

**Minutes of the Council Public Meeting
 Remote – Via Zoom
 Thursday, 17 September 2020 @ 09:32**

	Agenda Item	<p>Present Dr Jim Livingstone (President) Mr Jonathan Patton (Vice President) Mr Jim Perry Mr Ciaran Hunter Prof Patrick Murphy Ms Carol Moore Ms Colleen Duffy Ms Chanel Jones Mr Mark McCrudden Mr Barry Mimmagh Ms Alison Ragg Mr Mark Campbell</p> <p>Guest: Mr John Poole (KPMG, External Auditors) Ms Sheena Kenny (Boardroom Apprentice)</p> <p>In Attendance Mr Trevor Patterson (Chief Executive) Mrs Laura Hughes (Registrar) Mrs Joan Duffy (Head of Business Operations) Mr Mark Neale (Head of Public Affairs) Mr Peter Hutchinson (Policy & Standards Engagement Lead) Mrs June Alexander (Executive Assistant)</p>	Apologies Ms Sandra Cooke

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1.0	Welcome & Apologies	<p>The President welcomed all present and introduced John Poole of KPMG, External Auditors, who would attend until the business of the Annual Report and Accounts had concluded.</p> <p>The President also introduced and welcomed Sheena Kenny (SK), Board Apprentice. He advised that SK was appointed in July 2020. Both the President and CEO have provided induction and she will attend all Public Council meetings, some In Committee meetings and some Committee meetings.</p> <p>SK advised that she was honoured and privileged to be hosted by Council and that she was looking forward to the journey and learning from Council members.</p> <p>The President advised that the Council meeting would be the last for Jim Perry, Ciaran Hunter and Mark Campbell as their tenure would terminate at the end of September. He thanked them for their work over the years, and particularly expressed his thanks and appreciation to Jim Perry and Ciaran Hunter for all their work over the past 8 years, since the beginning of the new Council regime. He advised that, during that time, their contribution had been enormous, particularly from a financial and audit knowledge perspective.</p> <p>He wished them well for the future and hoped that they enjoyed the inscribed pen presented to them as a token of appreciation from Council.</p> <p>Apologies were received from Sandra Cooke who has not been in good health for a few months but who would hope to re-engage with Council for the November Council meeting. The President sent her his best</p>	

		<p>wishes but advised that, from his perspective, he would wish for Council members to look after themselves as a priority.</p> <p>The President also thanked Laura Hughes, former Council member and now the new Registrar, for her contribution to Council over the last few years and wished her well in her new role.</p>	
2.0	Deputations	The President was present throughout – no deputation was required.	
3.0	Conflicts of Interest	None.	
4.0	Tabling of Any Other Business	No other business was tabled.	
5.0	Minutes & Key Actions from last meeting For Approval	<p>Council approved and adopted the Minutes of the Public Council meeting on 30 June 2020 as a true and accurate record of events.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Key Decision/Action:</p> <p>Council approved and adopted the Minutes of the Public Council meeting on 30 June 2020 as a true and accurate record of events.</p> </div>	<p>Proposed by: Mark McCrudden Seconded by: Barry Mimmagh</p>
6.0	Annual Report & Accounts 2019/20 For Approval	The President advised that it had been agreed with the Department that all signing in relation to the Annual Report & Accounts 2019/20 could be undertaken electronically.	

6.1	Subsequent Events – confirmation by Council For Approval	<p>The President advised Council that they were required to confirm that they were not aware of any subsequent events that had occurred between year-end (31 May 2020) and the signing of the Annual Report & Accounts.</p> <p>The CEO advised that he had confirmed to KPMG that the Executive were not aware of any subsequent events.</p> <p>Council confirmed that it was not aware of any subsequent events between year-end and the signing of the Annual Report & Accounts 2019/20.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Key Decision/Action:</p> <p>Council confirmed that it was not aware of any subsequent events between year-end and the signing of the Annual Report & Accounts 2019/20.</p> </div>	Proposed by: Jim Perry Secoded by: Ciaran Hunter
6.2	Approval of Annual Report & Accounts 2019/20 For Approval	<p>The Chair of the Audit & Risk Committee advised that the committee met on 09 September 2020 and had reviewed the Annual Report & Accounts 2019/20, as presented by the Chair of the Finance & Performance Committee. Key highlights had been reviewed and discussed and the Chair of the F&P Committee had recommended to the A&R Committee that it make a Motion to Council for the approval and adoption of the Annual Report & Accounts 2019/20.</p> <p>The Chair of the A&R Committee asked KPMG if there was anything that should be raised at Council. KPMG advised that there had been very few financial adjustments required, all minor and that their only recommendation was in relation to segregation of duties which had been</p>	

	<p>raised before and was common to all smaller organisations. However, this had not given rise to any issues that they needed to report.</p> <p>The CEO advised that late correspondence had been received from DoH with a number of suggestions regarding amendments to language. Council's attention was drawn to the Council paper containing a table of amendments. He advised that all amendments requested by DoH had been incorporated with the exception of one where we expressed our disappointment in relation to regulatory reform which DoH felt was negative. However, it was a statement of fact and it is not possible to express disappointment in a positive way. Council was also advised that the Chair of Pharmacy Forum had made some minor language changes in his foreword.</p> <p>The Chair of the F&P Committee advised that, in these unusual circumstances, the process had been good in terms of audit. There had been more challenges this year with remote working and a new audit team. However, timelines were adhered to and there were no major issues. The feedback from KPMG had been positive and there was a low level of corrections – all of which was a good reflection of the HBO and her team.</p> <p>On behalf of Council, the President thanked the Senior Management Team for a great piece of work and stated that he was conscious of the work involved in this and in the process of transition for next year when the accounts will be presented in a different format.</p> <p>The President thanked KPMG for attending and for their work in presenting the Annual Report and Accounts. JP of KPMG thanked the Executive Team for their assistance over the past 6 years.</p>	
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6.3	<p>Letter of Representation For Approval</p>	<p>The President advised that it had been agreed to undertake the signing of the letter of representation electronically which he would do following the conclusion of Council business.</p>	<p>Proposed by: Jim Perry Seconded by: Ciaran Hunter</p>
7.0	<p>Council Skills Assessment For Approval</p>	<p>The President advised that it was important that, in order to make best use of Council members' skills, there was a process for identifying and recording those skills. Council had previously agreed to invite an HR consultant to assist in the development of a skills assessment tool to help develop skills assessment in the organisation.</p> <p>The CEO advised that a skills audit had been identified as necessary during the development of the HR Strategy and that the assessment tool presented was intended as a good starting point, by way of a benchmark. The document will evolve and Council will identify whether certain skills are required in Council. It was proposed that, when Council was content with the document, it would be circulated to all members for completion and the HR Consultant would then give an overall picture of skills and would identify any gaps. In response to a Council query, the CEO advised that the purpose was to not only identify technical skills but also</p>	

	<p>behaviours and styles. The President advised that the problem with recent recruitment competitions by DoH was that the actual selection criteria have changed in focus as well as how they are described. The selection criteria used for the recruitment of the President, for example, differed from the criteria in place for the recruitment of the present Committee Chairs and again for the most recently recruited Council members.</p> <p>Council members' comments included that the assessment tool was fairly basic and in places too generic; concern that the only assessment was on the basis of a 3 point scale; there was no facility for qualitative comments to encourage real reflection on the part of the member completing the self-assessment; the assessment tool did not take into account the dynamic environment in which the organisation operated.</p> <p>The CEO acknowledged that further work would need to be done, advised that the assessment tool as presented was a benchmark from which to start the process and that it can and should be further developed. He also advised that the extent of the assessment does not extend to 1-2-1 interviews with members to capture qualitative issues but it would be sensible in the future to include such interviews.</p> <p>Council members reiterated that the final assessment outcome will not be sufficient without some qualitative data, allowing members to explain their self-assessment ratings with further information and encouraging them to think about their skills in terms of their Council membership.</p> <p>The CEO advised that he would be content to not seek approval of the assessment tool at this time and suggested that a Task & Finish Group be assigned to review the assessment tool and report back to Council.</p>	
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8.0	REACH UK Proposal For Approval	The HPA advised that, during Covid-19, various trends have been noted in terms of its effects on frontline staff. It has been suggested that BAME staff are disproportionately affected. The government at national level has proposed urgent research into the matter and we have been asked	

		<p>to be part of that research. All registrants are to be advised of the research and encouraged to sign up to the research project. The disadvantage where this organisation is concerned is that our evidence would show that only around 3% of the NI population are in the BAME category. Access to the NI register will be required and information will be sent through secure routes.</p> <p>The HPA advised that it was interesting and worthwhile research in which the organisation should participate and he asked for Council's approval to proceed.</p> <p>Council approved the organisation's participation in the REACH UK research project.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Key Decision/Action:</p> <p>Council approved the organisation's participation in the REACH UK research project.</p> </div>	<p>Proposed by: Jonathan Patton Seconded by: Chanel Jones</p>
9.0	Date of Annual General Meeting 2021 For Approval	Council approved 14 October 2021 as the date of the Annual General Meeting.	<p>Proposed by: Alison Ragg Seconded by: Chanel Jones</p>
10.0	Council meeting dates 2021 For Approval	The President advised that 2021 Council meetings may need to continue to take place on Zoom although he looked forward to meeting everyone again face to face. He advised that Council will be under some pressure given that, until the completion of a recruitment process, Council member numbers will be depleted. He, therefore, asked that Council members	

		<p>ensure that they will be available on the dates proposed and that they hold 09:30 – 13:30 on each of these dates in their diary for Council.</p> <p>All dates were approved by Council with the exception of 16 March 2021 which was amended to 15 March 2021.</p> <p>The final Council 2021 dates approved were: 26 January; 15 March; 11 May; 29 June; 16 September; and 23 November.</p>	<p>Proposed by: Jonathan Patton Seconded by: Mark McCrudden</p>
11.0	<p>NI Board of Assessors Appointment For Decision</p>	<p>The President advised that a registrant member was required to become a member of the interview panel for the Board of Assessors which is a critically important task in terms of ensuring good governance on the registration assessment. He proposed that registrant members of Council email him an application, by 25 September 2020, in whatever form they preferred, stating why they would be suitable for this appointment having regard to the papers supplied. The President and Vice President would then review applications and appoint the member. Council agreed with the President's proposal.</p> <p>The CEO advised that the Board of Assessors is a semi-independent body which looks after the conduct and content of the Joint Registration Examination and a NI registrant member is to be appointed to ensure that the Board has access to knowledge of NI Pharmacy practice and equality issues, and to update the Council on the work of the Board. The interviews will be on 09 October 2020 and the appointee will sit on the interview panel. It would be important for the appointee to familiarise themselves with the job description and the role of the Board. The Registrar advised that she will be attending the Board of Assessors at least until a Northern Ireland registrant is selected. She advised that she</p>	<p>Proposed by: Jonathan Patton Seconded by: Chanel Jones</p>

		<p>would be happy to meet with any registrant Council member who would like more insight into the skills required to sit on the Board.</p> <p>The CEO advised that at present the Board meets virtually but that, should they decide to return to face-to-face meetings, these would be held at GPhC's offices at Canary Wharf, London.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Key Decision/Action:</p> <p>Council agreed with the President's proposal that Registrant Council members to make an application, by 25 September 2020, to the President to be appointed to the interview panel for a Registrant Member of the Board of Assessors.</p> </div>	
12.0	<p>Non-Payment of Fees – Removal from Register For Decision</p>	<p>The President advised Council that it has the power to instruct the Registrar to remove names from the Register that have failed to pay their retention fee.</p> <p>The Registrar requires Council approval to remove names from the Register for non-payment of retention fees on 09 November 2020, except for those subject to FtP or CPD investigation. Council so approved.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Key Decision/Action:</p> <p>Council approved the Registrar to remove names from the Register for non-payment of fees on 09 November 2020 except for those subject to FtP or CPD investigation.</p> </div>	<p>Proposed by: Mark McCrudden Seconded by: Mark Campbell</p>

13.0	<p>President's Report For Information</p>	<p>The President advised Council that, despite the expression of concern from some quarters and with the help and support of Methodist College Belfast and the Ulster University, the Registration Examination was able to proceed on 11 August 2020. Usually, the Registration Examination is held at Queen's University and a rental cost is paid.</p> <p>Fortunately, Methodist College Belfast and Ulster University agreed to open their facilities to allow the holding of the examination.</p> <p>The President proposed that, to express Council's gratitude and as an investment for the future, a charitable donation of £500 be made to Methodist College's and Ulster University's respective hardship funds for disadvantaged students. The total charitable donation of £1,000 equated to the remainder of the normal fees for rental of a single venue despite having three venues this year.</p> <p>The CEO advised that the charge by Methodist College covered the costs of staff to clean the examination facility prior to, during and after the examination, estates staff to set up and clear the examination facility and several automatic hand sanitisers – all of which should probably have cost more. The Ulster University did not seek any recovery of costs for their staff and facilities. He added that, from a moral standpoint, it would seem appropriate that the organisation make payment equal at least to that normally paid and, in this case, to a charitable fund that would assist the establishments' disadvantaged students. Council members expressed their thanks to the establishments, recognising the difficulties that they had to overcome to facilitate this, leading to the registration of 130+ pharmacists during the pandemic. Council applauded their corporate social responsibility.</p>	Ch bm
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		<p>to review the system. This point will be revisited at a future Council meeting.</p> <p>The Vice-President advised that, in the interests of transparency, he would like to inform the President and Council members that the President's score by Council members was 9.1. He advised that this showed a high degree of respect and trust in how the President's delivers his role. There were no negative comments by Council members. Overall, the results of the President's assessment by Council members would suggest that he has the support and backing of Council.</p> <p>The Vice-President thanked Council members for their participation in the President's assessment.</p>	
14.0	CEO's Report For Information	<p>The CEO advised Council of the organisation's plans for a phased return to work in the office. In Phase 1, the office generally will not be opened to visitors although there will continue to be daily attendance by reception staff to deal with post. The Senior Management Team will meet at the office one day a week and individual SMT members may have occasional part-days with their teams. He noted that these meetings in the office would be important for business activities and for the wellbeing of staff in terms of human contact. The CEO advised that home working would continue as the norm until the end of this calendar year. He noted that there had been no loss in productivity and commended staff for their diligence in delivering the same service, at a high standard, from home. It was noted that staff have been advised to manage their time when home working, ensuring that there is no tendency to work beyond normal hours.</p> <p>In terms of Rebalancing – the CEO noted that the progression of regulation in relation to a Deputy Registrar and in relation to</p>	

		<p>Superintendent/Responsible Pharmacists was currently anticipated by DHSC though doubtful in Q1 of 2020/21. He advised that this would be raised with the CPO again.</p> <p>The CEO advised that, in a previous report, Council had been advised of claims against NMC via an industrial tribunal brought by NMC panel members for employment rights. Although such a claim would not be a huge financial challenge to PSNI if all of those associates in Fitness to Practise panels became employees, there would be resource and administrative issues, disproportionate to their income and benefits. However, not everyone on panels is in support of the claims. The court found in favour of the panellist but a number of points of law are in dispute and the NMC will appeal. The outcome of the appeal will be in approximately 6-9 months.</p> <p>In relation to regulators' meetings, most, like ourselves, are evolving how they facilitate meetings as the situation progresses.</p>	
15.0	<p>Registration Examination 2020 For Information</p>	<p>The CEO presented the report on process this year's Registration Examination.</p> <p>Directing Council's attention to the first paper, the CEO advised that the outcome was pleasing. Feedback from attendees at the examination venues was that it was calm and the examination day went smoothly. 132 students passed the examination proving that there was no massive negative impact on trainees due to Covid-19. It also justified Council's insistence that the examination was indeed necessary as not all students passed the exam. The examination results were turned around in record time. The CPO had asked that we had results in time for registration on 01 September 2020 and this was achieved.</p>	

		<p>Council was advised that the second paper was the External Examiner's Report endorsing the content and management of the Registration Examination for Council's assurance and comfort.</p> <p>The HPA advised Council that several publications had covered the President's statement regarding the outcome of the Registration Examination.</p> <p>The President advised Council that, on a negative note, a number of letters of complaint had been received prior to the examination from students and tutors. The 17 student letters received had 2 aspects: firstly, all complained that they had to travel to a venue such as Ulster University Coleraine and that they did not get their venue of choice; secondly and importantly, most of the letters were virtually identical. It was clear that some organisation or individual had drafted the letters and the students had signed it and this resulted in inconsistencies. In every letter, the student complained that they would have to travel to Coleraine, an area with which they were not familiar and where there would be no available accommodation during the holiday season. One such student who stated this in their letter actually studied at the Ulster University Coleraine.</p> <p>It was evident that this letter was concocted by an organisation or individual in an attempt to persuade Council to change its mind and cancel the examination or find, assess and open more venues. The letters contained the most extraordinary, unprofessional language. The President had written to the students advising that the examination was proceeding and that students were being accommodated where possible. The President's response to the students also noted the inconsistencies, that the letter was evidently drafted by someone other than the student</p>	
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		<p>and that a further investigation may be initiated after the examination date.</p> <p>The President commended the CEO and his teams for an extraordinary job undertaken over the past 6 months in relation to the successful completion of the registration examination and the annual submission of CPD. Council was reminded that the organisation had also been lobbied by various trade organisations to dispense with CPD submission for 2019/20. On behalf of Council, the President expressed huge congratulations to the organisation's staff.</p>	
16.0	<p>PSA Draft Hearings Guidance For Information</p>	<p>The CEO advised that a very helpful document had been issued by the PSA. It advised that paramedics had objected to the use of virtual hearings at all whilst objecting to face to face meetings in the absence of a vaccine. In parallel to that, PSA gave thought as how arrangements for meetings could be made that were fair to registrants and to the public by running hearings either in person, virtually or by a blended approach. He advised that PH had led on the response project and invited him to report to Council.</p> <p>PH reminded Council that it had taken the position of progressing hearings virtually, based on risk assessment. There had been a few new referrals to the Statutory Committee and the organisation's position was that all those cases would use formal case management proceedings and the organisation was currently developing guidance and procedures around that. One aspect to note from PSA was that they had suggested that the regulators should undertake a consultation on their guidance and it was suggested that we would undertake a targeted short stakeholder engagement to get as much buy in as possible. Queries have already been received from representative organisations as to our current</p>	

		<p>position. The organisation's approach will be to develop our own draft guidance and procedures, engage with stakeholders and then complete the formal guidance.</p>	
17.0	<p>PSA PR Report For Information</p>	<p>The President advised that, over a number of years, the organisation had met all of the PSA standards. In this report, PSA highlighted two areas for improvement in relation to processes which the Senior Management Team had already identified. He advised that most of the issues had been addressed and that the report reflected well on the operation of the organisation.</p> <p>The CEO advised that the PSA report was correct and that the Audit & Risk Committee had already approved an internal audit of Fitness to Practise processes but the PSA undertook their audit first. He advised that the addressing of all issues was well advanced and that, as a result, the organisation is much more efficient. He congratulated staff and highlighted that none of the issues, being customer service issues, gave rise to concerns about public safety or the reputation of the regulator or regulation.</p>	
18.0	<p>Report on Progress against Strategy For Information</p>	<p>The CEO advised that the report has not changed since the last Council meeting. The Ambers are driven by the life expectancy of the current Assembly as the objectives cannot be achieved in the remaining timeframe. He advised that, as soon as possible after the establishment of the new Assembly, Council should commence the development of the new Strategy. He assured Council that the organisation would continue in its attempts to progress legislative reform.</p>	

19.0	PSA Research Report – Health & Care Professional Regulation To Note	Council noted the content of the report.	
20.0	Correspondence Log For Information	Council reviewed the content of the correspondence.	
21.0	Any Other Business For Information	None.	
22.0	Date of next Council meeting To Note	The next meeting of Council is scheduled for 09:30 on 10 November 2020 via Zoom. The President asked Council members to ensure that this meeting was noted in their diaries.	

The Meeting closed @ 11:30