

**MINUTES OF THE COUNCIL MEETING TUESDAY 24<sup>TH</sup> MARCH 2015 AT 11.45AM**

Agenda Item	<b>Present</b>	<b>Apologies</b>
<p><b>1. Introduction &amp; Welcome, Apologies, Public Attendance noted</b></p>	<p>Dr Jim Livingstone (President)            Mr Ciaran Hunter            Mrs Helena Buchanan            Mr James Perry            Mr Garry McKenna            Mr Mark Nelson            Professor David Jones            Professor Martin Bradley            Dr Lisa Byers            Miss Sandra Cooke            Mr Gareth Peeples            Mrs Marie Smith</p> <p><b>In Attendance</b></p> <p>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>Mrs Brenda Maitland</p> <p>Mrs Sinead Burns (Vice President)</p> <p><b>Public Attending</b></p>

	Discussion	Action/Supporting Information
<b>1. Council Worksop</b>	<p>Council held a confidential workshop from 09.30am to 11.45am</p> <p>The CPO options project was discussed and Council agreed to meet in late May or early June for a further session</p> <p>Council also approved the changes to the data protection policy and procedures, recommended to them by the chair of Audit and Risk Committee</p> <p>Payments to Council members and a follow up to the BDO project was also discussed</p>	
<b>1. Introduction &amp; Welcome, Apologies, Public Attendance Noted</b>	The President welcomed everyone to the meeting and noted apologies for Sinead Burns from this section and Brenda Maitland for the entire session.	
<b>2.1 Conflict of Interest</b>	No members declared any conflict of interest with regard to the agenda.	
<b>3.1 Minutes of Council</b>		
<b>3.2 Approval of the minutes</b>	The President invited Council to review the minutes from the meeting on 3 <sup>rd</sup> February 2015, Council agreed the minutes and duly accepted them as a true and accurate record of the meeting.	
<b>3.3 Matters Arising</b>	The CEO provided Council with a brief verbal update on the actions form the previous	

	meeting on 3 <sup>rd</sup> February, it was agreed all had been actioned or were addressed on today's agenda.	
<b>4. Tabling of Any Other Business</b>	No other business was tabled.	
<b>5. Presidents Update</b>	<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"> <li>• The President attended the PSA Symposium with the CEO in February, Council were asked to note the session was extremely useful had focussed on complaint handling.</li> <li>• The President asked Council to note that he had met with Chief Pharmaceutical Officer recently along with the CEO and the Vice President and a number of issues had been raised. The President had reminded the CPO that the appointments process was extremely lengthy and there were currently two members on extended memberships until October 2015; the CPO undertook to review this.</li> <li>• The President highlighted the recent meeting with the universities to the CPO and the discussions around the 5 year pharmacy degree. The CPO was content with the proposal that this organisation would facilitate discussions in this area through the establishment of a working party.</li> <li>• The CEO informed Council that the meeting also focussed on the joint Rebalancing work and Language controls. Council were informed events had taken place to promote the Rebalancing consultation and the Registrar was</li> </ul>	

	<p>working jointly with DHSSPSNI on Language Controls. Council had also received a minute of the CPO meeting in advance of the Council meeting</p> <ul style="list-style-type: none"> <li>• The CEO confirmed that he would be meeting with DHSSPNSI to discuss other pressing legislative matters before the Easter break.</li> <li>• The President highlighted the need to promote membership of boards to registrant members and asked Council if they were content to work in conjunction with the Pharmacy Forum to generate enthusiasm for these positions amongst the profession, Council confirmed they were.</li> <li>• The President confirmed he had attended the Northern Ireland Healthcare Awards recently and it was pleasing to see pharmacy feature heavily amongst the winners.</li> </ul> <p><b>Action Point:</b> The President will approach the Pharmacy Forum to seek a joint project to promote board membership amongst the profession</p>	
5.1 CEO Overview	<p>The CEO provided Council with a written report on recent activity across the business, he highlighted the following points:</p> <ul style="list-style-type: none"> <li>• PSA fees consultation is now closed and the Department of Health will confirm that the likely model is per-registrant – planning to lay Order in April 2015. The Order is likely to pass responsibility for funding to the regulators commencing 1st August 2015 (8 months). Because of the need for PSA to complete a consultation on their budget, excluding out of scope items like advice to DH, voluntary registers and support to international bodies, the quantum will not be known before October 2015. Payments will be backdated to 1st August around this time for the 8 months remaining.</li> </ul>	

	<ul style="list-style-type: none"> <li>The CEO informed Council this matter had been discussed at the recent Director of Resources meeting; it was highlighted during this meeting that if PSA are able to build up reserves (to deal with uncertainties regarding FTP and Section 29 referrals) they may be liable to corporation tax. The CEO confirmed that the other regulators have expressed concern that reserves may be taxed and that it may be more sensible to borrow to fund unexpected activity and recover from future levy. The CEO informed Council that the building remodelling work is still scheduled to begin week commencing 30<sup>th</sup> March; there should be minimal disruption to the organisation as meetings have been kept to a minimum and all staff affected can be accommodated at other work stations.</li> </ul>	
<b>6. PSA</b>	<p>The CEO presented a paper to Council detailing the progress made so far on the review of the PSA Performance Review , a brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> <li>The CEO informed Council that he and the Registrar had attended two separate meetings on 18 February to discuss the review of the submission process. The Registrar had attended a meeting to discuss the data set at which the key comparable quarterly data set was broadly agreed</li> <li>The meeting the CEO had attended discussed a proposal to introduce as fifth standard which would focus on risk management; the CEO asked Council to note that this would be around issues like Corporate Governance and he and all other regulatory attendees were not comfortable with this approach.</li> <li>The Chair of the Audit and Risk committee Mr James Perry addressed Council and provided a brief overview of a conference call he had participated in with</li> </ul>	

	<p>other regulators and Andrew Hind, Chair of the PSA Audit and Risk committee on this matter.</p> <ul style="list-style-type: none"> <li>• Mr Perry raised concerns during this meeting that a fifth standard was not necessary, he highlighted that there are 4 key regulatory functions and the current 4 standards match in quite well with each. However he asked Council to note that he flagged the real concern is essentially looking at the Corporate Governance of the organisation which is something that Council is solely responsible for not PSA. It did raise the question of the beneficiary and purpose of the PR report and arguably did not add to the review</li> <li>• . Mr Perry informed Council that he had asked PSA about their own competency to carry out such a review. He informed Council Mr Hinds had been sympathetic to his concerns and suggested looking at something less intrusive and to further discussions on risk management based on a proposal raised at the review meeting around the use of risk management as part of assessment rather than audit.</li> <li>• The CEO highlighted that PSA had now agreed the data set proposed in the draft consultation at their recent Board meeting along with alternate proposals on a fifth standard or assessment and we would have an opportunity to respond formally. Mr Perry suggested that we need to strongly voice our opposition to the introduction to a fifth standard on risk management.</li> </ul>	
<b>7. Fees consultation</b>	<p>The CEO provided a brief verbal update on the fees consultation, the following points were noted:</p> <ul style="list-style-type: none"> <li>• Discussions have taken place with DHSSPSNI on how regulations might be</li> </ul>	

	<p>developed to deal with fees 3 years in advance to ensure that the proposed fee increase and PSA levy is incorporated into the legislation without the need for three separate processes.</p> <ul style="list-style-type: none"> <li>• It has been agreed in principle with the CPO to secure a 3 year approach with the Health Minister that will allow the first year's increment and a set fee in year 2 and 3. The committee were asked to note the CPO's office is taking advice on how this can be progressed from the Departmental Solicitor's office, the CEO also highlighted the difficulty in progressing this work is that the levy will not be known until October or November meaning future increases could incorporate the levy in arrears. It was likely that the regulations for 2016/2017 would be made around October 2015 to avoid the 2016 election.</li> <li>• The CEO highlighted the urgency for an agreement to be made with DHSSPSNI and asked Council to note that if there was no agreement in time for this year's retention process (mid May) we will have to bill based on last year's fee; he confirmed he is pursuing this with colleagues in DHSSPSNI on a daily basis.</li> </ul>	
<p><b>8. Strategy</b></p>	<p>The CEO informed Council the Audit and Risk committee had reviewed both the Balanced Scorecard and the Risk Register to decide an alternate reporting format going forward, the CEO first invited Council to review the Executive Summary of the Balanced Scorecard. Members confirmed they were content with this update but asked that measures could be categorised by text as well as colour to ensure that it can be easily read.</p> <p>Council were asked to note the proposal to amend Risk 1 in the Risk Register, the CEO</p>	<p><b>Proposer: Sandra</b></p>

	<p>and the Chair of the A&amp;R committee confirmed the committee had performed a detailed review and felt that an amendment was required to the risk as in its current form it will always have a “catastrophic” outcome. The CEO highlighted the proposed changes to Council suggesting that multiple function failure may not be realistic and that to change risk 1 to “a failure to perform a key function” may be more prudent and would allow the effect of controls to be better demonstrated. The HPA confirmed he had liaised with ASM (internal auditors) and they have advised that as long as the key functions are identified and controls are in place there is no real issue for them. Whilst they suggested that there is no barrier to have a constant red risk however it maybe more beneficial to change the risk to a single key function. Council confirmed they were content with the proposed changes.</p> <p>The CEO also asked Council to consider a proposal to develop a Balanced Scorecard for the year beginning June 2015. The CEO proposed rather than start over with a new scorecard that the current version should be reviewed by the SMT and amended to reflect our current position; it will then be presented to Council in May for further development and discussion. Council agreed this was a sensible approach</p> <p>.</p> <p><b>Action Point:</b> It was agreed to use different coloured and text formats to categorise the measures Balanced Scorecard</p> <p><b>Key Decision:</b> Council agreed to amend Risk 1 on the risk register to a singular function and a revision of the risk rating to reduce the risk to major rather than catastrophic</p>	<p><b>Cooke</b>  <b>Seconder: James Perry</b></p> <p><b>Proposer: Gareth Peeples</b>  <b>Seconder:</b></p>
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	<p><b>Key Decision:</b> Council agreed to review this years Balanced Scorecard and approve the necessary amendments to create a scorecard for the year commencing June 2015. Council will be asked to review the document at their next meeting for further development before implementation.</p>	
<p><b>9. IT Project</b></p>	<p>The CEO provided a brief verbal update on the IT project being conducted by Legato, Council were asked to note that the projects around online retention, CPD and Pre Registration were on target to be completed this year As this this is the first year of online retention, registrants will be offered the choice to provide a paper form or complete their retention online this year, the CEO asked Council to note that in response to comments made during the fees consultation regarding the amount of paper issued in retention packs, a covering letter will be supplied with links to all other relevant information rather than posting large packs..</p> <p><b>Action Point:</b> Council requested the covering letter contained in the retention packs for 2015/16 is also emailed to all registrants to ensure they are aware that all other relevant information can be accessed online this year</p>	
<p><b>10. Committees of Council</b></p> <p><b>10.1 Motions/Specific items to Council</b></p>	<p>The Chair of the Resources, Mr Ciaran Hunter committee asked Council to consider the following motions:</p> <ul style="list-style-type: none"> <li>• Mr Hunter informed Council that some members had queried whether it was appropriate to fully publish and disclose Council payments, this proposal had been discussed at both the Resources and Chair committee and the proposal presented is that we should maintain the current positon that governance costs are fully disclosed within the annual accounts as a global sum.</li> <li>• Mr Hunter informed Council that there have not been any requests to disclose</li> </ul>	

this information and we do operate an open and transparent system that if any requests were made the information would be provided at any time during the year. The relative costs are low and any banding regime would be likely to have the vast majority in a single band.

- He highlighted that there are cost implications to publish this information and it does not enhance our role as a regulator or help patient safety he would therefore propose to maintain the current position.
- Council briefly debated if there was any requirement to fully disclose payments and agreed that the annual accounts contain the information which are laid before the Northern Ireland Assembly and are therefore publicly available.
- Mr Hunter asked Council to consider and approve the proposal to move to paperless meetings, he provided a brief overview of the system which was presented to Council in February 2015 by Geoff Higgins at Team Solutions.
- Council approved the proposal and asked that the number of tablets purchased reflects the number of Council members who have confirmed they are content to use their own device and therefore do not require a separate table to be purchased for them.

**MOTION:** Council agreed to maintain the current position with regard to the publication of Council payments

**MOTION:** Council agreed to proceed with the paperless meeting option with Team Solutions and the purchase of a lesser number of tablets to reflect those that had elected to use their own equipment

Mr Ciaran Hunter presented a motion on behalf of the Corporate Communications committee, Council were asked to consider the changes to the strategy map to reflect the work being done on engagement with stakeholders, and Council confirmed they were content with these changes.

**MOTION:** Council agreed to amend the Strategy map to reflect the work being done on proactive engagement with stakeholders

The Chair of the Fitness to Practise committee, Mr Garry McKenna presented a motion to Council to approve the Annual Fitness to Practise Report 2014, the following points were noted:

- Council were informed the FTP committee and Chairs committee had sight of this report prior to the Council meeting and some feedback had been provided to make changes. The Chair asked Council to note the report does not reflect the changes to the FTP KPI's Council had endorsed in February this year.
- The Chair drew Council's attention to the increase in the number of cases and asked them to note the report also contains learnings throughout the report. The President suggested it would be helpful if the learnings could be outlined within an individual section in the report.
- The Registrar informed Council that the Pharmacy Order (1976) requires Council to provide their observations on the report and for the Chair of the Scrutiny committee to produce a report on the learnings of the cases. Council were informed the observations were not contained within this version of the report and this could be agreed by Council electronically or by the FTP committee.
- Members of the FTP committee had informed Council they had made

	<p>suggestions for amendments to the report by email to the Registrar and had suggested further review was needed to complete the report.</p> <ul style="list-style-type: none"> <li>The Chair agreed to withdraw the motion and present to Council at their next meeting in May, the FTP committee can further the report and produce suggested observations for Council. Council agreed they were content with this approach.</li> </ul> <p><b>Action Point:</b> The FTP committee Chair agreed to further review the Annual FTP Report 2014 and present to Council again at the meeting on 12<sup>th</sup> May for approval</p> <p><b>Action Point:</b> Council requested that the learning points are highlighted in its own section within the Annual Fitness to Practise report</p>	
<b>10.1.2 For Council Consideration</b>	<p>Council were asked to note the following reports for information:</p> <ul style="list-style-type: none"> <li>CPD Report 2013/14</li> <li>Update on Continuing Fitness to Practise</li> </ul>	
<b>10.2 Committee Action Points</b>	<p>The key decisions and action points from recent committee meetings were available for information.</p>	
<b>11. Staff Reports</b>		
<b>11.1.1. Pharmacy Forum Report</b>	<p>Council were asked to note the written update from the Pharmacy Forum Manager.</p>	
<b>12. Correspondence Log</b>	<p>Council were asked to note correspondence received from Dr Kathryn Aiken inviting 3 representatives to attend an event with members of the Committee for Health, Social Services and Public Safety on 20<sup>th</sup> May at Parliament Buildings.</p>	

	<b>Action Point:</b> Council were asked to feedback any issues they feel should be included in the briefing paper provided to the Health Committee for the event on 20 <sup>th</sup> May 2015	
<b>13. Recent and coming events</b>	The President and CEO highlighted recent events under items 5, 5.1 and 12.	
<b>14. Any other business</b>	No other business was discussed.	
<b>15. Confidential</b>	Council held a confidential session that was not minuted, please note agenda item 1.	
<b>16. Date of next meeting</b>	The next meeting date was agreed for Tuesday 12 <sup>th</sup> May at 09.30am	

**The meeting concluded at 13.20pm**