

MINUTES OF THE COUNCIL MEETING TUESDAY 4TH NOVEMBER 2014 AT 09.30AM

Agenda Item	Present	Apologies
1. Introduction & Welcome, Apologies, Public Attendance noted	<p>Dr Jim Livingstone (President) Mrs Sinead Burns (Vice President) Mr Ciaran Hunter (Honorary Treasurer) Mr Garry McKenna Mrs Helena Buchanan Mr James Perry Mr Mark Nelson Dr Lisa Byers Items 4.1-16 Only Mrs Marie Smith Professor David Jones Items 1-10.1.b Only Professor Martin Bradley Mrs Brenda Maitland Items 1-10.1.b Only Miss Sandra Cooke Mr Gareth Peeples</p> <p>In Attendance Mr Trevor Patterson (Chief Executive) Mr Brendan Kerr (Registrar) Mrs Joan Duffy (Business Manager) Mr Mark Neale (Head of Public Affairs) Miss Michelle McCorry (Post Registration Lead) Mr Peter McKee (Pre-Registration Lead) Mrs Claire Williamson (Executive Assistant)</p>	<p>Public Attending</p>

	Discussion	Action/Supporting Information
<p>1. Introduction & Welcome, Apologies, Public Attendance Noted</p> <p>1.1 Conflict of Interest</p>	<p>Dr Jim Livingstone, the newly appointed President of the Pharmaceutical Society of Northern Ireland welcomed everyone to the meeting and stated he was delighted and honoured with his appointment and looked forward to working with everyone on Council and in the organisation over the next 4 years. No apologies or public attendance was noted</p> <p>Mark Nelson declared a potential conflict of interest as a registrant with regard to the discussion on the fees consultation at item 7, the other registrant members of Council agreed they would need to declare this as an interest at this time.</p>	
<p>2.1 Minutes of Council</p> <p>2.2 Approval of the minutes</p> <p>2.3 Matters Arising</p>	<p>The President asked Council to review the minutes from the meeting on 15th September, they were accepted as a true record.</p> <p>The CEO confirmed all matters arising were addressed on the agenda or had been actioned.</p>	<p>Proposer: Garry McKenna Seconder: James Perry</p>
<p>3. Tabling of Any Other Business</p>	<p>The President drew attention to the Agenda item at 14, Chairs Forum membership – no other business was tabled</p>	
<p>4. Presidents Update</p>	<p>The President informed Council that he intended to provide a brief report at each meeting to report on activity he had undertaken between meetings.</p> <p>The President informed Council that he felt his role is to ensure that all members are able to contribute in the Council meetings and asked that members raise their hands if</p>	

	<p>they would like to contribute to discussion and await invitation to speak, to ensure that all views are considered and that time is used as efficiently as possible during the meetings. He also informed Council that he would value their feedback and asked them to feel free to approach him with any issues or suggestions they may have to improve management of meetings. He asked Council to note that he planned to review the governance structure during his 4 year term to ensure that we remain an exemplary regulator.</p> <p>The President informed Council that he would like the Council agenda to use a labelling system such that all Agenda items will fall under one of the following categories: For Noting (with no discussion or questions), For Information (where discussion and questions are appropriate), and For Decision (where Council needed discussion and was asked for a specific decision). The President informed Council that again this is to manage time more efficiently and ensure that members are able to better prepare for meetings. Council endorsed this as a sensible approach.</p>	
<p>4.1 CEO Update</p>	<p>The CEO directed Council to the written paper he had provided within their packs and provided a brief verbal update on some of the issues, a brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> • The CEO informed Council he had got more commitment that morning from the NMC regarding the use of the building for Fitness to Practise hearings. The NMC have committed to a 12 month contract with a specific commitment to 10 days per month in the first 6 months. The CEO explained that some suggestions had been made in terms of remodelling and other adjustments in order for the NMC and ourselves to get the best use out of the building, he asked Council to note that the NMC have been very positive about the staff and the admin support they have received. • Council were asked to review the three different options in the paper provided by the CEO in order to make the building more efficient and to generate additional income from other regulators using the building. The CEO informed Council the first option is to simply do nothing and therefore lose the additional bearing in mind the current deficit the organisation is facing. Council were invited to review the other two options which would require some building work and create additional meeting room space. • The CEO asked Council to note that option 3 is the preferred option from an executive perspective, even though it would cost more it would give us greater capacity as it maximises space usage, gives greater flexibility to disabled access, 	

	<p>less staff would be working in areas of public access and it is more sensible to have public access facilities on the ground floor where possible from a privacy and security perspective. This CEO informed Council an estimated cost of £11k plus VAT has been included in their papers for consideration.</p> <ul style="list-style-type: none"> • After some discussion Council confirmed they were content with the preferred recommendation however some assurances were sought from members in terms of confidentiality and ensuring that the reception area still looked appropriate for the organisation. Council also agreed that by creating more room other regulators may want to avail of our facilities however they did seek assurances regarding partitions in the Council Chamber around noise and soundproofing if stud walls were used. • Council enquired if the arrangement of letting out facilities to other regulators would impinge or delay our own Fitness to Practise cases. The CEO confirmed that this should only be the case with Interim Order hearings as they need to be arranged with short notice however he envisaged that any delay would be minimal and managed appropriately. The CEO informed Council the NISCC had previously offered the use of their facilities and hearings have taken place at the offices of Cleaver Fulton Rankin when necessary. Any delay would be measured in days and alternative provisions would be sought where necessary. . • The Vice President informed Council it is important to safe guard the work of the organisation and enquired if there have so far been additional costs and any administrative support in relation to other regulators using the facilities. The CEO confirmed there are minimal costs in relation to catering costs and staff might accrue small amounts of TOIL or overtime when asked to come in early or stay late. The CEO informed Council the other regulators bring their own admin staff and internal staff are required only for minor tasks through the day. The VP reiterated that it is important to have a process in place to protect the boundaries of the limited resource we currently have. • The President advised that the proposals were best viewed as a means to potentially make better use of facilities for PSNI's benefit rather than meeting the needs of any particular outside organisation seeking to make temporary use of its premises. • The CEO informed Council there was an urgency to start the remodelling and enquired if they were content for him to obtain tender bids from contractors and report back via the Resources committee if the costs are over the estimated 	
--	--	--

	<p>costs. The Honorary Treasurer confirmed a Resources meeting would be held within the next 2 weeks and this could bridge the gap of reporting between Council meetings and communication could be done with Council electronically if necessary.</p> <p>Action Point: The CEO agreed to obtain quotes/tender bids for the remodelling work (options 2 and 3,) and report to the Resources committee on the tenders received and report on the progress at the Council meeting on 15th December</p> <p>Action Point: The CEO agreed to develop a formal management process especially for internal FTP cases, to protect PSNI interests when the building is in use by other regulators or users, and in particular on the use of Pharmaceutical Society of Northern Ireland staff.</p>	<p>CEO</p> <p>CEO</p>
<p>5. PSA</p>	<p>The CEO asked Council to note the PSA submission timetable for information and informed them that the work is on schedule and a report will be made through the Audit and Risk as previously agreed if there are any expected delays to the submission deadline. The CEO undertook to alert Council to any major issues identified in the submission and to provide Council members a copy of the submission when available.</p> <p>The Registrar was asked to provide a brief overview of the action plan in response to the PSA audit and the requirement to review KPI's, a brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> • The Registrar gave Council a brief overview of the process of the audit performed by the PSA in relation FTP cases for the benefit of the new Council members. He informed Council they had carried out an audit in October 2013 and again in May 2014, both outcomes had some critical points however the PSA had stressed at no time was there any risk to patients and decisions were appropriately made. Most of the critical points concerned the quality of documents second verification of evidence and timeliness of the administrative procedure for cases. • The Registrar referred to the action plan that had been drawn up in response to the audit and informed Council that the progress of this would be reported via the Fitness to Practise committee. • Council briefly discussed the issue raised earlier in the year regarding the legislation around subjecting students to FtP proceedings. Council enquired if the proposed meeting with the Chief Pharmaceutical Officer would seek to address 	

	<p>this issue and ask that the provision is included in the legislation. The CEO confirmed the agenda for the postponed meeting with the CPO had included this matter; Council agreed that as the regulator it was important to ensure we identify the best outcome and have an agreed plan prior to attending the meeting. The CEO advised that the confidential business on the agenda would further consider this matter</p> <ul style="list-style-type: none"> The Registrar informed Council of the purpose of using KPI's in the FTP processes and provided a brief overview of their development. It was acknowledged that our KPIs are currently difficult to meet and more punitive than those used by other regulators. Council were asked to note that a regular update on KPI's will be provided to the Fitness to Practise committee and reported to Council. The FtP committee will be asked to recommend new KPI's to Council for approval which will commence operation in January 2015 if approved, the Registrar informed Council this will therefore be reported to Council at their meeting in December. Council asked the Registrar to note that the KPI's should focus on patient safety and be risk based. 	
<p>6. Appointments to Committee and Councils</p>	<p>The VP gave a brief overview of the committee appointment process and informed Council that she has endeavoured to ensure that the selections will best support the work of the organisation. Council were asked to note that she is keen to review the overall structure over the next 2 years and would involve members in this to gain a fresh perspective. She also asked Council to note that committee Chairs will be appointed for up to 2 years for now.</p> <p>Action Point: The VP agreed to review the membership of the Corporate Communications committee and Fitness to Practise committees to ensure there was an appropriate population of lay and registrant members</p>	<p>Vice President</p>
<p>7. Fees</p>	<p>The Chair of resources and Business Manager addressed Council to provide an overview of the current fees consultation and budget for 2014/15, a brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> The Business Manager gave Council a brief overview of the highlights of the Budget and biggest drivers (FtP and Governance Costs) for the deficit expected. The HT informed Council the plan to increase fees over a three year period, combined with the use of reserves, additional income and savings will address the deficit. A brief discussion took place regarding the consultation process and Council were asked to note the consultation period will end on 22nd 	

	<p>December 2014</p> <ul style="list-style-type: none"> Members of Council enquired if the figure allocated to FTP spend as a percentage is merely the legal, administrative and panel costs or if it takes into account staff resources and therefore it is important to have clear costs in the budget. Council stressed that it is critical to demonstrate clear costs to ensure that any fee raise is credible, and to ensure the profession is aware of other work that drives costs. The CEO asked Council to note that it is difficult to objectively divide costs out in terms of staff. It can be argued that large parts of staff costs could be included in the governance costs for example CEO and portions of SMT bearing in mind that staff costs are more than half the budget. It was suggested that KPI's should be used in terms of the budget to provide a real focus on FTP costs and to ensure they are driven down as much as possible. The Chair of Resources advised that there were limitations to the areas where costs could be reduced – work had already been done to control legal costs through capping. <p>Action Point: The BM and Chair of Resources will draw up a list of suggestions for KPI's for finance and report back</p>	<p>BM and Chair of Resources</p>
<p>8. Strategy</p>	<p>The CEO asked Council to note the Strategy documents and confirmed the previous members of Council had approved them for use from June 2014 to May 2015. He asked Council to note that some dates contained in the Balanced Scorecard would need to be amended as the final version has only been approved and operating since September.</p> <p>The President invited Council to comment.</p> <p>Members of the Corporate Communications committee expressed concern that the Strategy map has not captured the work and aim of public engagement that has been the focus of the Communications Strategy. It was agreed the committee would provide the CEO with a form of words to ensure this is reflected correctly in the Strategy map.</p> <p>Action Point: The Corporate Communications committee will provide the CEO with a</p>	<p>CEO/Chair of CC/HPA</p>

	<p>form of words to amend the Strategy Map and report back the Council meeting in December for approval on the proposed changes</p> <p>A member of Council enquired if the PSA submission would be presented to them prior to the submission date, the CEO reminded Council as per the agreement made by Council the previous year the submission will be shared with them as soon as it is available, Council were asked to note the tight schedule does not allow for feedback and changes which is why the Audit and Risk committee are tasked with the oversight of this process to ensure that any issues are reported in advance and the timetable is adhered to. Garry McKenna reminded Council that great steps had been taken to ensure that the PSA process is as efficient as possible and he has confidence in the staff team to inform Council if there are any potential issues they need to be aware of, he informed Council the process is at a healthy position and he takes confidence from the successful report last year that the organisation will again meet the standards required.</p>	
<p>9. IT Project</p>	<p>The CEO provided a verbal update on the IT project and informed Council that the contractor Legato have been working to schedule on various aspects of the agreed project and they have provided further assurances with regard to all aspects of the system.</p> <p>Council members asked if there was another way to access their meeting papers online as the current system is extremely frustrating and not user friendly. The CEO informed Council that he recognised that the current system was clunky but a gap analysis is currently being performed with regard to ISO27001 and this will better inform of us of which system we should be using, he informed Council that he is nervous about posting papers out to members due to data protection issues. The BM advised that she is working with IPoptions to endeavour to ensure that all members can access the portal which will allow direct access to the server.</p>	
<p>10. Committees of Council</p> <p>10.1 Motions/Specific actions to Council</p>	<p>Council were asked to note the timetable contained in the Continuing Fitness to Practise report.</p> <p>The Head of Public Affairs addressed Council and asked for approval and comment on the proposed response to the consultation on the PSA fees consultation, a brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> • The HPA provided a brief overview of the consultation and informed Council the PSA would cease to be an NDPB after the HMG review in 2010 when suitable 	

	<p>legislation was enacted and therefore became a self-funded organisation. The organisation was to be funded by a levy under this agreement and this has not been switched on until now as there was a disagreement between DH and Treasury on the method of apportionment.</p> <ul style="list-style-type: none"> The consultation will ask how the levy is to be collected, what payment conditions should be applied and what functions the levy should be applicable to. The HPA presented a draft response for Council's consideration and informed Council the closing date for the consultation is 25th November 2014. <p>Key Decision: Council approved the proposed response to the PSA fees consultation as presented by the HPA</p> <p>The CEO asked Council to review the proposed changes to the Pharmacy Forum Scheme of Delegation; Council noted the proposed grammar changes and approved them for inclusion in the scheme of delegation. Council enquired if changes made to item 5.2 (in relation to the finance of the PF) was sufficient to capture Council's discussion on how the PF should be subject to the same financial scrutiny as the regulator. Council agreed a form of words they believed would be appropriate to ensure there was sufficient clarity in this area.</p> <p>Key Decision: Council approved the changes proposed by the Pharmacy Forum in relation to the Scheme of Delegation and proposed a further amendment at item 5.2. (insert degree of scrutiny and audit) Council confirmed subject to the Pharmacy Forum's Board approval this document was ready to sign</p>	
<p>10.1 For Council Consideration</p>	<p>Council were asked to note the presentation on Duty of Candour and the Code of Ethics PID document for information only.</p> <p>The Registrar and Post Registration Lead presented a CPD summary report to Council for information. Council noted the CPD process had been extremely successful and a registrant survey has been carried which will aim to improve the process further for registrants. The President enquired how targeted sampling was performed and asked what portion of the sample is targeted. The Post registration lead confirmed that 5 people out of a sample of 210 were targeted this year and these are registrants that may have previously failed the CPD process.</p>	

	<p>The Registrar provided an overview of the EU directive on Professional Qualifications and asked Council to note the impact on pharmacist's registration in Europe. Council were informed that the introduction of the EPC card would enable mobility within the EU and allow members to work anywhere within the EU, the Registrar informed Council many of the UK Regulators had opposed this card as the risks for regulators in validating the integrity of moving professionals will be greatly increased. Council were asked to note that there may be implications for this organisation in terms of staff training and administrative costs. Key issues are around translations, time frame, costs and the degree of information held and shared by EU regulators – some issues that UK regulators consider for FtP may not be considered by non UK regulators</p> <p>Members of Council asked if we could lobby as a devolved regulator not to be included in this directive, Mr McKenna informed them that we cannot change an EU directive but can look at how it will work for us. The President confirmed this issue would be included on the agenda for the next meeting with the CPO.</p>	
11. Staff Reports	The manager of the Pharmacy Forum attended Council to provide a verbal overview on her written report and to introduce herself to the newly appointed Council members. The PF manager highlighted the current work of the PF Board and asked Council to approach her with any further queries they may have. The President thanked Mrs Greenfield for a comprehensive and informative report.	
12. Correspondence Log	Council were asked to note the enclosed correspondence from Dr Kathryn Aiken, Clerk to NI Health Committee.	
13. Recent and Coming Events	The President informed Council that he had attended the Ulster Unionist Party Conference on 18 th October with the HPA. He informed Council that he will attend the other party conferences in due course. He also attended a prize giving event at University of Ulster, School of Pharmacy in his role as President.	
14. Any Other Business	The President invited Council to consider approving Pharmaceutical Society of Northern Ireland joining the Chairpersons' Forum The President informed Council it was an excellent way to interact with other public sector organisations and will assist the organisation in its focus on good governance structures. The annual fee to join the Chairperson's Forum is £330.	

	<p>The President advised that the CEO was considering membership of the parallel organisation, the CE Forum NI.</p> <p>Key Decision: Council approved the President's request to join the Chairpersons' Forum</p>	
15. Confidential Session	This session was held in private and was not minuted.	
16. Date of Next meeting	The next meeting was confirmed for Monday 15 th December at 09.30am, venue to be confirmed.	