

MINUTES

A Meeting of The Pharmaceutical Society of Northern Ireland was held at 7:00 pm on Thursday 19th November 2009, in the Society House, 73 University Street, Belfast. BT7 1HL

Present

Mr R Anderson (President)
Ms A Bowen (Vice-President)
Ms J Dougan (Hon. Treasurer)
Mr M Nelson
Dr G Fleming
Mrs M Singleton
Dr L Byers
Mr P Kelly
Dr K McClelland
Dr C Fitzpatrick
Prof P McCarron
Prof J McElnay
Ms A McCollum

Apologies

Mrs J Hughes
Mrs R Tasker
Prof D Woolfson

In Attendance

Mr T Patterson (Director)
Mr M Neale (Head of Public Affairs)
Mr B Kerr (Registrar)
Mrs L Losty (Minute Taker)

Public Attending

1. Introduction and Welcome, Apologies.

The President welcomed everyone to the meeting and presented apologies for those who were unable to attend.

2. Minutes of the Council Meeting of 15th October 2009

i. Matters of Accuracy

None.

ii. Adoption of Minutes

The minutes of the October meeting were proposed by Mr P Kelly and seconded by Ms A Bowen.

iii. Matters Arising

There were no matters arising.

The outgoing President, Mr R Anderson, addressed the Council. He acknowledged enormous challenges the Society has faced in recent years and the tremendous amount of work that had been done by Council and staff during that time.

Dr K McClelland advised Mr R Anderson that she received very positive comments on his Presidency from colleagues at PGEU.

3. i. Election of President

At 7.15 pm the Officers vacated their posts in order that elections could take place. Ballot papers were distributed and collected by the Registrar. After the votes were counted the Registrar announced that Ms A Bowen was duly elected as President. Ms Bowen took the chair and asked for votes to be cast for Vice President

ii. Election of Vice-President

Ballot papers were distributed and collected by the Registrar. After the votes were counted the Registrar announced that Mr M Nelson was duly elected as Vice President.

iii. Election of Hon. Treasurer

A late nomination had been received for the office of Honorary Treasurer. The President outlined the options to Council that they accept the late nomination or give direction as to a suitable way forward. A number of Council Members suggested acceptance and the President then asked for a show of hands to confirm the nomination could be accepted. Council voted unanimously in favour.

The Registrar distributed and collected the ballot papers. After the votes were counted the Registrar advised the President that Mr Paul Kelly had been elected as Honorary Treasurer

Mr P Kelly thanked the President and Ms J Dougan for their hard work whilst in office.

By way of thanks, gifts were presented by the President to Ms J Dougan and Mr R Anderson. The Director presented a gift to Ms A Bowen.

4. Tabling of Any Other Business

5. Correspondence

The President updated the Council on completed actions from last month's meeting.

A number of items of correspondence received this month were discussed

6. Staff Reports

i. Director's Report

White Paper Work

The Director updated the Council on progress with the White Paper. The Council discussed the contents of a series of email exchanges between the Director and the Chief Pharmaceutical Officer concerning some of the wording in the draft legislation and the proposed timetable. Following a lengthy discussion Council agreed that the Director should write to the CPO outlining their position as follows:-

1.0 Council firstly expressed their satisfaction that progress was being made on legislative reform and they found the timetable provided to be very helpful. They would support an earlier conclusion if possible and offered any assistance necessary to achieve this.

2.0 Council considered the draft Order dated 6th October 2009 (v2), the draft timetable supplied and various emails between the Chief Executive and Dr Morrow and extracts from the minutes of the most recent Confidence in Care meeting.

3.0 Many members expressed confusion on the issue contained in Part 1 (3) around the establishment of committees. Whilst the email exchange suggested that there may be some flexibility in the manner of establishment, Council's overall interpretation was that this section would require any and all committees to be established in regulation.

4.0 Also in Part 1 (3) 2 (a) to (e) Council members were surprised to note the Departments intention to lead on the making of regulations around disqualification, Presidential appointment, deputising arrangements, quorum and removal or suspension from office. Council were all of the view that this potentially compromised the independence of the regulator, contrary to the principles of "Trust Assurance and Safety" and whilst such regulations should be the subject of consultation and approval by the Assembly, the proposals for their content should come from the Council itself.

5.0 In relation to amendment of Article 5 of the Order, section 4 (2) refers to the powers of the Statutory Committee. Council discussed the issue of the power and method of appointment of the Chair and the limitations on the pool of members. They discussed the serious implications of the Chair finding themselves in a conflict of interest in relation to a case, the fact that the chair could veto the decisions of the rest of the committee including the lay members and the implications of having two Fitness to Practise Committees, each with limitations on the range of sanctions available to them. Council were concerned that accepting such a position, in the absence of a plan to address these issues could be inconsistent with their obligations to protect the public.

6.0 Council noted that CHRE had previously recommended that the issue at 5.0 above be addressed. In the absence of a plan or commitment to bring forward appropriate legislation specifically for this issue Council felt it appropriate to seek independent advice on their responsibilities in relation to proceeding with legislative reform that would leave such a serious issue at large.

7.0 To Conclude. Council would support the progression of the Draft Order dated 6th October 2009 (v2) subject to the following;

7.1 – That the issue of Committees at 3.0 above be clarified in the wording of the Order to show that only those Committees that required a Statutory Framework need to be formed in this manner.

7.2 – That a programme or commitment to a programme to bring forward legislative reform to address the issues raised at 5.0 above – specifically to amend the method of appointment and number of Chairs, the powers of the Chair and creation of the capacity to draw from a pool of members. In the absence of such a commitment or programme Council would wish to take independent advice on the implications of supporting progression.

7.3 – In relation to the points at 4.0 above, Council would wish to see the Regulations made by the new Council, subject to approval of the Department through the normal consultative and legislative process.

Council confirmed that it remained committed to the introduction of early, appropriate legislative reform and reaffirmed its commitment to apply resources in support of its development and delivery.

ACTION: The Director to write to the CPO as detailed above.
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Key Engagements

The Director updated Council on meetings he had attended since their last meeting.

Priorities

An updated list of priorities was included in Council information packs. There were no questions

Professional Forum

Officers have discussed the preliminary job description and person specification for Professional Forum Managers. Recruitment is expected to commence as soon as these are finalised.

Revalidation

The Director had been made aware that funding for Revalidation research was available from the Department of Health in London (DH). At the request of DH a bid had been made to secure some of this funding but due to the fact that this is a devolved matter and the majority of the activity is not taking place in England, the Department of Health in London cannot fund work in Northern Ireland. The Director advised Council that they could approach the DHSSPSNI for funding but this should be in the form of "grant in aid" whereby the money is provided for a purpose with the funder receiving updates on progress but unable to unduly influence outcomes. This is in keeping with a modern independent regulator. There is little history of DHSSPS funding following this regime, for example that provided for CPD development. An alternative solution would be for the Society to fund the process itself. This issue had been addressed by Finance and House and would be discussed later in the meeting.

PSI

Committee Chairs were reminded of a request for a schedule of meetings, commencing September 2009 through 2010 in order that invitations can be extended to the PSI. Mr. Ambrose McLaughlin of PSI had visited PSNI today.

ACTION: Committee Chairs to provide the office with a schedule of meetings for 2010
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ii. Head of Public Affairs Report

Mr Mark Neale presented his report to Council. Council was given an update of the recent visit to the PGEU exhibition in Brussels by Mr M Neale and Dr K McClelland. They met with Jim Nicholson MEP, Linda McAvan MEP and Ms Yannakoudakis and they discussed concerns around the issues of Counterfeit Medicines and Internet sales. A discussion ensued regarding regulations surrounding the wholesale and direct to pharmacy supply issues.

Mr M Neale left the meeting.

iii. Registrar's Report

Mr B Kerr presented his report to Council. Council were advised that DHSSPSNI had set the Premises fees for 2010 and invoices would be sent out this week.

Council discussed the Complaints Advisory Panel, memorandum of understanding which was included in Council packs. Mr B Kerr advised Council that the MOU would probably be signed next week with a formal launch in January 2010

A discussion took place regarding the Independent Safeguarding Authority. It was agreed that not all pharmacists needed to be registered under this scheme as only those undertaking work in primary and secondary care have direct patient contact

7. Update on Homeopathic medicines – Prof. D Woolfson

As Prof. D Woolfson was not in attendance this item was deferred to the December meeting.

8. BMA Workshop – ‘Tackling the Challenges of the Health Service in NI – A Workshop for Health Professionals’ – 27 November 2009

Ms A McCollum and the President volunteered to attend on behalf of the Society.

ACTION: Ms A McCollum and the President to attend the BMA Workshop and report at the next Council meeting.

9. Report from Committee Meetings:

i. Education Committee

No meeting has taken place since Council last met.

ii. Ethics and Law

Ms A McCollum updated Council on the Ethics and Law committee. The committee has agreed that it should undertake a review of the Society’s Guide to Legal Requirements and has identified a number of areas that need to be updated.

There were two motions for Council to consider.

Guidance on Collection and Delivery Services

Mr B Kerr outlined the background to and the need for this Guidance. Mr B Kerr also outlined to Council discussions which had taken place at the Practice Committee and between the Society, the Board, PCC and UCA regarding the content of this guidance.

Motion to Council: Ethics and Law Committee in conjunction with the Practice Committee seeks Council’s approval of the Guidance on Collection and Delivery Services. Council approved the document and agreed that minor changes could be made but any significant changes would have to be brought back for approval. The motions were proposed by Prof J McElnay and seconded by Ms J Dougan and agreed by Council

Action: It was agreed that Ethics and Law Committee should also review the guidance on delivery and collection to nursing homes

Internet Pharmacy Services

Ms A McCollum and Mr B Kerr outlined to Council the issues with regard to Internet Pharmacies and details of substantial discussions, which took place at

the Ethics and Law meeting. RSPGB had recently put in place protocols and safeguards with regard to on-line and internet pharmacy services. The Committee agreed that the Registrar should seek independent legal advice on what the Society could and could not require of on-line pharmacies.

Council discussed the issue of Internet Pharmacy services at length

Motion to Council: Ethics and Law Committee seeks Council's approval to progress work to be done in this area as detailed in the minutes from Ethics and Law meeting and report back to Council on its findings.

This motion was proposed by Ms A McCollum and seconded by Prof P McCarron and agreed by Council.

Proposal from E & L that the following arrangements for Code of Ethics, Professional Standards and Guidance

Approval was sought from Council for a best practice framework describing the level of involvement of Council and Committees in making amendments to Code of Ethics, Professional Standards and Guidance. Best practice would be to involve Committees and Council but could be issued through internal staff approval, provided a pharmacist was involved, the President, an Officer or Committee Chair would ideally also be involved in signing off

Motion to Council: Council were asked to approve the best practice framework for issuing Code of Ethics, Professional Standards and Guidance.

Motion was proposed by Ms A McCollum and seconded by Dr C Fitzpatrick and agreed by Council.

The Minutes of November's meeting were proposed by Ms A McCollum and seconded by Ms A Bowen.

iii. Finance and House

Minutes of meeting held on 12 October 2009

The minutes of this meeting had not been agreed at the last Council meeting. The minutes of the meeting were proposed Ms J Dougan and seconded by Ms A Bowen.

Meeting held on 17 November 2009

There were two motions from Finance and House for Council's consideration.

Revalidation

Following a review of the Financial Plan 2009/2010, Finance and House agreed that up to £40k could be set aside to cover the revalidation process

Motion to Council: Finance and House seek approval from Council to make available £40k of this year's funds to the Revalidation Project. Finance and House will bring back to Council any proposed spend in this area. Proposed by Dr K McClelland and seconded Mr R Anderson and agreed by Council.

Draft Budget

Finance and House had considered the draft budget for 2010/2011 and based on income / expenditure projections proposed that there be no increase in fees for 2010/2011, recognising the pressures on the economy overall

Motion to Council: Finance and House seek approval from Council not to increase fees for 2010/2011.

Proposed by Ms J Dougan and seconded by Prof J McElnay and agreed by Council.

iv. Practice Committee

Mr M Nelson updated Council on the main points of discussion at the last Practice meeting

Regulation of Chinese Medicine Practitioners

The Committee had drafted a reply to the recent consultation issued by the DHSSPSNI. It was agreed that regulation of these practitioners did not come under the Society's remit. A draft response was included in the Practice Committee minutes.

Sexual Boundaries

Mr M Nelson advised Council that the Practice Committee had produced guidance on Sexual Boundaries. It was based on guidance produced by RPSGB and approved by CHRE. Council discussed the proposed Guidance, a copy of which was included in Council packs.

The guidance is to be sent to the UCA.

Dr C Fitzpatrick suggested that guidance on treating a close family member or partner should also be included. Mr B Kerr agreed that this is an area that needed to be addressed but as a separate piece of work.

Motion to Council: The Practice Committee seek Council's approval of the Guidance to Pharmacists on Sexual boundaries.

Proposed by Mr M Nelson, seconded by Prof J McElnay and agreed by Council.

A motion to Council on Guidance on Collection and Delivery services had been dealt with under Ethics and Law

The Minutes were proposed by Mr M Nelson and seconded by Ms A Bowen

10. Recent and Coming Events

- **5th November** – PRLOG meeting, London
- **11th November** ISA stakeholder event Dunadry Hotel
- **16th November** – Accreditation interviews, Society House
- **19th November** – Meeting with Bob Nicholls, Chair GPhC, Society House
- **24th November** – Accreditation interviews - laypersons, Society House
- **24th November** – CHRE Regulator's Forum, London
- **25th November** – Confidence in Care meeting, Castle Buildings
- **2nd December** – 'Pharmacists in Schools' launch, QUB

11. Any Other Business

12. Date of Next Meeting – 17th December 2009

The meeting concluded at 9.30 pm