

## COUNCIL

**Minutes of the meeting held on Tuesday 31 March and Wednesday 1 April 2009 at 36 York Place, Edinburgh EH1 3HU**

### PUBLIC BUSINESS

**Tuesday 31 March 2009**

**Present**

President	Mr S Churton
Vice-President	Mr M Astbury
Treasurer	Mr A Gush

Mr S Acres	Ms S Agha
Mr G Alexander	Mrs M Allan
Mrs K Blair	Mrs C Brown
Mr D Carter	Dr B Curwain
Mrs D Drury	Dr C Duggan
Dr P Entwistle	Mr J Gentle
Mrs S Hikins	Mrs L Jacobs
Mr R Jobling	Mr J Jolley
Mr A Kershaw	Mrs S Kilby
Ms A Moore	Mr D Simpson
Professor K Wilson	

**In attendance**

Mrs B Taylor, Chairman of the English Pharmacy Board, Mrs S Melville, Chairman of the Scottish Pharmacy Board and Mr P Jones, Vice-Chairman of the Welsh Pharmacy Board

Mr J Holmes, Chief Executive & Registrar

**09/31 Apologies for absence**

Professor B Michell, Professor N Barber, Ms M Saunders, Miss Y Liddell, Mr D Thomson and Ms J Ramsey

**09/32 Declaration of interests**

The President reminded Council members that declarations of interest should be made by individual Council members at the beginning of the relevant item.

**09/33 Welcome to guests**

Ms Sandra Melville, Chairman of the Scottish Pharmacy Board, welcomed Council members to the first formal, public Council meeting of the RPSGB to be held in Scotland.

**09/34 Minutes of the public business part of the meetings of Council held on 3 & 4 February and 3 March 2009**

3 March 2009

09/27 – Definition of a Pharmaceutical Scientist

Mr Douglas Simpson advised that he had voted against the proposal and Mrs Dorothy Drury advised that she had abstained from the vote.

09/29 – The contribution of pharmacy to making Britain a safer place to take medicines

The Chief Executive & Registrar advised that Professor Barber had been referring to the report, not the actual award, therefore the paragraph should read as follows:

‘Professor Barber advised that the ~~award~~ report had been launched with an expert panel chaired by Dr Keith Ridge and had a private meeting with Dr Liam Donaldson which had been received well. This ~~award~~ report and ongoing ~~scheme~~ work was an example of the professional body leading the profession and achieving a presence in the policy arena.’

Council

**resolved**

that the minutes of the public business parts of the meetings held on 3 & 4 February and 3 March 2009, with the above amendments, be received and agreed as a correct record.

**09/35 Matters arising from the public business part of the minutes not specifically included in the agenda**

There were no matters arising.

**Regulatory matters**

**09/36 Referrals from Law & Ethics Committee**

**09/36.1 Professional standards and guidance for responsible pharmacists**

Mr David Carter, Chairman Law & Ethics Committee, introduced paper 09.04/C/28 which had been circulated.

Ms Priya Sejpal, Head of Professional Ethics, advised that a Responsible Pharmacist Toolkit was being prepared that would assist pharmacists in understanding the introduction of the responsible pharmacist.

The President thanked Mr Marc Donovan, Chairman of the Welsh Pharmacy Board, for chairing the Responsible Pharmacist working group as well as Ms Sejpal and members of the Law & Ethics Committee for their contribution to the process.

Council

**agreed**

- i. that with the deletion of paragraph 2.6 and paragraph 2.4 being positioned under the Good Practice section, the professional

standards and guidance for responsible pharmacists that will supplement the Code of Ethics.

**09/36.2 Professional standards and guidance for Pharmacists and Pharmacy Technicians in Positions of Authority**

Mr David Carter, Chairman Law & Ethics Committee, introduced paper 09.04/C/28A which had been circulated.

Ms Sejjal advised that the paper detailed consequential changes as a result of the introduction of the responsible pharmacist concept and that the original standards had been agreed by Council in 2007.

Council

**agreed**

- i. the changes to the professional standards for pharmacists and pharmacy technicians in positions of authority.

**09/37 Implementation of the statutory register of pharmacy technicians: fees rules for the 2009 registration cycle for pharmacy technicians**

The Deputy Registrar introduced paper 09.04/C/29 which had been circulated and advised that the Rules were being brought for agreement by Council so that the Society was prepared when the *Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009* became law, which was expected to be June 2009.

Council

**agreed**

- i. the fees rules for the 2009 registration cycle for pharmacy technicians that would take effect on the commencement of the statutory regulation of pharmacy technicians.

**09/38 Implementation of Council decisions on CPD**

The Deputy Registrar introduced paper 09.04/C/30 which had been circulated and advised that the paper proposed an interim step to assist pharmacists in compiling their CPD records before it became statutory under the forthcoming legislative changes.

Council members discussed the difficulty with loading their CPD records onto the internet site provided by the Society which could frustrate some members of the profession as well as the importance of ensuring a pro-active communications campaign highlighting the supportive nature of this scheme.

Ms Harris advised that members would not need to submit CPD relating to every year from 2005 but that records relating to the period from 2005-2009 would be considered acceptable against any call and review in 2009.

Council

**agreed**

- i. that the CPD call and review should begin in summer 2009; and

**noted**

- ii. that the call and review cycle would cover the whole of the practising profession over five years;
- iii. that practising pharmacists and pharmacy technicians would be expected to have a minimum of nine CPD entries in their CPD record from March 2010; and
- iv. that CPD records reviewed before March 2010 would be expected to reflect the CPD declaration made by pharmacists and pharmacy technicians each year from 2005.

**FOR NOTING**

**09/39 Investigating Committee annual report**

The President thanked Dr Kenneth Mullan, former Chairman of the Investigating Committee, for producing the report.

Ms Seema Agha advised that the questions raised in the report by Dr Mullan in respect of referrals to Law & Ethics Committee had been considered and actioned by the committee.

Council

**noted**

the report which had been circulated at 09.04/C/31.

**09/40 Statutory Committees statistical report**

The President thanked Ms Jeanne Thircuir, Statutory Committees Manager, for the comprehensive report.

Council

**noted**

the report which had been circulated at 09.04/C/32.

**Organisational matters**

**09/41 Chief Executive & Registrar's report**

**09/41.1 Recommendations from the Officers**

The Chief Executive & Registrar introduced paper 09.04/C/33 which had been circulated.

The Chief Executive clarified that the Officers were recommending Mr Martin Astbury to attend the FIP Council, not the person in the position of the Vice-President in September 2009 (if not Mr Astbury).

There was discussion about the Society seeking representation on other FIP steering groups and it was agreed that this would be studied further.

Council

**agreed**

- i. that the President and Chief Executive attend for the first two days of the Congress, flying back on 5 September to attend the British Pharmaceutical Conference;
- ii. that the Chief Scientific Adviser or Director for Wales/Director of Policy & Communications attend the Congress for one or two days, with BPC taking priority;
- iii. that Martin Astbury represent the Society at the 2009 FIP Council meeting;
- iv. that Martin Astbury represent the Society at the FIP Community Pharmacy Steering Group meeting; and
- v. that having Society representatives on a wider selection of FIP steering groups be studied.

**09/41.2 Minutes of committees of Council circulated since the February 2009 meeting of Council**

Council

**received**

the minutes of the following committees:

Scottish Pharmacy Board	28 January 2009
English Pharmacy Board	4 March 2009

**09/41.3 CHRE Performance Review 2008-09: RPSGB comments on CHRE's draft report**

The Chief Executive & Registrar introduced paper 09.04/C/34 which had been circulated and requested that due to the Society needing to respond to CHRE before the next Council meeting of 20 May 2009 the Society's comments be approved by the President.

Council

**agreed**

- i. that the Society's comments on CHRE's draft report be approved by the President.

**09/42 Committee Review**

Ms Alison Moore, Council Champion, introduced paper 09.04/C/35 which had been circulated and thanked staff who had worked with her in compiling the report.

Ms Moore advised that the report was not about disbanding groups themselves but about a new way of working in the final year towards the demerger of the Society. The recommendations in the report would assist in reducing the bureaucracy around the various groups and free up resources to be used in promoting the professional body.

In discussion Council members made the following points and suggestions:

- Now was not the time to disengage with members of the profession who worked with the Society in the different Special Interest Groups as their support was critical in the run up to the demerger.

- The Special Interest Groups should be given a budget so they could decide how often to meet and the structure needed to support them. If a Group wanted to meet more often than the budget allowed then they would need to generate extra funds themselves.
- The Education Committee would welcome a member of staff to lead and develop work on the professional aspects of education but the Committee already had a very heavy workload.
- Chairmen would need some training on how to chair a teleconferenced meeting and there needed to be flexibility on how much members could claim as attendance allowance to take into consideration different personal situations.
- The English Pharmacy Board had reserved places for practitioners working in different sectors which was a way of engaging with different groups of people.

The President proposed that the recommendations on pages 1-10 be agreed with the recommendations relating to the Special Interest Groups being postponed until after the meeting with the Special Interest Group Chairmen on 14 April 2009. Specific proposals on these Groups would then be brought to the June 2009 Council.

Council

**adopted**

- i. the recommendations listed in pages 1-10 in the paper; and

**agreed**

- ii. that recommendations relating to the Special Interest Groups be submitted to Council in June 2009 after the meeting with the Special Interest Group Chairmen had taken place on 14 April 2009.

**09/43**

**Rules of procedure for the Society's Annual General Meeting, Special General Meeting and Branch Representatives' Meeting**

The President invited comments from Council members regarding the forthcoming Special General Meeting.

In discussion the following points were raised:

- The concerns raised regarding the restricted title of pharmacist were understandable.
- It was unlikely that a regulator would prosecute a retired pharmacist who was not registered with the GPhC for using the title of retired pharmacist as long as she or he was not practising.
- Restricting the title of pharmacist safeguarded patients from those wishing to sell counterfeit medicines and ensured medicinal advice was only obtained from a qualified pharmacist.

The President advised that it was clear that Council took the concerns of pharmacists around the issue of restricted title seriously and hoped that the SGM would be a productive meeting.

Ms Martyn Schofield, Corporate Secretariat, introduced paper 09.04/C/36 which had been circulated.

Council

**agreed**

- i. that the Rules of Procedure for the 2009 Annual General Meeting be presented to said meeting for adoption;
- ii. that the Rules of Procedure for the forthcoming Special General Meeting be presented to said meeting for adoption;
- iii. that the date of the Special General Meeting be confirmed as Sunday 19 April 2009; and
- iv. that the minor amendments to the Rules of Procedure for the Branch Representatives' Meeting be approved.

**09/44 Pharmaceutical Society Staff Pension Trustees Limited**

Mr Alan Kershaw, Trustee Director, Pharmaceutical Society Staff Pension Trustees Limited, introduced paper 09.04/C/37 which had been circulated.

Council

**noted**

- i. the change in the law in respect of conflicts of interest which affect the Trustee Directors of Pharmaceutical Society Staff Pension Trustees Limited, the corporate trustee of the Society's staff pension scheme;

**passed**

- ii. the written resolutions accompanying the paper; and

**authorised**

- iii. the President or another officer of the Society to sign the written resolutions for and on behalf of the Society.

***FOR NOTING***

**09/45 Pharmaceutical Journal Oversight Board**

The Chief Executive & Registrar thanked Mr Niall Dickson, Chairman of the Pharmaceutical Journal Oversight Board, for the report.

Council

**noted**

the report which had been circulated at 09.04/C/38.

**09/46 Council update**

Council

**noted**

the report which had been circulated at 09.04/C/39.

**Professional leadership matters**

**09/47 Branch Representatives' Meeting**

Mr John Gentle, Branch Sponsor, introduced paper 09.04/C/40 which had been circulated.

Council requested that the following amendments be made to the background notes of the Motions:

- C. Slough & District Branch 2 – amend wording to avoid use of the word ‘my’.
- H. Leeds and District Branch – add additional information on applications for extra funding received.
- J. Harrow and Hillingdon Branch – add information on the workforce pressures campaign.

Council

**noted**

- i. the motions going forward for debate at the BRM; and

**agreed**

- ii. the circulation to Branches of the background information to motions, with the inclusion of the amendments detailed above.

**09/48 Transitional Working Group report**

Mr Howard Duff, Director for England, introduced paper 09.04/C/41 which had been circulated and advised that the professional leadership body risk register had been submitted to the Audit Committee in March 2009.

In response to a query about the Local Practice Forums it was clarified that a final decision on the viability of the Forums would be taken in January 2010. The Chief Executive & Registrar advised that advice on the Forums would be provided at the forthcoming Branch Representatives' Meeting on 21 May 2009.

The President requested that the vision for the new professional body be brought to Council in June 2009 and that the PowerPoint slides on the 'deep dives' completed by some of the Transitional Working Group workstreams be circulated to council members for information.

Council

**noted**

- i. the report; and
- ii. that the vision of the new professional body would be brought to June 2009 Council.

**09/49 Public interest and health issues**

No issues were raised.

**09/50 Any other business**

**09/50.1 Society's response to the concept paper on Medicines and Healthcare products Regulatory Agency project to consolidate and review medicines legislation**

The Deputy Registrar introduced paper 09.04/C/47 which had been circulated.

Council

**noted**

- i. the Society's response.

**09/50.2 English language competency of European Pharmacists**

The Deputy Registrar introduced paper 09.04/C/48 which had been circulated.

The Deputy Registrar reported that proportionate testing of a pharmacist's ability to read, write and speak English would be appropriate to ensure patient safety. However the Department of Health interpretation of the relevant EU Directive prohibited comprehensive testing of EEA applicants. Ms Harris advised that a survey to employers on how they tested the language competency of their European pharmacists was about to be sent out; the Department of Health's interpretation of the EU Directive being that this was the employer's responsibility.

Council members indicated that they strongly supported the recommendation to seek initial legal advice, especially as Commonwealth pharmacists' English was tested so the same should apply to the EEA pharmacists.

Mr Gerald Alexander requested that the legal advice obtained on this issue be published.

Council

**agreed**

- i. that legal advice be obtained on whether the Society is lawfully permitted to require evidence of English language competency from EEA pharmacists prior to registration with the Society.

The President closed the public business part of the meeting.