

Minutes

The Public session of the 31st meeting of the Council of the Pharmaceutical Society of Ireland established under the Pharmacy Act 2007 was held at 10.15am on Tuesday 25th October 2011 at An Bord Altranais, Blackrock, Co. Dublin.

Present: Mr. P. Fahey (President), Mr. E. Hanly (Vice President), Ms. L. Clarke, Mr. J. Collins, Mr. J. Corr, Ms. M. Doherty, Dr. A. Frankish, Dr. J. Holohan, Mr. A. Horan, Ms. I. Kelleher, Ms. D. Larkin, Ms. M. Ní Longaín, Mr. F. Murphy, Mr. F. ÓCuinneagáin (by tele-conference for part of meeting), Mr. K.O'Hourihane and Mr. N. Stenson.

PSI staff in attendance: Dr. A. McLoughlin (Registrar), Ms. J. Aylward, Mr. J. Bryan, Ms. D. Gaughan, Ms L. Horgan, Mr. T. McGuinn, Ms. C. McGoldrick, Mr. S. O hAodha, Ms. K. O'Flaherty, Mr. T. Reilly, Dr. C. Stokes and Ms. E. Troy.

Ms. Deanna Williams, former Registrar Ontario College of Pharmacists

1. Apologies

Dr. M. Barry, Prof. K. McDonald, Prof. C. O'Boyle, Prof. C. O'Driscoll, Ms. R. Purcell,

2. Declaration of Interests

The President referred to item 2 in the Council documentation and reminded Council of their responsibilities in this regard.

Paragraph 9 of Schedule 1 to the Pharmacy Act 2007, deals with the necessary disclosure of certain interests by members of the Council and by members of its various committees. Those requirements are also reflected in the Code of Conduct adopted for Council members which also requires that they "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."

A copy of paragraph 9 of Schedule 1 to the Act, relating to the disclosure of certain interests is therefore included and all members of the Committee are strongly advised to familiarise themselves with its contents.

3.1 Draft Minutes of Public Council meeting No. 30, 29th September 2011 (Sent: 18th October 2011)

The Minutes of the 30th meeting of Council held on 29th September 2011 at An Bord Altranais were approved. Proposed and seconded by:

1. Mr. J. Corr
2. Mr. J. Collins

Action¹ : Registrar's Office

3.2 Institute of Pharmacy Managing Body (Sent: 18th October 2011)

The President introduced Dr. Frank O'Donnell and Mr. Andrew Brownlee from PA Consulting, and Ms. Mary Dunne from Byrne Wallace. He also welcomed Ms Deanna Williams, former Registrar of the Ontario College of Pharmacists (OCP). The PSI's model of CPD is based on that of the OCP and Ms Williams was invited on that basis and in her capacity as an external adviser to the PSI's CPD/PEARs Projects Implementation Steering Group.

Dr. F. O'Donnell and Mr. A. Brownlee gave a presentation on the procurement process to Council which covered the following information: Background to the process; Progression of the procurement process; Commercial risk, accountability and sustainability; Recommendation and services to be delivered; The proposed fee and value-for-money.

To set the context, Dr. F. O'Donnell and Mr. A. Brownlee indicated that the procurement process was underpinned by the requirements of the Pharmacy Act 2007, and was based on the recommendations contained in the Review of International Models of CPD report, which was approved by Council on 1st June 2010. One of the key findings of this report was the need to establish an Institute at 'arm's length' from the PSI to "oversee the management and delivery of CPD, funding and supporting appropriate provision and ensuring outcomes are generated by providers and assessing the practice standards of pharmacists".

It was confirmed that the procurement process was carried out by PA Consulting on behalf of the PSI. Following receipt of a number of Expressions of Interest and subsequent Invitation to Tender, one viable bid was received. An assessment panel oversaw the process, comprised of: Ms. L. Horgan (PSI), Ms Marita Kinsella (Chief Pharmacist, Department of Health), Prof. Bob Sindelar (Dean of School of Faculty of Pharmaceutical Sciences, University of British Columbia), Prof. Gerry Bury (Director of Medical Education and Training, HSE) and Mr. Mark Brett (Member of PA's Management Group at PA Consulting).

The Royal College of Surgeons in Ireland (RCSI) was deemed by this process to be the preferred bidder and the recommendation before Council today was that the RCSI be appointed as the Institute of Pharmacy Managing Body on a four year contract, with an option to extend for a further year. The role of the Managing Body was clarified to be that of a commissioning body for CPD programmes, and not a programme provider. It will source from the market suitable providers of CPD and accreditation of those programs will be carried out by the Institute using standards set by the PSI. Full reporting will be provided to the PSI.

It was confirmed that the Institute of Pharmacy would be fully accountable to the Council of the PSI and would provide Council with quarterly reports. An annual plan will be presented for approval annually. In addition, it is proposed that two Council nominees will sit on the Steering Group of the Irish Institute of Pharmacy.

It was also confirmed that all intellectual property remains with the Institute and is not tied to the particular management body. Rights to all background intellectual property owned by the RCSI will be also licensed to the Institute so that it can be used after termination of the RCSI contract. These provisions were put in place to ensure sustainability beyond any particular management body and to allow a continuation of services.

Council was informed that the funding model was designed to offer the best value for money to the PSI in the delivery of the managing body services. The PSI will be responsible for a sum of €500,000 per annum and this forms part of a wider fee proposal which amounts to €1.1million in Year 1, €1.1million in Year 2, €1.375million in Year 3 and €1.42million in Year 4. The Managing Body will be responsible for establishing all other sources of finance and the PSI will have a contractual right to approve all other contracts purporting to fund services provided by the Institute. It was confirmed that in the event that there are excess third party uncommitted funds available, these must be used to bridge any shortfall in funding required to provide the Services.

A question and answer session between Council members and Dr. F. O'Donnell, Mr. A. Brownlee, Ms. M. Dunne and Ms. L. Horgan followed.

Ms. D. Williams explained that this model of CPD was established in Ontario in 1994 with the regulatory bodies mandated to create a quality assurance process by January 1997. She highlighted the advantages of managing CPD via a third party institute, which allows easier access to funding, including funding from industry. Ms. D. Williams advised that stakeholder engagement is of critical importance in the early stages of the process.

The appointment of the RCSI as the Institute of Pharmacy Managing Body was unanimously approved by Council.

The President thanked Ms. L. Horgan and the PD&L Committee for their hard work on the project. He also thanked PA Consulting and Byrne Wallace.

Mr. F. Ó'Cuinneagáin (via teleconference) left the meeting at this point.

3.3 Nomination of new alternate hospital pharmacist for the National Forum on Pharmacy Education and Accreditation (Sent: 18th October 2011)

Ms. L. Horgan was invited to address this item. She explained that Ms. Norma Harnedy who was approved as the alternate hospital pharmacist nomination to the National Forum will no longer be able to fulfil this role and therefore a new alternate will need to be appointed.

Ms. Horgan outlined that the Chair of the National Forum, Ms. Marian Shanley, was proposing to the PSI Council that Ms. Caitriona Gowing be nominated to replace Norma Harnedy as the alternate hospital pharmacist. Ms. Gowing has considerable expertise and is an ICCPE tutor and is also undertaking a Postgraduate Diploma in Clinical Teaching at NUI Galway.

The appointment of Ms. Caitriona Gowing as alternate hospital pharmacist for the National Forum on Pharmacy Education and Accreditation was unanimously approved by Council.

3.4 Property Matters

The President indicated that three property matters were presented for Council's decision today.

The President indicated that these matters were highly confidential and commercially sensitive. He formally indicated that any documentation circulated would be returned at the end of the meeting to the jurisdiction of the Registrar who would ensure that the suite of documentation was available for scrutiny by the Audit Committee, the Internal Auditors and the External Auditors in due course.

The following matters were for consideration:

- a) the sale of the PSI's property at 18 Shrewsbury Road
- b) the purchase of a new headquarters for the PSI
- c) the lease of an office in Cork.

The President welcomed Mr. Dominic Dowling, Solicitor, and Ms Olivia Farrell from Murphy Mulhall, Chartered Surveyors and Property Consultants retained to independently advise the Registrar and Council on property matters. The President invited the Registrar to present his report on these matters. Four documents were distributed and the Registrar reiterated the President's position that that these items were highly confidential and commercially sensitive and they would be available in due course for independent scrutiny by the Audit Committee, the Internal Auditors and the External Auditors.

The Registrar then dealt in detail with the legal, planning and financial considerations surrounding the sales of properties at 18 Shrewsbury Road and 37 Northumberland Road and the purchase of a property fit for purpose for the PSI.

The Registrar confirmed the sale of 37 Northumberland Road and said the proceeds have been lodged to the PSI Bank Account. The Registrar reported that a formal offer had been recently received from a client of McCann FitzGerald Solicitors for 18 Shrewsbury Road. A meeting of the PSI's Property Sub-Committee took place on Thursday 20th October to consider this offer. Following consideration of all the factors, the Property Sub-Committee unanimously recommended acceptance of the offer. Mr. D. Dowling Solicitor then presented an overview of his briefing and recommended that the offer which had been made for 18 Shrewsbury Road be accepted.

Ms. O. Farrell then confirmed that Murphy Mulhall had independently appraised the value of 18 Shrewsbury Road and assessed the offer made. She indicated that in their opinion the offer reflected the current market value. She also gave an overview of the other properties in the neighbourhood which were either for sale or had been sold recently. Both Mr. D. Dowling and Ms. O. Farrell indicated that it was very important that the Council understand that these matters are very sensitive from a commercial perspective at this time and that any public disclosures might have adverse consequences for the interests of the PSI.

The President thanked Mr. Dowling and Ms. Farrell. Following a wide-ranging discussion, the President asked Council to make a decision on the matter.

Council unanimously accepted the proposal to sell its property at 18 Shrewsbury Road for the disclosed sum with the sale to be concluded six weeks following the signing of the contract by the PSI.

Action⁴ : Administration and Finance Unit

The Registrar then presented a report which detailed the background to the Procurement of a New Headquarters for the PSI, the options available, the processes followed to date and the recommendation being made to Council.

The Registrar confirmed that the Property Sub-Committees had been fully appraised of the options available. The Property Sub-Committee will be kept appraised of the public procurement exercise for refurbishment if such is necessary.

Murphy Mulhall independently carried out an extensive valuation of one of the disclosed properties under consideration and M. O. Farrell indicated that the building represents good value for money in the current difficult economic climate.

It was confirmed that the Pharmacy Act 2007 requires the PSI to use its assets effectively to carry out the functions of the PSI and to support the practice of pharmacy in the State in accordance with the Schedule 1, Section 12, subsection 2.

Following a wide-ranging discussion, **Council unanimously agreed to the purchase of a proposed disclosed property for a disclosed sum ex stamp duty and other taxes** and to refurbish the premises subject to an indicative €2m budget limit and subject to the approval of a refurbishment plan by the Property Sub-Committee. The Registrar undertook to keep the President, Vice President and Chair of the Administration and Finance Committee fully informed on the progress being made to purchase an appropriate headquarters for the PSI.

All of the documents associated with the sale of the property were returned to the jurisdiction of the Registrar and his Office. The Registrar indicated they would be made available to the Audit Committee, the Internal Auditors and the External Auditors in due course.

The Registrar proposed that an office in Cork be leased for the use of the PSI's Inspector who will be based in the Munster region. Having a dedicated office space will ensure safety of staff member and security of documentation. The cost benefit analysis provided to Council supports this decision and shows a saving of approx. €18,500 per annum.

Council unanimously approved the decision to acquire a rental office space in Cork City for use by Authorised Officers of the PSI.

Action⁵ : Administration and Finance Unit

The President announced that a number of meetings had been held recently with the following:

- Irish College of General Practitioners: a Memorandum of Understanding is under consideration.
- Irish Pharmacy Union: to explore common ground regarding possible amendments to the Pharmacy Act 2007.
- the Irish Medical Organisation: to discuss the influenza vaccination scheme by pharmacists.

The Registrar confirmed that he had had a productive meeting with the CEO of the HSE regarding care of older people and appropriate pharmacy service provision in nursing homes. He thanked the CEO of the HSE for the speed of response to the PSI's concerns.

The Public Council meeting ended at 1.10pm.