



Minutes for Public Council Meeting No. 81

Thursday 18 May 2017

PSI House, Fenian Street, Dublin 2

The public session of the 81st meeting of the Council of the Pharmaceutical Society of Ireland, established under the Pharmacy Act, 2007 commenced at 10:00am on Thursday, 18 May 2017 at PSI House, Fenian Street, Dublin 2.

Present: Dr. Ann Frankish, President, Mr. Rory O'Donnell, Vice-President, Mr. Hugo Bonar. Ms. Mary Rose Burke, Ms. Nicola Cantwell, Mr. Fintan Foy, Dr. Paul Gorecki, Ms. Joanne Kissane, Mr. Graham Knowles, Ms. Caroline McGrath, Mr. Shane McCarthy (until 11:15am), Mr. Fintan Foy, Mr. Pat O'Dowd, Ms. Ann Sheehan, Mr. Edward MacManus (from 10:50am) Mr. Richard Collis and Ms. Deirdre Larkin.

PSI Staff: Mr. Niall Byrne, Registrar/Chief Officer, Dr. Cheryl Stokes, Mr. John Bryan, Dr. Lorraine Horgan, Ms. Damhnait Gaughan, Dr. Cora Nestor, Mr. Éanna Ó Lochlainn, Ms. Ruth Bailly, Ms. Caroline Mellows, Ms. Siobhan Fitzgerald (for part), Ms. Aoife Mellett, Ms. Ruth McDonnell.

Public Gallery: The President welcomed the attendees in the public gallery.

A. Apologies

Apologies had been received from, Mr. Paul Turpin, Dr. Chantelle Macnamara, Prof. Kieran Murphy and Ms. Muireann Ní Shuilleabháin.

B. Declaration of Interests

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. 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."*

C. Draft Minutes of Public Council Meeting No. 80

The President noted that the draft minutes of the public session for Council Meeting Number 80 held on 23rd March 2017, had previously been circulated to Council members and that one amendment had been received.

Decision: **The draft minutes were approved by Council on the proposal of Mr. Fintan Foy and seconded by Ms. Nicola Cantwell.**

D. Office of the Registrar

D1. Report of the Registrar

Mr. Niall Byrne, Registrar and Chief Officer, addressed the Council and gave a presentation on meetings he and PSI staff attended, and significant recent developments at the PSI. All Council members had previously been circulated with the Registrar's Report, which contains updates from each department/unit, including key strategic and policy developments.

He informed Council that meetings had been scheduled with both the HSE Director-General and the Department of Health for June 13th and 14th respectively, to discuss how the findings of the PSI's Report on *Future Pharmacy Practice-Meeting Patients' Needs*, could be implemented, and that the Department of Health had confirmed that the role of pharmacy would also be considered as part of the Department's review of its current mental health strategy, *A Vision for Change*.

During his presentation, Mr. Byrne noted that the PSI had not been targeted during the spate of recent, much publicised, ransomware attacks in Ireland and overseas, but added that the PSI's cybersecurity and IT infrastructure remained under constant review. He stated that this was likely, as for any organisation, to have budgetary and cost implications for the organisation into the future.

Council was informed that a call-over of the Professional Conduct Committee and Health Committees had been scheduled for June 21st 2017 and that each call-over was chaired by the respective chair of each Committee.

It was noted that following significant changes to the Misuse of Drugs Regulations, a summary of the changes had been circulated to all pharmacists and published in the PSI newsletter.

The Registrar informed Council that the PSI's Annual Report had been laid before both Houses of the Oireachtas.

He advised that the PSI's new communications strategy would be presented to Council at its next meeting, scheduled for June 22nd.

D2. Update on PSI Corporate Strategy

The Registrar informed Council that work was progressing well on the PSI's next Corporate Strategy. A draft strategy had been issued for public consultation and thirty-nine responses had been received, most of which had been broadly supportive of its direction of travel. A staff workshop took place on the 26th of April, to discuss further the implementation of the strategy over the three year period and also considered how the PSI's core values could be enhanced as part of the new strategy, and embedded in the organisation's culture. The Council's Strategy Review Group met on May 17th and its feedback on the work done to date had been positive. Mr. Byrne indicated that the Regulatory Risk Project would be a key input into the PSI's next Corporate Strategy, and that Council would be kept informed of its progress. He advised that key stakeholder groups would now be consulted, and that he expected to present a further-developed draft version for Council to consider at its next meeting on the 22nd of June, prior to submission to the Department of Health for its consideration, with a view to publishing a final draft in December 2017.

D3. Update on the PSI Council Election

The Registrar briefed the meeting on the outcome of the recent Council election, held to replace the five Council members who will be completing their terms of office on June 17th. There had been eight nominations for the five available places and following the count the Minister for Health was informed of the outcome and the results were published on the PSI website. The Registrar expressed his thanks to Dr. Cheryl Stokes, Head of the Corporate Governance and Public Affairs Department for organising and managing the electoral process. In response to questions from Council Dr. Stokes informed Council that the electoral turnout of 23% was slightly lower than in previous years, and it was broadly in line with sectoral norms and that going forward consideration would be given to asking prospective candidates to submit a biography which would form part of the pre-election material sent to the electorate. Mr. Richard Collis queried whether the percentage of community pharmacists who voted in the election could be determined, as this was the main body regulated by the PSI. The Registrar undertook to examine whether this data could be extracted from the election returns.

E. Administration & Finance

E1. Report from the Administration and Finance Committee

The Chair of the Administration and Finance Committee, Mr. Shane McCarthy, addressed Council stating that Council members had been circulated with a report from the Administration and Finance Committee.

Mr. McCarthy brought to the attention of Council the minor delay that had occurred in progressing the procurement of the external service provider to assist with the PSI's core funding review which is to seek to determine the resource requirements necessary to deliver the PSI's core functions. As a result of this delay, the A&F Committee had not been able to meet with the service provider at its 4 May meeting. Mr. McCarthy informed Council that he understands that the timelines agreed by

Council are not impacted by the procurement delay. He also advised Council that the Committee had received updates on the implementation of recommendations following an external assessment on the adequacy of the PSI's Superannuation Scheme liability provision and the status of the procurement of legal services, which is being progressed through engagement with the Office of Government Procurement.

He informed Council that the Committee had also noted the Executive's confirmation that the findings of the recent internal audit report were being progressed, and that the PSI's 2017 Procurement Plan for 2017 had already provided for particular procurement activities to be progressed in Q3.

Council was satisfied with the report and had no further questions.

E2. Approval of the management accounts to 31st March 2017

Mr. McCarthy informed Council that the Committee had reviewed the draft Management Accounts for the period, 1st January to 31st March 2017 (Q1). He advised Council that the Committee had been briefed on variances against budgeted expenditure in the PSI's operating costs and was recommending the Management Accounts to Council for its approval.

Decision: The PSI Management Accounts for 1st January – 31st March 2017, were approved by Council on the proposal of Mr. Graham Knowles and seconded by Ms. Mary Rose Burke.

On a separate matter, Mr. McCarthy noted that membership of the Administration and Finance Committee consisted solely of serving Council members, and that in line with the competency framework approved by the Council in December 2016, that additional external expertise could only be sought where the competency did not exist on Council. He stated he did not have a view on whether the membership base should be expanded, but two members of the Committee had queried if such a rule was appropriate or desirable. Mr. Richard Collis, expressed the view to Council that it took a year to learn the job, and that experience should be seen as an asset by the Committee. Mr. Edward MacManus stated that there appeared to be some ambiguity in the rules relating to this issue. The Council President informed Council that the matter would be discussed at the next Chairpersons' Forum meeting on 31st of May 2017.

F. Corporate Governance and Public Affairs

F1. Mr. Shane McCarthy, Chair of the Nominations Sub-group made the following recommendations to Council:

- i. That Ms. Ann Sheehan, whose term of office as a member of the Registration and Qualification Recognition Committee, expires on the 20th of May 2017, be reappointed until the 15th of December 2018.

ii. That Mr. Michael Lernihan, whose term of office on the Inspection and Enforcement Committee is expiring on the 20th of May 2017, be reappointed until 15th December 2018

iii. That Ms. Caroline McGrath whose term of office as Chair of the Pharmacy Practice Development Committee is expiring on the 20th of May 2017, continue in her role as Chair until the expiry of her current term on Council.

iv. That Prof. Kieran Murphy, Chair of the Professional Development and Learning Committee whose term of office is expiring on the 20th of May 2017, be reappointed to his role until the expiry of his current term on Council.

Decision: The recommendations were approved by Council on the proposal of Mr. Hugo Bonar and seconded by Mr. Rory O'Donnell.

F2. Appointment of the Presiding and Alternative Presiding Officer for the Election of the Council President and Vice President

The President asked Council, in accordance with PSI Council Rules, to accept the nomination of the following two individuals to fill the role of Presiding Officer and Alternate Presiding Officer, at the election of the President and Vice President which will take place on June 22nd 2017:

Dr. Cheryl Stokes – Presiding Officer

Ms. Sinead O'Keefe – Alternate Presiding Officer

Decision: The nominations were approved by Council on the proposal of Ms. Deirdre Larkin, and seconded by Mr. Pat O'Dowd.

G. Professional Development and Learning

G1. Report from the Professional Development and Learning Committee

Mr. Fintan Foy, deputising for the Chair of the Professional Development and Learning Committee, Prof. Kieran Murphy, addressed the Council stating that Council members had been circulated with a report of the Professional Development and Learning Committee. Council was satisfied with the report and had no further questions.

G2. Consideration of payment arrangements for the application fee for the in-service practical training programme 2017-2018

Mr. Foy requested that Council approve the proposal set out for 2017-2018 National Pharmacy Internship Programme (NPIP) cohort, namely the application fee to undertake the in-service practical training component of the NPIP, be split into two instalments as follows: the amount of €1,500 should be paid for 2017-2018 internship year by 31st of August 2017 at the latest, and that the remaining amount be paid by 1st February 2018.

Decision: The proposal was approved by Council on the proposal of Dr. Paul Gorecki, and seconded by Ms. Joanne Kissane.

G3. Quarterly update on implementation of the Continuing Professional Development model and delivery of Irish Institute of Pharmacy services

Mr. Foy addressed the Council stating that Council members had been circulated with an update on developments at the Irish Institute for Pharmacy (IIP). Council was satisfied with the report and had no further questions.

H. Pharmacy Practice Development

H1. Report from the Pharmacy Practice Development Committee

The Chair of the Pharmacy Practice Development Committee, Ms. Caroline McGrath, addressed Council stating that Council members had been circulated with a report of the Pharmacy Practice Development Committee. The Committee had not met since Council's last meeting. Ms. McGrath updated Council on the progress of the on-going review of the Code of Conduct for Pharmacists, noting that consultation with pharmacists and the wider public was due to commence next week. Ms. McGrath also briefed Council on the work carried out in conjunction with the Medical Council on the shared care of patients. She informed Council that the first joint guidance on the safe prescribing and dispensing of controlled drugs had been updated to reflect the updated Misuse of Drugs Regulations 2017, which had come into effect on May 4th. This guidance document was now out for public consultation.

H2. Update of PSI Guidance to incorporate the Misuse of Drugs Regulations 2017

Ms. McGrath advised Council that, as a result of the updated Misuse of Drugs Regulations, changes are required to a number of guidelines drafted under the Regulation of Retail Pharmacy Businesses Regulations. The two guidelines that required updating were:

1. Draft Guidelines on the Keeping of Records in Respect of Medicinal Products when Conducting a Retail Pharmacy Business
2. Draft Guidelines on the Counselling and Medicine Therapy Review in the Supply of Prescribed Medicinal Products from a Retail Pharmacy Business

A copy of each guideline incorporating tracked changes of the new requirements was circulated to Council members for clarification of the changes made.

Ms. McGrath requested that Council approve the updated guidelines, which had been amended to include the new requirements of the Misuse of Drugs Regulations 2017.

Decision: The changes were approved by Council on the proposal of Ms. Ann Sheehan, and seconded by Ms. Mary Rose Burke.

The President thanked Ms. McGrath for her work as Chair of the Pharmacy Practice Development Committee as her term as a member of Council would end on June 17th.

I. Inspection and Enforcement

I.1 Report from the Inspection and Enforcement Committee

The Chair of the Inspection and Enforcement Committee, Mr. Hugo Bonar, advised Council members that they had been circulated with a report of the Inspection and Enforcement Committee. He noted that the Committee had discussed whether individual pharmacists involved in the dispensing of medicines in pharmacies could be identified, where multiple pharmacists may be on duty in a pharmacy on a particular day, and it had asked that this matter be raised at Council. He noted that the Committee had agreed that its own terms of reference needed to be updated, and that work had commenced on this. It was anticipated that a draft would be ready to go before Council for approval at its meeting on September 21st.

I.2 Update on the roll out of the Pharmacy Assessment System.

Mr. John Bryan, Head of the Regulation Department, provided a verbal update on the roll-out of the Pharmacy Assessment System. He informed the Council that the PSI inspectorate were on target to visit all community pharmacies to conduct advisory visits on the Pharmacy Assessment System by the end of June 2017. He noted there had been a good level of engagement with Superintendent Pharmacists, 90% of whom had started using Pharmacy Assessment System in their pharmacies. Of these, 1037 had identified areas for improvement in their practices, following the use of the Assessment. He informed Council that the first Assessment cycle would finish in June, with the second cycle to run from July to September.

Ms. Nicola Cantwell stated that she had received positive feedback from colleagues in the profession, following the advisory visits by PSI inspectors. Ms. Mary Rose Burke asked if it would be possible to use data analytics to measure feedback rather than relying on anecdotal evidence. Mr. Bryan stated that this would be provided, following the conclusion of the visits. Ms Joanne Kissane asked if there were any plans to use some form of electronic/digital platform to drive quality improvement. Mr. Bryan stated that the cost for this may be prohibitive, but that it would be kept under review.

J. Registration and Qualification Recognition

J1. Report from the Registration and Qualification Recognition Committee

The Chair of the Registration and Qualification Recognition Committee, Mr. Graham Knowles, advised Council members that they had been circulated with a report of the Registration and Qualification Recognition Committee. He noted that the Committee had agreed that the issuing of the plastic card, known as the European Professional Card (EPC) at registration, would cease. Committee had recognised potential for confusion with the European Professional Card (EPC) operated under the IMI system – the electronic online recognition procedure introduced under

Directive 2013/55. He also confirmed that arising from the Council decision taken at its March 23rd meeting, in respect of the Temporary Absence Rules, that a Working Group to consider Temporary Absence is to be established to examine this issue. Terms of Reference and competency requirements for the group are currently being drafted and it is envisaged that the work of the group will take place over a time period of three months. Competency requirements being considered include; pharmacists, pharmaceutical assistants, risk and regulatory experts. Mr. Knowles confirmed that, as agreed by Council at its last meeting, the current regulatory regime regarding temporary absence would continue to apply pending the introduction of new Rules.

K. Legal Affairs

K1. Guide for Pharmacists to the Disciplinary Process

The Legal Affairs Unit Manager, Ms. Aoife Mellett, presented the *Guide for Pharmacists to the Disciplinary Process*, which had been circulated to Council members. Council members commended the document and sought clarification on a number of items. Following the feedback received, Ms Mellett indicated that she would update the document to address the points raised by Council.

L. Council Business

L1. Council Members' Time

Ms. Nicola Cantwell queried if any progress had been made on establishing a Pharmacy Act Working Group. The Registrar advised that he needed in the first instance to consult with the Department of Health on the feasibility of a new Act, as the Department manages the legislative programme. He stated he would report back to Council at its next meeting on the outcome of his consultation.

The President expressed her thanks to the outgoing Council members whose term on Council would expire on the 17th of June.

Both the Registrar and Vice President expressed their thanks to the President for her dedication, hard work and leadership of the Council over the last number of years. The President expressed her thanks to PSI staff and Council members for their support during her tenure as President.

The meeting ended at 11:55am.

President

Date