

**Minutes of the Council Public Meeting  
Back Hall, Society House  
On Tuesday, 27 September 2022 @ 09:30**

	<p><b>Agenda Item - Present</b></p>	<p><b>Council Members:</b>          Dr Jim Livingstone (President)          Mr Jonathan Patton (Vice President)          Mr Mark McCrudden          Ms Alison Ragg          Prof Patrick Murphy          Ms Carol Moore          Ms Colleen Duffy          Mr Brendan Garland          Mr Philip Knox          Mr Barry Mimmagh          Mr Scott Gill          Ms Chanel Jones          Gary McMurray</p> <p><b>Visitors:</b>          Ms Jenda McSwiggan, Boardroom Apprentice</p> <p><b>In Attendance:</b>          Mr Trevor Patterson (Chief Executive)          Ms Laura Hughes (Registrar &amp; Director of Regulation)          Ms Joan Duffy (Director of Business Operations)          Mr Mark Neale (Director of Public Affairs)          Mr Peter Hutchinson (Policy Standards &amp; Engagement Lead)          Mr Ryan Duffy (Interim Project Manager)          Ms June Alexander (Executive Assistant)</p>	<p><b>Apologies</b>          Sandra Cooke          Steve Wright PSA</p>
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1.0	Welcome & Apologies	<p>The President welcomed Council members to the first in-person Council meeting since the start of the Covid-19 pandemic in 2020.</p> <p>He particularly welcomed Council members Brendan Garland, Philip Knox, Gary McMurray and Scott Gill whom he was meeting, in person, for the first time since their appointment to Council.</p> <p>Apologies were accepted from Council member Sandra Cooke and from Steve Wright – PSA.</p>	
2.0	Deputations	The President was in attendance throughout. No deputation required.	
3.0	Conflicts of Interest	No conflicts of interest were raised.	
4.0	Tabling of Any Other Business	No other business was tabled.	
5.0	Minutes & Key Actions from last meeting <b>For Approval</b>	<p><u>Minutes:</u></p> <p>Council approved and adopted the Minutes of the Public meeting of 28 June 2022 as a true and accurate record of events.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>Key Decision</b> Council approved and adopted the Minutes of the Public meeting of 28 June 2022 as a true and accurate record of events.</p> </div>	<p>Proposed by: Barry Mimmagh Seconded by: Alison Ragg</p>

			<b>Action</b>
6.0	Annual Report & Accounts 2021-22 <b>For Approval</b>		
6.1	Reaffirmation of Approval of the Annual Report & Accounts 2021-22 <b>For Approval</b>	<p>Council re-affirmed its decision, taken via e-paper APP-Sept22-01, as follows:</p> <p><u>Amendment proposed by DoH:</u> Goal 2(b) was in relation to the HSC Reform programme and made note of Covid-19 and the lack of an NI Executive. DoH proposed that the first half of the sentence be removed. Council's decision was to retain the original wording relating to Goal 2(b).</p> <p><u>Approval of the Annual Report &amp; Accounts 2021-22:</u> Council approved the Annual Report &amp; Accounts 2021-22, to be laid in the Northern Ireland Assembly on 04 October 2022.</p> <p>The DPA advised Council that the organisation had corresponded with the Department advising that some changes had been made to the Annual Report. No response had been received.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>Key Decision</b> Council re-affirmed its decisions, taken via e-paper APP-Sept22-01, as set out above.</p> </div>	<p>Proposed by: Brendan Garland Seconded by: Carol Moore</p>

			<b>Action</b>
6.2	Confirmation of the signing of the Annual Report & Accounts 2021-22	The signing of the Annual Report by the President, Chief Executive and Moore NI LLP (Statutory Auditors) was undertaken electronically.	
6.3	Confirmation of the signing of the Letter of Representation	The signing of the Annual Report by the President was undertaken electronically.	
7.0	<b>QUB IP Accreditation For Approval</b>	<p>The DPA advised that GPhC carried out this accreditation on Council's behalf and had advised that there were no issues. In future, the organisation would play a more active role in the accreditation process, working closely with GPhC.</p> <p>Council approved the reaccreditation of the QUB Independent Prescribing Course.</p> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px;"> <p><b>Key Decision</b> Council approved the reaccreditation of the QUB Independent Prescribing Course.</p> </div>	<p>Proposed by: Alison Ragg Seconded by: Scott Gill</p>
8.0	<b>Council meeting dates 2023 For Approval</b>	<p>Council approved the following dates for Council meetings in 2023: 24 January; 21 March; 09 May; 27 June; 14 September; and 07 November.</p> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px;"> <p><b>Key Decision:</b> Council approved the proposed Council meeting dates for 2023, as set out above.</p> </div>	<p>Proposed by: Gary McMurray Seconded by: Jonathan Patton</p>

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9.0	<p><b>President's Report For Information</b></p>	<p>The President noted that this was his last Council meeting. He thanked all present and past Council members and all PSNI staff, noting that he had eight great years as President and that leaving Council felt like leaving home.</p> <p><u>New President</u></p> <p>The President announced that Dr Geraldine O'Hare, the current Director of Rehabilitation at the Probation Board, had been appointed as the new President and that her tenure would commence on 01 November 2022. Having met with her, he regarded her appointment as a very positive decision.</p> <p><u>Chairs – Audit &amp; Risk and Finance &amp; Performance Committees</u></p> <p>The President also announced that, as of 01 November 2022, Alison Ragg and Mark McCrudden would step down as Chair from the Audit &amp; Risk Committee and the Finance &amp; Performance Committee respectively.</p> <p>The President advised that as of 01 November 2022, the new Chairs of these two Committees would be Philip Knox (Audit &amp; Risk) and Gary McMurray (Finance &amp; Performance).</p> <p>The President thanked Alison Ragg and Mark McCrudden for their excellent work and wished Philip Knox and Gary McMurray equal success in their new roles.</p>	

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	<p><u>Council Learning &amp; Development</u></p> <p>The President advised that he had received a substantive paper from Think People including a summary report and data on individual Council members and he clarified that only the President and Vice President would have access to this data as members' skill sets were important in terms of appointments to committees. He suggested that, in future, it may be prudent for Council to collectively decide if members' data should be accessible. The anonymised summary report, which describes Council as having an excellent range of skills and a strong skill set for a corporate body, would be circulated to Council members shortly.</p> <p>He noted that when Geraldine O'Hare was in post, a decision on the report would be desirable at a future Council meeting.</p> <p>The President thanked Carol Moore and Philip Knox for carrying this work forward and noted that it had been his ambition to develop a Learning &amp; Development Strategy during his term as President.</p> <p><u>Council Recruitment</u></p> <p>The President advised that, unfortunately, the recruitment exercise for a new registrant Council member to replace Sandra Cooke was unsuccessful because, as in previous years, the numbers of registrant applicants was very small and neither of the two applicants met the threshold for appointment.</p>	

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		<p>He noted that, on a number of occasions, several years ago, Pharmacy Forum had been urged to provide training or information evenings to prepare registrants for public appointments and to encourage registrants to apply for posts on Council. He urged Council members to consider what action needed to be taken to encourage registrant applicants and suggested that the offering of hybrid meetings may be necessary, given the current pressures on the profession.</p> <p>He advised that PAU was proposing to launch another competition in early 2023. Council will, therefore, be without one member for, potentially, the next ten months. However, in March 2023, six Council members come to the end of their first four-year tenure and can be considered for reappointment by the Minister. The President had contacted PAU and recommended five of the six Council members for re-appointment – one member does not wish to be reappointed. He would advise the Department accordingly to ensure that the next recruitment competition is for two new Council members, assuming the reappointment of five.</p> <div style="border: 1px solid black; padding: 5px;"> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>• Council to decide if members' data (Learning &amp; Development data) should be accessible.</li> <li>• President (when in post) to review Think People report and progress with Council.</li> </ul> </div>	
10.0	CEO's Report <b>For Information</b>	The CEO advised that all items are already in the agenda.	

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11.0	Internal Audit – ASM Annual Assurance Report 2021-22 <b>For Information</b>	<p>The CEO directed Council’s attention to the ASM report and advised that there were no Priority 1 urgent actions noted within the report and all areas audited were satisfactory. He advised that the Executive Team was content to accept ASM’s recommendations. Council had delegated responsibility for oversight of internal audits to the Audit &amp; Risk Committee and the reports were shared on a <i>for information only</i> basis and this would be discussed at the next Audit &amp; Risk Committee meeting. He advised Council that two years of the three-year internal audit plan has been completed and that the final three internal audits within that plan would be undertaken in 2022-23 by ASM.</p> <p>In terms of internal audits for 2023-2026, the CEO advised that it had proved difficult to attract a field for tendering for internal audit, the matter of appointments would be discussed at a future Audit and Risk meeting and a proposal brought to Council.</p>	
12.0	High Court Extension – Interim Orders <b>For Information</b>	<p>The CEO advised that the Fitness to Practise (FtP) Manual had been reviewed over the last year to ensure it remains fit for purpose. During the review, the question arose about the extension of Interim Orders by the High Court. By way of background, he explained that a risk assessment is undertaken on every new case and, if there is a perceived risk to the public or to the registrant, or a risk to the reputation of the profession, that may need to be managed by an Interim Order, an Interim Order hearing is held by the Statutory Committee to decide the matter. The possible outcome of an Interim Order hearing could be the granting of an Interim Order, either an Interim Conditions Order or an Interim Suspension Order, or the committee may decide that no Order is necessary.</p>	



			<b>Action</b>
		<p>The Statutory Committee was not required to establish the facts of the case – just to carry out a risk assessment and establishing the necessity or otherwise for an Order. The maximum overall period for an Order imposed by the Statutory Committee was 18 months and, at six-monthly intervals, the Committee is mandated to review the continuing necessity for the Order. Before the 18 months had expired, if it was deemed necessary to extend the Order, it must be taken to the High Court for review and consideration.</p> <p>He advised that the organisation’s interpretation was that the High Court from that point forward took over the management of the Order with no further reviews necessary by the Statutory Committee, based on how the legislation was drafted. However, FieldFisher took the view that whilst ambiguous, on balance the High Court authority was limited to granting or not the extension, and responsibility for managing and reviewing the Order on an ongoing basis reverted to the Statutory Committee.</p> <p>Almost all cases extending beyond 18 months involved third party investigations and he noted that the organisation was content that no prejudice had been caused to the registrant as the legislation permitted the registrant to seek an early review, which had never happened. Additionally, the vast majority of extensions were agreed on papers jointly supplied by the parties, for example in relation to health conditions, etc, and the Statutory Committee did not normally need to meet.</p>	

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		<p>Following receipt of the legal advice it was presented to the Chair of the Statutory Committee, who accepted the advice and issued a practice direction accordingly</p> <p>In response to a question from the Finance &amp; Performance Chair, the CEO confirmed that there would be a recurrent cost for the Statutory Committee to review Interim Orders. FieldFisher had advised that the High Court had the authority to extend an Interim Order but that all other matters pertaining to the Interim Order sat with the Statutory Committee.</p>	
13.0	Responsible Pharmacist/Superintendent Pharmacist - Update <b>For Information</b>	<p>The Project Manager directed Council's attention to the papers provided and advised that the organisation would be working with GPhC on standards, regulations and guidance which would support the commencement of the Orders, which take effect on 01 December 2022. \the existing regulations remain in place until each of the GPhC and PSNI introduce replacement regulations. The CEO advised that is was the final part of the Rebalancing work which started in 2011</p>	

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14.0	Community Pharmacy Closures- <b>To Note</b>	<p>The CEO advised that the PDA had issued letters to the four CPOs and other bodies advising that they had concerns about the closure of pharmacies. They stated that there were some relaxations granted to owners during Covid and in their view some employers took and continue to take, advantage of this. The PDA's open letter encouraged action to be taken to curtail closures. The vast majority of community pharmacies have a contract with their commissioning body.</p> <p>The CEO advised that, in this jurisdiction, the situation was significantly less marked than in parts of GB. There was very robust data from SPPG, which oversees service delivery and to whom owners have a duty to report closures outside of contracted time. In the period it has been confirmed that the level of closures in NI is 0.02% and that these were primarily due to Covid and workforce related matters. He noted that, in NI, there is a much higher mix of independently owned and operated pharmacies.</p> <p>The organisation has responded to the letter and a copy was provided in advance of the meeting to Council.</p>	
15.0	Report of PSA "Safer Care for All" event – 07/09/22 – House of Lords <b>For Information</b>	<p>Council's attention was directed to the report compiled by Scott Gill, who attended the event on Council's behalf.</p> <p>He advised that PSA's paper looked at risk across the healthcare landscape. The main recommendation was that UK countries each appoint a Health &amp; Social Care Safety Commissioner. He advised that the impact on this organisation would be in the time involved. However, at this stage, it is only a recommendation.</p>	

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		The President advised that a meeting had been called on 09 November 2022 which the new President and/or the Vice President would attend.	
16.0	Risk Register <b>For Information</b>	<p>The DPA advised that the Risk Register project with Decision Time was ongoing. The Risk Register should now be visible on Decision Time as a read-only document. It will be further populated as it goes live.</p> <p>He advised that the Executive Team and EA had been trained in the new system.</p>	
17.0	Report on Progress against Strategy <b>For Information</b>	<p>The CEO directed Council to the Executive Summary provided and highlighted that the RAG system that the organisation uses showed the current status and tending towards status.</p> <p>When the Corporate Strategy Addendum was written, the organisation had not met all of the standard in two of the PSA PRs. He advised that the organisation was improving in that three standards had not been met two years ago but only one was not met last year. However as drafted, it would not be possible to meet the number met as not all had been met for two consecutive years</p> <p>In relation to policy agreement with the Department on legislative changes, the report showed this as green – because the CPD is willing to look at a five-year plan so potential exists but is tending towards amber as there is no NI Executive to take it forward. However, this will not be completed within the lifetime of the Corporate Strategy and Addendum but it may start before May 2023.</p>	

			<b>Action</b>
		<p>A Commission of Pharmacy Leadership was set up by the four CPOs. The organisation is part of the Commission and it may be beneficial to our case for changes to leadership across the UK. However, this item remained as tending toward amber.</p> <p>In relation to a timeline for the Commission, the President advised that a target of December 2022 had been set. However, the management of the project could be better; targets were being pushed back; the passing of Her Majesty, Queen Elizabeth II had caused a further delay; and the process had been squeezed into a period of approximately six weeks. It involved five groups comprising approximately 100 pharmacists and other persons across the UK. The timeline could potentially move into the New Year.</p> <p>One of the working groups had been asked to look at the interface between regulatory bodies and leadership bodies. The anticipation thus far was that leadership bodies could have potential to drafting supportive technical standards which could be referred to in Fitness to Practise cases and to instilling professionalism.</p> <p>The President advised that he had briefed the President Designate on the Corporate Strategy and had advised that the development of the new Corporate Strategy, within the next six months, should be a priority.</p>	
18.0	<b>Correspondence Log For Information</b>	Council reviewed the correspondence provided.	

			<b>Action</b>
19.0	Hybrid/Resident Working Arrangements Policy <b>To Note</b>	This policy was provided at Council's request and was duly noted.	
20.0	Any Other Business <b>For Information</b>	No other business was tabled.	
21.0	Date of Next Council Public Meeting	The next Public Council meeting is scheduled for 09:30 on Tuesday, 22 November 2022 and Council agreed that the meeting would be held in person in the Back Hall, Society House.	