

The 10th Meeting of the Pharmaceutical Society of Ireland established pursuant to the Pharmacy Act 2007 was held on Tuesday 3rd March 2009 at 11.30am in the Council Chamber of Waterford County Council, Civic Offices, Dungarvan, Co. Waterford.

Council Members present: Dr. B. Leddy (President), Dr. W. Boles, Ms. C. Hallahan, Mr. C Deasy, Mr. C. Fagan, Dr. P. Gallagher, Dr. J. Hillery, Ms. K. Mulvenna, Ms. N. Harvey, Ms. I. Kelleher, Ms. D. Larkin, Ms. M. Ní Longáin, Mr D. O'Loughlin, Assist. Comm. N. O'Sullivan, Ms. R. Purcell, Prof P. Weedle

PSI Corporate Management in attendance: Dr. A. McLoughlin (Registrar), Ms. J. Aylward, Mr. J. Bryan, Ms P. Daly, Ms. D. Gaughan, Ms. L. Horgan, Mr. R. Kennedy, Dr. C. Nestor, Ms. K. O'Flaherty, Mr. S. O'hAodha, Dr. C. Stokes, Dr. J. Warren.

1. Apologies

Mr. B. Hayes, Mr. P. Fahey, Prof. John Feely, Prof. J .Nunn, Ms. Phil O'Neill.

The President opened the meeting and welcomed new Council members, Ms. Kate Mulvenna and Dr. John Hillery. He also welcomed new PSI staff members in attendance: Dr. Cora Nestor, Dr. Joan Warren, Mr. Rory Kennedy.

As the two new members appointed to Council are also members of the PSI Audit Committee, membership of that Committee was discussed. Dr. J. Hillery indicated that he would resign immediately as Chair of the Audit Committee. Ms. K. Mulvenna indicated that she would continue as the Pharmacist representative on the Committee until a replacement pharmacist was approved by Council. The Registrar indicated that both Mr. John Gloster, former CEO of the Board of Postgraduate Medical and Dental Board, currently Postgraduate Training Officer, The College of Psychiatry, and Mr. Noel Conroy, former Garda Commissioner, were persons disposed to accepting invitations to join the Committee. Dr. J. Hillery indicated that the Audit Committee should meet before the next Council meeting and vigorously pursue its 2009 Audit Plan. It was agreed that Council would consider a replacement for Ms. K. Mulvenna at its May meeting.

Action¹: Office of the Registrar

2. Draft Minutes of Council Meeting of 16th December 2008 (Appendix A: Sent 19th February 2009)

Approval of the Minutes of 16th December was proposed and seconded:

1. Prof. P. Weedle
2. Ms C. Hallahan

Action²: Office of the Registrar

2.1 Appointment of Presiding Officers (Appendix B: Registrar. Sent: 19th February 2009)

The Registrar referred to section 17(3) of S.I. 492 of 2008 Pharmaceutical Society of Ireland (Council) Rules 2008 which states the requirement for the appointment of Presiding Officers, in advance of the Presidential/Vice-Presidential election to be held at the May Council meeting. Mr. Tom McGuinn, Presiding Officer, and Mr. John Bryan, alternate Presiding Officer were nominated. Proposed and seconded by:

1. Mr. C. Deasy
2. Ms. D. Larkin

3. Annual Report and Financial Statements 2008 (Appendix C: Sent: 23rd February 2009, amended 3rd March 2009)

The Council approved the Annual Report and Financial Statements 2008, following a detailed briefing and discussion on key elements of expenditure by Mr. C. Fagan. The Registrar responded to queries and clarified certain details within the Financial Statements. Mr. C. Fagan and the Registrar briefly outlined the approach to cost containment in 2009. The Registrar also indicated that the proposed Service Plan for 2009 may require review/revision in light of the current difficult economic environment and any Government decisions that may be taken this year to address this.

The Annual Report and Financial Statements 2008 were approved unanimously. Proposed and seconded by:

1. Ms R. Purcell
2. Ms. D. Larkin

3.1 Motion on signatories to the Seal of the PSI (Appendix D: Sent 19th February 2009)

The Registrar outlined the background to the requirement of the Motion.

The Motion on signatories to the Seal of the PSI was approved and seconded by:

1. Ms M Ni Longain
2. Ms. C. Hallahan

3.2 Co-option to Inspection and Enforcement Committee (Appendix E: Sent 19th February 2009)

Asst. Comm. N. O'Sullivan proposed to Council that Mr. Martin Higgins, the CEO of *safe*food, be co-opted to the Inspection and Enforcement Committee. This was proposed and seconded by:

1. Ms R. Purcell
2. Mr. D. O'Loughlin

Action³: I&E Unit

3.3 Discussion on Corporate Governance Framework document, facilitated by Mr. Paul Turpin, IPA. Appendix F: Sent 19th February 2009)

Mr. P. Turpin initiated a discussion on some of the key issues in the PSI Corporate Governance Framework document, among them issues concerning the responsibility of Council members, expectations of stakeholders, and conflicts of interest. Council considered it essential that there be a further opportunity in the coming months to review the Corporate Governance Framework document. The Registrar agreed he would make appropriate arrangements to facilitate such a discussion.

The Registrar suggested that, due to time constraints, this topic should be tabled for more detailed discussion at a later meeting of Council where Mr. P. Turpin could address Council again.

Action⁴: Registrar's Office

**3.4 Implications of Part 6 of the Pharmacy Act– the new legal environment
Address by Mr. Dominic Dowling, PSI Legal Adviser**

Mr. D. Dowling gave a briefing on the implications of Part 6 of the Pharmacy Act, and stressed the role of Council in an oversight capacity, in terms of hearings, complaints and other confidential information. He pointed out that the Council will be the custodians of an adversarial system of justice with significant powers and entrustments. Therefore it is important to ensure that systems are put in place to allow the PSI to adequately perform its functions. He suggested that the Registrar's Office should ensure that training events for Council and its Committees be organised in the future.

The Registrar indicated that a further meeting should be convened to discuss this important area in more detail. In the meantime Mr. Dowling's paper will be circulated to Council members for their information.

Action⁵: Registrar's Office

3.5 Policy Development for Implementation of Part 6 of the Pharmacy Act (Appendix G: Mr. T. McGuinn. Sent: 19th February 2009)

The Registrar recommended that an appropriate amount of time be set aside to deal with this policy development document. This will be linked to a detailed discussion on the Corporate Governance Framework.

Action⁶: Registrar's Office.

3.6 Process Mapping Documentation (Sent on 30th January by Dr Stokes)

Discussion of this documentation will take place at the next Council meeting.

Action⁷: Registrar's office

3.7 PSNI/PSI Co-operation (Appendix H: Sent 19th February 2009)

The Registrar briefed Council on correspondence between the PSI and PSNI, on the area of mutual cooperation. The Council approved the nominations of the following PSNI personnel to PSI Committees:

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| Pharmacy Ireland 2020 | - PSNI President or Vice President |
| Professional Development and Learning Committee | - Chair of PSNI Education Committee |
| Standards and Practice Committee | - Chair of either Standards or Ethics and Law |
| Registration and Qualification Recognition Committee | - Mr. Brendan Kerr, Registrar |
| Inspection and Enforcement Committee | - Mr. Trevor Patterson, Director |

The PSI is invited to nominate observers to PSNI Council, Education, Ethics and Law, and Practise Committees. Council members are to notify the Registrar of their availability to serve on any of these committees.

3.8 Update on Council Election (Appendix I: Sent 19th February 2009)

This Agenda item was not discussed. The Registrar referred Council to Appendix I in the documentation.

3.9 Update on Commencement of Part 4 of the Pharmacy Act (Appendix J: Sent 19th February 2009)

Prof. P. Weedle reported to Council on the following two areas:

3.9.1 Update on establishment of register of RPBs and status of registration of pharmacies

Prof. P. Weedle reported to Council that the new Register of Retail Pharmacy Businesses (RPBs) was established by the PSI on 1st January 2009. The first phase of the online publication of the Register of RPBs has been available to the public on the PSI website since Friday 23rd January 2009.

3.9.2 Update on establishment of new personal registers and status of continued registration of Pharmacists and Pharmaceutical Assistants

Prof. P. Weedle reported the new personal registers were live and operative and immediately thereafter all persons appearing on the old Registers were automatically and individually migrated to the new Registers. Consequently, all persons named on the previous Register of Pharmaceutical Chemists and Register of Pharmaceutical Assistants (and including those persons listed in Council Resolution No. 1 of Meeting No. 6 held on 27 May 2008), were transferred to the new registers with effect from 29 November 2008. New applicants (national and EU) were added to the new Register of Pharmacists and Pharmaceutical Assistants during December 2008.

The system of continued registration for pharmacists and pharmaceutical assistants commenced on 29 November 2008. Notification of the requirement to apply for continued registration and to pay the required registration fee was issued to all registrants who migrated to the new Registers with the request to complete the process by 22 December 2008. A reminder of the requirement to apply for continued registration and/or payment of fee was sent to all persons who had failed to do so by letter on 30 January 2009.

As the Pharmaceutical Society of Ireland (Fees) Rules 2008 (S.I. No. 496 of 2008) contain no provision for a registration fee for Druggists, those on the Register of Druggists established on 29 November 2008 and who transferred from the old Register (two persons) have not been issued with a fee/continued registration notice.

The first formal statutory demand as provided for in s. 60 of the Pharmacy Act 2007 and Part 5 of the Pharmaceutical Society of Ireland (Registration) Rules 2008 (S.I. No. 494 of 2008) was issued on 24 February 2009 to all persons who have yet to apply for continued registration and/or pay the required fee (around 600 pharmacists). The Process is ongoing.

Prof. P. Weedle commended the PSI staff for processing approx. 6000 applications. He also thanked the profession for their cooperation and considerable effort put into complying with requirements.

3.10 Update on non-EU/EEA process of qualification recognition for applicants with third country qualifications and/or third country citizenship, by the Dept. of Justice Equality and Law Reform. (Appendix K: Sent 27th February 2009)

Prof. P. Weedle reported that the preparation for this process is now almost finalised. He outlined to Council that previously this route has been closed. Advice had been sought from Mr. Dominic Dowling following which further revisions would be made. It was expected that the system would be commenced in the very near future.

3.11 Update on implementation of PSI (Education and Training) Rules 2008 (Appendix L: Sent: 19th February 2009)

Dr. P. Gallagher indicated that the Professional Development and Learning Committee recommends that the Council confirm, on a transitional basis, the recognition of the criteria,¹ the in-service practical training arrangements and other related matters, such as the syllabus, the quality assurance, assessment and evaluation mechanisms, and the requirements in respect of tutor pharmacists, that had been in place on the coming into force of the Pharmaceutical Society of Ireland (Education and Training) Rules 2008 (S.I. No. 493 of 2008) on 29 November 2008, insofar as is necessary for the purposes of those Rules, subject to the further direction of the Council and any prescribed review requirements provided for in those Rules. This recommendation was confirmed without comment by Council.

4. Committee Reports

4.1 Inspection & Enforcement Committee (Appendix M: Sent 19th February 2009)

Asst. Comm. N. O'Sullivan summarised the report from the Committee, sent to Council on 19th February and further amended on 2nd March.

4.2 Administration, Finance & Corporate Governance Committee (Appendix N: Sent: 23rd February 2009)

Mr. C. Fagan said that he had nothing to add to his previous report in item 3 of the Agenda.

4.3 Professional Development & Learning Committee (Appendix O: Sent: 23rd February 2009)

Dr. P. Gallagher summarised the report of his Committee, sent to Council on 23rd February.

Dr P. Gallagher outlined to Council the concerns of students in relation to securing placements in the 2009/2010 Pre-Reg year and also their concern at the level of application fee approved by the Minister for Health and Children. Following consideration of both matters, it was agreed that the Registrar and Dr. P. Gallagher will continue their discussions with Heads of Schools, Class Representatives and other stakeholders as appropriate. The Professional Development and Learning Committee will report to Council at the May meeting with its recommendations in respect of both matters.

Action⁸: Education and Registration Unit

4.4 Registration & Qualification Recognition Committee (Appendix P: Sent 23rd February 2009)

¹Criteria for Accrediting a Degree Course in Pharmacy [as adopted by the Council of the Pharmaceutical Society of Ireland at its meeting on 10 June 2002 in accordance with Article 10 of the Regulations of the Pharmaceutical Society of Ireland (Amendment) Regulations, 2002]

Prof. P. Weedle summarised the report of his Committee, sent to Council on 23rd February.

4.5 Standards & Practice Committee (Appendix Q: Ms N. Harvey)

Ms. N. Harvey summarised the report of her Committee, sent to Council on 19th February.

4.6 Chairperson's Committee (Appendix R: Ms C. Hallahan)

Ms. C. Hallahan recommended that a working group would be established on the role of the Vice President of the PSI. The members of this group are: Ms. N. Harvey, Mr. D. O'Loughlin, Prof. P. Weedle, and Ms. C. Hallahan, supported by the Registrar. The group will report to Council at the May meeting. Ms. Hallahan indicated that, following the May meeting, the Council's work-plan would be examined to ensure that all work of Council was progressing in line with the PSI Service Plan and the implementation programme for the Pharmacy Act 2007.

4.7 Council Members' Time*

Mr. D. O'Loughlin indicated he was happy to participate in the review by the working group of the Chairperson's Committee of the role of the Vice President.

Mr. C. Fagan said that he would be resigning from Council on the expiration of his term, due to other commitments. He praised the work of Council, the Registrar and staff, the commitment of members and staff, and thanked the President and Registrar for the courtesy shown to him.

5. President's & Registrar's Business

The President read a letter from Ms Marita Kinsella, Chief Pharmacist at the Department of Health and Children, thanking Council for their gift which was presented to her on leaving the PSI on secondment to the Department of Health and Children.

5.1 Protected Disclosures- Part 14 of the Health Act 2007 (Appendix S: Sent 19th February 2009)

A number of documents were circulated in relation to protected disclosures which was introduced by Part 14 of the Health Act 2007. The Council was informed that Dr. Cora Nestor has been nominated as the PSI officer to receive protected disclosures. This part of the Health Act was enacted on March 1st 2009 and the PSI is in a position to receive information under this legislation since its enactment.

5.2 Update on ICT (Appendix T: Sent 19th February 2009)

The President referred Council to Appendix T in the documentation and referred to the importance of investing in ICT to facilitate the effective working of the Regulator.

The meeting concluded at 2.15pm.

The next Council meeting will be held on Tuesday, May 26th 2009 at the offices of An Bord Altranais, Carysfort Avenue, Blackrock, Co. Dublin

Please note: In line with the recent email from the President, items relating to the Corporate Governance Framework and Part 6 of the Pharmacy Act, will be dealt with by way of special workshop on May 26th which will take approx. 2 hours.