



Bord Ailtranaís agus
Cnaimhseachais na hÉireann
Nursing and Midwifery Board
of Ireland



PSI

CUMANN COGAISTOIRI
NA hÉIREANN

The Pharmaceutical Society of Ireland

AN RIALTOIR CÓGAIŚÍOCHTA
THE PHARMACY REGULATORY

Memorandum of Understanding between the Nursing and Midwifery Board of Ireland and the Pharmaceutical Society of Ireland

September 2014

Memorandum of Understanding between the Nursing and Midwifery Board of Ireland and the Pharmaceutical Society of Ireland concerning co-operation in the regulation of the practise of nursing and midwifery and the regulation of the practise of pharmacy in Ireland.

1. BACKGROUND

The **Nursing and Midwifery Board of Ireland (“NMBI”)** established by the Nurses Act, 1950 to take over the functions of two bodies, the Central Midwives Board and the General Nursing Council, which had been established in 1918 and 1919 respectively, reconstituted and its functions redefined and expanded by the Nurses Act, 1985, and thereafter by the Nurses and Midwives Act, 2011, having its offices at 18/20 Carysfort Avenue, Blackrock, Co. Dublin, Ireland; and **the Pharmaceutical Society of Ireland (“PSI”)** as established by the Pharmacy Act 2007, having its offices at PSI House, Fenian Street, Dublin 2, wish to establish a framework for co-operation in the area of the regulation of pharmacy in Ireland and the regulation of the practise of nursing and midwifery in Ireland.

The objective of the NMBI is to protect the public and to deliver improvements in patient safety by promoting and better ensuring high standards of professional conduct and professional education, training and competence among registered nurses and midwives.

The PSI is charged with regulating the practice and profession of pharmacy in Ireland in the public interest. The objective of the PSI is to regulate, develop and improve the profession of pharmacy and to supervise compliance with the Pharmacy Act 2007 and instruments made under it.

2. OBJECTIVES

This Memorandum of Understanding (‘MOU’) is intended to assist and support both the NMBI and the PSI in performing their individual statutory functions and to maximise effectiveness and efficiency. In particular it takes note of areas of potential co-operation and collaboration in the interest of patient safety and public protection. The objectives of this MOU are:

- a) To promote co-operation on areas of strategic and high-level operational interest;
- b) To work together to promote knowledge and understanding of all matters concerning the safe and rational use of medicines in the interest of patient safety and public protection;
- c) To collaborate on communication and information sharing activities;
- d) To work together and with other regulators to consider opportunities for savings through joint procurement; and
- e) To facilitate co-operation on cross-referral of concerns and complaints where one organisation believes that it falls within the remit of the other.

This MOU represents the understanding reached by the NMBI and PSI, in particular that:

- both signatories have jurisdiction over different areas of regulation. This MOU is intended to cover areas of common interest or where co-operation will lead to better informed regulation, and
- both signatories may in particular circumstances, limit the scope of disclosure of information only if the disclosure is contrary to the public interest or the interests of the participant concerned, would be in breach or inconsistent with statutory obligations or requirements or other obligations and requirements imposed by law.

3. GOVERNING LEGISLATION

Established by the Nurses Act, 1950, the Nursing Board took over the functions of two bodies, the Central Midwives Board and the General Nursing Council, which had been established in 1918 and 1919 respectively. Reconstituted and its functions redefined and expanded by the Nurses Act, 1985, and thereafter by the Nurses and Midwives Act, 2011, whereby the name of the organisation changed to the Nursing and Midwifery Board of Ireland, this updated Act has conferred the NMBI with an increased number of statutory functions.

The principal functions of the NMBI are to:

- Establish and maintain a register of nurses and midwives and a candidate register of student nurses and student midwives;
- Approve and review programmes of education and training necessary for the purposes of registration and continued registration and provide guidance to registrants;
- Specify and review the standards required for the maintenance of the professional competence of registered nurses and midwives;
- Specify standards of practice for registered nurses and midwives including providing guidance on all matters related to professional conduct and ethics; and
- Conduct disciplinary procedures.

Established under the Pharmacy Act 2007, the principal functions of the PSI are to:

- Regulate the practice and profession of pharmacy in Ireland in the public interest;
- Maintain the Register of Pharmacists, Druggists, Pharmaceutical Assistants and Retail Pharmacy Businesses in Ireland;
- Determine and apply the criteria of registration to each application as laid down in the Pharmacy Act 2007 and the statutory rules made under it;
- Draw up codes of conduct for pharmacists and oversees the quality assurance and application of best practice across the sector;
- Accredit undergraduate pharmacy degree programmes offered in the State;
- Promote and ensure a high standard of education for pharmacy students and ensuring that registered pharmacists undertake appropriate continuing professional development (CPD);
- Inspect pharmacy practices, enforce pharmacy legislation and enforce various statutory provisions in respect of the practice of pharmacy and the sale and supply of medicines in Ireland; and
- Conduct disciplinary procedures.

4. AREA OF CO-OPERATION

The NMBI and the PSI having reached the above understanding will:

- a) Undertake to communicate as appropriate on all matters of strategic mutual and high level operational interest. Communication will be conducted on both a formal basis through scheduled meetings and informally on an ad hoc basis.
- b) Undertake to work together to promote knowledge and understanding of all matters concerning the safe and rational use of medicines in the interest of patient safety and public protection.
- c) Collaborate on communication and information sharing activities. The purpose of which will be to establish communication mechanisms to facilitate an understanding of the respective fields of regulation and operation of both organisations; and to examine and pursue opportunities to collaborate on initiatives in areas where it is deemed by both organisations to be in the best interest of patient safety and public protection.

- d) To work together and with other regulators to consider opportunities for savings through joint procurement.
- e) Facilitate co-operation on cross-referral of concerns and complaints where one organisation believes that it falls within the remit of the other and where there are concerns in relation to the health and/or welfare of service users. In the conduct of this activity both organisations will respect, maintain and adhere to all requirements of the relevant legislation.

For the NMBI this includes but is not limited to: circumstances where the NMBI, through its statutory complaints and inquiry processes, performance assessment procedures, process for quality assurance of nursing and midwifery education and training becomes aware of information regarding potential deficits in the safety, quality and standard of the service or context of care with respect to the practice of pharmacy.

For the PSI this includes but is not limited to: circumstances where the PSI through its statutory complaints and inquiry processes, performance assessment procedures, process for quality assurance of pharmacy education and training becomes aware of information regarding potential deficits in the safety, quality and standard of the service or context of care with respect to the practice of nursing or midwifery.

- A workplan governing the means by which the co-operation outlined above will take place will be developed jointly by the NMBI and the PSI as part of this MOU.

5. CONFIDENTIALITY

NMBI

- i. Nothing in this MOU requires the NMBI to release confidential information to the PSI except in accordance with law.
- ii. Unless otherwise required by law, the NMBI will not disclose any information received from the PSI under this MOU, except with the written consent of PSI. If disclosure is required by law, the NMBI will take all reasonable measures to ensure that the information received from PSI will be disclosed in a manner that protects the information from any disclosure that is not required or authorised by law.
- iii. Unless otherwise required by law, the NMBI will not use the information disclosed to it under this MOU for any other purpose than the performance of its regulatory activities/statutory functions.

PSI

- i. Nothing in this MOU requires the PSI to release confidential information to the NMBI, except in accordance with law.
- ii. Unless otherwise required by law, the PSI will not disclose any information received from the NMBI under this MOU, except with the written consent of the NMBI. If disclosure is required by law, the PSI will take all reasonable measures to ensure that the information received from the NMBI will be disclosed in a manner that protects the information from any disclosure that is not required or authorised by law.
- iii. Unless otherwise required by law, the PSI will not use the information disclosed to it under this MOU for any other purpose than the performance of its regulatory activities/statutory functions.

6. FINANCIAL ARRANGEMENTS

Each participant will be solely responsible for the administration and expenditure of its own resources associated with activities conducted under this MOU.

7. VARIATION

Any provision of this MOU may be amended at any time by the mutual consent in writing of the participants via the respective signatories.

8. STATUS OF MEMORANDUM OF UNDERSTANDING

This MOU reflects the intentions of the participants. It is not intended to create legal obligations of any nature, either in domestic or international law. The participants will however observe and give due respect to the confidentiality undertakings which they have expressed in this MOU.

9. EFFECTIVE DATE

This MOU will come into effect upon the date of signature of both signatories and will continue in effect until terminated in accordance with clause 11.

10. AGENCY CONTACT

The liaison officers responsible for the administration of this MOU are:

- a) for the NMBI, the persons holding the position of Registrar/Chief Executive Officer.
- b) for the PSI, the persons holding the position of Chief Executive Officer.

11. TERMINATION

- a) Either participant may, at any time, give written notice of termination to the other participant. This MOU (excepting clause 5) will terminate six months after the date of receipt of the notice of termination.
- b) The termination of this MOU will not affect the confidentiality undertakings expressed by the Participants in this MOU and any commitments given under or as a consequence of this MOU in respect of any arrangement or action taken during the period before the termination takes effect.

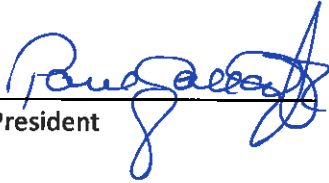
Signed on behalf of the NMBI



Chief Executive Officer

Chief Executive
Position

26/9/14
Date



President

President
Position

26th September 2014
Date

Signed on behalf of the PSI



Registrar/Chief Executive Officer

Registrar
Position

26/9/14
Date



President

PRESIDENT
Position

26.9.14
Date

Appendix A

The Nursing and Midwifery Board of Ireland List of Main Contacts

Name:	Position:	Contact No.	E-mail address:
Dr. Maura Pidgeon	Chief Executive Officer	01- 6398530	mpidgeon@nmbi.ie
Mr. Peter Dennehy	Director of Corporate Services	01-6398540	pdennehy@nmbi.ie
Ms. Ursula Byrne	A/Director of Regulation	01-6398570	ubyrne@nmbi.ie
Ms. Judith Foley	A/Chief Education Officer	01-6398560	jfoley@nmbi.ie
Ms. Gwen Byrne	A/Director of Registry	01-6398585	gbyrne@nmbi.ie

The Pharmaceutical Society of Ireland List of Main Contacts

Name:	Position:	Contact No.	E-mail address:
Ms. Marita Kinsella	Registrar/Chief Officer	01-2184011	marita.kinsella@thepsi.ie
Dr. Lorraine Horgan	Head of Professional Development & Learning	01-2184069	lorraine.horgan@thepsi.ie
Ms. Damhnait Gaughan	Head of Registration & Qualification Recognition	01-2184005	damhnait.gaughan@thepsi.ie
Dr. Cora Nestor	Head of Pharmacy Practice Development	01-2184070	cora.nestor@thepsi.ie
Mr. John Bryan	Head of Inspection & Enforcement	01-2184068	john.bryan@thepsi.ie
Mr. John Bryan	Acting Head of Administration & Finance	01-2184068	john.bryan@thepsi.ie
Ms. Ciara McGoldrick	Head of Fitness to Practise & Legal Affairs	01-2184033	ciara.mcgoldrick@thepsi.ie
Dr. Cheryl Stokes	Head of Corporate Affairs & Governance and Acting Head of Communications & Public Affairs	01-2184023	cheryl.stokes@thepsi.ie