
Agenda Item F.1

Report to Council on material decisions of the Performance and Resources Committee

From: Graham Knowles, Chair, Performance and Resources Committee

The Performance and Resources Committee were due to meet on Wednesday, 16 February 2022 by MS Teams in light of the COVID-19 Public Health Emergency. The meeting was cancelled as a quorum was unable to be reached. In order to progress matters that were due for decision by the Committee, the Chair agreed to seek a written decision of the Committee on the following matters, which are before Council for decision.

The proposed agenda for the Committee meeting can be found in Annex 1.

Agenda Item 5: Approval of the Terms of Reference of the Performance and Resources Committee

Arising from the Review of the Advisory Committees, carried out by Better Boards last year, amendments were made to the terms of reference of each Committee. The Committee considered the proposed amendments and noted that the responsibility for appointments to Disciplinary Committee had moved to the Special Purposes Committee, subject to the approval of Council, and the size of the Committee had changed from 8 members to 10 members to allow a little flexibility. The Committee approved the updated terms of reference and is recommending it to Council for approval.

Agenda Item 6.1: Approval of Performance and Resources Committee 2022 Workplan

The Committee approved the 2022 workplan, which was prepared in consideration of the Corporate Strategy 2021-2023 and the Service Plan for 2022 and is recommending it to Council for approval.

Agenda Item 8.1: Approval of the updated Procurement Policy

The Committee was informed that the policy is subject to annual review and that Greenville, PSI's external consultants for procurement, had reviewed the policy and made suggested changes in relation to the limits in line with the EU Directive. The other tracked changes are reflective of the revised organisation structure and new titles and the inclusion of a requirement, that is already in practice but had not been documented in the policy, that evaluation teams for contracts of a total value of €50k or above should comprise at least one person who is independent of, and external to, PSI. The Committee approved the updated procurement policy and is recommending it to Council for approval.

Agenda Item 8.2.1: Approval the Corporate Procurement Plan 2021-2023

The Committee was informed that the procurement plan had been updated and the tracked changes are reflective of the revised organisation structure and new titles. Arising from a low level finding in a previous internal audit report the Committee was informed that an additional section on performance metrics had been included and that the Committee will receive updates in relation to these new metrics on a quarterly basis. The Committee noted the other tracked changes which related to the annual look back exercise on contracts, which had previously been discussed by the Committee and the Committee acknowledged the onerous nature of this exercise for each contract, which the Executive would agree was difficult to achieve in 2021 and therefore the plan has been updated so that this will only be required to be carried out where expenditure is €25k or higher in that year. The Committee approved the Corporate Procurement Plan 2021-2023 and are recommending it to Council for approval.

Agenda Item 8.2.2: Approval of the 2022 Procurement Plan

The 2022 Procurement Plan reflects the carryover of strategic projects from 2021, some of which are multi-annual and also scheduled procurement arising from the conclusion of contracts. The Committee approved the 2022 Procurement Plan and are recommending it to Council for approval.

Agenda Item 8.3: Recommendation from the Interim registrar on contract award following OGP Framework procurement procedure for the provision of legal services.

The Committee considered and ratified the decision of the Interim Registrar, which is in line with the procurement policy, in order to conclude the procurement process and enable OGP

to issue letters of award. This matter does not require Council approval and is therefore not before Council for decision.

Annex 1



Agenda

Performance and Resources Committee
Meeting taking place on 16 February 2022 at 09h30
The meeting will be held online via MS Teams

Colour code: Red—for decision; Green—for discussion; Blue—for information
Agenda Notation: * - document provided in advance; ** - will be presented in slide deck at meeting; * - verbal update**

Indicative Time	Item Descriptor		Item Presenter
09h30	1.	Apologies	Chair
09h35	2.	Declaration of Interests (See Appendix A below)	Chair
09h40	3.	Approval of Agenda	Chair
09h45	4.	Draft Minutes of Committee meeting held on 17 November 2021*	Chair
09h50	5.	Terms of Reference of the Performance and Resources Committee*	Chair
10h00	6. 6.1	Work Plan Approval of the P&R Committee 2022 Workplan*	Chair
10h10	7. 7.1 7.2	2022 Work Plan Project – Strategic Financing Review (SFR) for the PSI Update on development of new PSI Reserves Policy*** SFR Project Health Card*	Chair & Strategic Financing Project Manager
10h20	8. 8.1 8.2 8.3	Finance matters Annual review of PSI Procurement Policy* PSI Corporate Procurement Plan 2021-2023: 8.2.1: Approval of the revised PSI Corporate Procurement Plan 2021-2023* 8.2.2: 2022 Procurement Plan* Recommendation from the Interim Registrar on contract award following OGP Framework procurement procedure for the Provision of Legal Services*	Business Support and Finance Manager

	8.4	Q1 2022 update on contract extensions*	Fitness to Practise and Legal Affairs Manager
	8.5	Draft 2021 financial outturn to 31 December*	
	8.6	Quarterly review of compliance with the Treasury Management Policy (invested funds and policy metrics)*	
	8.7	Update on status of procurement for the establishment of a panel of Legal Assessors*	
10h45	9. 9.1	HR matters 2022 Work Plan Project – Embed our revised organisation and management structures and implement our HR Strategy 2021-2023. 9.1.1 Organisation Development Project (ODP) Health Card*	Interim Registrar
	9.2	HR Strategy 2021-2023 9.2.1 HR Strategy Project Health Card* 9.2.2 HR Strategy implementation plan update*	Acting Head of Corporate Services and HR Lead
	9.3	Workforce planning and recruitment update*	
11h00	10.	2022 Work Plan Project – Continue delivery of our Business Transformation Programme (BTP) and develop an ICT strategy to assist with utilising new systems, data and digital tools to support our regulatory mission	Acting Head of Corporate Services
	10.1	BTP Project Health Card*	
	10.2	ICT Strategy Health Card*	ICT & Corporate Reporting Manager
11h10	11	ICT matters Penetration testing and general cybersecurity update**	ICT & Corporate Reporting Manager
11h15	12 12.1	Service Plan Performance Update on 2022 Service Plan Project Health Tracker***	Interim Registrar
	12.2	EFQM – Embed the discipline and approaches underpinning Excellence throughout PSI: Project Health Card*	
	12.3	Implementation of the PSI's Communications and Engagement Strategy 2021-2023: Project Health Card*	
11h20	13. 13.1	General matters Areas of focus for next meeting***	Chair
	13.2	Recap of decisions taken at this meeting for Committee Report to Council***	

We anticipate the meeting should end at approximately 11h30.

The next meeting will be on: 30 March 2022

Graham Knowles, Chair of the Performance and Resources Committee

APPENDIX A

Pharmacy Act 2007 Schedule 1, Section 9: Disclosure of certain interests

9. (1) In this paragraph— “connected relative”, in relation to a person, means a spouse, a man and woman who are not married to each other but are cohabiting as husband and wife, parent, brother, sister, child or spouse of a child of the person;

“meeting” means a meeting of the Council or of a committee of the Council;

“member” includes a member of a committee of the Council;

“specified matter” means—

- (a) an arrangement to which the Council is a party or a proposed such arrangement, or
- (b) a contract or other agreement with the Council or a proposed such contract or agreement.

(2) A member present at a meeting where a specified matter arises who, otherwise than in his or her capacity as a member, has an interest in that matter—

- (a) shall at the meeting, disclose that fact and the extent of the interest,
- (b) may not influence or seek to influence a decision to be made in relation to the matter,
- (c) shall absent himself or herself from the meeting or that part of the meeting during which the matter is being discussed,
- (d) may not vote on a decision relating to the matter, and
- (e) may not take part in any further deliberation of the Council or any of its committees relating to the matter.

(3) For the purposes of this paragraph, but without prejudice to the generality of *subparagraph (2)*, a member shall be regarded as having an interest in a matter if a connected relative of that member or a nominee of either of them has such an interest.

(4) The disclosure shall be recorded in the minutes of the meeting and, for as long as the specified matter is being dealt with by the meeting, the member making the disclosure may not be counted for the purposes of determining the presence of a quorum for the meeting.

(5) The question of whether a member’s course of conduct, is or would be a contravention of *subparagraph (2)* shall be determined by the chair, whose decision shall be final, and the particulars of the determination shall be recorded in the minutes of the meeting.

(6) Where the member referred to in *subparagraph (4)* is the chair, the meeting shall choose another member to chair it for the purposes of the determination.

(7) If satisfied that a member has contravened *subparagraph (2)*, the Minister may remove the member from office and that person is then disqualified from office.