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The 11th Meeting of the Pharmaceutical Society of Ireland established pursuant to the Pharmacy Act 2007 was held on the 26th May 2009 at 10.30am in the Boardroom, An Bord Altranais, Blackrock, Co. Dublin.

Council Members present: Dr. B. Leddy (President), Mr. S. Boyle, Mr. J. Collins, Ms. M. Doherty, Mr. P. Fahey, Dr. A. Frankish, Dr. P. Gallagher, Ms. C. Hallahan, Ms. N. Harvey, Mr. A. Horan, Mr. E. Hanly, Dr. J. Hillery, Ms. I. Kelleher, Ms. D. Larkin, Ms. K. Mulvenna, Prof. J. Nunn, Ms. M. Ní Longáin, Mr D. O’Loughlin, Ms. R. Purcell

PSI Corporate Management in attendance: Dr. A. McLoughlin (Registrar), Ms. J. Aylward, Mr. J. Bryan, Ms. D. Gaughan, Ms. L. Horgan, Ms. K. O’Flaherty, Mr. T. McGuinn, Dr. C. Stokes.

1. Apologies

Assist. Comm. N. O’Sullivan, Mr. S. Hurley

The President opened the meeting and welcomed new Council member Mr. Stephen Boyle, Mr. John Collins, Ms. Margaret Doherty, Dr. Ann Frankish, Mr. Eoghan Hanly and Mr. Aidan Horan.

2. Declaration of Interests (Appendix A: Sent: 15th May 2009)

The Registrar read the following statement, and referred Council members to Appendix A which contains paragraph 9 of Schedule 1 of the Pharmacy Act 2007:

“Paragraph 9 of Schedule 1 to the Pharmacy Act 2007, deals with the necessary disclosure of certain interests by members of the Council and by members of its various committees. Those requirements are also reflected in the Code of Conduct adopted for Council members which also requires that they “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. Election of President and Vice-President (Appendix B: Presiding Officer)

The Registrar introduced Mr. Jack Crowley of Crowleys DFK, the PSI’s internal auditor, who acted as independent scrutineer of the election process. The Registrar and staff of the PSI withdrew from the room for the duration of the election, with the exception of Mr. Tom McGuinn, Presiding Officer, Mr. John Bryan, Alternate Presiding Officer, Ms Sinead O’Keeffe, Election Administrator, Ms Kate O’Flaherty, Head of Communications and Editor of the Irish Pharmacy Journal and Ms Josephine Aylward, Secretary to Council.

Each of the candidates for election – Dr. B. Leddy, Ms. N. Harvey and Mr. P. Fahey (nominated for Vice-President) – read a brief statement outlining their credentials for the vacant posts before the respective voting took place. Mr. P. Fahey was questioned as to whether he considered that his connection with the IPU would conflict with his role as Vice-President of the PSI, and if so had he considered severing his role with the IPU as there may be an issue of public perception, and the public trust in and perception of the PSI as an independent regulator was of paramount importance.

Mr. Fahey responded by saying that while he was a member of the Irish Pharmacy Union he does not hold any officership of the Irish Pharmacy Union. He informed the Council that he provides consultancy services on IT and

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economic issues as an independent contractor to clients, one of which was the Irish Pharmacy Union. Mr Fahey added that he was very conscious and capable of keeping the various areas of his professional life separate and said that if elected as Vice President that at all times he would be guided by the Pharmacy Act 2007 and the Codes of Conduct in place.

Ms N. Harvey was elected President and Mr. P. Fahey was elected Vice-President.

The meeting adjourned in order for the President to be briefed on the Agenda for the meeting. The meeting resumed at 11.45am at which point Ms. N. Harvey took the Chair for the remainder of the meeting.

The Registrar, on behalf of all the staff, congratulated Ms. N. Harvey and Mr. P. Fahey and wished them both success. He thanked their predecessors Dr. B. Leddy and Mr. B. Hayes for their service and commitment.

The President resumed the meeting by requesting each Council member to give a brief introduction to all present

4.1 Draft Minutes of Council Meeting of 3rd March 2009 (Appendix C: Sent 15th May 2009)

Approval of the Minutes of 16th December was proposed and seconded:

1. Ms. I. Kelleher
2. Ms. D. Larkin

Action¹: Office of the Registrar

4.2 Proposal from Chairperson's Committee regarding Chair of Registration and Qualifications Recognition Committee (Verbal Update: Ms C. Hallahan)

It was agreed by Council following a recommendation from the Chairperson's Committee that the Vice President would be asked to chair the Registration and Qualification Recognition Committee on an interim basis until September. It was also agreed that the remainder of the Advisory Committees should continue until September with their existing membership and that Ms. R. Purcell would act as Chair of the Finance, Administration and Corporate Governance Committee.

4.2 Risk Management Policy and Guidelines (Appendix D: Sent 15th May 2009)

Dr. C. Stokes outlined the Risk Management document and drew Council's attention to the role of Council in this document. It was suggested that the process maps in Appendix B be reviewed to allow Council and Committee members to highlight risks to the organization.

The Risk Management Policy and Guidelines document was approved by Council.

4.4 Motion on Proposal from RQR and AFCG Committee regarding waiving of cancellation fee for a retail pharmacy business registration. (Appendix E: Sent 15th May 2009)

Ms. L. Horgan outlined the background to the proposal laid out in the Motion: It is proposed that the Council avail of the authority given to it in Rule 5(2) of the Pharmaceutical Society of Ireland (Fees) Rules 2008 (*S.I. No. 496 of 2008*) to waive the fee of €500, being the fee prescribed for the purpose of Rule 7 of the Pharmaceutical Society of Ireland (Retail Pharmacy Businesses) (Registration) Rules 2008 (*S.I. No. 495 of 2008*) and payable in connection with an application for the cancellation of the registration of a retail pharmacy business in the Register of Retail Pharmacy Businesses as provided for in Paragraph 12 of the Schedule to the Pharmaceutical Society of Ireland (Fees) Rules 2008. This waiver is only to be applied in the case of an application for the cancellation of the registration of a retail pharmacy business made simultaneously in respect of:

- (a) the re-registration of the same retail pharmacy business, at the same address, in circumstances where there is no change in the ownership of that business in terms of the person who is entitled to the profits and liable to sustain the losses of that business;¹ or

¹ An example where this waiver would be available would be in the case of a pharmacist converting his or her business into that of a corporate body and vice versa. It would also be available in the case of the transfer from one corporate body to another where the ownership criterion was also met.

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- (b) the registration of a retail pharmacy business on transfer to a new address in circumstances where there has not been any change in the ownership of that business.

The fee provided for in Paragraph 12 of the Schedule to the Pharmaceutical Society of Ireland (Fees) Rules 2008 shall be applied in all other situations.

It was suggested that the issue of 'beneficial ownership' should be clarified.

The Motion on Proposal from RQR and AFCG Committee regarding waiving of the fee for cancellation of the registration of a retail pharmacy business was unanimously approved in principle by Council, subject to the above clarification.

4.5 In-service practical training year: 2009-10:

4.5.1 Development of an interim in-service practical training programme and contingency plan for training placements (Appendix F: Sent 15th May 2009)

Dr. P. Gallagher outlined to the meeting that Council is hereby requested to empower the Registrar to pursue the establishment and management of an interim in-service training programme, as a solution to the current difficulties being faced by students in sourcing placements. Expressions of interest are to be sought from institutes who are equipped to deliver the practical training programme, including its management and administration. A start date of 1st Oct 2009 is planned. It is intended that the interim arrangement would operate for 3 years. The Registrar is to seek a once-off subvention of €100,000 from the Department of Health and Children to offset the cost of the programme.

It was agreed that this is an urgent issue. The Registrar indicated that the Pharmacy Education and Accreditation Reviews (PEARS) project, of which interim findings will be available in the Autumn, is reviewing the area of pre-registration training.

4.5.2 Motion to Council from the Professional Development and Learning and Admin, Finance and Corporate Governance Committees regarding application fee to undertake the in-service training programme (Appendix G: Sent 15th May 2009)

The Motion from the PD&L and AFCG Committees regarding application fee to undertake the in-service training programme was approved by Council.

1. Mr. D. O'Loughlin 2. Ms. M. Ní Longáin

Action²: Education and Registration Unit

4.6 Notification of additional Council meeting to consider statutory matters and arrangements for that meeting (Registrar)

The President indicated that Ms. J. Aylward is to email Council with proposed dates for holding an extra Council meeting.

Action³: Registrar's Office

4.7 Point of Care Testing Guidelines (Appendix H: Ms N. Harvey)

Ms. N. Harvey outlined background to this document and indicated that advances in diagnostic technology and the delivery of healthcare services has resulted in an increase in the demand for and provision of point of care testing (POCT) in PCCC environments. She recommended these collaboratively produced Guidelines to the Council for approval, noting that the version presented could be subject to minor changes. The Registrar endorsed effective

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collaborative working and co-operation with bodies such as the IMB as being a mechanism for the delivery by regulators and statutory agencies of enhanced patient protection and public safety in the long run.

The Guidelines for the Safe Use and Management of Point of Care Testing in Primary, Community and Continuing Care (PCCC) were endorsed by Council.

4.8 Public Galleries at Council meetings (Registrar)

The Registrar indicated that there is likely to be an increasing demand for public galleries at future Council meetings, and that this requirement needs to be accommodated in any premises to be used for meetings. The issue is to be considered by the Finance Administration and Corporate Governance and Property Committees. The need for a defined premises for meetings was reiterated, and the President suggested the possibility of Regulators sharing resources should be considered.

Action⁴: Registrar's Office

4.9 Report of Working Group on Role of Vice President (Appendix I: Sent: 15th May 2009)

Ms. C. Hallahan outlined to Council that a working group comprised of Mr. D. O'Loughlin, Prof. P. Weedle, and Ms. C. Hallahan had convened to review the role of the Vice President of the PSI Council with the aim of giving clarity to the role. Appendix I outlines responsibilities (additional to the normal duties of a Council member) which the Vice President would be expected to undertake. Whilst the PSI's Draft Corporate Governance Framework indicates that the President and Vice President cannot act as Chairs of Committees, Ms C. Hallahan referred to item 4.2 of the Agenda where it was decided to nominate Mr. P. Fahey as Interim Chair of the RQR Committee, and reminded Council that this was a temporary role which will come to an end in September.

The Registrar reiterated the importance of the roles of both President and Vice-President.

4.10 Policy Development for Implementation of Part 6 of the Pharmacy Act (Appendix J: sent 15th May 2009)

Mr. T. McGuinn summarised the content of Appendix J for Council members. He reiterated the importance of the constitution of the Disciplinary Committees. He indicated that Section 34 of the Act empowers the Council to establish 3 disciplinary committees; namely a Preliminary Proceedings Committee (PPC), a Professional Conduct Committee (PCC) and a Health Committee (HC).

Items 4.11 to 5.4 and 5.6 of the Council Agenda were taken as read, documents had been forwarded to Council members.

5.5 Pharmacy Ireland 2020 Working Group Report (Verbal Update: Ms C. Hallahan)

Ms C. Hallahan outlined to Council that the Committee is progressing its discussion with the ESRI with regard to economic modelling. The Committee invited a number of individuals including the Schools of Pharmacy who had expressed an interest in Pharmacy Ireland 2020 to submit discrete proposals to the PI2020 Committee outlining projects they are currently involved with, in areas of pharmacy practice that are in line with the Interim Report published by the PSI and that could be economically modelled to determine the benefits of such initiatives. A meeting will be held with Prof. Richard Layte and Dr. Anne Nolan from the ESRI on the 29th of May to discuss the proposals. The recommendations from the ESRI on which proposals are suitable for economic modelling will then be brought to the Pharmacy Ireland 2020 Committee and will contribute to the production of a 'Second Report' on PI2020 along with the information obtained from the focus groups which were held last year.

6. President's & Registrar's Business

6.1 FIP Bid 2012 (Registrar)

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Ms. K. O’Flaherty confirmed that a meeting with the FIP delegation will take place in Dublin on Wednesday, June 3rd, at which the PSI’s bid will be discussed in more detail, and after which it was hoped a decision would be made by FIP. Ireland is one of two candidate countries being considered for the 2012 centennial Congress, and is also being considered for the 2011 (originally awarded to Prague but that arrangement no longer pertains) and 2013 conferences. The Registrar stressed the significance of this international conference and the economic benefit to Ireland. A final decision is expected soon after the meeting on 3rd June.

6.2 Update on meeting with Minister Moloney

This meeting has been postponed until 11th June.

Additional item: Restoration Fees Rules Proposal

Ms S. O’Keeffe briefed Council on the need for approval to ask the Minister for Health and Children to vary the fees contained in the PSI’s Fee Proposal for 2009 which was submitted with the draft PSI (Fees) Rules 2008.

The amount proposed for Fees 14 and 16 in the PSI (Fees) Rules 2008 i.e. restoration of a pharmacist/pharmaceutical assistant following cancellation for failing to pay fees, was to consist of:

(a) restoration fee plus (b) continued registration fee (i.e. the unpaid fee).

Under Section 61(1)(b) of the Pharmacy Act 2007, specific arrangements are provided for in respect of the “unpaid fee” in the case of applications for restoration that are made within six months of the date when the unpaid fee became due. Accordingly, in these two cases, the “restoration fee” and the “unpaid fee” should not have been combined.

Accordingly, in order to have the PSI’s intention correctly reflected in the amount of the restoration fee for both pharmacists and pharmaceutical assistants arising from a removal from the Register, and in circumstances where applications are received within six months of the date when the unpaid fee became due, it will be necessary for the Council to make application to the Minister in order to obtain her approval for the variation of the fees so that the fees concerned only specify the “restoration” element of the fee as is intended by the Rules. This procedure is provided for in Rule 4(2) of the PSI (Fees) Rules 2008.

The proposal to request the Minister for Health and Children to vary the fees contained in the PSI’s Fees Proposal for 2009, was unanimously approved by Council.

Action⁵: Administration and Finance Unit

The meeting ended at 1.00pm.

Dates of next Council Meetings: 1)Tuesday 7th July 2)Tuesday 29th September