

MINUTES OF THE COUNCIL MEETING MONDAY 15TH SEPTEMBER 2014

Agenda Item	Present	Apologies
<p>1. Introduction & Welcome, Apologies, Public Attendance noted</p>	<p>Mr Garry McKenna (Acting President) Mr Ciaran Hunter (Honorary Treasurer) Mrs Helena Buchanan Dr Anne Marie Telford Mr James Perry Mr Mark Nelson Dr Lisa Byers Items 3-16 Only Mrs Marie Smith</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) Miss Grainne Magee (Policy Advisor) Mr Peter McKee (Pre-Registration Lead) Mrs Claire Williamson (Executive Assistant)</p>	<p>Mr Paul Douglas Professor David Jones Professor Martin Bradley Mrs Brenda Maitland</p> <p>Public Attending Mr John Corr (PSI)</p>

	<ul style="list-style-type: none"> • The CEO informed Council that work was continuing on the Law Commission Bill and he had provided a response to the first draft of the Language Testing Section 60 Order and set out Council's position that they are content subject to the creation of a suitable appeals mechanism. • In relation to section 1 of the report and the LC recommendation at 2.40 Council confirmed that they were willing to be included in the LC Bill subject to safeguards, namely that the draft Bill should not interfere with the legislative competency of the devolved Assembly and would allow a separate mechanism to extend our current responsibilities. • The CEO confirmed the trial period with the NMC using the FTP facilities is now complete and they are content to continue using the building subject to some minor amendments being made to allow them the use of 5 meeting rooms. The Acting President welcomed this outcome and highlighted that, in the upcoming fees consultation, it should be demonstrated the organisation has taken every possible step to increase and utilise the income received. The CEO also highlighted that further savings will be made under the proposed IT review which would be set out in further detail under agenda item 9. • The CEO provided a further update on the agreed MOU with the Disclosure and Barring Service. Council had previously agreed this MOU at their meeting on 22nd July however it has been delayed. At the most recent Chief Executive Steering Group meeting the GMC highlighted that the Department of Health (London) had promised guidance on referral criteria and process ahead of any MOU and this had not yet been delivered, DH have now changed their position and are not planning to issue guidance. The CEO asked Council to note that the GMC are leading on this on behalf of the other regulators and the MOU is on hold, pending the outcome. 	
5. PSA	<p>The CEO presented the proposed timetable and action plan to Council ahead of this year's PSA submission. A brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> • The CEO asked Council to note the enclosed timetable. As the Policy Advisor would be leaving the organisation in October for a new post some of the dates may need to be amended and an alternate plan may be proposed. The CEO confirmed that the Audit and Risk Committee had oversight of the plan and confirmed they were content. The PSA template is expected to arrive with the 	

	<p>CEO by Monday 22nd September.</p> <ul style="list-style-type: none"> • The CEO informed Council that the final FTP Audit report had not yet been received from PSA with regard to the audit performed earlier in the year. The CEO confirmed that further evidence was requested by PSA around 3 weeks ago and this had been quickly supplied.. • The Chair of the FTP committee Dr Anne Marie Telford provided Council with a brief overview of the audit process. The PSA had reviewed 12 cases that were closed at an early stage i.e. by the Registrar. The Chair informed Council that initial feedback suggested that areas of weakness were identified and areas that needed improvement. These included better record keeping and improving consistency in case management. • The Registrar and his team produced a detailed action plan that would address some of the concerns highlighted during the audit from the PSA. The Chair asked Council to note the action plan presented in their papers and informed them the FTP committee had recommended this plan for implementation and that it should be kept under review, with frequent reports to Council on its progress. • The Acting President enquired if it was fair to say that most of these cases that were audited were part of the old regime and had not been privy to new arrangements in place since the previous PSA audit. The FtP Chair confirmed they were and a motion later in the agenda with relation to case management would further address the issues raised and implement new procedures to ensure there is consistency across all cases. The Chair informed Council that the PSA audit report should be reviewed and opportunities for improvement should be sought. 	
<p>6. Annual Accounts</p>	<p>The Honorary Treasurer was invited by the Acting President to present the annual accounts for the year ending 31st May 2014 to Council for approval. A brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> • The Honorary Treasurer (HT) provided Council with a brief overview of the accounts process this year and the interaction this year between Baker Tilly Mooney Moore with both the Resources and Audit and Risk committees. The HT noted that next year it would be more beneficial for BTMM to attend the Audit and Risk committee to provide an oversight and overview of the actual audit process rather than recalling the account details as they do with the Resources committee. 	

	<ul style="list-style-type: none"> • The HT highlighted the highs and lows of both the income and expenditure this year and asked Council to note the key drivers of expenditure. He confirmed that FTP costs have dramatically risen this year along with governance costs. The HT acknowledged that there is a problem forecasting FTP costs but, whilst reviewing the current spend of other regulators, he has noted that they are spending much more in this area. • The HT informed Council that there will be an operating deficit after projects this year of £62k which, in comparison to a surplus of £13K the previous year, is a vast difference. Council were informed the organisation has solid reserves of over £1m and are able to absorb the deficit this year but this could not be sustained over a longer period of time. The HT informed Council the aim is to reduce the reserves down to a level where the organisation has an operating fund for 6 months. • The HT highlighted management of liquid resources (i.e. cash) to Council and informed them that a sum of £300k was transferred to an investment account so although the balance sheet shows that cash is down this is not altogether accurate. Council were asked to note that access to the funds in these investment accounts is available virtually immediately if necessary. • Council enquired why the value of the building is understated in the accounts and if this was a realistic picture. The HT acknowledged the building would be valued at a much higher value however the original purchase is depicted in the accounts, and in order to realise the value of the building in the reserves it would have to be either sold and leased back or sold and the organisation would need to relocate to rented property and both options would be a much higher cost annually to the organisation. • The Acting President thanked the HT and Business Manager for their efforts on preparing the accounts and the Chair of the Audit and Risk committee for his oversight role in the process. <p>MOTION: Council approved the annual accounts for Year End 31st May 2014</p>	<p>Proposer: Mark Nelson Seconder: Jim Perry</p>
<p>7. Fees Consultation</p>	<p>The Honorary Treasurer presented the draft fees consultation to Council for consideration and provided an overview of the current fee structure and highlighted the</p>	

	<p>deficit predicted for the following year. A brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> • Council reviewed the questions in the consultation document and also reviewed the format and structure of the document. The HT gave an overview of each of the tables and graphs contained within the document. He asked Council to note figure 2 which demonstrated what the fee would currently stand at if it had been in line with inflation since the last fee increase in 2009. This table also demonstrated the savings to registrants with the proposed fee structure set out in the consultation by following the assumed 2% increase in inflation each year. • The CEO informed Council that, if the PSA levy is introduced, these costs would be passed to the registrant. Council enquired if more detail on the levy should be included and ensure registrants are aware that the PSA would be consulting on this. The CEO suggested that it is made clear that we anticipate this consultation will take place and the levy will be a statutory requirement, Council agreed as registrants should not be engaging with this organisation on this particular issue. • Council asked for minor amendments to the document to ensure there is total clarity including a footnote explaining that governance costs on 2012/13 are only a part year cost as the new regime started on October 2012 and to highlight the anticipated costs are not anticipated to rise further going forward. A request was also made to ensure that it is clear that DHSSPSNI are responsible for collecting premises fees and a reference to the legislation regarding DHSSPSNI's involvement in setting pharmacist retention fees. • One member of Council asked if the increase was sufficient. The HT replied that the modelling suggested that with further planned activity and control of current costs we aim to break even on operations by the end of the period. There would be opportunities for Council to revisit the position if circumstances change. <p>MOTION: Council approved the draft fees consultation for circulation on 22nd September for a 12 week consultation period subject to minor amendments as discussed during the meeting</p>	<p>Proposer: Anne Marie Telford Seconder: Jim Perry</p>
<p>8. Strategy</p>	<p>The CEO gave Council a brief overview of the work that has been carried out since June 2014 to review and develop the Council strategy, Council were asked to note the draft Balanced Scorecard, the Strategy Map and the Risk Register that have all undergone significant review and change during this process.</p>	

	<p>Council agreed that the draft presented was much more detailed and ensured that Council would remain strategically focussed. Council agreed they were content to recommend the strategy documents to the new Council (starting October 2014) as a guide. Council asked that it was noted the Balanced Scorecard remains a fluid and changeable document.</p> <p>The HPA gave Council a demonstration of the automated Risk Register system as provided by ASM. The top 5 strategic risks were reviewed and the HPA explained how the risks and controls have been applied to determine the overall rating of each risk. The HPA demonstrated how the risk registers will be managed going forward and how reports will be generated for Council to review.</p> <p>The Acting President asked Council to note that by using this system the risk register will naturally flow from the internal audit with ASM and allow us to be more introspective and choose how and what is managed. He noted this system has a huge capacity to provide high level information and therefore ensure Council remains strategically focused.</p> <p>Mr John Corr enquired if the system was bespoke for this organisation., The HPA confirmed it is bespoke for ASM however they offer this facility to all their clients. The CEO informed Mr Corr that, as ASM use a risk based approach to their internal audit work it allows them to constantly map the risks against the Balanced Scorecard and ensure that Council are therefore encouraged to explore the links between the scorecard, the strategy and the risk register.</p> <p>Key Decision: Council were content to approve and recommend the Balanced Scorecard and Risk Register to the new Council for adoption</p>	
<p>9. IT Tender</p>	<p>The CEO informed Council that the IT tender had been awarded to Legato as agreed with the Resources committee and provided them with a brief overview of the IT tender process. Council were asked to note that three companies were invited to submit a tender however one of the companies did not submit as they felt they could not adequately predict the level of support required in the early stages.</p> <p>The CEO highlighted the anticipated costs that will be saved with the new IT project, the likely savings amount to £8-10k per annum which represents a very good investment</p>	

with a return on investment in less than 5 years. The bid from Legato amounted to £47,250 which was £1,600 over budget however as stated the costs saving over the next 5 years will be much more beneficial. It is anticipated that online retention will be in place within the next 18 months and this will save direct costs and staff resource.

The CEO informed Council that Legato have started the process of taking over the CPD online site from QUB and it is hoped this will be a smooth transition with no effect on registrants. Council welcomed the CPD site being brought in house as a positive step and noted the other areas of improvement that will be explored. Council confirmed they were content with this decision to award the tender to Legato and commended the CEO for securing a good price and hoped that staff could be released from some current activity to concentrate on other areas of work.

The HPA asked Council to consider the proposal with regard to implementing the ISO Standard 27001: 2013. Council were informed that following the Data Breach in July 2013 it was identified that the organisation should be compliant with the requirements of ISO 27001. An organisation was appointed to perform a gap analysis project to identify the needs and requirements to consider what work was required to ensure the standard was met.

The HPA informed Council that by implementing this system it would provide Council with further confidence that all information systems are as secure as possible. The HPA confirmed that other regulators are looking at similar systems and working towards the standard however they are not paying the extra cost to get the certification. The HPA suggested a similar approach and informed Council that it could form part of the internal audit process to ensure there is oversight from a third party.

Council were asked to note that the cost to employ Quadra to undertake this work is £3,000. Council expressed they were content with this approach and the cost was modest to ensure further security is gained around information systems.

Key Decision: Council were content with the appointment of the IT Tender to Legato and the recommendations to proceed with meeting the standard for ISO 27001 with a decision to be taken on certification later

<p>10. Committees of Council</p>	<p>The Acting President invited the Committee Chairs to present the motions from their individual committees to Council. The following points were discussed:</p> <p>The Chair of the ESR Committee Mr Mark Nelson asked Council to consider the following motions for approval:</p> <ul style="list-style-type: none"> • Council were asked to note that changes to the timescales contained in the 'Assuring Fitness to Practise Report' had been provided and this was mainly based on pressures from PSA and whether or not legislative approval would be required to carry forward a revalidation / CFtP project. Therefore two timetables have been included in the report to accommodate options with, and without, legislative support. The Chair asked Council to note that there is minimal difference in the time and the project is largely improving on the current CPD regime and ensuring the PSA principles are incorporated. <div data-bbox="609 671 1715 743" style="border: 1px solid black; padding: 5px;"> <p>MOTION: Council approved the report 'Assuring Continuous Fitness to Practise' and the associated timelines for adoption</p> </div> <p>The Chair of the Corporate Communications committee, Mrs Helena Buchanan presented the following items for approval:</p> <ul style="list-style-type: none"> • The CEO asked Council to approve the draft Annual Report 2013/14 on behalf of the Chair. He informed Council that the draft report had been circulated to all Council members for consideration prior to this meeting and no feedback had been received. He requested that members raise any substantive issues as the deadline was approaching for the report to be laid before the NI Assembly. Council confirmed they were content with the report. • The Honorary Treasurer enquired if Council and the SMT were content with the information provided by the Pharmacy Forum in this year's report. The CEO confirmed that any factual errors could be corrected however any opinions should be flagged as their opinion and not the regulators. Council requested that a note is included on the cover to ensure that it is clear there are two separate reports contained within the one document. The HPA asked Council to note that there is a clear separation in the report at page 39 by using a different format and layout. • A request was made to correct the date on page 38 from 13/14 to 14/15 and to make the "What we do" section consistent in both the report and fees consultation 	<p>Proposer: Ciaran Hunter: Seconder: Mark Nelson</p>
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	<p>MOTION: Council approved the draft Annual Report 2013/14</p> <p>Action: Council requested date amendments were made to page 38 from 13/14 to 14/15 and make the “what we do” section consistent in both the annual report and fees consultation</p> <ul style="list-style-type: none"> • The Chair asked Council to consider the proposal to measure public perception of the organisation by means other than a public survey. Council were asked to note that the cost of a survey would be extremely high and the committee felt that ‘as we would be unsure what new information would be obtained’ it would not be a good use of resources. The Chair informed Council that excellent work had been carried out recently with public groups through pre-consultation exercises and the committee felt it would be more beneficial to improve on this area of work. Council were asked to note that the committee would be meeting on 30th September to approve the Communications Strategy for the year ahead and this engagement would play an integral part of the strategy. • The Acting President agreed with this approach and stated that it is difficult to sometimes identify who the “public” are and this would allow a more structured approach to identify these groups. The CEO reminded Council that the last PSA submission had criticised the low up take in the registrant survey last year therefore this approach would demonstrate that learnings were taken from this. • The Chair asked Council to consider the committee’s proposal to request to meet the Health Committee at the NI Assembly. The committee felt it would be a positive step in raising the organisation’s profile as part of the new Communication Strategy for the year ahead. Council agreed that it is a good idea to approach them with an invite for a positive issue to highlight the excellent work of the organisation rather than being invited in front of them to submit evidence. • Council suggested that an invite should be extended to them to use the building to meet with a community group and we could facilitate this session and therefore they can get a feel for what we are about and try to get some time with them before or after the session. Council agreed to this approach and asked the HPA 	<p>Prosper: Helena Buchanan Seconder: Ciaran Hunter</p> <p>HPA</p>
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	<p>to make initial contact with the Clerk of the Health Committee to explore options.</p> <ul style="list-style-type: none"> • The Chair asked Council to consider the proposal from the committee on developing a policy on Horizon Scanning. The Policy Advisor was invited to provide a brief overview of the proposal. • The Policy Advisor informed Council that the current Horizon Scanning process was not being utilised to the full and the proposal being presented was to ensure that all committees also receive the relevant information that may be useful to inform their work streams. The PA gave an overview of the three activities for consideration reports to committees, focussed research and an annual workshop with key stakeholders. • Council agreed this was a very sensible approach and highlighted it was important for committees to have a focussed approach to work streams. The PA confirmed that relevant areas will be isolated for committees and this will be performed through the reports. • The Acting President took this time to thank the Policy Advisor for her contribution and commitment during her time in the organisation and wished her well in her future role. <p>MOTION: Council approved the draft Annual Report 2013/14 subject to the minor amendments listed</p> <p>MOTION: Council approved the request to not conduct a public perceptions audit and measure perceptions by other means</p> <p>MOTION: Council approved the request to explore options for the issue of an invite to the Health Committee to hold a meeting or special event at the organisation and seek a meeting beforehand to raise the organisation’s profile</p> <p>MOTION: Council approved the proposal on Horizon Scanning</p>	<p>Proposer: Helena Buchanan Seconder: Ciaran Hunter</p> <p>Proposer: Helena Buchanan Seconder: Marie Smith</p> <p>Proposer: Mark Nelson Seconder: Jim Perry</p> <p>Proposer: Helena Buchanan</p>
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	<p>The Chair of the Fitness to Practise Committee Dr Anne Marie Telford presented the following items for consideration:</p> <ul style="list-style-type: none">• The Chair informed Council that the Registrar and the Pre-Registration Lead had recently attended observation days with NMC and the GPhC and, along with the feedback they took from this and the internal audit this year, they have devised a proposal to broaden the base on which risk is assessed in FtP cases and take forward a plan for case management.• The strategic direction for case management involves ensuring there is a clear separation of roles within the progression of cases and building clear timelines into cases. Council welcomed this proposal as a positive step and highlighted that it would address some of the issues raised during the internal audit with ASM. <p>MOTION: Council approved the recommendation from the FTP committee on the strategic direction of the updated case management framework</p> <p>The Honorary Treasurer presented a motion for consideration on behalf of the Resources committee. Council were asked to give the committee the authority to spend £2K per event and a maximum spend of £10K within any given financial year. The CEO asked Council to note that they had previously agreed on this in principle but had not agreed a limit. Council agreed this was a sensible approach and will ensure that Council does not need to take time to discuss minor amounts of spend nor the executive to delay important activity.</p> <p>MOTION: Council approved the recommendation to give the Resources committee authority to spend £2K per event against any budget head for operational reasons with a maximum authority of £10k in any given financial year</p> <p>The Audit and Risk committee Chair Mr Jim Perry asked Council to consider the policies on Whistleblowing, Expenses and Fraud along with the amended committee Terms of Reference for inclusion in the Corporate Governance Handbook. The Chair confirmed that all policies would be reviewed by an employment consultant before they would be included.</p>	<p>Seconder: Mark Nelson</p> <p>Proposer; Anne Marie Telford Seconder: Helena Buchanan</p> <p>Proposer: Jim Perry Seconder: Marie Smith</p>
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	<p>MOTION: Council approved the policies on Whistleblowing, Expenses and Fraud and amended committee Terms of Reference for inclusion in the Corporate Governance Handbook subject to any legal changes or recommendations</p>	<p>Proposer: Helena Buchanan Seconder: Lisa Byers</p>
<p>10.1.2 For Council Consideration</p>	<p>The Chair of ESR asked Council to note the following documents for information only:</p> <ul style="list-style-type: none"> • Registration Exam Report June 2014. The ESR committee confirmed they were content with the report and the recommendations • Duty of Candour Presentation. Council were asked to note the definition as it will be used in the Code of Ethics project going forward • Code of Ethics PID Document. Council were asked to note the enclosed timetable for this project • Council were asked to note the CPD summary report detailing the first round of assessments. The Chair confirmed the overall results have been excellent and commended all involved in the CPD project for a successful outcome. Council noted that the second stage of assessments will not have their results until January 2015. <p>The CEO and the Acting President asked Council to consider how the interim period between the new Council appointments should be managed. A brief discussion took place and the following points were noted:</p> <ul style="list-style-type: none"> • The CEO informed Council that, as new appointments will not be made until around 1st October for new Council members, it leaves some committees with no chair and / or members. The CEO and the Acting President suggested that, as there will presumably be a new makeup of committees and Officers team, it would be useful to have an existing member of the committee as the main point of contact. The CEO asked Council to note that the plan would need to show due regard and respect to the new Officer team. • The Acting President requested that all committee Chairs prepare briefing notes to handover to new members and he confirmed he would also prepare a briefing paper for the new Officer team. • The Chair of Audit and Risk highlighted that 3 out of 4 of the existing members 	

10.4 Education, Standards and Registration Committee		
10.4.1 Key action points and decisions from last meeting	The key decisions and action points were provided for Information only. Full committee minutes were provided on the website in advance of the Council meeting.	
10.4.2 Pre-Registration Tutors	Council were asked to note the papers for information.	
10.4.3 GPhC Standards	Council were asked to note the papers for information.	
10.5 Fitness to Practise		
10.5.1 Key action points and decisions from last meeting	This committee has not met since the last Council meeting on 27 th May and there are no minutes or action points to provide.	
10.6 Audit and Risk Committee		
10.6.1 Key action points and decisions from last meeting	The key decisions and action points were provided for Information only. Full committee minutes were provided on the website in advance of the Council meeting.	
10.7 Chairs Committee		
10.7.1 Key action points and decisions from last meeting	The key decisions and action points were provided for Information only. Full committee minutes were provided on the website in advance of the Council meeting.	
11. Staff Reports		
11.1.1 Pharmacy Forum Report	Council were asked to note the report from the Pharmacy Forum Manager for information.	
12. Correspondence Log	<p>Action Point: The Acting President informed Council he would draft a response to Sir Peter Rubin congratulating Terence Stephenson on his appointment as the Chair of the GMC.</p> <p>The Acting President expressed his desire to pass on thanks to Ms Jacqui Dougan for her work at the start of this Council term as President, He informed Council that the work she had commenced at the beginning of her appointment showed great leadership and allowed excellent progress across various projects. The Acting President thanked the</p>	

	<p>whole of Council for a challenging but enjoyable two years. He also passed thanks to the entire staff team for their efforts in ensuring the organisation is run effectively.</p> <p>Dr Anne Marie Telford thanked the Acting President on behalf of Council for his contribution to Council and for stepping up into the role after Ms Dougan’s departure. She thanked him for his supportive and engaging style.</p> <p>The CEO echoed these views and passed his thanks to both the Acting President and Council for their guidance and direction.</p>					
<p>13. Recent and Coming Events</p>	<p>None</p>					
<p>14. AOB</p>	<p>The Acting President asked Council to consider the scheme of delegation with the Pharmacy Forum for approval, subject also to Pharmacy Forum Board approval The CEO informed Council a joint officers meeting had taken place and the presented changes had been agreed with representatives from the PF Board. However the Forum would also need to get full board approval for the document. Council requested that more detail was added to section 5.2 to ensure that it is clear the PF are subject to the same scrutiny as Council when it comes to financial arrangements.</p> <p>Council considered the request from the Pharmacy Forum to invite registrants to observe Council and committee meetings with regard to public appointment training. Council confirmed that any member of the public is welcome at all Council meetings however some sessions are confidential and for members only. Council did not feel it would be appropriate to invite registrants to observe committee meetings as these meetings are generally where a lot of operational decisions are made ahead of the Council meeting and are largely around policy in development.</p> <table border="1" data-bbox="562 1118 1713 1289"> <tr> <td data-bbox="562 1118 1713 1209"> <p>Action Point; Council requested that more detail was added to section 5.2 of the PF scheme of delegation before it is presented to the PF Board for consideration</p> </td> <td data-bbox="1729 1118 2060 1209"> <p>CEO</p> </td> </tr> <tr> <td data-bbox="562 1209 1713 1289"> <p>Action Point: Council agreed to the request from the PF to invite registrant members to attend Council meetings to observe for the purpose of public appointment training</p> </td> <td data-bbox="1729 1209 2060 1289"> <p>EA</p> </td> </tr> </table>	<p>Action Point; Council requested that more detail was added to section 5.2 of the PF scheme of delegation before it is presented to the PF Board for consideration</p>	<p>CEO</p>	<p>Action Point: Council agreed to the request from the PF to invite registrant members to attend Council meetings to observe for the purpose of public appointment training</p>	<p>EA</p>	
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<p>Action Point: Council agreed to the request from the PF to invite registrant members to attend Council meetings to observe for the purpose of public appointment training</p>	<p>EA</p>					
<p>15. Confidential</p>	<p>Council held a confidential session for members only.</p>					

16. Date of next meeting	The next meeting date was confirmed for 4 th November at 09.30am. <i>The meeting concluded at 1.30pm</i>	
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