proportionate and anticipatory regulation;
- the lawful exchange of information and intelligence relevant to each organisation's regulatory functions; and
- greater understanding of each organisation's role, powers and responsibilities.

The Parties will achieve this by:

- sharing relevant information and intelligence where lawful and in the public interest;
- maintaining effective communication channels;
- exchanging expertise and good practice;
- coordinating activity where appropriate; and
- acting transparently and collaboratively while respecting each organisation's independence.

Functions of the Parties

GPhC

The General Pharmaceutical Council (GPhC) is the independent regulator for pharmacists, pharmacy technicians and registered pharmacies in England, Scotland and Wales. Its primary purpose is to protect the public by setting standards for pharmacy practice, education and training, maintaining registers of pharmacy professionals and premises, and ensuring continued fitness to practise.

The GPhC also exercises enforcement powers under medicines, poisons and veterinary medicines legislation.

ASA and ASAB

The Advertising Standards Authority (ASA) and Advertising Standards Authority (Broadcast) Ltd (ASAB) administer and enforce the UK advertising codes to ensure advertising is legal, decent, honest and truthful.

They investigate complaints and other concerns about advertising and publish rulings requiring non-compliant advertisements to be amended or withdrawn.

CAP and BCAP

The Committee of Advertising Practice (CAP) and Broadcast Committee of Advertising Practice (BCAP) are responsible for developing and maintaining the UK advertising codes for non-broadcast and broadcast advertising respectively.

CAP and BCAP support the effective regulation of advertising, while the ASA applies and enforces the codes

Principles of co-operation

The Parties will:

- prioritise patient, public and consumer protection;
- share information lawfully, responsibly and proportionately;
- communicate openly and promptly on matters of mutual interest;
- respect each organisation's statutory responsibilities and independence;
- work collaboratively where this improves regulatory outcomes; and
- use resources efficiently and avoid duplication of effort

Areas of cooperation

The Parties will cooperate in the following areas:

Intelligence and Information Sharing

- Share information about advertising that may be misleading, unlawful or present a risk to patients, the public or consumers.
- Share intelligence relating to pharmacies, pharmacy professionals and pharmacy owners where relevant to regulatory activity.
- Notify one another of significant trends, emerging risks or changes in complaint volumes that may affect regulatory decision-making.
- Provide information relevant to investigations, subject to legal and confidentiality requirements.
- Share relevant regulatory or enforcement outcomes where they may affect the work of another Party.

Regulatory Coordination

- The ASA will provide regular reporting to support the GPhC's regulatory oversight and inspection activities.
- The Parties will consider opportunities to coordinate regulatory responses where appropriate and lawful.
- The Parties will discuss matters of mutual interest relating to advertising standards, pharmacy regulation and public protection.

Knowledge and Expertise

- Share expertise, insight and emerging developments relating to pharmacy services and advertising regulation.
- Support reciprocal learning and development opportunities.

Communications

- Share information regarding issues likely to attract media or public interest.
- Consider opportunities for joint communications, guidance or public statements where appropriate.

Sharing information

The Parties will share information where this is necessary to support their respective functions and where there is a lawful basis to do so.

Information sharing under this MoU will be carried out in accordance with applicable legislation, including data protection law, the Human Rights Act 1998 and duties of confidentiality.

The Parties will seek to reduce unnecessary regulatory burden by exploring appropriate routine and ad hoc information-sharing arrangements.

Requests for information should be made through agreed contacts and managed in accordance with each organisation's procedures.

Where information shared under this MoU becomes subject to a request under the Freedom of Information Act 2000 or data protection legislation, the receiving organisation will, where appropriate, consult the originating organisation before disclosure. Responsibility for any disclosure decision remains with the organisation receiving the request.

Data protection

The Parties recognise their respective responsibilities as data controllers under data protection legislation (including the Data Protection Act 2018 and the General Data Protection Regulation (EU 2016/679) as applied in the UK (UK GDPR). They will comply with any data sharing code published by the Information Commissioner under that legislation.

The following principles will apply to the sharing of personal information:

- There must be a fair and lawful basis for sharing information.
- Information must only be used for the purpose stated at the time it is shared.
- Information to be shared will be limited to what is necessary for the purpose and will be anonymised or pseudonymised where appropriate.
- Shared information that is not in the public domain must be treated as confidential and must not be shared with other parties without the written agreement of the organisation that provided the information.
- Information must be transmitted securely, for example by secure email or other agreed method.
- Information must be stored and processed securely and in a manner that reflects its sensitivity for example, where shared information includes special category and/or criminal information.
- Shared information must not be stored or shared outside the UK or European Economic Area without prior written agreement and appropriate assurances in place.
- The organisation receiving personal data will apply a reasonable retention period based on the purpose for which it was shared.
- Each organisation will act as an independent data controller and take appropriate steps to protect the confidential nature of documents and information that the other may provide.

Duration and review

This MoU is not time-limited and will continue to have effect until the principles described need to be altered or cease to be relevant. The Parties will monitor its impact and effectiveness on an ongoing basis, and it will be formally reviewed every five years. The MoU may be reviewed more urgently at any time at the request of either party and updated as required on agreement by both parties.

The Parties have identified a person responsible for the management of this MoU in Appendix A. They will liaise as required to ensure this MoU is kept up to date, identify any emerging issues and resolve any questions that arise in the working relationship between the two organisations.

August 2026