



Minutes for Public Council Meeting No. 88
Thursday 17th May 2018
PSI House, Fenian Street, Dublin 2

The public session of the 88th meeting of the Council of the Pharmaceutical Society of Ireland, established under the Pharmacy Act 2007 commenced at 10am on Thursday, 17 May 2018 at PSI House, Fenian Street, Dublin 2.

Present: Mr. Rory O'Donnell, President, Ms. Nicola Cantwell, Vice-President, Mr. Hugo Bonar, Mr. Graham Knowles, Mr. Sean Reilly, Ms. Louisa Power, Ms. Veronica Treacy, Mr. Michael Lyons, Dr. Ailis Quinlan, Mr. Paul Turpin, Ms. Ann Sheehan, Assoc. Prof. Sheila Ryder, Mr. Fintan Foy, Ms. Mary Rose Burke, Ms. Joanne Kissane, and Mr. Pat O'Dowd.

PSI Staff: Mr. Niall Byrne, Ms. Louise Canavan, Dr. Cora Nestor, Mr. John Bryan, Dr. Lorraine Horgan, Ms. Damhnait Gaughan, Ms. Aoife Mellett and Mr. Conor O'Leary, Mr. Éanna O Lochlainn. Other PSI staff members also attended for part of the meeting.

Public Gallery: The President, Mr. Rory O'Donnell, welcomed the attendees in the public gallery, and Dr. Jim Livingstone, President of the Pharmaceutical Society of Northern Ireland.

A. Apologies

Apologies had been received from 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.”

No conflicts of interest were declared.

C. Draft Minutes of Public Council Meeting No. 87

The President noted that the draft minutes of public Council meeting number 87 had previously been circulated to Council members and that no amendments had been received.

Decision: The Council approved the minutes of the public session of Council meeting number 87, held on the 22nd of March 2018, on the proposal of Mr. Sean Reilly and seconded by Mr. Paul Turpin.

D. Office of the Registrar

D1. Appointment of the Presiding Officer and Alternate Presiding Officer for the election of the PSI Council President and Vice President.

Ms. Louise Canavan, Acting Head of Corporate Governance and Public Affairs, requested that the Council accept the proposed nominations to appoint a presiding officer and an alternate presiding officer for the election of President and Vice-President to take place at its next meeting. The Council was asked to approve PSI staff members, Ms. Sinead O’Keeffe as Presiding Officer, and Ms. Louise Canavan as Alternate Presiding Officer.

Decision: The Council approved the appointment Ms. Sinéad O’Keeffe as Presiding Officer, and Ms. Louise Canavan as Alternate Presiding Officer, on the proposal of Ms. Louisa Power, and seconded by Mr. Fintan Foy.

D2. Mentoring of Council Members

Mr. Niall Byrne, Registrar and Chief Officer, informed Council that, on the basis of feedback received from Council members, he and the President had agreed to introduce a peer mentoring programme to assist newly-appointed Council members in learning how Council operates, so that they can be effective in their roles and feel able to fully participate in Council business from their date of appointment. It would be offered as an additional support to the induction and familiarisation training provided to all newly-appointed Council members by the PSI Executive. This was noted by Council.

D3. Report of the Registrar

Mr. Byrne, addressed Council and gave an overview, by means of a presentation, of key updates and significant recent developments. This was an overview of items contained in the Registrar's Report, a revised format of which had been circulated to Council in advance of the meeting.

He informed Council that the Registrar's Report was now structured in order to report on the four strategic results areas of the PSI's Corporate Strategy 2018-2020: (a) promoting professionalism and quality in pharmacy, (b) impacting through collaboration and engagement, (c) regulating effectively for better health outcomes and patient safety, and (d) building an effective organisation and benchmarking of PSI performance.

The report outlined how the PSI's work since the Council's last meeting had moved the PSI Service Plan forward, and he invited Council to provide feedback on the new report structure, and to indicate if there were areas where Council needed more or different information.

The Registrar highlighted items from his Report, including:

- The meeting he and the Head of Education and Registration had with both the General Pharmaceutical Council (GPhC) and the Pharmaceutical Society of Northern Ireland (PSNI) in London on 24 April, in what he described as a good start in addressing potential implications and issues arising from Brexit, and exploring potential options for mitigation of risks.
- The Irish Institute of Pharmacy (IIOF) had reported that the 2017/2018 ePortfolio Review has been completed with submissions received from 1,217 pharmacists. A final report on the process would be provided by the IIOF in May. The first Practice Review event took place on 21st and 22nd April with positive engagement and participation reported by the IIOF.
- The Pharmacy Practice Development (PPD) Department was continuing to review the draft Code of Conduct for Pharmacists and has significantly progressed the revised Code, incorporating the feedback received to date from stakeholders, including a strong focus on the exercise of professional judgement. The Registrar also updated Council on the eleven seminars for superintendent pharmacists, completed in April. He noted that 22% of the total number of registered superintendent pharmacists had attended, and while greater numbers would be ideal, it had been a very useful engagement with this important stakeholder group of pharmacists. There had been no negative comment of significance arising from the seminars, and further analysis of those sessions would come to the Council at the June meeting.

- A meeting with the Primary Care Reimbursement Service (PCRS) of the HSE.
- The Head of the PPD Department attended a multi-stakeholder meeting in the HPRA on February 13th attended by representatives from the Department of Health, the Health Service Executive (HSE), Epilepsy Ireland, and the Organisation for Anti-Convulsant Syndrome (OACS), and addressed the public safety issues and public interest concerns arising from the use of valproate-containing medicines during pregnancy.
- A meeting of the Registrar and Head of Pharmacy Practice Development and representatives of patient organisations with regard to use of medicines containing sodium valproate. The Registrar noted that the patient representatives were complimentary of the clear safety stance taken on this matter by PSI.
- A new contract for provision of continuing professional development (CPD) services, via the IOP, had been signed with the RCSI on 9 May. This represents the culmination of an extensive process of procurement and will help ensure that this aspect of professional development and oversight by PSI continues and develops further.
- The PSI has been invited by the National Patient Safety Office of the Department of Health to meet regarding participation in Ireland's response to the World Health Organisation's Third Global Safety Challenge: *Medication without Harm*, and to discuss how PSI can contribute to this important initiative. A meeting is scheduled at the end of May.
- The Registrar also advised that he and Dr. Cora Nestor had been invited to attend the plenary session at the beginning of the IPU's National Conference, and he highlighted the interesting presentations that had been given that day by Professor Charles Normand of TCD and Thomas E. Menighan from the American Association of Pharmacists. He also provided Council with information on a regulatory lecture given by Prof. Julia Black, which he had attended.

A summary progress report against the PSI Service Plan items for 2018 was also provided to the Council. The Registrar advised that the PSI Service Plan was on track for month five.

The Registrar invited questions from Council.

Mr Paul Turpin queried with regard to the item in the Registrar's Report which noted that PSI has been invited to nominate a representative to sit on the HIQA Advisory Group on ePrescribing, and whether this work-stream would lead to what he termed a parallel universe, which sat outside the current regulatory framework, referencing the Registrar's

proposed Regulatory Risk Forum. The Registrar stated that the PSI needed to be involved in what was being proposed in this new and evolving area, particularly with regard to any risk that these new developments might pose to the public, so that all necessary steps could be taken in good time to mitigate any risk while enabling desired technical change.

Mr. Sean Reilly complimented the Registrar on his report, and asked if it could be published on the PSI website, in addition to the Council public meeting minutes, for each meeting, as an informative report for the PSI's stakeholders. Both the Vice-President of Council and Mr. Graham Knowles expressed the view that all Council's meeting papers should be published on the PSI website. The Registrar said he would look into this.

E. Corporate Governance and Public Affairs

E1. Update on the implementation of the General Data Protection Regulation (GDPR)

Ms. Louise Canavan referred to the detailed memo that had been provided to the Council outlining work ongoing on the PSI's preparedness for the implementation of the General Data Protection Regulation (GDPR). Review and preparation had been undertaken across the organisation, including the updating of existing data protection policies and standard operating procedures to ensure the PSI would continue to operate in accordance with the principles of GDPR. Good progress was being made against the PSI's GDPR implementation plan. Council had no questions.

E2. IloP Strategic Review Working Group – Terms of Reference

Ms. Mary Rose Burke, proposed Chair of the Working Group, informed Council that a copy of proposed terms of reference, had been circulated to Council in advance of the meeting, for its approval. She outlined the intention of the Group and the proposed governance arrangements.

Ms. Veronica Treacy and Mr. Michael Lyons both queried the composition of the Group, and suggested the addition of a practising pharmacist who was currently engaging with the IloP would be of value. Ms. Burke said she was open to this suggestion.

Decision: the Council approved the terms of reference of the Strategic Review Working Group, subject to the inclusion of another pharmacist member of the Council, on the proposal of Ms. Joanne Kissane and seconded by Michael Lyons

E3. Legislative Review Working Group – Terms of Reference

The Vice-President, informed Council that the proposed terms of reference for the Legislative Review Working Group had been circulated in advance of the meeting, for

approval. She hoped the Group would have its first meeting in June, and that the Group was tasked with examining the current framework of primary legislation governing the PSI and its regulatory functions, with a view to engaging with stakeholders to identify what works and what doesn't work in the current legislative framework, and to work towards presenting proposals for reform of the legislation.

Decision: The Council approved the terms of reference for the Legislative Review Working Group, on the proposal of Mr. Graham Knowles, and seconded by Ms. Louisa Power.

F. Professional Development and Learning

F1. Report from the Professional Development and Learning Committee

Mr. Fintan Foy, Chair of the Professional Development and Learning Committee, informed Council that a copy of the Report from the Professional Development and Learning Committee, had been circulated to Council in advance of the meeting. He invited questions from members of Council. Council was content with the Report and had no questions.

F2. Quarterly update on CPD implementation model, and Irish Institute of Pharmacy (IloP) services delivery

Mr. Fintan Foy informed Council that a copy of the Quarterly Update on CPD Implementation Model, and Irish Institute of Pharmacy (IloP) services delivery, had been circulated to Council in advance of the meeting. He invited questions from members of Council. Ms. Veronica Treacy and the Vice-President raised a query regarding the number of courses being offered by the IloP as a number of courses were no longer available to students. Ms Damhnait Gaughan, Head of Education, addressed the query arising and indicated to the Council that there was a commitment to a minimum number of courses over the lifetime of the new contract.

F3. Consideration of payment arrangements for the application fee for the in-service practical training programme

Mr. Fintan Foy informed Council that it was being asked to approve particular payment arrangements for the application fee for the in-service practical training programme as detailed in the Memo circulated.

The request to Council was that 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 the 2018/2019 internship year by 28 August 2018 at the latest, and that the remaining amount be paid by 1 February 2019.

It was also noted that a fee of €315 to undertake the PRE would apply to all applicants presenting to undertake this examination.

Decision: The Council approved payment arrangements for the application fee for the in-service practical training programme on the proposal of Ms. Veronica Treacy, and seconded by Ms. Joanne Kissane.

G. Legal Affairs

G1. Quorum for Disciplinary Committees

Ms. Aoife Mellett, Legal Affairs Manager, informed Council that Section 7(1) of Schedule 1 of the Pharmacy Act 2007 requires Council to fix the quorum of a disciplinary committee, namely the Preliminary Proceedings Committee, the Health Committee and the Professional Conduct Committee.

In the context of fixing the quorum of a disciplinary committee, a question had arisen regarding the extent to which Sections 34(3) - (5) of the Pharmacy Act relate to a disciplinary committee *as a whole* or to the *particular panel* of the relevant disciplinary committee that sits to consider a particular complaint. Advice was obtained from Senior Counsel on the issue (which was circulated to Council). Senior Council's advice was that Sections 34(3) – (5) are intended to prescribe the overall membership of a disciplinary committee, not the small number of members that might sit to hear a particular complaint. Council noted that Section 34(6) of the Pharmacy Act was a mandatory provision which must be respected when considering a complaint against a pharmacy owner.

In light of the above, Council were being asked to approve, in accordance with Section 7(6) of Schedule 1 of the Pharmacy Act 2007, the quorum of a disciplinary committee considering a complaint. This was outlined as follows:

1. The majority of the members of any particular disciplinary committee must be persons other than registered pharmacists, the remaining member(s) must be registered pharmacists;
2. A disciplinary committee considering a complaint against a pharmacy owner must include one registered pharmacist who is a pharmacy owner;
3. The quorum for the Professional Conduct Committee and Health Committee shall be three;
4. The quorum for the Preliminary Proceedings Committee shall be five.

Decision: The Council approved the quorum of a Disciplinary Committee considering a complaint as: the majority of the members of any particular disciplinary committee must be persons other than registered pharmacists, the remaining member(s) must be registered pharmacists; a disciplinary committee considering a complaint against a pharmacy owner must include one registered pharmacist who is a pharmacy owner; the quorum for the Professional Conduct Committee and Health Committee shall be three; the quorum for the Preliminary Proceedings Committee shall be five; on the proposal of Mr. Paul Turpin, and seconded by Ms. Joanne Kissane.

H. Pharmacy Practice Development

H1. Review of the Code of Conduct Targeted Consultation – PSI Council

Ms. Ann Sheehan, Chair of the Pharmacy Practice Development Committee informed Council that, following circulation of a draft copy of the Code of Conduct to Council members in June for their further input, it was hoped the draft revised Code of Conduct would be made available for public consultation. Council members were encouraged to provide their feedback. Following a question from Mr. Paul Turpin, Mr. Conor O’Leary informed Council, that he hoped the new Code of Conduct would provide greater clarity, and would be easier for pharmacists to use as a guide to their own professional practice and the proper exercise of professional judgement.

I. Registration and Qualification Recognition

I1. Report from the Registration and Qualification Recognition Committee

Mr. Graham Knowles, the Registration and Qualification Recognition Committee, informed Council that a copy of the Report the Registration and Qualification Recognition Committee, had been circulated to Council in advance of the meeting. He invited questions from members of Council. Council was content with the Report and had no questions

I2. Update on the implications of Brexit for registration.

Ms Damhnait Gaughan, Head of Education and Registration, summarised for the Council, the content of a briefing note which explored a number of potential options in the context of recognition and registration matters post BREXIT. Mr. Sean Reilly raised concerns over the potential implications for those students currently undertaking training to become a

pharmacist in Higher Education Institutions in the UK and Northern Ireland, and for the pharmacist workforce in Ireland.

It was clarified that the PSI currently operates three functional mechanisms of qualification recognition, including a Third Country recognition route. Mr Reilly's request that research be undertaken by the PSI executive into potential numbers of students in the UK would be considered in the context of BREXIT examination.

I3. Update on the Temporary Absence Working Group Report

Ms. Damhnait Gaughan, Head of Education and Registration, outlined to the Council the current position in respect of the consideration of Temporary Absence. Council previously considered this matter in March 2017, and at that time rejected a proposed set of rules which would govern the temporary absence of a pharmacist from a pharmacy. Council directed that the issue be examined further, and a working group had been established to do so. This Group would be returning a report to the Council to be considered in private session later in the meeting.

J. Council Business

J1. Council Members' Time

No items were submitted for discussion for Council members' time.

The meeting concluded at 11:35am.

President

Date