

PSI Council Public Meeting Minutes

Minutes of meeting number 117 of the Council of the Pharmaceutical Society of Ireland (PSI), as established under the Pharmacy Act 2007, the public session of which commenced at 08:30 am on Thursday 7th of October 2021. The meeting was held online due to the COVID-19 Public Health Emergency, and in accordance with rule 19(2) of the Pharmaceutical Society of Ireland (Council) Rules 2008 (S.I. No. 492 of 2008), and (S.I. 532 of 2020) Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 (Section 29) (Health) (Designation) Order 2020.

Agenda Item A - Attendees & Apologies

Name	Role	Present (Yes/No)
Ms. Muireann Ní Shúilleabháin	President	Yes
Mr. Rory O'Donnell	Vice President	Yes
Mr. John Given	Council Member	Yes
Mr. Graham Knowles	Council Member	Yes
Ms. Katherine Morrow	Council Member	Yes
Dr. Shane McCarthy	Council Member	No
Mr. Paul Turpin	Council Member	Yes
Ms. Ann Sheehan	Council Member	No
Prof. Brian Kirby	Council Member	Yes
Ms. Fiona Walsh	Council Member	Yes
Mr. Mark Jordan	Council Member	Yes
Ms. Joanne Kissane	Council Member	Yes
Ms. Dorothy Donovan	Council Member	Yes
Ms. Grainne Power	Council Member	Yes
Ms. Geraldine Crowley	Council Member	Yes
Mr. Seán Reilly	Council Member	Yes
Dr. Paul Gorecki	Council Member	Yes
Ms. Marie Louisa Power	Council Member	Yes
Mr. Roy Hogan	Council Member	Yes
Mr. Fintan Foy	Council Member	Yes
Members of PSI staff in attendance online for all or part of the meeting included:		
Mr. Niall Byrne	Registrar	

Dr. Lorraine Horgan	Head of Corporate Services
Mr. John Bryan	Head of Community Pharmacy Assurance
Mr. Éanna Ó Lochlainn	Governance and Planning Officer
Mr. Dan Burns	Business Transformation Project Manager (Acting)
Mr. Neil Wall	ICT and Corporate Reporting Manager
Ms. Liz Kielty	Solicitor
Ms. Ciara Dooley	Regulatory Risk Co-ordinator
Ms. Andrea Boland	Professional Standards Coordinator
Dr. Cheryl Stokes	Head of Governance & Programme Delivery
Ms. Aoife Mellet	Acting Head of Practitioner Assurance
Dr. Cora Nestor	Head of Strategic Policy and Communication

Colour code: *Red—for decision; Green—for discussion; Blue—for information*

Agenda Item B – Declaration of Interest by Members of Council

Issue

Declaration of interests by members of Council.

Information

Under item C of the Council Agenda, the President drew Council members' attention to their obligations under paragraph 9 of Schedule 1 to the Pharmacy Act 2007, which deals with the necessary disclosure of certain interests by members of the Council.

Decision Approved, and/or Action Requested by Council

No conflicts of interest were declared.

Agenda Item C – Draft Minutes of Public Council Meeting No. 115

Issue

Draft Minutes of Public Council Meeting No. 115

Information

The President noted that the draft minutes had been circulated to Council in advance of the meeting, and that no amendments had been received to the minutes as drafted.

Decision Approved, and/or Action Requested by Council

Decision Approved: Council approved the draft minutes of the public session of Council meeting number 115, held on the 24th of June 2021, on the proposal of Ms. Marie Louisa Power and seconded by Mr. Rory O'Donnell.

Agenda Item D – Agreement on the Meeting Agenda

Issue

The President invited members of Council to give notice of any items they wished to submit under item J, Any Other Business.

Information

None.

Decision Approved, and/or Action Requested by Council

No items were tabled for discussion under Any Other Business

Agenda Item E.1– Presentation of the Registrar’s Report

Issue

Report from the Registrar.

Information

The Registrar informed Council that a governance meeting with the Department of Health had taken place on 29 September. Among other matters, the Department had specifically raised the issue of the Falsified Medicines Directive and current compliance levels in community pharmacies with the scanning and decommissioning requirements of the Directive. The Registrar informed Council that the level of retail pharmacy businesses compliance with the Directive currently stood at under 40%, which is clearly not where it should be. The Department is asking that PSI take urgent steps in relation to compliance in the context of next year’s ending of the current “use and learn” period. The Registrar stated that PSI had explained to the Department the work which PSI has been doing in this area, including recently making direct contact with over 100 pharmacies who had not been scanning any medicinal product barcodes, as well as the operational background to FMD compliance in community pharmacies in Ireland.

Council noted that some pharmacists had reported experiencing difficulty using the new on-line registration portal. Council was informed that there had been a spike in the number of queries regarding the portal, following the go live date, which was in line with expectations. Queries were now declining and, currently, there were no systemic issues in using or accessing the portal.

Council queried if anything was being done to attract recently graduated pharmacists to community pharmacy. Council was informed that this issue would be examined in depth as part of the future workforce objective under the Council’s current Corporate Strategy. Council voiced its concern at the number of retail pharmacy businesses, which now appeared to be being managed by locums, and cautioned against turning a blind eye to the absence of supervising and/or superintendent pharmacists, as required under the Pharmacy Act, in these establishments. The Registrar stated that the law on the matter was clear and that PSI monitored the situation on an

ongoing basis. The Registrar stated that extended vacancies in regulated governance positions were not optimal for patient safety. Council was informed by the Executive that the number of currently non-compliant pharmacies in this regard was approximately 40 which is around 2% of the register.

Decision Approved, and/or Action Requested by Council

Council noted the contents of the Registrar's Report.

Agenda Item E.2 – Update on Q3 Implementation of Service Plan 2021

Issue

Update on Q3 Implementation of Service Plan 2021

Information

The Registrar informed Council that a new third country qualification route (TCQR) would not be ready to present to Council in December, as previously intended. This was due to the impact of COVID-19 on the 2020 Service Plan and staff resource issues in PSI in 2021. Council expressed concern that this would impact adversely on the community pharmacy workforce pipeline, and that every effort should be made to expedite the matter. The Registrar said that this project would be a priority on the 2022 Service Plan. Council welcomed the news that additional places on pharmacy degree courses had been made available in the current academic year by each of the schools of pharmacy, but noted that community pharmacy, based on current evidence, was not the destination of choice for newly qualified pharmacists, with continued low levels of recruitment and retention evident in the sector.

Decision Approved, and/or Action Requested by Council

Council noted the contents of the Service Plan update.

Agenda Item E.3 – Organisation Development Project (ODP): Request for approval from Council of business case for posts to support delivery of the new Operating Model and Revised Organisation Structure

Issue

Request for approval from Council of business case for posts to support delivery of the new Operating Model and Revised Organisation Structure.

Information

Council was informed by the Registrar that a net increase of 4 posts was being sought in addition to the 15 posts that Council had approved in September 2017, arising from the Mazars Report of that year. Council questioned the sustainability of the business case, given that the new posts were to be funded from the PSI reserves for the first five years. Council was informed that the future financial sustainability of the organisation was being considered as part of the Strategic Financing Review (SFR), work on which is continuing under the current corporate strategy over 2022 and 2023. The funding of all PSI posts forms part of the SFR. Council questioned the immediate deployment of the 4 new post before allowing time for the Business Transformation Programme (BTP) to bed in. The Executive informed Council that, as approval for the posts would need to be given by the Department of Health, the reality was that there would be a time lag between the two. The Registrar confirmed that the possibility of any risk arising to the BTP would be monitored carefully.

The Chair of the Performance and Resources (P&R) Committee informed Council that the P&R Committee had considered the business case for all posts at its 1 September meeting and was recommending to Council the following:

- (a) the approval of the business cases for all posts
- (b) that the 2022 budget be developed with provision for the full headcount of the 60 posts in the new organisation structure for Council to then review and consider for approval at its 16 December 2021 meeting.

Decision Approved, and/or Action Requested by Council

Decision Approved: Council approved:

- (i) the business case for all posts presented to support delivery of the new Operating Model and implementation of the revised Organisation Structure; and
 - (ii) that the 2022 budget be developed with provision for the full headcount of the 60 posts in the new organisation structure for Council to then review and consider for approval at its 16 December 2021 meeting
- on the proposal of Ms. Dorothy O Donovan and seconded by Prof. Brian Kirby.

Agenda Item E.4 – Quarterly update on IOP operations and developments

Issue

Quarterly update on IOP operations and developments

Information

Ms. Aoife Mellett updated Council on IOP operations and developments noting that, as previously stated by the Registrar, Practice Reviews were due to recommence in April 2022. She invited questions from Council. Council had no questions.

Decision Approved, and/or Action Requested by Council

The update was noted by Council.

Agenda Item F.1 – Report to Council from the Performance & Resources Committee

Issue

The Report of the Performance & Resources Committee had been circulated to Council in advance of the meeting

Information

The Chair of the committee invited questions from Council. Council had no questions.

Decision Approved, and/or Action Requested by Council

The Report was noted by Council.

Agenda Item F.2 – Request for approval for adoption by the PSI of an expenditure analysis and scenario modelling approach

Issue

Request for approval for adoption by the PSI of an expenditure analysis and scenario modelling approach

Information

Council was asked to approve the adoption by PSI of the approach described as Scenario Two in the paper entitled, *Scenario Modelling and Expenditure Analysis Report*, for future financial modelling, and for Scenario Two to form the basis of the 2022 budget development for approval by Council in December.

Council was informed that the models encompassed the PSI's future income, expenditure and reserves positions, and the resources required for the PSI to operate and deliver the current corporate strategy, along with external factors which may impact on the PSI, or the economy, and that further work would then commence to refine those assumptions.

Council queried if the impact of inflation had been factored into the modelling. The Executive stated that it had. Council expressed concern that there was an inherent assumption in the modelling that the volume of pharmacists and pharmacies on the Register would remain at current levels.

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Decision Approved, and/or Action Requested by Council

Decision Approved: Council approved the adoption by PSI of the approach described as Scenario Two in the paper entitled, *Scenario Modelling and Expenditure Analysis Report*, for future financial modelling, and for Scenario Two to form the basis of the 2022 budget development, on the proposal of Ms. Joanne Kissane, and seconded by Mr. Paul Turpin.

Agenda Item F.3: Request for approval of management accounts to 30 June and end-year forecast

Issue

Request for approval from Council of the management accounts to 30 June and end-year forecast.

Information

A copy of the management accounts to 30 June and end-year forecast had been circulated to Council in advance of the meeting. Questions were invited from Council. Council had no questions.

Decision Approved, and/or Action Requested by Council

Decision Approved: Council approved the management accounts to 30 June and end-year forecast on the proposal of Ms. Marie Louisa Power, and seconded by Mr. Rory O'Donnell.

Agenda Item F.4 – Request for approval of motion to open a second current account with Allied Irish Banks to comply with Department of Health drawdown requirements for IIOP operations funding, and designation of signatories for the account

Issue

Request for approval of a motion to open a second current account with Allied Irish Banks to comply with Department of Health drawdown requirements for IIOP operations funding, and designation of signatories for the account.

Information

The Chair of the Performance & Resources Committee stated that following review by the Committee, he was content to recommend to Council that the PSI should open a second current account with Allied Irish Banks for the purposes of recording receipts and payments associated with IOP operations relating to the Department of Health expenditure allocation. Questions were invited from Council. Council had no questions.

Decision Approved, and/or Action Requested by Council

Decision Approved: Council approved the motion to open a second current account with Allied Irish Banks to comply with Department of Health drawdown requirements, and designated signatories for the account, on the proposal of Ms. Joanne Kissane, seconded by Dr. Paul Gorecki.

Agenda Item F.5 – Request for Approval of Appointments to the Preliminary Proceedings Committee

Issue

Request for approval of appointments to the Preliminary Proceedings Committee

Information

Council was asked to sanction a number of re-appointments, and an appointment, to ensure that the composition of the Preliminary Proceedings Committee remains in compliance with the provisions of the Pharmacy Act 2007.

Decision Approved, and/or Action Requested by Council

Decision Approved: Council approved the reappointment of Ms. Breda Heneghan MPSI, Ms. Áine Shine MPSI, and Ms. Cindy J. Mackie to the Preliminary Proceedings Committee when their current terms on the Committee expire, for a further term of five years, and the appointment of Ms Karen Ruddy BL to the Preliminary Proceedings Committee for a term of four years effective from 21 October 2021, on the proposal of Ms. Fiona Walsh, seconded by Mr. Fintan Foy.

Agenda Item G.1 – Report to Council from the Audit & Risk Committee

Issue

Report to Council from the Audit & Risk Committee

Information

The Report from the Audit and Risk Committee had been circulated to Council in advance of the meeting. Dr. Paul Gorecki, Chair of the Audit and Risk Committee informed Council that the most recent internal audit report, which related to the PSI's purchasing, procurement and payments, had included four low level findings against the PSI, and had been reviewed and accepted by the Committee. He invited questions from Council. Council had no questions.

Decision Approved, and/or Action Requested by Council

The Report was noted by Council.

Agenda Item H.1 – Report to Council from the Business Transformation Programme Board

Issue

[The Report to Council from the Business Transformation Programme Board](#)

Information

Mr. Fintan Foy, Chair of the Business Transformation Programme Board, informed Council that phase one of the on-line registration portal had gone live on the 27th of September, and there had been no change to the risk register, with the budget overview being as previously advised. He thanked the Board members, the Executive and staff of PSI, and Mr. Dan Burns in particular, for their work in getting the project to this stage. He invited questions from Council. Council had no questions.

Decision Approved, and/or Action Requested by Council

The Report was noted by Council.

Agenda Item I.1 – Report to Council from the Special Purposes Committee

Issue

[Report to Council from the Special Purpose Committee.](#)

Information

A copy of the Report had been circulated to Council in advance of the meeting. Questions were invited from Council. Council had no questions.

Decision Approved, and/or Action Requested by Council

The Report was noted by Council.

Agenda Item 1.2 – Request for Approval from Council for new Council Procedures: Hearings Regarding Sanctions and Public Notice/Publication

Issue

Request for Approval from Council for new Council Procedures: Hearings Regarding Sanctions and Public Notice/Publication.

Information

The President informed Council that the new procedures being proposed, provided a clear pathway and structure for all parties involved in the Council's consideration of an inquiry report and the making of decisions in relation to sanctions and public notice/publication. The procedures respect the right of both Registrants and the Registrar to make submissions to Council, and for all parties to be heard in a fair and proportionate way. The procedures would support Council in making decisions in a timely and efficient manner, assuring transparency and consistency in the operation of the statutory decision-making process, and assist Council in discharging its functions in an efficient, effective, controlled, and cost-effective manner, in the public interest. The Registrar informed Council that feedback from external stakeholders regarding the proposed procedures, had been uniformly positive. Council asked if the proposed new procedures could be piloted. The President committed to reviewing the proposed procedures once they had been implemented.

Decision Approved, and/or Action Requested by Council

Decisions Approved: Council approved its new procedure for hearings regarding sanctions and public notice/publication on the proposal of Ms. Fiona Walsh and seconded by Mr. Fintan Foy.

Agenda Item J.3 – Decision on appointments to Advisory and Disciplinary Committees as agreed by Council by e-mail, to be read into the minutes

Issue

Decision on appointments to Advisory and Disciplinary Committees as agreed by Council by e-mail, to be read into the minutes.

Information

Following casting of its vote by email, Council was informed by the President, that effective from August 24th, 2021, Council approved the following appointments, and re-appointment, to the PSI's Advisory and Disciplinary Committees:

- 1.The appointment of Ms. Katherine Morrow to the Performance and Resources Committee
- 2.The appointment of Ms. Joanne Kissane to the Regulatory and Professional Policy Committee.
- 3.The appointment of Ms. Joanne Kissane as Chair of the Regulatory and Professional Policy Committee.
- 4.The appointment of Ms. Gráinne Power to the Regulatory and Professional Policy Committee.
- 5.The appointment of Dr. Paul Gorecki as Chair of the Audit and Risk Committee.
- 6.The appointment of Mr. John Given to the Audit and Risk Committee.
- 7.The appointment of Mr. John Given to the Professional Conduct Committee.
- 8.The re-appointment of Ms. Fionnuala Cooke to the Professional Conduct Committee, effective from 18 July 2021, solely for the purpose of concluding her responsibilities involving consideration of Complaint Reference 480.2018 after which point, this additional term shall expire.

Decision Approved, and/or Action Requested by Council

Council noted its decision.

Agenda Item K.1 – Any Other Business

Issue

No item had been tabled under item D

Information

None

Decision Approved, and/or Action Requested by Council

None

The meeting concluded at 12:36pm

President

Date