

Appointment to the PSI's Disciplinary Committees for Pharmacists, who are Pharmacy Owners

Information Booklet



A. About PSI – the pharmacy regulator

The Pharmaceutical Society of Ireland (PSI) is a public body established in law to protect the health, safety and wellbeing of patients and the public by regulating pharmacists and pharmacies.

As the pharmacy regulator we set the standard for pharmacists' education and training in Ireland and create the standards and supports to promote good professional practice in pharmacy. We register pharmacists, pharmaceutical assistants, and pharmacies, carry out inspections of pharmacies and take action when we receive a complaint about a pharmacist or pharmacy. Our functions are set out in the Pharmacy Act 2007 ("the Act").

In Ireland, it is estimated that two million visits are made to pharmacies each month. Most people have high levels of trust and confidence in their pharmacist and pharmacy, but errors do happen, medicines are complex, and concerns can arise about the care or treatment that is received from a pharmacist or pharmacy. When this happens, the PSI is responsible for receiving and handling "fitness to practise" complaints about a registered pharmacist or pharmacy and managing those complaints pursuant to the statutory process as set out in Part 6 of the Act. Complaints are heard before statutory Disciplinary Committees, comprising a lay majority of pharmacists and non-pharmacists appointed through a formal independent process. In relation to pharmacist appointments, they comprise either employees, sole traders or pharmacy owners, and the definition for "pharmacy owners" is set down in the Act.

More information regarding the Disciplinary Committees including their functions is set out at Appendix 1.

B. Expression of Interest

Due to new legislation to be commenced in June 2021 under the Regulated Professions (Health & Social Care) (Amendment) Act 2020, the definition of "pharmacy owner" in the context of the quorum of a committee hearing a complaint against a pharmacy owner, will be widened (see below). As a result, it is necessary to have an increased number of Disciplinary Committee members who meet this definition available for selection to hear such complaints.

We are now inviting registered pharmacists who are pharmacy owners to express their interest in being appointed to our Disciplinary Committees. Successful applicants will be appointed to the current panel to fill vacancies that will arise on the committees in due course.

To be eligible for application, you must be able to satisfy the criteria below:

a. You are a registered pharmacist

And

- b. You are a director of a corporate body which carries on a registered retail pharmacy business; or**
- c. You are a shareholder in a corporate body which carries on a registered retail pharmacy business; or**
- d. You are a sole trader of a registered retail pharmacy business**

And

- e. You can demonstrate the competencies required as set out in Appendix 2.**

If you are interested in public service and providing patient benefit through the work of these committees, and in applying for a position on the panel for selection to a committee, please read the information provided in this Booklet and use the Application Form attached to apply.

The PSI is committed to diversity and inclusion in our appointments.

C. Term of Appointment to the Panel

Any appointments from the panel to a Disciplinary Committee will be for an initial term of four years, up to a maximum overall term of eight years. Further information on the time commitment involved and remuneration for a committee position is available in Appendix 1.

Pharmacy owners who have previously been appointed as a member of a PSI Disciplinary Committee and served the maximum prescribed overall term of 8 years are not eligible for reappointment to the current panel.

D. Assessment Process

All applications will be reviewed by an Assessment Panel consisting of four members, two of whom will be external to the PSI. The Assessment Panel will:

- Assess all candidate applications against the six competencies outlined in Appendix 2;
- Consider whether a brief meeting or telephone call is required in order to clarify any information or to help make a final decision;
- Consider whether any other selection or verification method is required over and above that set out in the Application Form (this may include the PSI requiring further information or statutory declarations from shortlisted applicants about their experience or qualifications);
- After conclusion of the assessment process, make a recommendation to the Council of the PSI in relation to appointments.

Once these steps have been completed, and the PSI Council has made any appointments, all applicants will be contacted regardless of whether they are successful or not. Successful applicants will be invited to join the current Disciplinary Panel and will be eligible for selection when committee vacancies arise. The panel will be in place until 31 December 2023.

E. Submitting your Interest

If you are interested in applying for membership of the PSI's Disciplinary Committees panel, please complete the Application Form available on our website. Only applications made using this form will be accepted.

Please return this form to the PSI no later than **5pm on Friday, 23 April 2021** to eanna.olochein@psi.ie.

Confidentiality

The PSI takes its data protection obligations very seriously. The PSI will process any personal data in relation to your application in accordance with the Data Protection legislation. The data will be kept for no longer than is necessary for its purpose, and it shall be kept in a manner that ensures appropriate security of the data, including preventing against the unauthorised or unlawful processing of data. More information is available in our [Data Protection Statement](#).

Useful Links

- Read more [about the PSI – our role, responsibilities and governance](#)
- Read more about the [PSI's Disciplinary Committees](#)
- View the current membership of the [Preliminary Proceedings Committee](#), [Professional Conduct Committee](#) and the [Health Committee](#)
- [Pharmacy Act 2007](#)
- [PSI Reports and Strategy](#)

Appendix 1

Information regarding the PSI Statutory Disciplinary Committees

Disciplinary Committees

There are three committees involved at different stages in the complaints process under Part 6 of the Act:

1. Preliminary Proceedings Committee

This committee reviews complaints at a “screening stage”. It advises the PSI Council on whether:

- the complaint should be referred to hearing before a Committee of Inquiry
- the complaint should be referred to mediation
- no further action should be taken in relation to the complaint

Meetings of the Preliminary Proceedings Committee are held in private.

2. Committees of Inquiry

There are two Committees of Inquiry which can hear a complaint.

(a) Professional Conduct Committee: This committee hears complaints which have been referred to it primarily on grounds of professional misconduct and poor professional performance. A selection of committee members (normally three) sit when an inquiry is due to be heard. The hearings normally take place in public.

(b) Health Committee: This committee hears complaints which have been referred to it usually on the grounds of inability of a pharmacist to practise due to health impairment. A selection of committee members (normally three) sit when an inquiry is due to be heard. It is usually held in private.

Hearings before both the Professional Conduct Committee and the Health Committee are similar to hearings before a court or tribunal. The committee hears evidence from the parties to a complaint. When the committee has considered the evidence, it decides whether there are findings to be made against the pharmacist or pharmacy. Where the committee makes findings against a pharmacist or pharmacy, it recommends to the PSI Council the sanction which it thinks should be applied to the pharmacist or pharmacy.

Who sits on the Disciplinary Committees?

The PSI’s Disciplinary Committees must include:

- Lay members (non-pharmacists);
- Registered pharmacists; and
- Registered pharmacists who are pharmacy owners (either a sole trader or a director of, or a shareholder in a corporate body which carries on a retail pharmacy business)

Main Duties and Responsibilities of Committee Members

Depending on the Disciplinary Committee, committee members are required to:

- work together to consider information and evidence presented to them;
- reach fair and well-reasoned decisions about pharmacists and pharmacies when considering complaints;
- consider allegations against pharmacists and pharmacies at fitness to practise hearings;
- participate in collaborative decision-making regarding fitness to practise hearings;
- consider information and evidence and arrive at clear and consistent decisions;
- attend training that is provided by the PSI so that members are competent to participate in the work of the committee.

Time Commitment

Committee meetings and fitness to practise hearings are normally held at the offices of the PSI on [Fenian Street in Dublin](#). Due to the COVID-19 public health emergency, meetings and most hearings are taking place remotely (i.e. virtually).

The frequency of meetings is set out below.

- The Preliminary Proceedings Committee meets approximately every six weeks to consider complaints. This Committee operates on a fixed schedule and the meeting dates are normally agreed at the beginning of each year. Members of the Preliminary Proceedings Committee are welcome to attend as many meetings as they are available to attend. Quorum for this committee is five members and the committee must consist of a lay majority. Meetings can last from a half day to a full day.
- The Professional Conduct and Health Committees meet, as required, when a matter is ready for hearing. Both committees consist of a lay majority, and normally three committee members sit on each committee to hear complaints referred to them. Both committees have the benefit of an independent legal assessor who may advise the committee on certain matters arising as part of the hearing, and as required. In addition, the Health Committee also has an independent medical assessor to provide advice as required on any medical matters. Many inquiries last for one or two days; however, some inquiries can run for more than two days. The PSI will contact all committee members in advance of a hearing to ascertain availability to sit at a hearing for a particular date or dates. Members of the Professional Conduct Committee and the Health Committee are not required to participate in every inquiry; however, they are expected to make themselves available where possible. The PSI is under no obligation to provide a committee member with any guaranteed minimum number of days of hearing per annum. The Professional Conduct and Health Committees are also convened for “callover meetings” at which complaints being prepared for inquiry are reviewed. The Committees may also hear certain applications at a callover meeting.
- The Chair of the committee may convene additional meetings if they consider this necessary.

- Committee members will be required to devote as much time to the duties of the committee as necessary for the proper and efficient discharge of their duties. This will include time to read material relating to complaints in advance of committee meetings or fitness to practise hearings, to assist with the drafting of minutes and reports where necessary and to attend other activities such as training and other ad hoc meetings, as required. By applying for the position, it is assumed that the member can meet this time commitment.

Fees and Expenses

Disciplinary Committee members are remunerated for their work at a rate of €322 per day. (The Chairperson of the Committee is paid a rate of €500 per day). Committee members will also be required to attend training days which are remunerated at a rate of €300 per day, and €150 per half day. All reasonable vouched expenses are discharged in line with the PSI's travel and subsistence policy. Committee members who are public or civil servants do not qualify for remuneration.

Disclosure of Interests

Schedule 1 of the Pharmacy Act 2007 requires disclosure of certain interests by any member of a Committee of Council attending a meeting in which they have such an interest other than in his or her capacity as a member of that Committee. Members of the Disciplinary Committee are therefore required to disclose any such interests, which will be recorded in the PSI's register of interests, and which arise either during the course of their term as a Committee member or in relation to any item of business arising at a meeting of that Committee which they attend.

Appendix 2

Competencies required (skill, knowledge and abilities) for PSI Disciplinary Committees

You do not need to have participated in committees or public bodies like this previously. However, committee members must bring appropriate experience, knowledge, and ability to the role. Consider how your experiences meet the competencies set out below.

No.	Core Competencies	Examples
1.	A clear understanding of and commitment to public protection	You will have an appreciation of, and commitment to protecting, promoting, and maintaining the health, safety and well-being of patients and the public.
2.	A proven ability to work collaboratively and constructively with others	Accepting challenge from others whilst remaining focused on the task. Seeing beyond your own personal experience or specialism and considering other information and perspectives. Showing respect for committee members and all participants in the disciplinary process. Giving and receiving constructive feedback.
3.	Understanding of or interest in regulatory/legislative environments or frameworks	Working within a framework of legislation, rules, guidance, and standards and understanding legal and procedural issues to achieve consistent determinations. Appreciating the PSI's obligation to protect the public and maintain public confidence in the profession and in the system of regulation. Respecting respondents' rights to an objective hearing and fair procedures. Ability to learn and develop professionally and maintain up to date knowledge of issues relevant to the role. Ability to act independently and in good faith and to behave in a fair, balanced and non-discriminatory fashion.

No.	Core Competencies	Examples
4.	Ability to analyse information and use effective judgement to make fair and reasoned decisions	Ability to reach objective, proportionate and reasoned decisions and accept responsibility for decisions.
		Identifying the relevant implications from what is being discussed and assessing the impact of a decision on all parties involved.
		Clearly explain how conclusions have been reached.
		Recognising when information is limited and where more information might be needed.
		Bringing independent and objective scrutiny.
		Ability to balance the need for proper and objective consideration of issues with the obligation to deal with matters in a prompt manner.
5.	Ability to communicate effectively with good interpersonal skills	Ability to communicate clearly and concisely – spoken and in writing.
		Being focused and succinct in your communication with good/active listening skills.
		Confident in expressing views and opinions in a group setting.
		Ability to communicate courteously with all participants in the disciplinary process.
		Ability to adapt your style appropriately for different situations.
		Good IT skills, able to access and communicate through email and use file sharing software e.g. iPads or other similar devices.
6.	Understands and values diversity and fair treatment	Shows awareness of the diversity of the communities which pharmacy professionals serve and an understanding of different needs.
		Commitment to equality, diversity and inclusion, impartiality and fair treatment.
		Aware of own biases and manages these appropriately.
		Listens with patience and courtesy.