

## PSI Council Public Meeting Minutes

Minutes of meeting number 101 of the Council of the Pharmaceutical Society of Ireland (PSI), as established under the Pharmacy Act 2007, the public session of which commenced at 08:30 am on Thursday 12 December 2019, at PSI House, Fenian Street, Dublin.

### Agenda Item A - Attendees & Apologies

Name	Role	Present (Yes/No)
Ms. Joanne Kissane	President	Yes
Mr. Michael Lyons	Vice President	Yes
Mr. Hugo Bonar	Council Member	Yes
Mr. Graham Knowles	Council Member	Yes
Ms. Veronica Treacy	Council Member	Yes
Dr. Shane McCarthy	Council Member	Yes
Mr. Paul Turpin	Council Member	Yes
Ms. Ann Sheehan	Council Member	Yes
Prof. Brian Kirby	Council Member	No
Ms. Fiona Walsh	Council Member	No
Mr. Mark Jordan	Council Member	No
Ms. Muireann Ní Shuilleabháin	Council Member	Yes
Ms. Dorothy Donovan	Council Member	Yes
Dr. Ailis Quinlan	Council Member	Yes
Ms. Geraldine Crowley	Council Member	No
Mr. Seán Reilly	Council Member	Yes
Dr. Paul Gorecki	Council Member	Yes
Ms. Marie Louisa Power	Council Member	Yes
Mr. Roy Hogan	Council Member	Yes
Ms. Nicola Cantwell	Council Member	No
Mr. Fintan Foy	Council Member	Yes
<b>Members of PSI staff in attendance included:</b>		
Mr. Niall Byrne	Registrar	
Dr. Lorraine Horgan	Head of Operations	

Mr. John Bryan	Head of Regulation
Ms. Louise Canavan	Acting Head of Corporate Governance & Public Affairs
Dr. Cora Nestor	Interim Head of Policy
Mr. Éanna Ó Lochlainn	Governance & Planning Officer
Mr. Conor O’Leary	Acting Head of Pharmacy Practice Development Department
Ms. Damhnait Gaughan	Head of Education and Registration

**Colour code: Red—for decision; Green—for discussion; Blue—for information**

### Agenda Item B – Declaration of Interest by Members of Council

#### Issue

Declaration of interests by members of Council

#### Information

Under item B 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.

#### Decision Approved, and/or Action Requested by Council

The President declared a conflict of interest with regard to agenda item E5.

### Agenda Item C – Draft Minutes of Public Council Meeting No. 9898 & 99.

#### Issue

Draft Minutes of Public Council Meeting Nos. 98 & 99.

#### Information

The President noted that the draft minutes of public Council meeting, numbers 98 and 99 had been circulated to Council members in advance of the meeting and that one amendment had been received to the minutes of meeting number 98 held on the 19<sup>th</sup> of September 2019.

#### Decision Approved, and/or Action Requested by Council

**Decision Approved:** Council approved the minutes of the public session of Council meeting number 98, as amended, held on the 19<sup>th</sup> of September 2019, on the proposal of

Dr. Paul Gorecki and seconded by Mr. Hugo Bonar, and the minutes of meeting number 99 held on the 24<sup>th</sup> of October 2019 on the proposal of Ms. Muireann Ní Shuilleabháin and seconded by Mr. Fintan Foy.

### **Agenda Item D – Agreement on the Meeting Agenda**

#### **Issue**

The President invited members of Council to give notice of any items they wished to submit under item M, Any Other Business.

#### **Information**

Dr. Shane McCarthy gave notice to the President that he wished to table a matter for discussion in Closed Session of Council.

#### **Decision Approved, and/or Action Requested by Council**

The President agreed to Dr. McCarthy's request.

### **Agenda Item E.1 – Registrar's Report**

#### **Issue**

The Registrar provided Council with an overview of the Registrar's Report, a copy of which had been circulated to Council in advance of the meeting and took questions on matters arising.

#### **Information**

Amongst the items discussed and reviewed, the Registrar drew Council's attention to the launch of the Code of Conduct for Pharmacists which took place on the 25th September 2019 in the Irish Architectural Archive and received coverage in national newspapers, and trade publications. Stakeholder engagement roadshows were held subsequently in Dublin, Galway, Limerick and Athlone, and further engagement will take place during the course of 2020.

The Registrar informed Council with regard to the ongoing Judicial Review, that a further affidavit on behalf of the Council was submitted to the High Court in October and that the matter was scheduled for mention again before the High Court on 13 January 2020. The Registrar informed Council that a request for voluntary discovery is expected shortly.

#### **Decision Approved, and/or Action Requested by Council**

The presentation of the Registrar's Report was noted by Council

## Agenda Item E.2 – Q4 Service Plan Update

### Issue

The Registrar provided Council with an update on the PSI's progress against its Service Plan.

### Information

The Registrar reported on achievement against the objectives set out in the 2019 Service Plan and how significant progress had been made during 2019 in advancing the PSI's corporate agenda of change and improvement. The Registrar also commended the commitment of the staff of PSI and thanked Council members for their support during the year. The President took the opportunity to thank PSI staff for their hard work in ensuring the Service Plan remained on track throughout 2019.

### Decision Approved, and/or Action Requested by Council

The presentation of the 2019 Service Plan Update was noted by Council.

## Agenda Item E.3 – Request for Approval of PSI Service Plan and Budget for 2020.

### Issue

Council approval was sought for the PSI Service Plan and Budget for 2020.

### Information

The Registrar informed Council that the 2020 Service Plan contained eight priority projects, including digital transformation, as well as an additional twelve continuous improvement projects, which the PSI would endeavour to complete in 2020. In addition, the Plan also described the core and ongoing regulatory work which PSI would carry out during 2020. Council queried whether the proposal to develop a quality assurance methodology to underpin quality and safety in retail pharmacies was intended to replace its current inspection model, or if it was intended to complement it. The Registrar informed Council that what was envisaged was a re-balancing in perspective over time. He stated that the current Act could be seen as placing an overemphasis on pharmacist

regulation and an underemphasis on pharmacies. Under any new approach, assessing pharmacy quality would be the PSI's primary focus, but that PSI staff would, of course, continue to assess registrant compliance with regulations. Council urged caution regarding what could be viewed as light-touch regulation. In response, the Registrar confirmed that the PSI Executive had a high awareness that such an outcome would very much not be in the public interest. Council also noted that the 2020 Service Plan committed to a review of the Continuing Professional Development model for pharmacists. The Registrar informed Council that the current model was based on thinking from 2008/2009, and it is therefore timely to revisit it, being cognisant of evolving thinking and current best practice. The Registrar also stated that emerging workforce risks, specifically in relation to the continued and future availability of community pharmacists, and a perceived reluctance within the profession to take on the role of supervising pharmacist would be scoped in 2020 with further work to follow if there was found to be a real and significant risk.

With regard to the 2020 Budget, the Registrar emphasised the importance of demonstrating a return on investment for the PSI with regard to its reserve spending. Mr. Graham Knowles, in his capacity as Chair of the Performance and Resources Committee, recommended the Budget to Council, (subject to the outcome of a discussion scheduled for the private Council meeting regarding expenditure on an IIOF software upgrade), stating that it accurately reflected the level of resource needed by the organisation. Mr. Knowles also referred to the planned review of future financing of PSI, to be discussed under Item F4 of the meeting agenda. Council queried the reduction on previous years of the figure given for the depreciation of PSI assets. Council was informed that and as previously advised, this was based on advice from the PSI's external auditors when reviewing the 2018 financial statements and following the revaluation of PSI House.

#### **Decision Approved, and/or Action Requested by Council**

**Decision Approved:** Council approved the PSI Service Plan and Budget for 2020, on the proposal of Mr. Roy Hogan, and seconded by Mr. Hugo Bonar.

#### **Agenda Item E.4 – Proposed Policy Regarding Pre-Publication of Council Public Meeting Papers in advance of Council's public meetings.**

#### **Issue**

Council had requested that the Executive prepare a paper outlining a proposal for publication of meeting papers on the PSI website, before each public meeting of Council. A paper on the matter had been circulated to Council in advance of its meeting.

## Issue

## Information

The Registrar advised Council that while the desire of Council to operate in accordance with the important principle of transparency was understood there were also other principles to be weighed in the balance including that of protecting the deliberative process. He cautioned that the publication of draft papers, not subsequently adopted, or adopted in a different form, or on a different date, could lead to confusion as to Council's agreed position on any particular matter. A range of views were expressed by Council on the matter, including a suggestion that all stages of Council's decision-making processes be fully transparent and disclosed to the public, while others felt this would be counter-productive and result in overly cautious advice being given during the deliberative process. Council queried if Advisory Committee meetings were open to the public. The Registrar confirmed that technically he currently believed this was the case.

## Decision Approved, and/or Action Requested by Council

Council agreed that more time was needed to assess the potential impact of publication of Council public meeting papers in advance of each meeting, and agreed to defer a decision on the matter until its next meeting. Further information about public Advisory Committee meetings was requested.

### [Agenda Item E.5 – Request for Approval by Council of Delegation to the Registrar of Power to Appoint Accreditation Team Members for the Integrated MPharm Programme.](#)

## Issue

Council was asked to approve delegating the provisions of Rule 11(1) of the Pharmaceutical Society of Ireland (Education and Training) (Integrated Course) Rules 2014 to the Registrar of the PSI. This is to facilitate the administrative conduct of the accreditation processes and assure timely appointment of accreditation team members, on receipt of applications from an institution for accreditation, or continued accreditation, or in the event of a compliance visit to the institution, without necessitating a delay until the next Council meeting date, and to allow for scheduling and planning of the accreditation visit and circulation of documentation to accreditation team members in a timely manner. A memorandum on this topic had been circulated with the meeting papers.

## Information

The President excused herself for this item due to a conflict of interest. Mr Michael Lyons, Vice President, took the Chair.

#### **Decision Approved, and/or Action Requested by Council**

**Decision Approved:** Council approved the delegation to the Registrar of the Power to Appoint Accreditation Team Members for the Integrated MPharm Programme on the proposal of Dr. Shane McCarthy and seconded by Mr. Hugo Bonar

### **Agenda Item E.6 – Approval by Council of IOP Policies for e-Portfolio Review and Practice Review.**

#### **Issue**

Quarterly Update on the Implementation of the PSI's CPD Model and Delivery of IOP Services.

#### **Information**

Following completion of item E.5, the President returned to the meeting and took the Chair. Ms. Damhnait Gaughan provided Council with an update on the Irish Institute of Pharmacy (IOP) operations and developments. She invited questions from Council.

#### **Decision Approved, and/or Action Requested by Council**

Council noted the contents of the update and Council had no questions.

### **Agenda Item E.7 – Request for Approval by Council of IOP 2020 Work Plan**

#### **Issue**

Council was asked to approve the draft IOP Annual Work Plan for 2020.

#### **Information**

Ms Damhnait Gaughan informed Council that, as part of its contract to oversee the operation of the Irish Institute of Pharmacy (IOP), an Annual Work Programme/Plan must be developed in anticipation of the activities to be delivered by the IOP in the impending year for Council's consideration. A copy of the plan had been circulated to Council in advance of the meeting, and that pending approval by Council, the PSI would submit it to the Department. She invited questions from Council. Council had no questions.

### **Decision Approved, and/or Action Requested by Council**

**Decision Approved:** Council approved the IOP 2020 Work Plan on the proposal of Ms. Marie Louisa Power and seconded by Ms. Muireann Ní Shuilleabháin.

### **Agenda Item E.8 – External Examiner’s Report in Respect of Professional Registration Examination (PRE)**

#### **Issue**

A copy of the External Examiner’s Report in Respect of Professional Registration Examination (PRE) had been circulated to Council in advance of the meeting.

#### **Information**

Noting that this was the final year of the National Pharmacy Internship Programme (NPIP) and PRE examination, and of the 4+1 format of the pharmacist qualification, Council queried if there were any, what it termed, final year legacy students who might still seek to complete the NPIP. Ms. Damhnait Gaughan informed Council of the mitigation efforts undertaken by PSI to assure all potential students were apprised of the circumstances, and while PSI was not currently aware of any individual who would wish to present, she could not guarantee to Council that this would not arise.

### **Decision Approved, and/or Action Requested by Council**

Council noted the contents of the Report.

### **Agenda Item F.1 – Report to Council from the Performance and Resources Committee**

#### **Issue**

Mr. Graham Knowles, Chair of the Committee, informed Council that a copy of the Performance and Resources Committee Report to Council had been circulated in advance of the meeting. He invited questions from Council.

#### **Information**

Council had no questions

### **Decision Approved, and/or Action Requested by Council**

Council noted the contents of the Report from the Performance and Resources Committee



## Agenda Item F.2 – Approval of the Management Accounts to 30<sup>th</sup> September 2019

### Issue

Council was asked to approve the PSI management accounts to 30<sup>th</sup> September 2019, a copy of which had been circulated to Council in advance of the meeting.

### Information

Council noted the contents of the management accounts.

### Decision Approved, and/or Action Requested by Council

**Decision Approved:** Council approved the management accounts to 30<sup>th</sup> September 2019 on the proposal of Ms. Muireann Ní Shuilleabháin and seconded by Dr. Ailis Quinlan.

## Agenda Item F.3 – Request for Approval of Recommendations to Council of appointments to PSI Disciplinary Committees

### Issue

Council was asked to approve the recommendations of the Performance and Resources Committee for appointments to PSI Disciplinary Committees.

### Information

Council was informed that Mr. Garvan Lynch MPSI, a pharmacy owner committee member, had advised the PSI that he is changing from sole trader status, to a limited company, which meant that the Preliminary Proceedings Committee (PPC) would no longer be quorate. As no sole traders had applied for membership of the Disciplinary Committee panel further to the 2019 call for expressions of interest, a number of sole traders were contacted by the PSI to ascertain if they would be interested in joining the PPC. It was noted that an amendment Bill is progressing, which will aid the PSI in terms of requirements for membership of its disciplinary committees.

Separate to the above, Ms. Cathriona Molloy had also informed the PSI of her intention to resign from the Health Committee. In order to ensure that the Health Committee remains quorate, it is necessary to appoint one new non-pharmacist member to the Committee selected from the current Disciplinary Committee panel:

### Decision Approved, and/or Action Requested by Council

**Decision Approved:** Council approved the following:

- the appointment of Mr. Derek Fehily MPSI, sole trader, to the PPC for a term of one year;
- the reappointment of Ms. Fiona Rowland MPSI, sole trader, to the PPC for a further term of three years;
- the appointment of Ms. Jillian van Turnhout, non-pharmacist member, to the Health Committee for a term of four years,

on the proposal of Ms. Marie Louisa Power and seconded by Mr. Hugo Bonar

### Agenda Item F.4 Strategic Financing Review – Proposal for Scoping Statement

#### Issue

Council was asked to approve a Scoping Statement for the Strategic Financing Review, copy of which had been circulated to Council in advance of the meeting.

#### Information

Mr. Graham Knowles, Chair of the Performance and Resources Committee, informed Council that the Scoping Statement sets out the parameters of the proposed Strategic Financing Review. The purpose of the scoping document is to ensure the appropriate resources are identified in order to progress the Review. Council queried which Advisory Committee would assume oversight of the Review and its governance. Council was informed that oversight would rest with Council and that the P&R Committee's intention was to bring a proposal to Council on the oversight governance structure in April 2020. Mr Knowles stated Council would be kept informed of developments relating to this review.

### Decision Approved, or Action Requested by Council

**Decision Approved** Council approved the Scoping Statement for the Strategic Financing Review, on the proposal of Ms. Muireann Ní Shuilleabháin, and seconded by Dr. Ailis Quinlan.

## **Agenda Item G.1 Regulatory and Professional Policy Committee Report to Council**

### **Issue**

Ms. Muireann Ní Shuilleabháin, Chair of the Regulatory and Professional Policy Committee, informed Council that a copy of the Committee's Report to Council had been circulated in advance of the meeting. She invited questions from Council.

### **Information**

Council had no questions

### **Decision Approved, or Action Requested by Council**

Council noted the contents of the Report from the Regulatory and Professional Policy Committee.

## **Agenda Item H.1 Report to Council from the Audit and Risk Committee**

### **Issue**

Mr. Paul Turpin, Chair of the Audit and Risk Committee, informed Council that a copy of the Audit and Risk Committee Report to Council had been circulated in advance of the meeting. He invited questions from Council.

### **Information**

Council queried whether the Audit and Risk Committee currently had an optimal range of competencies within its membership, to ensure it met its remit.

Mr. Turpin said this was something to regularly review as the membership rotated and as new priorities emerged. The recent and proposed external appointments were based on the perceived future requirements of the Committee. He believed the Council could take assurance from the range of experience and competencies of the Committee.

### **Decision Approved, or Action Requested by Council**

Council noted the contents of the Report from the Audit and Risk Committee

## **Agenda Item I.1 Report to Council from the Business Transformation Programme Board**

#### Issue

Mr. Fintan Foy, Chair of the Committee, informed Council that a copy of the Business Transformation Programme Board Report to Council had been circulated in advance of the meeting. He invited questions from Council.

#### Information

Mr Foy informed Council that delivery of the programme remained on track, and within scope, and budget.

#### Decision Approved, or Action Requested by Council

Council noted the contents of the Report from the Business Transformation Programme Board.

### **Agenda Item J.1 Report to Council from the Special Purposes Committee**

#### Issue

The President, in her capacity as Chair of the Committee, informed Council that a copy of the Special Purposes Committee's Report to Council had been circulated in advance of the meeting. She invited questions from Council.

#### Information

Council had no questions.

#### Decision Approved, or Action Requested by Council

Council noted the contents of the Report from the Special Purposes Committee.

### **Agenda Item J.2 Update from the Special Purposes Committee following review of the Advisory Committees**

#### Issue

Update from the Special Purposes Committee following review of the operation of the Advisory Committees with Better Boards.

#### Information

The President addressed Council on the role and remit of the Special Purposes Committee. A paper had been circulated to Council in advance of the meeting. Council queried the

### Information

wording for a quorum requirement in the terms of reference of the Advisory Committees, as they did not appear to address the issue of quorum for an Advisory Committee that has an odd number of members.

### Decision Approved, or Action Requested by Council

The Registrar informed Council the matter of the wording of the terms of reference would be reviewed.

## Agenda Item J.3 Request for Approval by Council of Recommendation for Appointment of External Member to PSI Audit and Risk Committee

### Issue

Council was asked to approve of the recommendation of the Special Purposes Committee for the appointment of an External Non-Council Member to PSI Audit and Risk Committee.

### Information

Following Dr. Rachel Gubbins' completion of her term of office, a vacancy has arisen for an external, non-Council member on the PSI's Audit and Risk Committee.

The Special Purposes Committee sought Council's approval for the appointment of Audit and Risk Committee panel member, Ms. Niamh O'Regan, as an external non-Council committee member to the PSI's Audit and Risk Committee, for a term of two years.

Ms. O'Regan is a fellow of the Institute of Chartered Accountants in Ireland and has worked as an external auditor with Price Waterhouse Coopers. In her role as Head of Business Management at Barclays Bank, Ireland, she oversaw significant change in the area of strategy and compliance with regulation. She was CFO at the London Bridge Hospital, and the Harley St Clinic, and internal auditor with BUPA UK.

### Decision Approved, or Action Requested by Council

**Decision Approved:** Council approved the appointment to the Audit and Risk Committee of Ms. Niamh O'Regan, as an external non-Council member, for a term of two years, on the proposal of Mr. Fintan Foy, and seconded by Dr. Shane McCarthy.

## Agenda Item J.4 Request for Approval by Council of Revised Terms of Reference for PSI Advisory Committees

### Issue

Council was asked to approve revisions to the terms of reference of each of the PSI Advisory committees.

### Information

Following review by the PSI Advisory Committees of their terms of reference, in compliance with the requirement in the PSI's Corporate Governance Framework, on recommendations of the Special Purposes Committee, a number of amendments were proposed to each of the four Advisory Committees' terms of reference. This included an amendment to increase by one the membership of the Regulatory and Professional Policy Committee and the Performance and Resources Committee.

### Decision Approved, or Action Requested by Council

**Decision Approved:** Council approved the revised terms of reference of the Special Purposes Committee, Regulatory and Professional Policy Committee, Performance and Resources Committee, and the Audit and Risk Committee on the proposal of Ms. Dorothy Donovan and seconded by Mr. Hugo Bonar.

## Agenda Item J.5 Request for Approval by Council of Recommendation for Appointments to Performance and Resources Committee and Regulatory and Professional Policy Committee

### Issue

Council was asked to approve recommendations for appointment to both the Performance and Resources Committee and the Regulatory and Professional Policy Committee.

### Information

Subsequent to amendment to the Committees' terms of reference to increase the membership numbers, the Special Purposes Committee recommended to Council that Ms. Ann Sheehan be appointed to the Regulatory and Professional Policy Committee and Dr. Shane McCarthy be appointed to the Performance and Resources Committee. Both appointments are made for a term of two years, or until their tenure on Council finishes, whichever the sooner.

**Decision Approved, or Action Requested by Council**

**Decision Approved:** Council approved the appointment of Ms. Ann Sheehan to the Regulatory and Professional Policy Committee and Dr. Shane McCarthy to the Performance and Resources Committee on the proposal of Dr. Paul Gorecki and seconded by Mr. Fintan Foy.

**Agenda Item K.1 Any Other Business**

**Issue**

No notice had been given at the meeting of any matter to be tabled under Any Other Business

**The meeting concluded at 12:30 pm.**

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**President**

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**Date**