

MINUTES OF THE COUNCIL MEETING TUESDAY 10TH NOVEMBER 2015

<p>Agenda Item</p>	<p>Present Dr Jim Livingstone (President) Mrs Sinead Burns Items 1-15 Only Mr Ciaran Hunter Items 1-10 Only Mr James Perry Mr Garry McKenna Mr Gareth Peebles Mr Mark Nelson Professor Martin Bradley Mrs Marie Smith Items 1-9 only Miss Sandra Cooke Items 7.1-17 Only</p>	<p>Apologies Professor David Jones</p>
<p>Introduction & Welcome, Apologies, Public Attendance noted</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) Mrs Claire Williamson (Executive Assistant)</p>	<p>Public Attending</p>

	Discussion	Action/Supporting Information
1. Introduction & Welcome, Apologies, Public Attendance Noted	Apologies were noted for Professor David Jones.	
2. Deputations	The President was present throughout the meeting there were no requirements for deputations.	
3. Declaration of Conflict of interest	Registrant members of Council declared a perceived conflict of interest with regard to any discussion regarding Statutory fees.	
4. Tabling of Any Other Business	No other business was tabled.	
5. Minutes from the previous meeting on 29th June	<p>Council reviewed the minutes from the meeting on Monday 14th September 2015 and agreed they were a true and accurate record.</p> <p>Council briefly discussed the length of the Council minutes and agreed that it was better practice to record a brief note of the topic, discussion and the outcome or any actions arising from it. The President emphasized this will not change the accuracy of the minutes and will ensure that all views are recorded in a balanced manner. Council agreed this approach and noted that individual's comments will be recorded if requested.</p>	

	<p>Key Decision: Council agreed going forward Council minutes will be kept as a brief record; recording the discussion and outcomes</p>	
<p>6. Matters Arising</p>	<p>Council reviewed the actions and key decisions from the meeting on 14th September 2015 and agreed they were complete or addressed on the agenda bar; The CEO advised there has been no further progress made on the joint working neither for Implied Consent nor to any joint response to Rethinking Regulation.</p>	
<p>7.1 Motions of Council</p>	<p>The Chair of the ESR committee Mr Mark Nelson presented the following items to Council for approval:</p> <ul style="list-style-type: none"> • The Chair presented The Code (Professional standards of conduct ethics and performance for pharmacists in Northern Ireland) to Council for consideration and approval. The Chair advised this version of the document has included Council comments and has been reviewed and vetted by the legal team. • The Chair advised it is proposed to publish the document in early January with an operational date on 31st March, Council briefly discussed this and agreed The Code should take effect the 1st of the following month when it is published. The Chairs of the ESR committee and Corporate Communications will liaise with the HPA to agree a publication date. • A brief discussion took place with regard to publicity for launching the document and it was agreed registrant roadshows will be held to precede the effective date. 	

	<p>MOTION: Council approved The Code: Professional standards of conduct ethics and performance for pharmacists in Northern Ireland</p> <p>Key Decision: Council agreed The Code will be published and take effect from the 1st of the following month, date of publication will be agreed between ESR and Corporate Communications committees</p> <p>Action Point: The HPA will expand the communications plan to launch The Code to reflect Council's discussions</p> <p>The Chair of the ESR committee asked Council to consider and approve the proposal for next steps to address the changes coming in June 2016 on Language Guidance. Council were advised there is need to align with the other UK regulators in particular on level of competence and as we are already in agreement with GPHC on the issue the standards produced for local consultation will be based on the recent consultation by GPHC and tailored to Northern Ireland.</p> <p>MOTION: Council approved the next steps proposed on the Language Guidance issued by this organisation</p> <p>Council reviewed and approved the proposal on Pharmacy Business Standards and the next steps in the pre-consultation exercise.</p>	<p>Proposer: Mark Nelson Seconder: Sinead Burns</p> <p>Chairs ESR/CC</p> <p>HPA</p> <p>Proposer: Mark Nelson Seconder: Sandra Cooke</p>
--	--	---

	<p>MOTION: Council approved the next steps on the Pharmacy Business Standards consultation</p> <p>The Chair of the Resources committee presented the Draft Budget 2016/17 for consideration and approval. Council were advised the Budget is based on the assumption that fees will be uplifted in time for June 2016 (next retention cycle) in accordance with our most recent submission to DHSSPS. Council briefly discussed the impact to the organisation if fees are not uplifted on time and The Chair advised the reserves will have to be used to substitute any loss of income and a significant increase to fees would be needed for the following year to restore the reserves. The Chair advised that he is commending the Budget for approval in its current form.</p> <p>MOTION: Council approved the Draft Budget 2016/17 in principle – the final budget will, as normal, be brought to Council by the end of May 2016</p> <p>The Chair of the Resources committee presented a proposal to review and approve an increase to remuneration of the examination committee. Council were advised that while this is a large increase it is proportionate to the work being carried out by the committee and it is essential to ensure quality assurance on the programme.</p>	<p>Proposer: Ciaran Hunter Seconder: Gareth Peeples</p> <p>Proposer: Martin Bradley Seconder: Sandra Cooke</p>
--	--	--

	<p>MOTION: Council approved the proposal to increase the remuneration of the Examination committee</p> <p>The Chair of the Resources committee advised Council that a recruitment process is required for Fitness to Practise panel members in this financial year for appointment in October 2016. Council were asked to approve a sum of £10k that had not been included in the agreed Budget for 2015/16 as the work was planned for June – Sept 2016. Given previous difficulties with recruitment it is proposed instead to do the work in the first half of 2016 with Council approval.</p> <p>MOTION: Council approved £10k spend on FTP recruitment that had not been included in the agreed Budget for 2015/16</p> <p>The President presented a draft schedule of meetings for 2016/17 for Council approval. He asked Council to note that with the recent membership changes to Council, to ensure there is a quorum of 8 to conduct business at all meetings all members should take note of the dates and advise in advance, no matter how far ahead, if they are unable to attend to allow changes to be made if necessary. The President advised the agenda for Council meetings has been restructured to ensure that all items which require approval are presented at the beginning of the meeting to ensure Council is quorate as he is aware members may need to leave early for other matters at times.</p>	<p>Proposer: Sandra Cooke Seconder: Gareth Peeples</p> <p>Proposer: Ciaran Hunter Seconder: Sinead Burns</p>
--	---	--

	<p>MOTION: Council approved the schedule of meetings for 2016/17</p> <p>The Chair of the Fitness to Practise committee asked Council to consider and approve the MOU between the organisation and the Disclosure and Barring Service. The Chair provided a brief background on the matter and advised Council the overall aim of the MOU is to promote cooperation and define relative roles and responsibilities.</p> <p>MOTION: Council approved the MOU with the Disclosure and Barring Service</p> <p>The CEO presented a suite of Governance documents, Council were advised that most of these have been a work in progress for some time and have now recently been concluded. The CEO has worked with the President to expedite the work in relation to appraisal and self-assessment. The CEO invited Council to review the changes made or required to the Corporate Governance Handbook, Council agreed they were content with the suggested changes.</p> <p>Council were asked to approve the draft Standing Orders for Council which contains a set of processes to allow Council to manage the conduct of meetings. The President advised that this document can remain fluid to develop over time.</p> <p>MOTION: Council approved the changes to the Corporate Governance handbook detailed in the Executive Summary and the Standing Orders of Council</p> <p>The President presented draft appraisal documents for Council members and one for</p>	<p>Proposer: Martin Bradley Seconder: Ciaran Hunter</p> <p>Proposer: Garry McKenna Seconder: Sandra Cooke</p>
--	---	---

	<p>the President and Vice President which are both a standard approach to self-appraisal. The President advised this year's appraisals will begin in the next few months.</p> <p>MOTION: Council approved the Council appraisal forms</p> <p>The President presented a Governance Self-Assessment Tool which had originated from DHSSPS with input from CIPFA and NAIIO, the document has been tailored and adapted to meet Council's needs. The President suggested a work shop for members will be held in Spring of the coming year to conduct this exercise.</p> <p>MOTION: Council approved the governance self-assessment tool for Council</p> <p>Council reviewed the Data Protection and Retention schedule and briefly discussed the retention of all records in the organisation. There was discussion around electronic records and it was agreed that further work would be done on the retention of these</p> <p>MOTION: Council approved the Data Protection and Retention Schedule for inclusion in the Corporate Governance handbook and requested further work on electronic records</p> <p>Key Decision: Council agreed commissioned reports will be retained indefinitely</p> <p>Action Point: Council requested the Disclosure Policy is included in the handbook</p>	<p>Proposer: James Perry Seconder: Marie Smith</p> <p>Proposer: Sinead Burns Seconder: Ciaran Hunter</p> <p>Proposer: Martin Bradley Seconder: Garry McKenna</p> <p>HPA</p>
--	--	--

7.1.2 For Council consideration	<p>Council were asked to note the following for information:</p> <ol style="list-style-type: none"> 1. ESR next steps on Continuing Fitness to Practise 2. The FTP committee agreed the statement on FTP costs will be presented to Council (with minor adjustments) for adoption at their meeting on 19th January via the Chairs committee, the final statement will be published on the website to reflect Council's formal position on the matter 	
7.2 Committee Action Points	The key decisions and action points from recent committee meetings were available for information.	
7.2.1 Full committee Minutes	The full minutes from recent committee meetings were provided for information.	
8. Presidents Update	<p>The President provided a brief verbal update on his recent meeting with DHSSPS to discuss Council vacancies and Council membership. DHSSPS have advised their interpretation of the legislation is that no Council member can serve more than 8 years on Council in any 20 year period and appear to be applying this retrospectively. The DHSSPS are writing to us to determine whether current Council members are affected. Council were advised Helena Buchanan and Lisa Byers have not had their appointment extended past October 2015 (their tenure was extended by DHSSP for one year in October 2014) as they fall into this category.</p> <p>Council briefly discussed this issue and whether other members would be affected by the 8 in 20 rule, The President requested that all members should provide details of their length of service as soon as possible.</p>	

	<p>Council were advised that if other members of Council are affected by the rule it is critical a recruitment completion is finished and members are in place by October 2016 or sooner. The President has made DHSSPS aware that we must work together to fill the vacancies and they have indicated they are open to Council's participation in the promotion and recruitment exercise to expedite the matter.</p> <p>In light of the departure of the two registrant members the Vice President has reviewed the committee structure and made appropriate changes to the committee membership. Council were asked to note the VP is no longer a member of a particular committee and will attend all committees typically once throughout the year as necessary. The President advised that a review of committee structures should be conducted in 2016 for good governance practice.</p> <p>Action Point: All Council members were asked to advise the EA of their length of service on Council over the last 20 years</p> <p>Action Point: The President confirmed he will seek legal advice on Council's position with regard to the 8 in 20 rule of Council membership contained within the legislation</p> <p>Action Point: Council agreed to provide a small gift to outgoing Council members</p>	<p>Council</p> <p>President</p> <p>Council</p>
<p>9. Staff Reports</p>	<p>The CEO provided a written report to Council to advise on recent activity across the business and other external factors. The CEO provided a brief verbal update, the following points were noted:</p> <ul style="list-style-type: none"> • Council were advised the PSA levy has now been invoiced and as expected the fee is £3 per registrant which was included in this year's Budget. • PSA have requested policies, SOPs and procedures across the business by 	

	<p>20th November in preparation for this year's Performance Review. The CEO asked Council to note staff are currently working to collate these and in line with the approach of other regulators the information provided will remain quite high level and linked to key activity</p> <ul style="list-style-type: none"> • The CEO advised that the CPD portal is open – the providers, Legato have requested a soft launch for the CPD portal to allow them to transfer any saved data from the old site to the new one relating to the current year. Registrants will be advised imminently when the data transfer is complete. • Council were asked to note the letter from the Chief Pharmaceutical Officer advising of the Health Minister's decision on the future of Regulation and Leadership of Pharmacy in Northern Ireland. • Council were asked to note the request for nominations for the NICPPET position. The CEO advised it would be logical to have a registrant member on this post and asked any members interested to inform the EA ASAP. • Council were asked to note the written report from the Pharmacy Forum Manager for information. <div data-bbox="584 1070 1718 1206" style="border: 1px solid black; padding: 5px;"> <p>Action Point: Council members were asked to self-nominate for the NICPPET post and to therefore inform the EA ASAP if they are interested. If more than one member expresses an interest the President will make a decision on which members to put forward for consideration.</p> </div> <div data-bbox="584 1238 1718 1310" style="border: 1px solid black; padding: 5px;"> <p>Action Point: The CEO advised he would seek a list of current members from NICPPET</p> </div>	<p>Council</p> <p>CEO</p>
<p>10. Fees-Confidential</p>	<p>The President provided Council with a brief update on the present position with regard</p>	

	<p>to the fees matter. Council briefly discussed the matter and agreed that Council's responsibility is to fund the organisation to allow it to carry out its statutory functions and ensure there is adequate resource in place to regulate effectively. Council briefly discussed the planned fees consultation and when it would be appropriate to go out to consultation in light of recent communication with DHSSPS.</p> <p>Action Point: Council requested steps are taken to ensure the financial implications for this organisation if the legislation is not corrected in time for purdah is officially recorded and communicated to DHSSPS</p> <p>Action Point: The President advised he will monitor the matter over the coming days and make a decision when It is appropriate to go out to Consultation, Council will kept updated electronically</p>	<p>CEO/President</p> <p>President</p>
11. PSA	Council were asked to note the enclosed correspondence in relation to the PSA Levy and Performance Review.	
12. Strategy	Council were asked to note the Balanced Scorecard and ASM recommendations for information.	
13. Correspondence Log	Nothing to note	
14. Recent and coming events	Nothing to note	
15. Any other business	The CEO asked Council to consider joint statement from the Chief Executive of the General Medical Council and the Chief Executive of the General Pharmaceutical Council and approve publication. Council briefly discussed the issue and agreed to be a sensible approach to put the organisations signature to it.	

	<p>Action Point: Council agreed to issue a joint statement with the GMC and GPHC</p> <p>Action Point: Council members were asked to self-nominate if they are interested in the IIOF Steering Group position</p>	<p>CEO</p> <p>Council</p>
16. Confidential	Council agreed to defer this matter to the next meeting in January.	
17. Date of next meeting	The next meeting date was agreed for Tuesday 19 th January 2015, subject to change if fees consultation response dates require it	

The meeting concluded at 13.35pm