

**BEFORE THE STATUTORY COMMITTEE
OF THE PHARMACEUTICAL SOCIETY OF NORTHERN IRELAND**

PHARMACEUTICAL SOCIETY OF NORTHERN IRELAND

("The Society)

AND

FIONA COLLINS

Registrant Number 4464

(The Registrant)

ORDER

Review Hearing held on 10th July 2014

At a hearing of the Statutory Committee held on 21st June 2013 The Statutory Committee made an determination in connection with the professional conduct of the Registrant that her fitness to practice had been impaired. As a consequence of that determination the Statutory Committee imposed conditions on to be complied with by The Registrant before she would be readmitted.

A review hearing was held in this matter on 10th July 2014 by The Statutory Committee was held in order to determine the extent of the compliance of the Respondent to date with the terms of the determination .

Preliminary submissions

On behalf of The Society it was submitted that

- The Society acknowledged that the Registrant was not as at the date of the Review Hearing in breach of the conditions imposed by The Statutory Committee on 21st July 2013 .
- However The Society requested the Committee to review the decision and the direction that was given and to extend the period for compliance by a further 13 months to allow The Registrant to start work in one from 10th July 2104 and then to complete 12 months supervised practice.
- The Society requested that the Statutory Committee conditions consider the extent of the compliance of The Respondent with Conditions imposed on 21st June 2013 and expressed the concern that without further order of the Statutory Committee that Conditions 9 to 15 therein might expire without them having being

implemented and it should not be open to the Registrant to wait it out to allow those conditions to expire before she can return to practice. The Society submitted that if a submission was made that The Registrant will complete a supervised period in employment, as anticipated by the direction that was given, then the Society's position was that the order should be extended to facilitate that. It further submitted that there was not any or sufficient evidence to suggest that the order should be diluted in any shape or form and it should be, if anything, kept as it is to require direct supervision of her practice with routine reports back to the Society and that should be for a period of 12 months, if that was what the Committee intended last year.

On behalf of The Respondent it was submitted that

- The conditions as issued by The Statutory Committee on 21st July 2013 did not expressly include any start date of a period of supervision, or indeed any end date, or stipulate the duration of the period.
- The Registrant was eager to become fully fledged and condition free, as it were, as a pharmacist and to that end has secured a position working under the supervision of Deborah Wilson, who is a trained pharmacist who works within the pharmacy practice of Sean Farquharson which trades as Fegan's Pharmacy on the Andersonstown Road, Belfast.
- The Registrant continued to liaise with Professor Adair to complete the half day practical requirement before returning to work in the pharmacy, what is envisaged to be the 12th of August,
- The Registrant was eager to demonstrate to The Statutory Committee that she is not simply theory but is determined to show that she is practically competent in all respects.
- It was requested that the Statutory Committee would consider an adjournment of 6 months only and a further review of the position at the, during February of 2015. It is envisaged that Ms Collins will produce evidence showing not only completion of her personal development plan, the input of Professor Adair and his team, but also that she can produce evidence to show the level of direct supervision that she has worked under and the type of tasks that she has been involved in on a day-to-day basis in 6 months time and that we might further address you with regard to whether there is an ongoing need at that point for a continued direct supervision.

Immediate Order

The Committee has heard submissions on behalf of the Society and the Registered Person Concerned. In relation to the preliminary legal arguments the Committee has determined ;

- (1) The Original Determination in this case imposed a 15 month period of restriction which included 12 months of direct supervised practice

(2) That the Registrant has not commenced the period of direct supervised practice as envisaged by Order of 21st June 2013

(3) That is necessary for the protection of the public that the original order of the Committee not be frustrated by effluxion of time

(4) That the Registrant has demonstrated to the Committee at this Hearing a willingness to comply with the terms of the order of 21st June 2013

(5) That the Registrant has indicated to the Committee that she will commence practice in August 2014 In the Pharmacy practice operated by Mr Sean Farquharson under the direct supervision of registered pharmacist Deborah Wilson.

(5) That the Registrant wishes to have an opportunity to make further representations to the Statutory Committee 6 months from the date of this hearing as to why the Order of 21st June 2013 should , upon presentation of further evidence at that time be varied

(6) That the Society has no objection in principle to a further review in this matter in 6 months time provided that the terms of the Order of 21st June 2013 are extended provided that in the interim there be no alteration to the substantive terms of the Order of 21st June 2013 other than as to time limits for compliance

(7) That the Committee did not hold out to the Registrant any promise or assurance that at such a review That there would be any alteration to the terms of the Order of 21st June 2013

THEREFORE IT IS ORDERED THAT;

1. The period for compliance with the original order of 21st June 2013 is hereby extended by a further period to the intent that the said order will expire , unless the subject of a further order of this Committee on 11th August 2015 being 13 months from the date of this review
2. That the matter be listed for a further review hearing on (insert agreed date in February)
3. That Costs in the matter be reserved

At the review hearing: The reviewing Committee will need to be satisfied that the Registered Person Concerned:

- has fully appreciated the gravity of the offence,
- has not re-offended and has maintained his or her skills and knowledge and
- that the Registered Person Concerned's patients will not be placed at risk by resumption of practice or by the imposition of conditional registration

Chairman of the Committee: Kevin J Neary

Signed



Date

Date: **10th July 2014**

FURTHER INFORMATION**Transcript**

A full transcript of the hearing will be made available in due course.

Appeal

Any appeal against an order of the Committee must be lodged with the relevant court within 28 days of the service of this notification. If no appeal is lodged, the order will take effect at the end of that period.

Professional Standards Authority

This decision will be reported to the Professional Standards Authority (PSA) under the provisions of section 29 of the NHS Reform and Healthcare Professions Act 2002. PSA may refer this case to the High Court of Justice in Northern Ireland as appropriate if they decide that a decision has been unduly lenient and/or should not have been made, and if they consider that referral is desirable for the protection of the public. PSA is required to make its decision within 40 days of the hearing (or 40 days from the last day on which a registrant can appeal against the decision, if applicable) and will send written confirmation of a decision to refer to registrants on the first working day following a hearing. PSA will notify you promptly of a decision to refer. A letter will be sent by recorded delivery to your registered address (unless PSA has been notified by the Society of a change of address).

Further information about the PSA can be obtained from its website at www.professionalstandards.org.uk or by telephone on 020 7389 8030.

Effect of orders for suspension or erasure

To practise as a pharmacist in Northern Ireland, or to take or use a description which implies registration or entitlement to undertake any activity which the law restricts to a registered person, may amount to a criminal offence once an entry in the register has been suspended or erased.

Contact

If you require any further information, please contact Claire Williamson (Clerk to the Committee) claire.williamson@psni.org.uk or Brendan Kerr (Registrar) Brendan.kerr@psni.org.uk