

MINUTES OF THE COUNCIL MEETING MONDAY 3rd February 2015 at 09.30am

Agenda Item	Present	Apologies
<p>1. Introduction & Welcome, Apologies, Public Attendance noted</p>	<p>Dr Jim Livingstone (President) Mrs Sinead Burns (Vice President) Mr Ciaran Hunter Item 1-10 and 16 only Mrs Helena Buchanan Item 1-11.1 and 16 only Mr James Perry Mr Garry McKenna Mr Mark Nelson Item 3-17 Mrs Brenda Maitland Dr Lisa Byers Item 3-11.1 and 16 only Miss Sandra Cooke Item 3-17 Mr Gareth Peeples Mrs Marie Smith Item 1-11.1 and 16 only Geoff Higgins (Team Solutions) Item 1-3 only</p> <p>In Attendance Mr Trevor Patterson (Chief Executive) Mr Brendan Kerr (Registrar) Mr Mark Neale (Head of Public Affairs) Mrs Joan Duffy (Business Manager) Miss Michelle McCorry (Post Registration Lead) Mr Peter McKee (Pre-Registration Lead) Mrs Claire Williamson (Executive Assistant)</p>	<p>Professor David Jones Professor Martin Bradley</p> <p>Public Attending Dr Kate McClelland</p>

	Discussion	Action/Supporting Information
1. Introduction & Welcome, Apologies, Public Attendance Noted	The President welcomed everyone to the meeting and welcomed the members of the public in attendance.	
2. Conflict of Interest	Sinead Burns and Ciaran Hunter also declared a perceived conflict on matters relating to premises standards as they both have business interests in pharmacies. All registrant members declared a perceived conflict in relation to discussions regarding retention fees.	
3. Presentation from Geoff Higgins from Team Solutions	The President welcomed Mr Higgins to the meeting and asked Council to note his presentation in relation to a paperless meeting proposal from the Resources committee, the following points were noted: <ul style="list-style-type: none"> • Mr Higgins provided Council with a brief presentation on his company's paperless meeting solution product Minute Pad. Council were informed the product is a web based software system that allows all aspects of meetings to be stored in an online system that is unique to each user. Council were asked to note that information security was extremely important to Team Solutions and the product is fully encrypted and has met the ISO27001 standard. • Mr Higgins demonstrated various aspects of the system and informed Council the 	

	<p>key message about the system is that is extremely user friendly for all users regardless of IT ability. Council enquired what the primary driver is for companies to move to a paperless system in Mr Higgin's experience.</p> <ul style="list-style-type: none">• Mr Higgin's asked Council to note that they have a wide range of clients in both the private and public sectors; he informed Council that many choose to move to a paperless system for both costs savings and the efficiency of the system, as last minute changes can be managed more efficiently it allows better communication with attendees and Mr Higgins confirmed this aspect is important to his clients.• Council briefly discussed if tablets would be allocated to all members for personal use at home as well as during meetings, the Chair of the Resources committee confirmed the proposal had been to keep the tablets at Society House for members to use during meetings and to access Minute Pad through their own devices. Some members asked that this is reconsidered and a more robust discussion is had to ensure that the purchase of equipment will be put to full use. Some concern was expressed that it could be perceived as a perk for users to retain the devices.• Mr Higgins confirmed that software could be added to tablets to ensure they can only be used for the intended purpose of this organisation and can also be wiped of all information if necessary.• The President thanked Mr Higgins for his time and asked that a more robust discussion is held with regard to the equipment proposed for the move to a paperless system and asked the Resources committee to ensure any solution	
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	<p>meets the working patterns of all members.</p> <p>Action Point: The Resources committee will have a further discussion at their next meeting regarding the paperless meeting proposal and inform Council of their decision at the next Council meeting in March.</p>	<p>BM/Chair of Resources</p>
<p>4.1 Minutes of Council</p> <p>4.2 Approval of the minutes</p> <p>4.3 Matters Arising</p>	<p>The President invited Council to review the minutes from the meeting on 15th December, Council agreed the minutes and duly accepted them as a true and accurate record of the meeting.</p> <p>The CEO confirmed that all matters arising had been completed or were addressed on the agenda, a verbal update was provided on some matters and the following points were noted:</p> <ul style="list-style-type: none"> • Council were asked to note that the Resources committee have had a first draft of KPI's for finance and will review again at their next meeting after further work has been carried out by the staff team to develop these across the business. • The Chair of the Corporate Communications committee confirmed the action point assigned to the committee was outstanding and would remain in the action log until the next Council meeting when a proposal will be presented from the committee with a form of words to amend the strategy map as discussed the 	

	<p>Council meeting in November.</p> <ul style="list-style-type: none"> • The CEO informed Council that he did not have an opportunity to formally raise the issue of sharing internal audit reports with other regulators at the PSA Board meeting on 12th January; however he has been able to confirm that the GPHC have an agreement with their internal auditor not to share any such reports. • The CEO provided further clarity to the PDA representative on the Pharmacy Forum Board as requested by Council at the December meeting. The PDA do not have a representative on the Board, they had requested a position as a representative body however the PF Board rejected this and have instead agreed to an individual member of PDA as an observer until the next elections, to participate to provide an employee perspective. 	
<p>5. Tabling of Any Other Business</p>	<p>No other business was tabled.</p>	
<p>6.1 Presidents Update</p>	<p>The President provided Council with a verbal overview of the activity and work he had completed since the last Council, a brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> • The President informed Council that he had attended the PSA Pre-Board meeting on 12th January with the CEO which had been extremely useful in terms of meeting other regulators and the content of the meeting to discuss the proposals around how the Performance Review will be conducted by the PSA going forward, the President informed Council that he felt the proposal was a much 	

	<p>more proportionate approach to the review process.</p> <ul style="list-style-type: none">• The President provided Council with an overview of the 3 stage proposal presented by PSA at the meeting. The President confirmed that after stage 1 an assessment would be made whether a regulator will require a full review which would be of the same level we currently provide, a targeted review and/or a change review which would look at aspects that have changed within the organisation.• Council were asked to note the PSA are still looking at what criteria will be used at the initial assessment stage and they have undertaken to fully engage with regulators on this, the CEO confirmed the Registrar will sit on the working group to agree the core dataset and that he would contribute to how the criteria may be applied and input to the discussion on risk management..• Council asked the CEO if he envisaged a change in the resource used in terms of staff for the PSA process and how the changes would be adapted internally. The CEO stated that it is too early in the process to confirm this and a better assessment could be made after the meeting on 18th January, he asked Council to note that although there is a possible change in emphasis a full review would be at least as onerous as the present regime.• The President informed Council that a consultation will be carried out before any decision is made and he will ensure Council remained fully briefed at all times on any developments.• The President provided Council with an update on recent meetings he had attended including meeting with local universities, attending the All Ireland	
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	<p>Pharmacy Conference and the Corporate Communications committee to discuss how to progress the perceptions survey.</p> <ul style="list-style-type: none">• The President informed Council the meeting with the NI universities [QUB & UU] had been extremely useful and productive; a number of matters had been discussed regarding candour, the Francis report and the possibility of a 5 year MPharm degree in Northern Ireland. An agreement was made by all parties to ensure an annual meeting takes place going forward to enhance the relationship. Useful information to contribute to the PSA performance review had been obtained and incorporated in our submission• The President commended staff who had attended the All Ireland Pharmacy conference to present the work they are doing within the organisation, he noted the event had been useful to meet pharmacists in his role as President and informed Council that he was had been impressed with the level of work that is going on amongst the pharmacy profession and we should have a role as the local regulator to promote the work and good practise that is evident in Northern Ireland.• The President informed Council at the recent Chairs committee a brief discussion had taken place whether a registrant member of Council needed to be present at every external meeting the Officer team attends; the President noted that he and the Vice President are coincidentally both lay members of Council The President informed Council the Chairs committee had proposed that the Officer team could make a decision based on the purpose of any external meeting as to the need for	
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	<p>a pharmacist delegate and could then select a suitable member of Council. Council supported and agreed with this policy.</p> <p>Key Decision: Council agreed with the policy that a registrant member will be invited to attend external meetings if deemed by them appropriate, the Officer team will choose a registrant member to attend on behalf of Council.</p>	
<p>6.2 CEO Overview</p>	<p>The CEO presented a written report to Council on recent activity across the organisation and external matters of interest since the last Council meeting in December, he highlighted key points from the report and the following points were noted:</p> <ul style="list-style-type: none"> • The CEO provided a brief update on the Rebalancing Medicines work and asked Council to note that the RPC have cleared two parts of the S60 Order with regard to registered pharmacy standards and decriminalisation. The CEO asked Council to note that the timeline for these S60's is tight as purdah is 31st March, we have made a commitment to work with DH London, DHSSPSNI and the Rebalancing Board to promote the proposals and ask registrants and the public to engage with the consultation The HPA confirmed there has been no date set yet for the launch and nothing can be confirmed until then. The CEO asked Council to note that if the S60 orders are passed work streams to develop pharmacy businesses standards will have to be undertaken The CEO provided a brief update on the IT review, Council were asked to note that Legato have confirmed their timetable is currently on schedule and have committed to delivering a completion of the project by the end of March the final steps will be online retention, after CPD and the pre-registration online portfolio system. The CEO informed Council that the online retention system may be available to use during this year's pharmacist 	

	<p>retention process subject to successful piloting which Legato are currently discussing how to achieve.</p> <ul style="list-style-type: none"> • Council asked the CEO if he felt we have sufficient assurances from the team leading the project at Legato, the CEO informed Council that he felt there is sufficient levels of expertise in relation to the project management. • An enquiry was made if the NMC use of the building has had any impact of our own business; the CEO confirmed that it had not, however some administrative support had been provided to the NMC and some meetings had to be relocated to offices, which will be restricted or ended once the remodelling building work is completed. The remodelling work on the building should be complete within 2 months and we will have a dedicated meeting space which will enable us to efficiently manage the booking system for internal events and meetings. • The CEO advised Council the Chief Pharmaceutical Officer has requested assistance from the organisation to host a consultation on the Language Testing Bill. The CEO highlighted there is a very small risk to the organisation in relation to failure to amend this legislation as we currently have a requirement to register EA applicants within 28 days and it would be difficult to ensure they have been language tested in that period. The amendment would allow suspension of the time limit during language investigation. • The HPA recommended that Council spend time at their meeting in March to discuss this matter further as once the consultation process finished, DHSSPSNI will be expecting Council to make a proposal on this as a regulation and as Council are not scheduled to have a full meeting at the time, Council need to 	
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	<p>agree how to delegate this task</p> <p>Action Point: Council agreed to spend time at their meeting in March to discuss the consultation on Language testing and a method of delegation on the recommendations to DHSSPS</p>	CEO/EA
7. PSA	<p>The CEO provided Council with the letter issued to the PSA on 30th January which responded to their request for further information on the Performance review.</p> <p>Council enquired if the Donaldson Review should be referenced in our the response we have provided as it is much more relevant to Northern Ireland, the CEO confirmed that there would be an opportunity to raise the report at the meeting with PSA on 19th February.</p>	
8. Fees consultation	<p>The Chair of the Resources committee, Ciaran Hunter, presented the fees consultation report to Council for consideration, a brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> • The Chair informed Council of how the consultation process was performed over a 12 week period from 22nd September 2014 in which all registrants were invited to respond. There had been no fee increase since 2009 and the Chair highlighted that if the fees had risen in line with inflation they would currently be set at £430; the increase proposal will take the fee from £372 to £415 over a three year period. • The Chair informed Council that fees should be tax deductible as long as a registrant is engaged in the profession. • The Chair provided Council with an overview of the current financial situation of the organisation and confirmed that as there is an operational deficit Council 	

	<p>need to ensure that income is sufficient to meet statutory needs.</p> <ul style="list-style-type: none">• A reasonable level of response was obtained from registrants, 2% of the register including several representative bodies. The main theme from the consultation responses was that a fee increase was not welcome however the Chair noted that no one had offered additional evidence or viable alternatives to deflect the consideration of the Resources committee to recommend increases to the fees.• The Chair noted that some issues that were outside the remit of the consultation had been raised and both the Chairs and Resources committee have committed to respond to and consider each of these. Some of these matters included allowing registrants to pay by Direct Debit, having a sliding scale for fees in relation to how long someone is on the register and staged payments throughout the year. He noted that our dual role and the funding allocated to the Pharmacy Forum should also be flagged.• Council were asked to consider the proposal from the Resources committee to approach DHSSPSNI and seek approval to increase the fees as laid out in the consultation. The Chair invited member's comments.• Members asked for clarity on who ultimately approves the fee increase. The HPA provided a brief overview of how the process would work both within DHSSPSNI and the NI Assembly. Ultimately the Health Minister will approve the proposal with recommendations from the Health Committee. The CEO highlighted that the legislation does refer to DHSSPSNI however it is the Health committee who will consider the proposal.• The HPA also provided a brief explanation on the process if the proposal was not	
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	<p>approved, Council were asked to note that the Chief Pharmaceutical Officer would normally inform Council before the Health Committee stage if this were the case.</p> <ul style="list-style-type: none">• it was suggested that if we were invited to the Health Committee to provide further information on the proposal it is important to have prepared responses to the registrant's comments and to demonstrate the savings and efficiencies already made and planned across the organisation. It was noted that this would be an opportune time to review how the annual report is written and include these efficiencies within the report; the Chair of Resources confirmed he is content to highlight all costs savings in the newsletters issued prior to the annual report to ensure that all information is made public.• The Vice President addressed Council and welcomed the changes made to the paper since the Chairs committee meeting, in particular proposals to highlight savings to date, and informed Council, she felt it was an excellent paper. She emphasized the importance of encouraging registrants to engage with us and to ensure that feedback is provided to positively engage and let people know that we have listened to their comments.• The VP asked Council to note that in terms of the deficit Council has a responsibility to address this from a governance point of view and to do nothing would be negligent.• It was suggested that an additional comment could be made to point 13.11 in the paper to make a commitment to ensure that there is transparency in how the organisation reports income and spend.	
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- It was suggested that more transparency to allow registrants to fully understand what fees are used for would be helpful. It was also noted that several large organisations responded who represent a large volume of the register. It was also suggested that a vote to determine if this motion would be passed would be helpful.
- The Chair of the Resources committee highlighted that we are extremely open and transparent at how the organisations finances are reported. He informed Council that the annual report and annual accounts are published annually, they are available to download on the website or request in hard copy, the AGM this year was purposely in line with the fees consultation to ensure that registrants had an opportunity to attend to ask questions and he confirmed he is content to answer any queries received throughout the year in the organisations finances.
- The President noted both points and informed Council that he agreed an additional sentence could be added to ensure that we 'continue; to be transparent as he does not want to imply that we have not been during this process. The President agreed to the request to put the motion to a vote and informed that it was good governance practice to do so.
- A vote was held and the motion passed

MOTION: Council approved the recommendation from the Resources committee to increase fees over a 3 year period as set out in the consultation proposal and agreed to approach DHSSPSNI to approve the proposal

	<p>Action Point: A request was made to include a reference to Council's commitment to continue to be transparent at point 13.11 within the consultation report</p>	<p>Policy Officer</p>
<p>9. Strategy</p>	<p>The HPA presented Council with a live version of the Risk Register; the HPA gave a brief overview of the 5 key risks and the controls in place to manage these.</p> <p>Council thanked the HPA for his presentation and highlighted that viewing the Risk Register online is extremely difficult due to the size of the screen and the layout of the online version. The CEO informed Council that a previous agreement had been made to review the Balanced Scorecard and Risk Register at alternate meetings, usually the Risk Register is reviewed first at the Audit and Risk ahead of Council but due to scheduling changes this has unfortunately not happened this time. Council agreed that it would be much more beneficial to report the Risk Register or BSC via the A&R committee going forward.</p> <p>The HPA informed Council that he has been in contact with ASM to enquire if another director has been assigned to the Risk Register after the departure of the previous director Pauline Poots assigned to the account. The Chair of the A&R committee asked the HPA to ensure we are fully briefed on this matter in time for the next A&R meeting on 26th February.</p> <p>Key Decision: Council agreed that the Risk Register and BSC will be reported to them via the Audit and Risk committee at all times</p>	

	Action Point: The Chair of the Audit and Risk committee asked for reassurance from ASM in terms of Support for the risk register	HPA
10. IT Project	The CEO had provided an update on the IT project under item 6.2.	
11. Committees of Council 11.1 Motions/Specific items to Council	<p>The Chair of the ESR committee presented a motion to Council asking for approval of the Code of Conduct standards document and the associated consultation document, the following points were noted:</p> <ul style="list-style-type: none"> • The Chair provided Council with a brief overview of this project including the engagement carried out with registrants and the public, the feedback received at these events had been extremely positive. The Chair informed Council that key changes had been made to the Code of Conduct standards after the recent Chairs committee meeting including references to the Quality 2020 strategy. • The Chair thanked all staff involved in the project and informed Council that he contended that we are at a stage to issue the document for consultation. • The HPA asked Council to also consider the communications plan for the consultation simultaneously and to note the launch date proposed of 16 February. The Chair of the Corporate Communications committee highlighted that agreed policy of engagement will be used throughout the consultation. <p>MOTION: Council approved the Code of Conduct standards document and consultation document for release</p> <p>Motion: Council approved the Code of Conduct Communications plan in response to the approved consultation</p>	Proposer: Mark Nelson Seconder: Helena Buchanan Proposer: Sinead Burns Gareth Pepples

The Chair of the ESR committee asked Council to consider the recommendation from the committee to progress the work on MDS including issuing a regulatory statement and exploring further discussions with relevant bodies:

- The Chair explained that Council had previously identified issues with MDS and had agreed to produce standards however the feedback received indicated that the current legislation was sufficient and standards were not required or helpful however it was noted that this was still a high risk area.
- The ESR committee have proposed (in line with the PSA's principle of Right Touch Regulation) to issue a regulatory statement and to explore discussion with other relevant bodies such as RQIA and the HSC Board around the use and management of MDS.

MOTION: Council agreed with the recommendation to progress the work on MDS, which includes issuing a regulatory statement and exploring discussions with other relevant bodies

**Proposer: Mark Nelson
 Seconder: Sandra
 Cooke**

The Chair of the Fitness to Practise committee addressed Council and asked them to consider a paper produced by them detailing KPI's for FTP investigations:

- The Chair gave Council a brief overview of how the KPI's were produced and why there was requirement for a revision. The FTP Chair explained that the KPI's had been developed by the previous committee however we have faced criticism from

	<p>PSA in the past due to missed deadlines, in particular when external organisations are involved in the investigation.</p> <ul style="list-style-type: none">• Council were informed this paper sets out a more robust system to open efforts to enhance the flow of information between all agencies involved with FTP investigations and ensure that we have control over timelines.• The CEO informed Council that the paper follows the Principle of Right Touch Regulation in that we take a multi-agency approach in investigation and these KPI's will allow a much more interactive process with other agencies. A major criticism of regulation is the fact that it is disjointed – this approach would allow a proportionate measurement of time which reflects the time that we are actively engaged.• An enquiry by a member of Council was made why the KPI at stage one has been set to 6 months and it was noted the benefit of a local regulator should speed the process up. Council also highlighted it was unfair to use other regulators as a comparative as they are much bigger organisations.• The CEO advised that in many cases delays are caused by failure of witnesses, complainants and registrants to respond which equally affects all regulators.• The Chair agreed this was a fair comment but explained that all KPI's will be reviewed closely and he believed it was reasonable to start with benchmarks of sector standards and then look at how we can improve upon this. The CEO reminded Council that the PSA judge our performance against our KPI's and therefore it is sensible to have realistic targets.	
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11.1.2 For Council Consideration	<p>Council were asked to approve and implement the Communications and Engagement Strategy until June 2015, Council were asked to note that further work on outcomes/outputs would be carried out in the next few months by the Corporate Communications committee.</p> <p>MOTION: Council approved the Communication and Engagement Strategy for implementation until June 2015</p> <p>The President asked Council to note the draft meeting schedule for 2015/16 and asked if consideration could be given to hold at least one Council meeting per year west of the Bann. The President highlighted the difficulties for members of the public to attend meetings held at Society House if they have a long distance to travel and noted that there is no car parking facilities on site. Council agreed this approach was sensible and the President confirmed he would work with the CEO to promote the event.</p> <p>Key Decision: Council agreed the meeting schedule for 2015/16 and to hold an annual meeting west of the Bann.</p>	<p>Proposer: Sandra Cooke Seconder: Brenda Maitland</p>
11.2 Committee Action Points	<p>The key decisions and action points from recent committee meetings were available for information.</p>	
12.1 Staff Reports 12.1.1. Pharmacy Forum Report	<p>Council were asked to note the written update from the Pharmacy Forum Manager.</p>	
13. Correspondence Log	<p>There was no correspondence to note.</p>	
14. Recent and coming	<p>The President and CEO highlighted recent events under items 6.1 and 6.2.</p>	

events		
15. Any other business	<p>Council enquired if a response would be sent on their behalf to the Donaldson Report. The President highlighted that a large extent of the report is a professional leadership issue and therefore the Pharmacy Forum should respond to these matters however he noted that we could still communicate our thoughts with the Health Minister.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Action Point: The Corporate Communications committee was asked to draft a letter to respond to the Donaldson Report on Council's behalf.</p> <p>Action Point: The President agreed to discuss the report with the CPO at their next meeting</p> </div>	<p>HPA</p> <p>President</p>
16. Confidential	Council held a confidential session.	
17. Date of next meeting	The next meeting date was agreed for Tuesday 24 th March 2015 at 09.30am	

The meeting concluded at 14.00pm