

Roles and Accountabilities of Council

2.1 The role of Council

Within the new ways of working, a clear distinction has been drawn between the roles of the Council and its committees. The Council focuses on strategic development and major policy issues (i.e. decisions on major new action to achieve strategic objectives), while the Council committees concentrate on implementing policy within the framework decided by the Council and on exercising delegated authority for some statutory and regulatory roles.

The Director is accountable to the Council for ensuring policy implementation by staff. Members of the Society's staff will be given delegated authority to implement policies on the understanding that proposed actions need only be referred back if the staff has doubt about their implementation or if they fall outside agreed policy.

The Pharmacy (Northern Ireland) Order 1976 states that

“the Council may on behalf, and for the benefit of the Society-

- (a) direct and manage the business and affairs of the Society, and exercise all such powers of the Society as are not by this Order required to be exercised by the Society in general meeting, in accordance with and subject to approved bye-laws made by the Council;
- (b) control and manage the property and funds of the Society and invest and apply the same in such manner as the Council may determine, subject to such general or special directions (if any) as may be contained in approved bye-laws made by the Council with respect to the control and management of such property and funds;
- (c) Regulate the functions of the secretary, treasurer, clerks and other subordinate officers and their terms and conditions of service;
- (d) Employ and pay such auditors, accountants and other advisers as the

Council may think fit.”

Thereby the Council is responsible for the following functions. All individual Council members share collective responsibility for discharging these functions:

- i) Lead strategic development and policy, both new initiatives and reaction to external developments; informed by the views of the membership and other stakeholders.
- ii) To ensure the proper exercise of regulatory and law enforcement duties;
- iii) Set priorities for workload, expenditure and income generation:
- iv) Monitoring the implementation of policies, activities of committees, efficiency and effectiveness of the organisation, and policy evaluation;
- v) Acting as trustee for the Society’s trusts/funds;
- vi) Maintaining good relations with the membership, public and other professions;
- vii) Representing the profession’s policies and views to government departments and decision-makers:
- viii) Deciding upon the supporting structures that are required for Council, and the extent to which responsibility should be delegated to them;
- ix) To ensure adequate systems of appointment, appraisal, and remuneration and discipline of staff:
- x) To ensure high standards of corporate governance, including financial performance and personal behaviour.

2.1.1 Responsibilities of Individual Council Members

The powers and responsibilities of the Council are exercised jointly by its members, each of whom therefore has statutory and fiduciary duties in discharging the responsibilities listed above, and each of whom is required to pursue the best interests of the Society. Council members are jointly responsible for a decision even if they have voted against it; abstained from voting or were absent. It follows that all Council members are bound by a decision of the Council made in good faith (whether a unanimous or majority decision) and may not obstruct the execution of that decision.

Council members are asked to represent the Society on working parties and in ad hoc meetings, both within the Society and with government departments and other professional bodies.

The normal commitment of Council members will probably be in the region of an average of three to four days per month, but this can be expected to increase as they become more involved in more meetings additional to the Council and committee meetings. Time must also be spent in studying the background papers for meetings.

Council members undertake to make regular attendances at meetings of the Council and its Committees. A member, within normal circumstances, who fails to attend five meetings of the Council in any year shall, if the other members of the Council so agree, cease to be a member of Council.

2.1.2 Council's accountability

Individual members of Council are accountable to be good members of Council, but the Council has a corporate responsibility for its operation. The Society is a legal entity and, as such, has powers and duties under the Pharmacy (Northern Ireland) Order 1976. These are exercised by the Society as a legal entity with the Council as governing body. These powers and duties are not exercised by the members of the Society collectively and the members are not accountable for the Council's actions. Accordingly, the Council is accountable for its policy decisions, for the overall performance of the organisation and for ensuring that the necessary organisational and management framework is in place.