

**Minutes for Public Council Meeting No. 54**  
**Thursday 27<sup>th</sup> March 2014**  
**PSI House, Fenian Street, Dublin 2**

The Public session of the 54th meeting of the Council of the Pharmaceutical Society of Ireland established under the Pharmacy Act, 2007 was held at 8.33am on Thursday 27<sup>th</sup> March at PSI House, Fenian Street, Dublin 2.

**Present:** Mr Eoghan Hanly, President, Mr Noel Stenson, Vice-President, Mr Jim Brophy, Mr John Corr, Ms Leonie Clarke, Mr Richard Collis, Ms Nicola Cantwell, Prof Paul Gorecki, Dr Ann Frankish, Dr Jean Holohan, Mr Shane McCarthy, Prof Kieran Murphy, Mr Fionán O Cuinneagáin, Mr Pat O'Dowd, Mr Keith O'Hourihane, Prof Caitriona O'Driscoll, Prof Ciaran O'Boyle, Mr Conor Phelan, Ms Rita Purcell.

**PSI Staff:** Ms Marita Kinsella, Registrar, Ms Ciara McGoldrick, Mr John Bryan, Ms Damhnait Gaughan, Mr Tony Reilly, Dr Lorraine Horgan, Dr Cheryl Stokes, Dr Cora Nestor, Mr Seoirse O hAodha, Ms Eileen Troy, Ms Muireann McKeown.

**Also in attendance:** Ms Marian Shanley,  
Chair of the National Forum for Pharmacy Education and Accreditation.

The President opened the Public Council Meeting Number 54 at 8.33am.

The President welcomed new Council member, Mr Shane McCarthy to the meeting and informed Council that Ms Deirdre Larkin had been reappointed to the Council by the Minister for Health.

The President noted the recent passing of Mr Michael Joseph Cahill who had served as Registrar of the Pharmaceutical Society of Ireland from 1975 until 1990. The President extended the Council's condolences to the Cahill family.

**1. Apologies**

Apologies had been received for Ms Deirdre Larkin and Dr Chantelle Macnamara.

**2. Declaration of Interests**

Under item 2 of the Council Agenda, the Presidency 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. Those requirements are also reflected in the Code of Conduct adopted for Council members which requires that Council members *"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."*

### **3. Draft Minutes of Public Council Meeting number 53**

The President noted that the draft minutes of Public Council Meeting Number 53 had been circulated previously to Council members. As a number of submissions had been received regarding the minutes, the President invited Ms Kinsella to address Council.

Ms Kinsella addressed Council and thanked Council members for the submissions received.

**Re: Agenda Item 10 Inspection and Enforcement Policy –announced versus unannounced  
- Report on announced/unannounced.**

Ms N Cantwell addressed Council and requested that the recorded minutes include the original three scenarios that were first put to vote by the President on 6<sup>th</sup> February.

Ms M Kinsella addressed Council and proposed that the relevant section of the minutes would be amended to include the following text:

“The President addressed Council and asked Council to vote on three scenarios, namely:

- 1. Maintain/continue with the current practice of unannounced inspections for the remainder of the pharmacies that have not been inspected in 2014.**
- 2. Continue the pilot study of providing 24 hours advance notice of routine inspections.**
- 3. Continue the pilot study of providing 24 hours advance notice of routine inspections and continue unannounced inspections, ie a mix.**

However, due to a lack of clarity regarding the voting options, namely that the options were alternatives rather than cumulative, this initial vote was deemed invalid.

The President then asked Council to revote on two scenarios, namely:

- 1. Maintain the current practice of unannounced inspection for the remainder of the pharmacies that have not been inspected in 2014 and commence a strategic review of PSI’s inspection policy.**
- 2. Continue the pilot study of providing 24 hours advance notice of inspections and continue unannounced inspections, ie a mix, and commence a strategic review of PSI’s inspection policy.”**

Mr R Collis addressed Council and requested that the minutes be amended to reflect the contrary view to unannounced inspections which was expressed at the Council meeting held on 6<sup>th</sup> February 2014. He suggested that the following text be added to the minutes, in support of the case for announced inspections:

- “1. Ring fencing of the dispensing process during inspection.**
- 2. Increased efficiencies of inspections for reasons outlined in the report.**
- 3. HIQA’s report indicating they are doing notified inspections, to improve standards in cooperation with service providers.”**

Ms. L Clarke addressed Council and expressed the view that the Council minutes should be balanced to reflect both perspectives in the discussion of inspection policy.

Council noted that it is the PSI’s policy with regard to Council and Committee minutes to record the issues discussed and the decisions taken at meetings, rather than a verbatim record of all Council members’ contributions at meetings.

**Action:** It was agreed that agenda item 10 of the minutes would be restated to reflect in more detail the discussion which took place at the Council meeting on 6<sup>th</sup> February.

### **4. Registrar and Committees’ report**

The Registrar and Committees' report and two appendices (Quarter 1 Report to the Council of the PSI on the Implementation of the Service Plan 2014 and Pharmacist Survey on PSI 'Learning Event' March 2014) had been circulated to Council. Ms M Kinsella updated Council on its key contents and highlighted the main activities of the organisation, of each Unit and Committee since the last Council meeting.

#### **Stock management and new IMB Policy regarding returns to wholesalers**

At the February meeting of Council, Mr C Phelan raised the issue of the IMB's new policy regarding the return of medicines by pharmacies to wholesalers. Ms Kinsella advised that since Mr Phelan's enquiry, the Executive had held two meetings with the Irish Medicines Board (IMB). The IMB appreciate that there may be exceptional cases, and will consider putting new arrangements in place regarding the return of medication to a wholesaler when a pharmacy closes, and the return of high cost medications when the medication is not needed.

#### **Personal supervision and storage of non-prescription pharmacy only medicines**

Council was informed that, since the last meeting of Council in February, the draft statutory instrument amending the Regulation of Retail Pharmacy Businesses Regulations has been notified by the Department of Health to the EU, in accordance with the Technical Standards Directives and the three month standstill period has commenced. An update for pharmacies on the proposed legislation is being drafted and will issue as soon as possible.

#### **Annual Report**

The Annual Report 2013 is before Council today for approval (agenda item 5). Ms Kinsella provided Council with an overview of key activities and statistics outlined in the Annual Report.

#### **Inspection and Enforcement Policy**

Following Ms Kinsella's update to Council at the February Council meeting, a team had met to discuss how the project is to proceed, as well as the governance structure and terms of reference of an expert group that will drive this project. Ms L Crimin will be returning to the PSI on 22<sup>nd</sup> April to work on this project fulltime and in the course of this project, will engage with other bodies with a view to achieving the best and most appropriate model of inspection for Ireland. A project plan is being drafted and will be ready for review by the Inspection and Enforcement Committee in advance of being circulated to Council for consideration at its meeting on 15<sup>th</sup> of May 2014. It is proposed that the expert group will have its report ready to present to Council by the last Council meeting in 2014.

#### **Pharmaceutical Society of Ireland (Education and Training) (Integrated Course) Rules 2014**

It was noted that the feedback from the public consultation, statistical information and the draft SI for approval in principle was included on Council's agenda at item 8).

#### **Fitness to Practise Audit**

Ms Kinsella updated Council regarding the ongoing audit of the Fitness to Practise (FTP) processes.

#### **Pharmacy Practice Guidance**

Ms Kinsella updated Council on guidance issued via newsletter and recent meetings and ongoing work in the Pharmacy Practice Development Unit.

Prof C O'Boyle joined the meeting at 9.15am.

#### **Communications and Public Affairs**

Ms Kinsella updated Council on work undergone and ongoing in the Communications and Public Affairs Unit. Workshops have been held to review PSI's online and electronic communications and to discuss the Learning Event. A survey issued to pharmacists by email requesting input on particular topics and methods of delivering the events. (as per Agenda Item 4, appendix 2 Pharmacist Survey on PSI 'Learning Event' March 2014)

Council discussed scheduling nationwide Learning Events for pharmacists on the management of complaints and regulatory processes, and recommended that the learning events be scheduled so as not to coincide with other significant events.

**Action:** In accordance with the Communications Strategy approved by Council in 2012, the Executive is preparing an implementation plan for 2014 regarding communications activities and this will be presented to Council at its next meeting.

#### **Administration and Finance**

Ms Kinsella updated Council on work undergone and ongoing in the Administration and Finance Unit. Please refer to the Registrar's report for full details, which includes an update on procurement projects for 2014, (the revised PSI Procurement Policy is before Council today for approval (agenda item 14)).

The Annual Financial Statements 2013 are before Council today for approval (Agenda item 6).

#### **EHealth Strategy**

Ms Kinsella updated Council on work currently being undertaken by the ICT Unit as set out in the Registrar's report. The eHealth Strategy published by the Department of Health includes e-prescribing as a key element. The Executive is preparing a document for Department of Health on this issue.

**Action:** Council will be kept updated regarding progress in relation to the eHealth Strategy and e-prescribing.

### **5. Annual Report 2013**

Council had been circulated with the draft Annual Report 2013. Ms Kinsella addressed Council and thanked all Council, Committee members and staff who were involved in the preparation of the Annual Report.

#### **Council discussed:**

- Method of launching Annual Report.
- Complaints/Expressions of Concern figures.
- Separation of figures from complaints versions expressions of concerns.
- Policy on anonymous concerns and complaints

Mr J Brophy enquired if on page 33 with reference to staffing numbers, that a line should be added outlining the rationale for the PSI's additional staff numbers.

**Action:** The Executive will amend page 33 of the Annual Report.

The Annual Report 2013 once approved by Council will be submitted to the Department of Health before close of business 31 March 2014 in accordance with the Pharmacy Act Schedule 1.

*The Annual Report was approved by Council on the proposal of Ms L Clarke and seconded by Ms R Purcell.*

### **6. Annual Financial Statements 2013**

The Chair of the Administration and Finance Committee, Ms R Purcell, addressed Council. Council had been circulated with the Pharmaceutical Society of Ireland's Financial Statements for the year ended 31 December 2013. Ms R Purcell outlined that the Council is responsible for approving the financial statements. The Administration and Finance Committee had reviewed the 2013 Financial Statements and met the External Auditors, OSK Audit. The Financial Statements have been signed off by the External Auditors, who had an "emphasis of matter" (meaning an item that auditors wish to draw to attention to, but which do not undermine the validity of accounts) regarding the funding mechanism of the PSI superannuation schemes. A review of the superannuation schemes was

conducted by an independent actuary and the schemes were deemed to comply with accounting standard FRS 17. The Administration and Finance Committee recommended that Council approve the 2013 Financial Statements.

**Council discussed:**

- Defined Benefit Scheme
- The New Single Public Service Pension Scheme for employees who joined PSI on or after 1<sup>st</sup> January 2013 and is in line with public sector and other civil servants pension schemes.
- The contents of the Financial Statements.
- Education Costs

*The Annual Financial Statements 2013 were approved by Council on the proposal of Dr J Holohan and seconded by Mr J Corr.*

**7. Appointment of Committee Members**

Mr E Hanly addressed Council. Council had been circulated with two notes regarding appointments to the PSI Advisory Committees and to the Disciplinary Committees.

In line with the process approved by Council for the co-option of non-Council members to Advisory Committees of Council, the President, in consultation with the Chair of the Registration and Qualification Recognition Committee and the Registrar, makes the following recommendation to Council:

Ms Rita O'Brien to be appointed to the Registration Qualification Recognition Committee for a term of two years.

*Ms O'Brien's appointment to the Registration Qualification Recognition Committee is for a term of two years was approved by Council on the proposal of Mr K O'Hourihane and seconded by Ms N Cantwell.*

In line with the Pharmaceutical Society of Ireland (Council) Rules SI No. 492 of 2008, paragraph 24, the President, in consultation with the Vice-President and the Registrar, made the following recommendations to Council:

1. Prof Paul Gorecki be appointed for a term of two years to the Pharmacy Practice Development Committee.
2. Prof Paul Gorecki be appointed for a term of two years to the Inspection and Enforcement Committee.
3. Ms Deirdre Larkin be appointed for a term of two years to the Administration and Finance Committee.
4. In line with the Charter of the Audit Committee, the Committee have selected Ms Eugenie Canavan as Chair of the Audit Committee and the Proposal before Council to appoint Ms. Eugenie Canavan as Chair of the Audit Committee.

In line with Sector 34 of the Pharmacy Act 2007, the President in consultation with the Vice-President and the Registrar made the following recommendation to Council:

1. Prof Kieran Murphy be appointed to the Professional Conduct Committee.

Council discussed the process of appointments to Committees and were advised by the Registrar that the process is as set down in the Corporate Governance Framework and that, as discussed at the last Chairpersons Meeting, going forward, the Chairpersons Committee would have a greater oversight role.

*The five appointments listed above, were approved by Council on the proposal of Mr J Brophy and seconded by Mr K O'Hourihane.*

**Action:** The Executive will update the PSI's policy regarding the appointment of persons to Advisory Committees and to the Disciplinary Committees.

**8. Pharmaceutical Society of Ireland (Education and Training) (Integrated Course) Rules 2014:**  
**a. Submissions and draft response to public consultation and public consultation statistics**  
**b. Draft SI for approval by Council**

Mr F O Cuinneagáin addressed Council. Council had been circulated with documentation showing the submissions and responses received on the public consultation, statistics arising from the public consultation and the draft S.I. for approval in principle. This item follows from the Council meeting held in December 2013 at which Council considered a draft of the S.I. prior to the public consultation process which commenced in late January and concluded on 1 March.

Mr O Cuinneagáin thanked Dr L Horgan and the Executive for the work done in such a tight timeframe and outlined to Council the documentation for consideration at the meeting. Mr O Cuinneagáin outlined the changes to the draft SI following the public consultation. Council's attention was drawn to the proposed change in date of the commencement of these Rules, i.e. following the consultation it is proposed that the Rules should come into force on 1<sup>st</sup> June 2015.

The President addressed Council and noted that Council was being asked to approve in principle the draft SI with the understanding that this would allow the SI to be sent to the Department of Health. The final version of the SI, following a legal review, will then be submitted to Council for final approval.

Council's approval of the PSI's response to the public consultation submissions and their subsequent publication on the PSI website was also sought.

*The draft SI was approved in principle by Council on the proposal of Mr N Stenson and seconded by Ms L Clarke.*

*The PSI's response to the public consultation and publication of the detail is approved by Council on the proposal of Ms R Purcell and seconded by Prof C O'Driscoll.*

**9. Fees:**  
**1. Internship Programme fees**  
**2. Adoption of Fee Rules by Council**

**1. Internship Programme fees**

Mr F O Cuinneagáin addressed Council. Council had been circulated with documentation regarding the Internship Programme fees. At the Professional Development and Learning's Committee meeting in February, two elements of the internship fees were considered:

- i) the application fee for the in-service practical training programme and**
- ii) the application fee to undertake the Professional Registration Examination.**

It is proposed that for the 2014-2015 cohort, the following should apply:

**i) Application fee for the in-service practical training programme**

It is proposed that the application fee for the in-service practical training programme will increase from €2,500 to €2,750 for the 2014-2015 year. This increase is subject to the approval of the Minister.

**ii) Application fee to undertake the Professional Registration Examination**

The fee of €315 payable in connection with an application to undertake the Professional Registration Examination (PRE) be waived for the 2014-2015 cohort for the first sitting of the PRE.

*Council approved the increase in the In-service practical training programme fee from €2,500 to €2,750 for the 2014-2015 year and that the fee of €315 payable in connection with the Professional Registration Examination be waived for the 2014-2015 cohort on the proposal of Ms N Cantwell and seconded by Mr P O'Dowd.*

## **2. Adoption of Fee Rules by Council**

Ms M Kinsella addressed Council. At its meeting on 6<sup>th</sup> February, 2014 Council approved a recommendation from the Administration and Finance Committee to reduce first and continued registration fees by 5% from 1<sup>st</sup> January 2015 and that fees should be reviewed on an ongoing basis but not later than 2016. In order for registrants who will be paying their fee in 2014 for 2015, to avail of the 5% discount, it is proposed to bring the date of commencement of the reduction of fees forward to 1<sup>st</sup> September 2014.

Council had been circulated with a draft Statutory Instrument setting out the PSI fees, a document comparing the current with the proposed fee changes and an explanatory cover note. Subject to Council's agreement in principle, the draft S.I. will then be sent to the Department of Health for review and approval.

*Council approved the adoption of the Fee Rules on the proposal of Mr J Corr and seconded by Mr C Phelan.*

## **10. Irish Institute of Pharmacy Steering Group Appointment of new member**

Ms M Kinsella addressed Council. Council had been circulated with documentation regarding the above. Due to the resignation of a Steering Group member, a vacancy has arisen on the Steering Group for a community pharmacist appointment. Council was asked to approve the following nomination for appointment to the IOP Steering Group arising from submissions received following a call for expressions of interest issued in August 2013.

The President requested that Council approve the nomination of the appointment of Mr Eugene Renehan to the Irish Institute of Pharmacy Steering Group.

*Mr Eugene Renehan's appointment to the Irish Institute of Pharmacy Steering Group was proposed by Mr C Phelan and seconded by Prof C O'Boyle.*

## **11. National Forum for Pharmacy Education and Accreditation Report on review of operations of the National forum 2011-2014**

Ms M Shanley addressed Council. Council had been circulated with the report on the review of operations of the National Forum 2011-2014 (11).

The purpose of the National Forum as set out in its terms of reference was to advise and assist Council in its oversight of the development and ongoing delivery of the new fully integrated programme of pharmacy education, training and assessment.

Ms Shanley verbally highlighted to Council the key contents of the report of the National Forum.

Mr P O'Dowd left the Council meeting at 10.40am.

Ms Shanley highlighted the National Forum's strong recommendation that a forum be set up to meet 3 to 4 times a year to encourage dialogue with practitioners across all branches of the profession and academics and facilitate dedicated communications between the Schools of Pharmacy, the PSI and the profession.

To ensure the development of the integrated degree, prior to the Office of Experimental Learning being in place, Ms Shanley also highlighted the National Forum's recommendation that an Implementation Steering Group be established with clearly defined goals around placements and curriculum development. It should have a term of no more than 12 months after which the Office of

Experimental Learning should be operational and would take over most of the functions of the Implementation Group.

Ms M Shanley thanked Dr L Horgan for her support of the National Forum, the President and Council, and everyone who was involved.

The President thanked Ms Shanley for her excellent chairpersonship and commended the establishment of the new Implementation Steering Group and engagement structures to Council for the Registrar to commence.

*The Report on review of operations of the National Forum 2011-2014 was approved unanimously by Council.*

## **12. Memorandum of Understanding with the Nursing and Midwifery Board of Ireland**

Dr C Stokes addressed Council. Council had been circulated with the Memorandum of Understanding (MoU) between the Nursing and Midwifery Board of Ireland and the Pharmaceutical Society of Ireland (agenda 12). Dr Stokes advised Council that the PSI already has MoUs in place with the Medical Council, HIQA, PSNI, IMB and the Crisis Pregnancy Programme. Dr. Stokes outlined that once approved by the PSI Council, the MoU will then be brought to the Board of the Nursing and Midwifery Board of Ireland at their meeting at the end of April. Once finalised, a joint press release a photo call of the signing would be organised.

*The Memorandum of Understanding with the Nursing and Midwifery Board of Ireland and the Pharmaceutical Society of Ireland was approved by Council on the proposal of Mr K O'Hourihane and seconded by Mr F O'Cuinneagáin.*

*10.55am The President proposed a 15 minute recess.*

*11.10am The President reopened the Council meeting.*

## **13. Executive Sessions**

The President addressed Council. Council members had been circulated by email further information in addition to the document on the ipads. At the Council meeting on 6<sup>th</sup> February 2014, Council requested that Executive Sessions be considered.

Council deliberated on the introduction of Executive Sessions without the Executive present. Council noted that as a public body, PSI upholds transparency as one of its core values and it is essential for PSI and the Council to operate transparently. Council already meets in private session to address certain issues as provided for in the Corporate Governance Framework.

It was noted that executive sessions can afford Council the opportunity to meet as a Council to strengthen relationships and communication among Council members, and also to ensure cohesion. Council gave consideration to whether an executive session should take place at the start or end of the agenda.

**Action:** It was agreed that the Executive would prepare a draft policy and procedures document for review by Council at its next meeting.

*Council unanimously approved the above action.*

## **14. Revised PSI Procurement Policy**

Ms R Purcell addressed Council. Council had been circulated with the revised Pharmaceutical Society of Ireland Procurement Policy which is being recommended by the Administration and Finance Committee for approval by Council. Clarification was sought with regard to Intermediate Value Purchases and Council was advised that this is in line with Government Policy.

*The Revised Pharmaceutical Society of Ireland's Procurement Policy was approved by Council on the proposal of Dr J Holohan and seconded by Prof P Gorecki.*

**On the advice of the President, the Council agreed to take as read agenda items for noting 15, 16 and 17.**

**18. Council Members' Time**

**Stands at Conferences**

Ms N Cantwell had advised the Executive that she wished to speak about the upcoming IPU conference. Ms Cantwell expressed the view that the PSI should take a stand at the IPU Conference as an opportunity to facilitate engagement with registered pharmacists. Council deliberated on whether the PSI should take stands at conferences organised by representative bodies. It was noted that PSI is available to attend and participate in conferences organised by representative bodies.

**Action:** As part of the implementation of the PSI's Communication Strategy approved by Council in 2012, the Executive is reviewing communications approaches and is to present a 2014 implementation plan on the Communications Strategy to Council at the next meeting. Council members were invited to make suggestions regarding the communications implementation in advance of the next Council meeting.

**Chief Pharmacist post in the Department of Health**

Mr K O'Hourihane enquired as to whether the PSI had been informed of the outcome of the competition process for appointment of a new Chief Pharmacist by the Department of Health. Council was informed that the PSI had not received any formal communication on the matter.

**Action:** Council recommended that the Registrar seek an urgent meeting with representatives from the Department of Health, to clarify whether the Chief Pharmacist position has been or is to be filled.

The President thanked Council. The public Council meeting ended at 12.05pm.

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Eoghan Hanly  
President

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Date