

Minutes for Public Council Meeting No. 63

Thursday 29 January, 2015

PSI House, Fenian Street, Dublin 2

The Public session of the 63rd meeting of the Council of the Pharmaceutical Society of Ireland established under the Pharmacy Act, 2007 commenced at 2.05pm on Thursday, 29 January 2015 at PSI House, Fenian Street, Dublin 2.

Present: Ms Leonie Clarke, President, Mr Jim Brophy, Ms Nicola Cantwell, Mr Richard Collis, Mr John Corr, Dr Paul Gorecki, Ms Deirdre Larkin, Mr Edward MacManus, Mr Shane McCarthy, Ms Caroline McGrath, Prof Kieran Murphy, Prof Ciaran O'Boyle, Mr Fionán Ó Cuinneagáin, Mr Pat O'Dowd, Prof Caitriona O'Driscoll, Mr Keith O'Hourihane, Ms Rita Purcell.

PSI Staff: Ms Marita Kinsella, Registrar, Ms Damhnait Gaughan, Ms Feena Robinson, Mr Tony Reilly, Mr John Bryan, Dr Lorraine Horgan, Mr Tom McGuinn, Ms Róisín Cunniffe, Ms Louise Canavan, Ms L Kieley (for part), Ms Caroline Mellows (for part) and Ms Muireann McKeown.

The President opened the Public Council Meeting Number 63 at 2.05pm

Public Gallery:

The President introduced and welcomed the attendees in the public gallery.

1 Apologies

Apologies had been received from Dr Ann Frankish Vice President, Dr Chantelle Macnamara and Dr Jean Holohan. In addition, it was noted that two Council members had advised in advance of the meeting that they would have to leave mid-afternoon.

2 Declaration of Interests

Under item 2 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. Those requirements are also reflected in the Code of Conduct adopted for Council members which requires that Council members *"be honest and open with regard to conflicts of interest (either real or perceived). Members must not use their position for personal gain in either business, political or social relationships. Therefore, a member who has, or may be perceived to have, such a personal interest in a particular matter under consideration should declare that interest, withdraw from all discussions relating to it and take no part in any vote on such matter."*

3 Draft Minutes of Public Council meeting No. 60

The President noted that the draft minutes of Public Council Meeting Number 62 had been circulated previously to Council members and that no comments or corrections had been received.

Decision: The minutes of Council meeting Number 62 were approved by Council on the proposal of Ms D Larkin and seconded by Mr J Brophy.

4 Report from the Registrar and Committees of the Council

The Registrar addressed Council. Council had been circulated with the Report of the Registrar and Committees which contained updates for the Council from the Advisory Committees and Units of the PSI. She also gave an overview, by means of a presentation, of the key updates and significant points of note for Council from the Report.

The President, Professor C O'Boyle, Prof K Murphy, Mr S McCarthy and Ms R Purcell formally commended the Registrar and Executive on the huge amount of work achieved in 2014 especially with regard to completing 729 pharmacy inspections during the year. On behalf of the Council, the President asked her thanks to be conveyed to all the staff at the PSI.

Council was informed that the Minister for Health had been made advised of the vacancies that will arise on Council this year and that the PSI had been updated by the Department that it has already initiated engagement with the Public Appointment Service in this regard. The election of the 4 pharmacist appointees to Council is scheduled for 15 April 2015, with the count scheduled to take place on 16 April 2015. The terms of office that are due to expire this year, end on 14 June and therefore there will be a Council meeting held (21 May) between the election and date of the new appointments.

In response to a question regarding the process of appointment by the Minister of non-pharmacist members of Council, Council was informed of the new Guidelines on Appointments to State Boards published by the Department of Public Expenditure and Reform in November 2014 which would apply to appointments to the PSI Council.

As part of an update regarding the 2015 Service Plan, Council members were asked to consider their interest in being involved in a sub-group of Council to progress the following Service Plan objectives:

- Review of PSI's Corporate Governance Framework
- Development of a process to evaluate Council's effectiveness.

Council was updated on the following matters:

- The 2014 Annual Report and Financial Statements will be on agenda of the 26 March 2015 Council meeting.
- Following consideration by individual Advisory Committees and the Chairs Committee, proposals for delegations from Council will be on the agenda of the 26 March 2015 Council meeting.
- Following further discussion of a policy document regarding temporary absence at the next RQR Committee meeting, the policy document will be on the agenda of the 26 March Council meeting.
- The Executive in conjunction with the RQR Committee will give further consider to mandatory online registration in future.

Action: • The Executive will liaise with Council on developing a Training & Development Plan for Council and to seek feedback on topics of interest Training on Freedom of Information Act 2014 and the Protected Disclosures Act 2014 to be included at the next Council Training day (23 April 2015).

5 Future Pharmacy Practice Policy – Project Progress Options.

Mr K O’Hourihane, Chair of the Pharmacy Practice Development (PPD) Committee addressed Council. Council had been circulated with documentation regarding this agenda item for decision. At Council meeting No. 62, held on 16 December 2014, Council considered an “Options Paper” (appended to the documentation for the current meeting) the purpose of which was to facilitate Council in considering whether it wished the PSI to commence a project in 2015 to explore the most beneficial mechanisms by which pharmacy can contribute to the health and wellbeing of patients in an evolving healthcare system and environment. The paper set out possible options for such a project. Council indicated at that meeting that it was open to commencing a project in 2015 in this area, but would require further assessment and analysis relating to actions and costs, with specific reference to options 2 and 3 of the discussion paper provided.

Council was informed that the PPD Committee met by teleconference on 22 January 2015 to review and advance this policy document, and provided comments on the proposal to support the Council discussion.

Ms R Cunniffe, Acting Head of Pharmacy Practice Development, addressed Council. Ms Cunniffe and the Registrar attended a meeting with the Primary Care and Medicines, Controlled Drugs & Pharmacy Legislation Units of the Department of Health on 27 January 2015. At this meeting, Department of Health officials indicated that they were open in principle to be involved in a project steering group and also stated that they would welcome engagement at an early stage regarding the draft terms of reference of such a group. Ms Cunniffe advised Council that engagement with the HSE and Department of Health in this project would be vital.

The Registrar addressed Council and highlighted possible next steps if the Council gave its go-ahead to progress the project, as follows:

- it would be advisable that Council establish an independent steering group to guide this work and suggested membership of a steering group would be brought for Council approval,
- an invitation to tender in respect of the tasks will be prepared and a tender competition undertaken for the project work.

The Registrar also advised Council that a new staff member will be joining the PSI next week and that this project will be assigned specifically to that person.

Decision **Council gave its approval to progress the Future Pharmacy Practice Policy along the lines recommended by the Executive on the proposal of Mr J Corr and seconded by Ms C McGrath.**

One Council member recorded an abstention.

6. Update on Inspection Policy

Mr J Bryan, Head of Inspection and Enforcement (I & E) Unit and Acting Head of Administration and Finance addressed Council. Council had been circulated with documentation regarding this agenda item for noting. At Council meeting No. 62, Council considered the report of the independent Project Expert Group appointed by the Council to oversee the Inspection Policy Project and agreed that the Executive would draw up a project plan on the basis of that report, subject to the policy regarding announcing routine inspections being considered further by the Council. Council was informed that the I & E Unit continue to work on the project plan and plans to present a “Policy Options” paper to Council at its meeting on 26 March 2015. The next I & E Committee meeting will take place before the Council meeting in March.

Council noted that work is progressing on the Self-Audit Tool element of the Project Plan.

The President addressed Council. At the Council meeting held on 16 December 2014, the Council approved two motions with regard to the appointment of Authorised Officers and asked Council to formally note that there had been a typographical error on the face of the two motions, in that both documents stated “Council meeting No. 61” instead of “Council Meeting No. 62”.

- 7. Approval of PSI (Council) (Amendment) Rules 2015 (Ms L Clarke)**
 - 7.1 Proposed Pharmaceutical Society of Ireland (Council) (Amendment) Rules 2015**
 - 7.2 Responses received to Public Consultation**
 - 7.3 Draft Rules submitted to Council at its 16 December 2014 Meeting**
 - 7.4 Motion for approval of draft Rules**

The President addressed Council. Council had been circulated with documentation for this agenda item, namely: a copy of the revised Rules following public consultation, a copy of the responses received from the Public Consultation, a copy of the draft Rules that Council approved in principle at its meeting held on 16 December, 2014 and a motion for approval of the rules. Following the public consultation, the draft Rules have been sent to Department of Health who have advised that they have no comment on them.

Decision Council approved the PSI (Council) (Amendment) Rules 2015 on the proposal of Mr K O’Hourihane and seconded by Mr P O’Dowd.

Motion No. 1 was signed by the proposer and seconder, Mr K O’Hourihane and Mr P O’Dowd. Subsequent to the meeting, the motion was signed by the President and Registrar and the seal of the PSI was affixed to the document.

- 8. Decision regarding appointments to PSI Committees**
 - a) Appointments to PSI Advisory Committee**

Mr F Ó Cuinneagáin, Chair of the Professional Development and Learning (PD & L) Committee addressed Council. Council had been circulated with a memo regarding the reappointment of Mr Stephen Nolan and the appointment of Ms Emma McDonnell to the PD & L Committee for decision. Mr Nolan has indicated that he would be in a position to continue to participate in the work of the Committee and had expressed an interest in being reappointed. A brief biography of Mr Nolan and background information re Ms McDonnell’s appointment was included in the memo to Council. Ms McDonnell is a student nominee from the Head of School of Pharmacy and Pharmaceutical Sciences in TCD.

In accordance with the procedure for Appointment to Advisory Committees approved by Council in October 2014, the President, Registrar and Chair of the PD & L Committee recommended to Council the appointment of Mr Stephen Nolan and Ms Emma McDonnell to the PD& L Committee.

Decision Council approved the appointment of Mr Stephen Nolan and Ms Emma McDonnell for a term of two years from the date of the appointment to the PD&L Committee on the proposal of Mr J Corr and seconded by Ms C McGrath.

- 10. PSI Corporate Procurement Plan 2014-2017**

Ms Rita Purcell, Chair of the Administration and Finance (A & F) Committee addressed Council. Council had been circulated with a copy of the PSI’s Corporate Procurement Plan 2014-2017 for noting. The A & F Committee approved this plan at its meeting on 2 December 2014 and had been assigned responsibility for its implementation. The plan provides high level information regarding the procedures, policies and actions that fall within the PSI’s procurement objectives and strategies.

Following clarification sought from Council regarding the distinction between items 2 and 6 listed in the top 10 categories by expenditure on page 24 of the document, the Registrar clarified for Council that item 2 - “Legal” – relates to costs incurred by the PSI from the PSI’s legal advisors who advise in relation to the performance by PSI and the Council of its statutory functions under the Act (including fitness to practise). Item 6 – “Legal Assessors/Mediation/Senior Counsel” are costs incurred by the PSI for legal assessors for the Council, the Professional Conduct Committee (PCC) and Health

Committee in the performance of their fitness to practise role. Ms F Robinson, Acting Head of Fitness to Practise and Legal Affairs clarified for Council that the requirements of natural justice and fair procedures would preclude an in-house PSI lawyer from advising the Council or Committees of Inquiry.

The President reminded the Council that quarterly management accounts are reviewed by the A & F Committee and these reports are brought to Council. In addition, the Registrar's and Committees' Report contains a regular update regarding ongoing and upcoming tenders.

At the request of the President, agenda item 10 was removed from the agenda prior to the meeting.

11. PSI Draft Investment Management Policy 2015

Ms R Purcell addressed Council. Council had been circulated with a draft of the Investment Management Policy 2015 for approval. This policy, which had been discussed and agreed by the Administration and Finance Committee, sets out in an official framework how it is proposed that the PSI shall maintain its liquid assets and manage its available funds to ensure best use of funding and ability to meet its responsibilities. Ms R Purcell outlined to Council the roles and responsibilities as referenced on page 4, the proposed policy that investments will be made on the basis of no risk to the funds invested and the balanced spread of funds across authorised asset classes and instruments referenced on page 8 of the policy.

Council discussed PSI's assets and liquidity and noted that cash balances vary depending on the time of year.

In response to a specific query, the Registrar clarified for Council the detail of the cash position of the organisation in the most recent statutory accounts. This was done by referring to the letter issued by the President dated 31st July 2014 to all registrants, in conjunction with the publication of the Annual Report 2013, which set out the PSI's financial position as follows:

- €6.22m deferred income – ie registration fees paid by the end of 2013 to fund PSI functions during 2014. This figure is at its highest at year end annually.
- €2.5 designated legal reserve fund – this fund is approved by Council to ensure that the PSI has sufficient resources in the event of a legal challenge, in order to protect against the necessity for a consequent increase in registration fees.
- €2.498m superannuation fund mandated by law, consisting of staff and employer contributions, which is in the process being transferred to the Department of Health / Department of Public Expenditure and Reform.
- €0.438m surplus from the sale of PSI's previous premises, which under the Pharmacy Act must be used for education or research purposes and/or to improve the profession of pharmacy.
- C. €2m – unrestricted cash. The 5% reduction in registrants' fees introduced for 2015 will run down this surplus.

It was also noted that, from 2016, Council had agreed that the PSI will be required to make a greater financial contribution (ca €300K – 400K) to the Institute of Pharmacy. In addition, Council had approved in principle funding for the further development of the Central Selection and Matching System and the Tutor Training and Development Programme during 2016 and 2017.

Decision **The Investment Management Policy 2015 was approved by Council on the proposal of Prof K Murphy and seconded by Mr S McCarthy.**

12 **Approval of composition of Accreditation Teams and appointment of accreditation panel members for the accreditation of the Five-year Integrated Master's Degree Programmes in Pharmacy.**

Mr F Ó Cuinneagáin, Chair of the Professional Development and Learning (PD & L) Committee addressed Council. Council was requested to consider and to approve the following:

- 1) The proposed composition of the accreditation teams according to various categories, e.g. pharmacists practising in Ireland, non-pharmacist patient advocate, accreditation experts, students, etc.; and
- 2) Subject to their acceptance and availability, the names of the panel members in each category that are proposed to carry out reviews of the five-year integrated Master's degree programmes in pharmacy to be provided by the three Schools of Pharmacy.

Full details of the proposed composition of the accreditation teams according to each category and the names of the proposed panel members were set out on pages 3 and 4 of the Council's documentation. The President drew Council's attention to the biographies of the proposed accreditation panel members included at appendix 1 of the memorandum.

The President, on behalf of Council, thanked everyone on the PD & L Committee and in the PD & L Unit, for the huge amount of ongoing work involved in the PSI's degree programme accreditation activities.

Decision **The proposed composition of the accreditation teams according to each category was approved by Council on the proposal of Mr K O'Hourihane and seconded by Mr P O'Dowd.**

The names of the panel members in each category that are proposed to carry out the reviews of the five-year integrated Master's degree programmes in pharmacy to be provided by the three Schools of pharmacy were approved by Council on the proposal of Mr S McCarthy and seconded by Ms D Larkin.

13 **Approval of revised policy on eligibility for recognition as a tutor pharmacist or as a training establishment vis-à-vis convictions and sanctions.**

Mr F Ó Cuinneagáin addressed Council. Council had originally approved this policy at its meeting on 15 May 2014. Arising from the implementation of this policy, a small number of amendments to the policy were identified as necessary and these were highlighted to Council in the documentation circulated.

Mr Ó Cuinneagáin outlined to Council the key changes to the policy. Mr. Ó Cuinneagáin confirmed to Council that the PD & L Committee had reviewed the revised version of the policy at its 10 September 2014 meeting and was recommending the revisions to Council for its approval.

Decision **The revised policy on eligibility for recognition as a tutor pharmacist or as a training establishment vis-à-vis convictions and sanctions was approved by Council on the proposal of Prof K Murphy and seconded by Mr J Brophy.**

14 **Council Members' Time**

The President addressed Council and advised that no Council member had notified their intention to speak during this agenda item.

Mr E Mac Manus addressed Council with regard to the current issue of medicines shortages. Ms R Purcell commented that the HPRA is doing everything within its scope of responsibility to address

the issue. She advised that medicines shortages can arise as a result of manufacturing problems at pharmaceutical plants, with the effect that a medicine shortage can affect all of Europe.

The Registrar advised that the PSI has previously issued a guidance to pharmacists on how to manage shortages and that this could be included again in a PSI newsletter to assist pharmacists regarding the management of medicines shortages.

Mr S McCarthy addressed Council to suggest that future Council training should include training on the demarcation between executive and non-executive roles.

The Public Council meeting ended at 3.36pm

President

Date