

**MINUTES**  
**COUNCIL PUBLIC MEETING**  
**02 APRIL 2019 @ 09:30**

<p><b>1.0</b></p>	<p><b>Welcome &amp; Apologies</b></p>	<p>Council members in attendance:</p> <p>Dr Jim Livingstone (President)  Mr Jonathan Patton (Vice-President)  Mr Jim Perry  Ms Carol Moore  Prof Patrick Murphy  Ms Chanel Jones  Mr Mark Campbell  Ms Alison Ragg  Mr Ciaran Hunter  Ms Sandra Cooke  Mr Barry Mimmagh  Ms Colleen Duffy  Mr Mark McCrudden  Ms Laura Murphy</p> <p>PSNI staff members in attendance:</p> <p>Mr Trevor Patterson – Chief Executive Officer (CEO)  Ms Joan Duffy - Head of Business Operations (HBO)  Mr Brendan Kerr (Registrar)  Mr Mark Neale - Head of Public Affairs (HPA)  Ms June Alexander (EA)</p>	<p><b>Apologies</b></p> <p>None</p>
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		The President welcomed all those present, in particular, the six new members of Council. He expressed his pleasure in having full Council membership and acknowledged the difficulties experienced by Council over the past 6-12 months in terms of quorum.	
<b>2.0</b>	<b>Deputations</b>	The President was present throughout – no deputation was required.	
<b>3.0</b>	<b>Conflicts of Interest</b>	Sandra Cooke declared a conflict of interest in relation to Agenda Pt 15.0.	
<b>4.0</b>	<b>Tabling of Any Other Business</b>	No other business was tabled.	
<b>5.0</b>	<b>Minutes &amp; Key Actions arising from last meeting <i>For Approval</i></b>	<p>The Minutes of the Council meeting dated 29 January 2019 were approved as a true and accurate record of the meeting.</p> <p>There were no actions arising from the last meeting.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <p>The Minutes of Council meeting dated 29 January 2019 were approved and adopted as a true and accurate record of the meeting.</p> </div>	<p>Proposed by: Ciaran Hunter</p> <p>Seconded by: Jim Perry</p>
<b>6.0</b>	<b>Finance <i>For Approval</i></b>	The HBO presented the Draft Budget 2019-20 for Council approval. She advised Council that there was no significant change since it was presented to Council in November 2018. Council was taken through the headline figures and was advised that work is being undertaken to reduce reserves to a more regular size. Operational costs continue to be balanced with income with reserves being used for developmental	

		<p>work, wherever possible investing for future saving. The President thanked her for her hard work.</p> <p>The President also took this opportunity to thank Ciaran Hunter for his continued valuable work for Council as Chair of the Resources Committee and particularly for his work over the last 2 years as Acting Vice-President.</p> <p>Council approved the draft Budget 2019-20.</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p>Council approved the draft Budget 2019-20.</p> </div>	<p>Proposed by: Ciaran Hunter</p> <p>Seconded by: Laura Murphy</p>
<b>7.0</b>	<b>Standards Review For Approval</b>	The CEO took Council through the papers @ 7.1 & 7.3:	
	<b>7.1</b>	<p><b>Revised Education &amp; Training Standards for Pharmacist Independent Prescribers</b></p> <p>Council was advised that the attached revised Standards were approved by GPhC and, as per PSNI's Memorandum of Understanding with GPhC it was current practice for Council to consider them for approval. Explanation was given to Council in relation to the mutual recognition of accreditation of universities and training establishment - a single standard reduced the burden on institutions.</p> <p>In terms of education and training for Pharmacist Independent Prescribers, only NICPLD offers a course in NI. By way of clarification to Council following a question, the CEO advised that this is of no concern as they are capable of meeting the demand and QUB may also</p>	

		<p>set up a course and a joint accreditation process would be undertaken with GPhC should this happen, to maintain standards.</p> <p>There is a proposed change to entry requirements for the IP course: currently pharmacists must have worked for at least two years in a relevant, patient-facing area. GPhC had initially proposed to remove the time requirement and place more emphasis on the pharmacists' experience. However, following consultation and discussion in 2018, GPhC agreed to retain the two-year time requirement and that, in future, course applicants' experience in terms of quality and quantity should be evaluated. This is consistent with our regulations which currently prescribe the two years' experience</p> <p>The supervision of trainee Independent Prescribers has also been extended by GPhC from Medics only to include prescribing practitioners. NICPLD propose to retain medics for now, but would be able to extend this in the future if Council approved the standard</p> <p>Council were satisfied with the revisions to the standards and adopted the revised Standards, ensuring consistent standards of professional practice in line with the principal of mutual recognition between NI and GB.</p> <div data-bbox="835 1050 1574 1121" style="border: 1px solid black; padding: 5px; text-align: center;"> <p>Council adopted the revised Standards.</p> </div>	<p>Proposed by: Barry Mimmagh</p> <p>Seconded by: Sandra Cooke</p>
	<b>7.2</b>	<b>Removed prior to meeting</b>	

	<b>7.3</b>	<b>Raising Concerns Guidance</b>  The CEO advised Council of the Code which is the principal instrument against which pharmacists should measure their conduct. Standards are compulsory and must be followed; Guidance is to help pharmacists interpret Standards. In the event of a complaint, both the registrant and Pharmaceutical society will look to the relevant Guidance.  Raising concerns is a very hot topic at the moment. The Francis Report into events at Mid-Staffs was critical of the organisation and individuals in that area. It is, therefore, important that Council provides additional support to help pharmacists to raise concerns. Duty of candour, which is often confused with this topic, is dealt with later in the agenda – it and raising concerns are essentially two sides of the same coin with the former normally about concerns about a third party whilst candour tends to relate to the individual providing it. The Code was revised within the last two years. Our policy documents states that we will review all Standards and Guidance to ensure that they are contemporary and are aligned with the new Code. Council was taken through the background to the review of Standards and Guidance and it was confirmed that comments from consultation respondents were incorporated into this draft Guidance.  The CEO confirmed that, if Council approve the draft Guidance before them, the following measures will be undertaken to ensure that all stakeholders are made aware of the revised Guidance: <ul style="list-style-type: none"><li>• Guidance sent to all registrants;</li><li>• Press release;</li><li>• Website article;</li><li>• Article in June 2019 newsletter; and</li></ul>	
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<p><b>8.0</b></p>	<p><b>Inquiry into Hyponatraemia Related Deaths – Duty of Candour</b> <i>For Approval</i></p>	<p>The President advised Council that, in relation to this issue, Justice O’Hara has recommended the introduction of a statutory Duty of Candour on pharmacy businesses and individual pharmacists. PSNI is proposing to advise the Department that it would favour a statutory duty of candour on organisations whereby the onus for duty of candour is on pharmacy businesses but not on individuals who would still be subject to a professional duty of candour. This is designed to ensure that there is an environment where professionals can exercise a duty of candour without any organisational threat based upon fear of reputational damage, given the potential reputational damage arising from a prosecution around failure to be candid. Evidence from the Rebalancing Board work suggests that it is organisational culture and approach that often prevents candour and a pharmacist may find themselves torn between what they want to do and what their employer wants or expects</p>	

		<p>them to do. The CEO explained the background to the papers presented to Council followed by presentation of the following:</p> <ul style="list-style-type: none"> <li>• The factual submission made to a call for evidence from the Department of Health’s inquiry into hyponatraemia-related deaths which sets out our current work in this area;</li> <li>• A draft letter of response to the Department providing observations and opinions on the recommendations based upon the summary in the discussion.</li> </ul> <p>The CEO explained that the original deadline for response was 31 March 2019 but that a short extension was granted by the Department to allow Council consideration.</p> <p>Following discussion and clarification, Council noted the factual response to the call for evidence and approved the submission of the draft letter of response as presented.</p> <div data-bbox="842 887 1581 1038" style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <p>Council noted the factual response to the call for evidence; and Council approved the submission of the draft letter of response as presented.</p> </div>	<p>Proposed by: Mark McCrudden</p> <p>Seconded by: Sandra Cooke</p>
<p><b>9.0</b></p>	<p><b>Review of Registration Examination Procedures For Approval</b></p>	<p>The CEO reminded new Council members that the background to this topic was covered during their induction. In line with the Corporate Strategy 2017-22, Council requires that “pharmacy education and professional development is fit for purpose” part of which is the review and improvement of the pre-registration framework.</p> <p>PSNI and GPhC are working toward consulting upon a UK-wide registration examination and a review of current examination procedures</p>	

		<p>has been carried out with that in mind, and Council approval was sought for the following revised procedures in line with Sch 2 of the General Regulations:</p> <ul style="list-style-type: none"> <li>• Reasonable adjustments (and appeal);</li> <li>• Withdrawal from the examination;</li> <li>• Fitness to sit the examination;</li> <li>• Nullification;</li> <li>• Misconduct in the course of examinations (and appeal);</li> <li>• Processes for checking candidates' marks; and</li> <li>• Appeal following failing examination.</li> </ul> <p>Following discussion and clarification, Council approved the revised procedures as presented.</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p>Council approved the revised examination procedures, as presented.</p> </div>	<p>Proposed by: Sandra Cooke</p> <p>Seconded by: Alison Ragg</p>
<b>10.0</b>	<b>Date of Annual General Meeting 2019 For Approval</b>	<p>Council was advised that the Annual General meeting is scheduled to give sufficient time to lay the Annual Accounts with the Assembly after signing off by the external auditors. Convention has been that the AGM is held on a Thursday evening in accordance with Bye-laws. Proposed dates for the AGM were therefore either 10 or 17 October 2019. Council approved 17 October 2019 as the date of the Annual General Meeting.</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p>Council approved 17 October 2019 for the Annual General Meeting.</p> </div>	<p>Proposed by: Barry Mimmagh</p> <p>Seconded by: Carol Moore</p>

<p><b>11.0</b></p>	<p><b>Revised Terms of Reference Committees For Approval</b></p>	<p>The President advised that the past 6-12 months has been difficult in terms of quorum for Committees as Council members numbered only eight which matched the quorum.</p> <p>With the six new Council members, and to ensure that they gain experience and knowledge of the broad spectrum of issues covered by the various committees it was proposed that they each serve on two committees at the outset. To that end, each committee will have an increased membership and the existing Terms of Reference have been revised to reflect this and the required quorum. A number of other minor changes were proposed to improve consistency in the TORs.</p> <p>Council were reminded that the governance review would recommence after each committee had met a number of times in order that all those participating had experience of the current regime</p> <p>In response to a request from a new Council member, it was agreed to circulate the Terms of Reference for the Governance Review.</p> <p>Council approved the revised Terms of Reference for Council committees.</p> <div data-bbox="837 997 1576 1197" style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <ul style="list-style-type: none"> <li>• Council approved the revised Terms of Reference for Council Committees.</li> <li>• Terms of Reference for the Governance Review to be circulated to all Council members.</li> </ul> </div>	<p>Proposed by: Laura Murphy</p> <p>Seconded by: Mark McCrudden</p>
<p><b>12.0</b></p>	<p><b>President's Report For Information</b></p>	<p>The President expanded on committee membership, the increase in Council members and the need for Council members to gain knowledge and experience of committee business prior to the next Governance Review Workshop.</p>	

		<p>Council was presented with the President's proposed committee membership with each new Council member sitting on two committees.</p> <p>There was general agreement to the President's proposal.</p> <p>Committee Chairs were asked to liaise with their committee members and staff lead in relation to proposed committee meeting dates and to then liaise with the EA to finalise meetings.</p> <p>The Vice-President is to attend one of each of the committee meetings to gain an oversight of business being conducted and assist with their participation in the governance review.</p> <p>The President updated Council on a proposed PSA conference around "futures" – he welcomed the idea and the opportunity to work with them and the regulators to look forwards to inform future policy and resource allocation</p> <p>The President updated Council on the work of The Court of UU and advised that they would do further work following their recent consultation</p> <ul style="list-style-type: none"><li>• Council noted the proposed membership of committees.</li><li>• Committee Chairs to liaise with committee members and staff lead re dates of committee meetings and finalise with the EA.</li><li>• The VP is to attend one of each of the committee meetings to gain an oversight of business being conducted.</li></ul>	
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<p><b>13.0</b></p>	<p><b>CEO's Report For Information</b></p>	<p>The CEO highlighted the following points from his report:</p> <p><u>Pharmacy Technician Registration</u> PSNI sits on the Pharmacy Workforce Review Board and one of its functions is to make recommendations to the Department on the registration of Pharmacy Technicians. Progress has been slow but the Acting CPO has asked that a policy document be written. Progress can't currently be made beyond the policy document without a Health Minister, save for a potential consultation. However, this decision means that a policy document will be ready for when a Minister is in place.</p> <p><u>Reform of Regulation</u> There are two Section 60 Orders in relation to Fitness to Practise and Unitary Boards. There is a plan to draft legislation and consult in Autumn 2019. The introduction of other measures previously consulted upon is not expected to progress in the foreseeable future. It would be helpful if the Department would state what they are not taking forward along with information on the draft legislation. Progress in other areas of our work is being affected by concerns amongst registrants that the future shape of regulation would not be as informed as a profession specific regulator, therefore some proposals to improve agility through passing of powers from ministers to regulators were being frustrated</p> <p>The CEO directed Council to the other papers attached to his report and invited Council members to seek clarification at the meeting, or to contact him if they have any queries.</p>	
<p><b>14.0</b></p>	<p><b>Reform of Regulation For Information</b></p>	<p>The CEO referred to a point raised in Pt 13 above in relation to the two Section 60 Orders in relation to Fitness to Practise and Unitary Boards. In relation to FtP, our regulations were made in 2012 and in many ways are already better than some of our contemporaries' legislation. In</p>	

		<p>addition, the government has been seeking to change governance arrangements. Instead of a two-tiered board, they are proposing a unitary board comprising a senior management team and Council on the same board with various functions, executive and non-executive membership. This is the government's preferred option but there is no cogent reason or evidence for it in the consultation document.</p> <p>PSA and the department in response to the Law Commission proposals favoured the two-tiered approach, citing the benefits of separation. It has been suggested that there would be no places "reserved" on the Council for healthcare professionals. Some regulators are concerned that this would disenfranchise registrants at a time when there is discontent amongst some groups. Council recognised the importance of "consent" amongst regulated professionals. The Department of Health (London) held a consultation which included amongst other things proposals around the merging of regulators. PSNI responded to the consultation. To date, the consultation report has not been published and there has been no announcement from the Department as to how it intends to proceed. The CEO invited Council members' views and encouraged them to review the papers attached to this agenda point. Council members exchanged views on the subject</p> <p>It was suggested that this may form a good basis for a future Council workshop</p> <p>A member suggested that we should ascertain the views of NISCC on the unitary board proposals.</p>	
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<b>15.0</b>	<b>Initial Education &amp; Training Standards Consultation <i>For Information</i></b>	The CEO advised that the current consultation on the initial education and training of pharmacists was due to close on 03 April 2019. GPhC has agreed to provide Council with a report on the consultation responses from Northern Ireland subject to the ability to anonymise them. Should it be decided to proceed with the proposals in Northern Ireland, the Joint Education Strategy Group may be expanded to include other stakeholders such as employers, tutors and commissioners to aid implementation.	
<b>16.0</b>	<b>Report on Progress Against Strategy <i>For Information</i></b>	The CEO took Council members through the Executive Summary of the report which has been consistent for a number of months.	
<b>17.0</b>	<b>PSA PR Final Report <i>For Information</i></b>	For the benefit of new Council members, the CEO explained the background to the PSA review and informed that PSNI has met all standards for the last three years. The President thanked the CEO and Executive Team and all staff involved.	
<b>18.0</b>	<b>Risk Register <i>For Information</i></b>	The HPA confirmed that the Risk Register has not changed since Council Induction and remains on track. BREXIT has been added. There are no concerns and the Register will go to the next Audit & Risk Committee meeting.	

19.0	<b>Grandparenting &amp; Technician Registration</b> <i>To Note</i>	Council noted the papers provided.	
20.0	<b>Indicative Sanctions Guidance – Update</b> <i>To Note</i>	Council noted the papers provided.	
21.0	<b>General Update Standards Review</b> <i>To Note</i>	Council noted the papers provided.	
22.0	<b>PSA Academic &amp; Research Conference Windsor February 19</b> <i>To Note</i>	Council noted the papers provided.	
23.0	<b>Resources Committee</b> <i>To Note</i>	Council noted the draft Minutes provided.	
24.0	<b>Correspondence Log</b> <i>For Information</i>	Council noted the correspondence provided.	
25.0	<b>Any Other Business</b> <i>For Information</i>	None	
26.0	<b>Date of Next Council Meeting</b> <i>To Note</i>	The next Public Council meeting is scheduled on 21 May 2019 @ 09:30 in the Back Hall.	