M I N U T E S

A Meeting of The Pharmaceutical Society of Northern Ireland was held at 7 pm on Thursday 24th February 2011, in the Society House, 73 University Street, Belfast. BT7 1HL

Present
Ms A Bowen (President)
Mr M Nelson (Vice-President)
Mr P Kelly (Hon. Treasurer)
Mrs M Singleton
Mr R Anderson
Mrs R Tasker
Mr D Byrne
Dr L Byers
Prof J McElnay
Mr J Hamill

Apologies
Prof G Linden

In Attendance
Mr T Patterson (Chief Executive)
Mr B Kerr (Registrar)
Ms C English (Clerical Officer)

Public Attending
None

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1. **Introduction and Welcome, Apologies.**

The President welcomed everyone to the meeting. Apologies were accepted.

2. **Minutes of the Previous Meeting of 27th January 2011**

- Matters of Accuracy
  There was a general comment on page 9 under Financial Plan which was to be removed.

- Adoption of Minutes
  The minutes were proposed by Mr Byrne and seconded by Mr Anderson

- Matters Arising - Action Points
  - **The Chief Executive agreed to further develop heads of Memorandum of Understanding and bring to a future Council meeting for agreement.** The Chief Executive updated

Council that this piece of work is in progress and he is currently waiting for initial feedback from GPhC before the final draft can be submitted.

- **The Head of Public Affairs advised Council that drawing up an equality scheme and action plan will be necessary to ensure that we are meeting our legal obligations in the future.** In the absence of Mr Neale, the Chief Executive advised Council that this scheme will take between 3-6 months to complete and will update Council on the progress closer to it's completion.
- **In relation to the Registrar's report, Registrar agreed to develop a response on the European Commission's Public Consultation on the Recognition of Professional Qualifications Directive.** The Registrar advised that following a teleconference with AURE yesterday he and the Policy Advisor became aware that other Regulators recognise the sensitivity of the issue and are unwilling to appear accusatory. A response is to be submitted before 15th March, a draft will be circulated by email for comment by the end of next week.
- **A letter to the family of Andree McCollum be sent from Council acknowledging the dedication and service provided over many years.** The President advised that the letter had not been completed as the Action Point was changed during the editing of the minutes, but explained that she had been in contact with Andree's brother to convey the condolences of Council. The President suggested that a tribute in the Newsletter may be a more appropriate gesture, and that a copy of this should be included with the letter.

3. Tabling of Any Other Business

Mrs Tasker drew attention to a decision made by Council at the last meeting agreeing to the distribution of clean copies of the Code of Ethics at the Pre-Registration exam. She advised that after discussion with the Registrar and Pre-Reg Facilitator it was discovered that there are significant difficulties with the implications of the decision:

- It was initially understood that copies of the Code of Ethics were available for this purpose, it was later discovered that this was not the case and that the costs and resources required to reproduce additional versions would be significant.
- Secondly it was decided that it would be necessary check the booklets after the exam to ensure that they are clear of notes, which would also require time and resources.
- It was also noted that there would be transport and storage requirements for the documents
- Lastly it was agreed that if the Society were to provide copies of the Code of Ethics with the intention of preventing the likelihood of cheating then the same should apply for other supplementary guidance such as Drug Tariffs, MEP guide and BNF's.

The Council agreed that it would be appropriate to retract the decision made at the last meeting and to approve that students bring their own copy. Mrs Tasker advised that the Pre-Reg Facilitator is to send out a letter to students to confirm this. All agreed to a retraction of the decision.

Motion to Council: Mrs Tasker proposed the retraction of the decision made at the previous Council meeting to provide clean copies of the Code of Ethics to Pre-reg exam students.
Key Decision Point: All agreed.

Mr Anderson enquired about a section of the minutes concerning discussions about the previous Chief Executive Report in respect of byelaws, and asked whether a decision had been made. The Chief Executive clarified that the section in question was a discussion about possible future options neither of which had been specifically decided upon, the first opportunity to seek change would come in during the consultation on the legislation.

4. Correspondence

1. Report: Review of the Requirement to have Insurance or Indemnity as a Condition of Registration as a Healthcare Professional, and supporting Letter to Chief Executive from Gavin Larner.

The Chief Executive discussed the content of the Report and the recommendations outlined in the letter, drawing particular attention to recommendation 20. There was a discussion about the Regulators in future having the power to enforce regulations on indemnity, rather than a duty to do so.

Discussion about who should apply for indemnity insurance and how. The Registrar informed Council that historically registration forms have indicated that pharmacists may not be aware or don't understand the process of acquiring indemnity cover, and suggested that Pharmacists are now also asked on the form to state who provides their cover.

There was a discussion about which bodies provide the insurance, it was noted that the NPA gives indemnity to Community Pharmacists and that in the case of secondary care pharmacists; indemnity is covered through the Guild or the specific trust.

Prof McElnay asked about whether non practising or academic pharmacists need to be covered. Registrar advised that it is the responsibility of the pharmacist to reflect on their own practice.

The Chief Executive reminded Council that the governments objective was to ensure that if harm occurred as a result of the actions of a healthcare professional that adequate funds would be available to pay any compensation award – from this any healthcare professional that could cause harm resulting in compensation as a result of their work as a pharmacist would need to have adequate indemnity. The report is specific in clarifying that "Good Samaritan" acts do not require indemnity.

It was put forward by several Council members that there is a high degree of ambiguity surrounding the issue and greater clarification was required.

Registrar emphasised that it is the responsibility of the Pharmacist to ensure that they are appropriately covered.

2. Letter from Terry Maguire regarding Supplementary Advice on Sale and Supply of Homeopathic Medicines in the pharmacy, dated 22nd February 2011.

Action Point: The Registrar volunteered to draft a response to Dr Maguire advising that his comments have been noted and are reflected in the outcome.

5. Staff Reports

i. **Chief Executive's Report**

White Paper Work

The Chief Executive gave an update from the Confidence in Care meeting on the 17th February 2011, and drew attention to the draft Regulations tabled at the meeting and now attached. He went on to advise that the Society plan to work with DHSSPS on facilitating the consultation and welcome any feedback and comments before the 21st March 2011.

Council were advised that there may not be any movement on the issue of registration of technicians until a policy paper is approved by the new Minister, and explained that the DHSSPS view is that HPC or GPHC registration needs to be considered.

CESG

Council were made aware that the Law Commission has been commissioned to develop a single regulatory act that will consolidate all 9 regulators under a single regulatory framework. The Chief Executive advised that the Mid staffs enquiry is proving difficult for the GMC due to scrutiny for failing to learn from previous cases.

Supervision meeting

The Chief Executive updated Council on this meeting which included the PSNI, GPhC and RPS and was aimed at exploring the implications of the regulatory change to supervision under the Responsible Pharmacist legislation. Attention was drawn to the absence of registered technicians in NI which would require different legislative provision in NI.

The Chief Executive explained that the Society has been asked to co-badge with the Royal Pharmaceutical Society to conduct research into the implications of these changes, primarily the effect to date of the Responsible Pharmacist Regulations.

Council were made aware that dialogue has started with the Professional Forum for which Ms Greenfield is acting as a representative, and will be feeding back and providing analysis on outcomes. The NI results will be reported separately.

The Registrar made some points in relation to the change in legislation:

- The 2012 Olympics provides a lever for pushing forward with the relaxation of supervision in order to enable access for the influx of visitors and athletes.
- The process is being driven by the Royal Pharmaceutical Society who will be reviewing the current practice before any future changes will be made.
- Issues regarding the confidentiality around the preliminary discussions on this process were discussed; the fact that supervision was being discussed was not to be denied but was not being proactively published. RPS already consulting on supervision. First consultation closed on 18th March 2011.

Mr Anderson noted that the Society has always had a strong stance on supervision especially when a full range of services are offered.

Council were informed that further development is expected around Easter with a broader consultation possibly in September.

The Chief Executive asked Council for permission to explore the possibility of moving to create a voluntary register of technicians and proposed that the following steps to achieving this:

- Gain legal advice on whether/how we can proceed.
- Compilation of a proposal for evidence gathering around potential numbers of technicians, their qualifications, availability of local qualifications and levels of support for the voluntary register.
- Submitting the finished proposal to the next Council meeting to launch in June/July if approved.

Council were asked to approve the above process.

The proposal created several concerns about the scope and remit of the register and issues about whether technicians will be subject to Fitness to Practise were discussed. The Chief Executive advised that the proposal is in keeping with government policy as a voluntary register is usually in place prior to the introduction of a statutory one.

The Registrar advised that due to the absence of reference to technician registration in the Confidence in Care document it is unlikely that the new Minister will make a move on this issue in the near future.

A concern was raised about whether the decision will have implications for the new Council. The Chief Executive advised that the GPhC are acquiring powers for a voluntary register of students.

Motion to Council: The Chief Executive proposed to create a business case exploring the viability of a voluntary register for technicians.
Key Decision Point: Council agreed with the condition that the solicitors are made aware of the future changes to Council.

ii. **Head of Public Affairs Report**

Mark Neale gave his apologies for the meeting. The Chief Executive volunteered to answer any questions about the report.

iii. **Registrar's Report**

The Registrar highlighted several points to Council:

CHRE Performance Review

The Registrar and others are to meet with CHRE staff on 11th March to discuss the review, any comments or feedback to be submitted by the end of next week.

Overseas Register

Council were made aware that after an enquiry from the Pharmaceutical Society Ireland offices it would appear that the current practice of charging an overseas fee has no legal justification. At present the conditions of registration are a reduced fee and removal of the requirement to undertake CPD. There are 74 listed as overseas but with addresses in Northern Ireland.

It was agreed that the current practice creates difficulties in monitoring and potential patient safety issues arising from the absence of CPD. However it was noted that the removal of the overseas fee could have a significant financial implication, particularly if all persons on this register decided not to renew their registration.

Mr Anderson enquired about the possibility of providing membership to the organisation, without registration. Mrs Tasker suggested the option of adding the CPD requirement to eliminate the risk factor.

It was agreed that difficulty in monitoring those individuals on the register still exists and that best practice would indicate that removal of the option for overseas memberships is the most reasonable option. Council agreed.

Motion to Council: The Registrar proposed the removal of the Overseas Registration, due to a lack of legal justification and potential difficulties arising from monitoring this group of registrants.
Key Decision Point: All agreed.

Proposer: Mr Hamill **Seconder: Mrs Tasker**

6. Report from Committee Meetings

i. Education Committee minutes from meeting 26th January 2011

Mrs Tasker advised that the new online CPD manual has gone live.

Review of Pre-regisration Training

Mrs Tasker drew attention to review of the Pre-registration training, highlighting individual comments and the action point requiring a rewording of section 11 and post the pre-registration training report on the website.

Risk in Pharmacy Practice

Council were updated on Manchester University Research on 'Risk in Pharmacy Practice' with reference to an Interim Report circulated by Ms McCorry on 'Assessing Risk Associated with Contemporary Pharmacy Practice in Northern Ireland', and who is to present a poster at a Pharmacy Conference in February 2011.

Risk Register

Council was made aware that Mr Neale and Ms Smith had identified several new risk factors, all of which are currently managed.

Change to CPD

Mrs Tasker advised that there has been a change to the CPD process, individuals who receive an option 3 result will no longer be automatically sampled for testing the following year. Ms McCorry has sent letters out to this effect.

Option 4 Results

After completion of the verification process it was discovered that 18% of results moved from an option 4 to a higher result after second assessment by a second assessor. This compared with the previous year when a sample of 56 out of 238 (23.5%) received an option 4 result.

A discussion followed about the potential causes for the high number of option 4 results, with questions concerning the assessment process, individual assessors and the issue of interpretation. It was noted that feedback had shown relative consistency amongst assessors, and it may be that CPD process is a particularly subjective one. It was noted that the approval of option 3 on the CPD options paper at the last meeting would lead to a review of assessment, compulsory training for assessors and increased QA on the process.

Approval of the minutes for the Education Committee minutes from meeting of 26th January 2011.
Proposer: Mrs Tasker **Seconder: Mr Anderson**

ii. Finance and House minutes from meeting of 17th January 2011

The significant costs were highlighted including payments for the online register, photocopier and the Sage annual fee for the pay roll.

Council were advised that all payments were in order and that the Society will break even this year including one off project costs, however there are projects in the future the cost of which could potentially exceed the income generated in those years.

Approval of the minutes for the Finance and House minutes from meeting of 17th January 2011
Proposer: Prof J McElnay **Seconder: Mr Nelson**

iii. Legislation, Standards and Practice Committee minutes from 2nd February 2011 December 2010

Supplementary Guidance on Collection and/or Delivery Services

Following a meeting with the local hospital pharmacists to discuss possible change to the document, Council were advised that the publication is nearly finished.

Hospital Pharmacy Standards and Guidance Needs – G5 Trust request for Accreditation of Clinical Pharmacy Standards

Council were made aware that the Committee felt that it was not appropriate to endorse the standards due to the clinical nature of the material. It was suggested that the issue should be put forward to the Professional Forum when it is operative.

Survey of Pharmacy Owners and Superintendents views of the PSNI Standards and Guidance

Council were made aware of the findings of a recent survey. The Policy adviser will circulate to Council members for comment and information.

Consultations

Council were updated on the recent consultations:

(i) MHRA consultation on Product Licences of Right and Homoeopathic Products

(ii) The Good Management Good Records consultation was discussed with focus on the timescales given for retention of certain records..

(iii) DHSSPS Framework for Mental Health. A subgroup was delegated to work with the Policy Advisor to produce a response to this document.

(iv) Consultation on the removal of the 3 Year Rule and Responsible Pharmacist Regulations

The Registrar advised Council that in 2007 this legislation was revised and referred to, accidentally, not the United Kingdom but Great Britain, thus removing Northern Ireland from the regulations. The response supported the change to remove the 3 year rule.

The Registrar advised that new WHO guidance will be available to registrants via the inspectors' newsletter on the issue of reuse of medicines.

Approval of the minutes for the Legislation, Standards and Practice Committee minutes from 2nd February 2011
Proposer: Mrs Singleton **Seconder: The President**

8. Recent and Coming Events

None.

10. Any Other Business

See note below

11. Date of Next Meeting – April 7th 2011

CONFIDENTIAL

The Chief Executive, Registrar, Policy Advisor and Clerical Officer left the meeting at 9pm in order that a confidential staff related matter could be discussed.