

COUNCIL

Minutes of the meeting held on Wednesday 7 October 2009 at 1 Lambeth High Street, London SE1 7JN

PUBLIC BUSINESS

Present

	Vice-President	Mr M Astbury (in the Chair)
	Treasurer	Mr J Gentle
Ms S Agha		Mr G Alexander
Mrs M Allan		Professor N Barber
Mrs C Brown		Mr D Carter
Mrs D Drury		Dr C Duggan
Dr P Entwistle		Mr G Hall
Ms S Hikins		Mrs L Jacobs
Mr R Jobling		Mr A Kershaw
Dr T Learoyd		Mrs S Kilby
Mrs A Moore		Mr D Thomson
Mrs V Turner		Professor K Wilson

In attendance

Dr B Curwain, 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

09/114 Welcome to guests

The Vice-President welcomed Ms Anne Cawdron, Mr Barry Clarke, Ms Margaret Culshaw, Ms Lara Rose and Mr Peter Taylor to the meeting.

09/115 Apologies for absence

Apologies for absence were received from Mr S Acres, Mr S Churton, Miss Y Liddell, Professor B Michell, Mr J Jolley, Ms J Ramsey, Ms M Saunders, Ms K Blair, Mr M Donovan and Ms S Melville. Mr G Alexander gave apologies for lateness.

The Vice-President advised that the President, Mr Steve Churton, was unable to attend the meeting due to a family member's illness. Council sent best wishes for a speedy recovery.

09/116 Declaration of interests

GPhC Council members

The Vice-President advised Council that Mr Keith Wilson, Mrs Cathryn Brown and Mr Ray Jobling had been appointed as Council Member-designates of the General Pharmaceutical Council. The GPhC Council-designate would

meet in November 2009 and therefore it had been agreed that these Council members should step down from Council at the end of October 2009 to avoid a potential conflict of interest.

The Vice-President reminded Council members to make declarations of interest before each agenda item as appropriate.

09/117 Minutes of the public business part of the meeting of Council held on 29 July 2009

The following notices of dissent from three decisions made by Council on 29 July 2009 were noted:

Minute 09/.94 – 2010 National Pharmacy Boards election scheme

Mr Martin Astbury dissented from the decision to alter the composition of the English Pharmacy Board.

Minute 09/100.2 – The implementation of the Responsible Pharmacist requirements

Mrs Alison Moore dissented from the decision not to ask the Department of Health to amend the commencement date of the responsible pharmacist regulations.

Minute 09/105 – 2010 Retention Fees consultation

Mrs Alison Moore dissented from the decision to increase the fee by 2.2%.

Council

resolved

that the minutes of the public business part of the meeting held on 29 July 2009 be received and agreed as a correct record.

09/118 Matters arising from the public business part of the minutes not specifically included in the agenda

There were no matters arising.

Professional leadership matters

09/119 Transitional Working Group

Mr Jeremy Holmes, Chief Executive & Registrar, introduced report 09.10/C/97 and updated Council on the 'amber' status items listed in the report. Council were advised that the membership magazines for members of the professional leadership body would be launched in November 2009 with the aim to ensure that several issues were published before the de-merger of the Society.

Council

received

i. the report.

09/120 Provision of Library Services

Mr Ray Jobling made a declaration of interest as a Council member designate of the GPhC.

Mr Bernard Kelly, Director of Finance & Resources, introduced report 09.10/C/98 and advised that there were inconsistencies between the main report, which contained the most up to date information, and the appendix, which was the original paper considered by the Transitional Working Group.

In a lengthy discussion Council discussed who would decide what were the 'historical texts'; the 1% of the members who currently used the library lending service and the 1990 cut off date for books that would be kept by the library. Mr Kelly advised that a review of the proposed arrangements would be undertaken but that Council could be reassured that the most important and current texts would be maintained.

The importance of ensuring that the history of regulation of pharmacy was either retained or given to the GPhC was emphasised with assurances provided that this would happen, even if it meant duplication of texts.

Council

- i. **noted** the transitional operational actions taken in getting the library service ready for the future of the Society as a professional leadership body; and
- ii. **agreed** the recommendation of the Transitional Working Group as follows:

Option 2 – provides space (2,599sq.ft in lower ground floor) in London to access the print and electronic collection, the Museum collection, archives and records. Facilities as follows:

- Access to the current e-collection (2050 full text and 16 reference books)
- Journal subscription of about 20 hard copy titles (current 150)
- Rare books and pharmacy history items transferred to the Museum
- Reference access only to the print collection for members – no remote lending or document supply services
- £3,000 p.a. to purchase new texts

09/121 Future strategy for the Museum

Mr Bernard Kelly, Director Finance & Resources, introduced report 09.10/C/99.

Some concern was expressed at Council not being asked to make a decision on the Museum as the issues had been addressed by the Transitional Working Group. Mr Kelly advised that Council had a role in setting the annual budget through the Resource Management Committee and the TWG's recommendations were being put to Council in the present paper.

Council

agreed

- i. to support the Museum remaining in the professional body if possible, but were mindful of other options;

- ii. to leave any decision on the Museum's future to the governing body of the new professional body following the transfer of the Society's regulatory responsibilities; and
- iii. to continue to research the establishment of charitable status for the Museum and its implications.

09/122 Membership categories of the professional leadership body

Mr Ray Jobling made a declaration of interest as a Council member designate of the GPhC.

Ms Michele Savage, Advisor on professional body governance, introduced report 09.10/C/100 and advised that the pharmaceutical scientist category was still being finalised.

Mrs Dorothy Drury expressed some concerns over the admission of students into the professional leadership body as not all students completed their studies and therefore it could be seen as inappropriate for them to be able to vote on matters relating to the pharmacy profession. This view was contested by the majority of Council who considered that pharmacy students would be a valuable admission to the professional leadership body.

There was discussion over the use of 'former pharmacists' in the paper with some Council members being of the view this negated their lifelong professional identity when other descriptions could be applied such as 'former practitioner' or 'retired pharmacist'. However the term did not relate to the special category of member as follows (A):

- (A) the 'Member' category will be available for anyone who is or has ever been on the Register of the Society (or in due course the GPhC).

Council

- i. **agreed** the following membership categories: Student; Associate Member (AMRPharmS); Member (MRPharmS); and Fellow (FRPharmS). Associate Member and Student Member to be established following a Special Resolution of the PLB Membership;
- ii. **noted** the further work to be carried out on other membership issues and in particular the work to establish the Pharmaceutical Scientist membership category ; and
- iii. **noted** that the TWG and Board Chairs & Vice-Chairs had considered the issues in the paper and their comments had been incorporated.

Mrs Dorothy Drury asked for her dissent to the category of Student Member to be noted.

09/123 Election Scheme for pharmacist members of the National Pharmacy Boards 2010

The Vice-President made a declaration of interest on behalf of all pharmacist members of Council.

Ms Michele Savage, Advisor for professional body governance, introduced report 09.10/C/101 and requested that the following addition to the election scheme be included:

3.3 The Returning Officer may consult the other Returning Officers for elections to other boards or such other persons as are deemed appropriate for any purpose connected with the proper exercise of his powers under this scheme including for the purpose of ensuring consistency of approach on any matter of interpretation.

Dr Brian Curwain, Chairman of the English Pharmacy Board (EPB), informed Council of a discussion held by the EPB at their meeting on 16 September 2009. At Council in July 2009 the sectoral composition of the EPB had been altered by Council, which the EPB considered to be at odds with the vision of the professional leadership body outlined in the Transcom Prospectus.

Mrs Lorna Jacobs, Chairman of Governance Committee, advised that in order for Council to discuss this issue it would be necessary to suspend a Standing Order as the Council Governance Handbook details the following:

10. Motions

10.6 No motion to rescind any motion which has been passed by the Council within the preceding four months nor any motion to the same effect as any motion which has been negatived within the preceding four months shall be in order.

Mrs Jacobs advised that this action should only be taken in cases of exceptional urgency or if new information was available that had been unavailable at the original meeting. In her opinion the information provided at the meeting was not substantive enough to warrant suspending this Standing Order.

The Treasurer advised that a precedent had been set in Council in 2006 when the Scottish Pharmacy Board had requested that a decision about the composition of the Board be altered in line with what was wanted by the Scottish Board. In that instance Council had agreed to overturn a previous decision.

Mrs Alison Moore proposed that the Standing Order be suspended and was seconded by Mrs Dorothy Drury. In a vote this motion was lost and therefore Standing Orders were not suspended and the issue of the composition of the English Pharmacy Board not discussed.

**Council
agreed**

- i. that the election scheme be made in respect of the election of pharmacists only to the National Pharmacy Boards in 2010;
- ii. that the election scheme made on 2 August 2006 be revoked for pharmacist members of the NPBs only;
- iii. that the Pharmacy Technicians elected on the NPBs under the 2 August 2006 election scheme terms of office continue until midnight on the day regulation transfers from the RPSGB to the GPhC; and
- iv. paragraph 3.3 (as detailed above) be included in the election scheme.

09/124 National Pharmacy Boards Elections 2010

Mrs Cathryn Brown made a declaration of interest as a Council member designate of the GPhC.

Ms Martyn Schofield, Corporate Secretariat, introduced report 09.10/C/102. It was clarified that Channel Islands, Isle of Man and Overseas pharmacists would not be eligible to vote in the elections in 2010 but thereafter, once new regulations were agreed by the Assembly of the professional leadership body, it was proposed that they could vote in future Board elections.

Council

- i. **noted** that the term of office of all currently elected pharmacist members of the National Pharmacy Boards will expire at midnight on the 31 January 2010;
- ii. **appointed** Electoral Reform Ballot Services Limited as the scrutineer for the NPB elections in 2010;
- iii. **agreed** that the date from which newly elected members of the NPBs take office in 2010 be 00.01hrs on Monday 1 February 2010;
- iv. **noted** that the currently elected Pharmacy Technicians will continue to serve on the NPBs under the previous election scheme until midnight on the date regulation transfers from the RPSGB to GPhC; and
- v. **noted** the timeline for the elections of the NPBs, establishment of the Shadow Assembly/PLB Assembly and transfer of regulatory powers from the RPSGB to the GPhC.

09/125 Branch Representatives' Meeting (BRM) 2009

Mr David Puce, Director Policy & Communications, introduced report 09.10/C/10.

Mr Alan Kershaw made the following amendments:

- Page 4 of 41 – 'This is seen as a regulatory issue' change to 'This is a regulatory issue'
- Page 12 of 41 – First paragraph 'The council welcomes this motion. It recognises that pharmacists are members of a multidisciplinary team. The education and training of pharmacists ensures that those who register have an understanding of the various patient groups that provide care across healthcare boundaries.' Redraft paragraph for clarity.
- Page 39 of 41 – Include reference from the Conservative Health Minister's speech at BPC 2009.
- Page 40 of 41 – Add a paragraph on the new guidelines that have been agreed on suicide.

The Chief Executive & Registrar indicated further expansion of the response regarding CPD support in Motion F was in preparation.

Council

approved

- i. the Council responses, with the above amendments, to the resolutions of the Branch Representatives' Meeting on 21 May 2009.

09/126 British Pharmaceutical Conference 2009

Mr John Gentle, Treasurer, provided a verbal report and advised that the overall response to the conference had been positive with media coverage in the pharmacy and national press.

In discussion it was noted that the division of Science and Practice had not been universally welcomed and also the running of numerous seminars simultaneously meant that the audience for each was reduced. This had caused disappointment amongst some of the invited speakers and was being reviewed for 2010.

The Treasurer thanked Council members who attended and who volunteered to spend time on the Society stand meeting members and answering questions.

09/127 Public interest and health issues

09/127.1 Care Quality Commission Update on enquiry into Take Care Now and out-of-hours services

Ms Sylvia Hikins made a declaration of interest as a Non-Executive Director for an out-of-hours services provider.

Mr David Pruce, Director Policy & Communications, introduced paper 09.10/C/103A.

Mr Gerald Alexander proposed that a further two actions be taken – namely to write to the Care Quality Commission and to Primary Care Trusts outlining the concerns the Society had with EEA pharmacists and language skills.

Ms Sylvia Hikins suggested that Ms Helen Alison, a pharmacist who worked at the Department of Health, be contacted for further information and promotion of the Society's concerns.

It was agreed that partnership working with other organisations, such as the RCGPs, should be undertaken as well as utilising the Society's current initiative 'Making Britain the safest place to take medicines'.

**Council
agreed**

- i. that a letter be written to all Primary Care Trusts asking that when the review of the management of medicines in out-of-hours services is undertaken to obtain suitable pharmaceutical advice in the review;
- ii. that all pharmacists be reminded of the potential dangers of different strengths of Diamorphine Injection;
- iii. that a letter be written to the Care Quality Commission outlining the concerns of the RPSGB on the lack of EEA language testing;
- iv. that a letter be written to all Primary Care Trusts outlining the concerns of the RPSGB on the lack of EEA language testing;
- v. that the President sign off the letters; and
- vi. that all of the above be undertaken but with appropriate terminology for the Scottish and Welsh equivalents.

Regulatory matters

09/128 Pharmacy Regulation and Leadership Oversight Group (PRLOG)

Mrs Wendy Harris, Deputy Registrar & Director of Regulation, introduced report 09.10/C/104.

Council

- i. **received** an update on the progress of PRLOG; and
- ii. **agreed** that the President or Vice-President should receive and approve the report for submission to PRLOG for November 2009.

09/129 Responsible Pharmacist

Mrs Wendy Harris, Deputy Registrar & Director of Regulation, provided a verbal report and outlined the current issues including:

- operational
- standardised operating procedures (SOPs)
- absences
- contact ability

Council praised the Regulation Directorate for the work it had undertaken, and particularly for the helpful "Now and Then" document.

Council were advised that the English Pharmacy Board were currently working on a minimum information pack for locum pharmacists on the Responsible Pharmacist that would be available shortly to assist pharmacists with the new legislation.

Council expressed some concern at the professional support being offered to pharmacists and that this needed to come under the professional leadership side of the Society, not the regulatory.

It was agreed that Council members should report back on how the Responsible Pharmacist regulations were being implemented with attention focussing on supervision and the Department of Health.

09/130 Statutory Committees Statistical report

Council

noted the report that had been circulated at 09.10/C/105.

Organisational matters

09/131 Resource Management Committee report

Mr John Gentle, Treasurer, introduced report 09.10/C/106 which had been circulated.

09/131.1 Budget 2010 outline

Council

noted the outline of the 2010 budget process.

09/131.2 Completion statements – demerger

Council

noted the process and progress to date.

09/131.3 Scottish Premises

The Treasurer thanked Mr Lyndon Braddick, Director for Scotland, for his work on finding suitable premises for the Scottish Office.

Council

noted that the decision of the Scottish Pharmacy Board to acquire the new Scottish Premises (Holyrood Park House, 108 Holyrood Road, Edinburgh) falls within the parameters previously established by Council and will therefore move forward to completion.

09/132 Sale of York Place

Mr Bernard Kelly, Director Finance & Resources, introduced report 09.10/C/107.

Council

resolved

- i. to execute and affix the Common Seal of the Society to any deeds or documents that may be required to transfer legal title of the properties 34, 36 and part 38 York Place, Edinburgh, to the purchaser on their sale.

09/133 The Royal Pharmaceutical Society Staff Pension Scheme and Pharmaceutical Society Staff Pension Trustees Ltd

Mr Bernard Kelly, Director Finance & Resources, introduced report 09.10/C/108 and thanked Mrs Linda Stone for her work as a Trustee on the Board.

Council

- i. **noted** the resignation of Mrs Stone as a director of Pharmaceutical Society Staff Pension Trustees Limited, the corporate trustee of the Society's staff pension scheme;
- ii. **appointed** BESTrustees plc as one of the directors in her place;
- iii. **authorised** the Director of Finance & Resources to agree the terms of and sign any contract in respect of this paid appointment for and on behalf of the Society; and
- iv. **agreed** that employment status or membership of any professional or other body will no longer be a set criterion for selection as Trustee director in future appointments.

09/134 Date of March 2010 Council meeting

Mr Jeremy Holmes, Chief Executive & Registrar, proposed that the March meeting of Council 2010 be changed to only meet on 31 March instead of the 30 and 31 March 2010. It was likely that all of Council's business could be conducted over one day and therefore a celebratory final dinner could be held on the evening of the 31 March 2010. This would ensure that the 30 March clash with a major religious festival would be avoided. In proposing this

alteration, Mr Holmes suggested that the December 2009 annual Christmas party with partners be cancelled in order to contain costs.

In discussion there was a division of opinion over this proposal and it was agreed that further consultation take place with Council members before a decision was made.

09/135 Responding to consultation on new General Pharmaceutical Council (GPhC) standards

Mr Jeremy Holmes, Chief Executive & Registrar, introduced report 09.10/C/109 and requested that expressions of interest be made from Council members for the regulatory working group by Friday 16 October 2009.

Mrs Alison Moore requested that, if available, an interim report be made to Council in December 2009.

Council
agreed

- i. to the establishment of two working groups to draft the response to the consultation on the new General Pharmaceutical Council (GPhC) standards – one from Council members to draft the regulatory response and the other from National Pharmacy Board members to draft the professional body response; and
- ii. that the final response to be signed off by Council at the February 2010 Council meeting unless the closing date of the consultation required an earlier response. If an earlier response is required, then to be signed off by the Officers.

09/136 Council update

Council
noted the update which had been circulated at 09.10/C/110.

09/137 RPSGB Academic Excellence Award Scheme (PhD support)

Council
noted the report which had been circulated at 09.10/C/111.

09/138 Any other business

Dr Brian Curwain

Dr Brian Curwain advised that in the July meeting of Council he had remarked on the composition of the English Pharmacy Board and he wanted to apologise unreservedly if any of the remarks had been viewed as a personal criticism of one of the members of the English Pharmacy Board.

GPhC Council member designates

The Vice-President thanked Mrs Cathryn Brown, Mr Keith Wilson and Mr Ray Jobling, the three retiring Council members who had been appointed as GPhC Council member designates as follows:

Cathryn Brown

“Cath is a self proclaimed “pharmacy nerd” due to her obsession with all things related to pharmacy.

Cath has been a member of the Society’s Council and the Governance Committee since May 2007. Cath is very conscientious and has attended every meeting of both the Council and the Governance Committee since her appointment (this is beginning to sound like a school end of term report!).

I have always regarded Cath as a considerate and thoughtful contributor to our discussions, but she is certainly not afraid to hold her own opinion in the context of a robust debate.

I know that Cath’s articulacy and integrity are well respected by her Council colleagues.

Cath joined the Law and Ethics Committee soon after joining Council, and for the past two years her contributions to the discussion of LEC have been invaluable. During her time on LEC, Cath has contributed to key discussions on: the types of cases suitable for non referral criteria, the FTP Report and the RP requirements.

Cath is a passionate and fair member of the Committee, and I am quite sure that you will continue to make an extremely valuable contribution to the workings of the GPhC.

Cath - on behalf of Council may I thank you for all your hard work on behalf of members, and wish you all the very best for your future work with the GPhC.

Keith Wilson

Keith was appointed relatively recently, in 2008 to Council, as the member representing the UK Schools of pharmacy. He has been a long standing and extremely valuable member of the Education Committee, and has a wealth of experience in pharmacy education in his roles as a senior academic and a prominent Head of School.

Before Keith joined Council he was already closely involved with the Society in a number of roles. He joined the Adjudicating Committee in 2001 and has contributed immensely to the very significant changes which the committee has made over the years to the application and assessment procedures for internationally qualified pharmacists wishing to register with the Society.

Also, through his work on the Academic Pharmacy Group he has worked hard to form valuable linkages between the Society and the Schools of Pharmacy.

Keith is one of the Society’s most experienced accreditors and has been an accreditation team leader for several years now.

He is a well respected pharmacy practice researcher and the Pharmacy Practice Research Trust has commissioned work from him. Most notably Keith received a grant and a commission to produce the report ‘MPharm Programme – where are we now?’

Keith – in the short time we have worked together, you have always been very supportive of the work of Council. In wishing you all the very best for the future, may I thank you sincerely for all you have done over many years for the Society.

Ray Jobling

I don't know whether it is true or not Ray, but I am told that having attended the farewell dinner to the Community Pharmacy Research Consortium, of which you were Chairman, on the 23rd May 2005, we welcomed you straight back as one of the Council lay appointees at midnight on 24th May!

Ray is a senior academic at St John's College, University of Cambridge. His discipline is sociology with a particular interest in healthcare. Ray was one of the first lay members of the accreditation panel, and as an active and much appreciated member of various Society groups and committees over the years his particular concerns have always been focused around the patient, public and student experiences of pharmacy.

Ray has been a Council Sponsor for Patient and Public Involvement (PPI) since it was agreed to implement the PPI strategy in December 2006. It is true to say that he has been proactively involved in championing the public engagement cause via the various offices he has held with the Society.

Of late Ray willingly took on the role as Chair of the Public Liaison Group to set up and oversee the implementation of PPI. He has successfully led the group in many key discussions and enabled members to contribute widely and bring a patient-focus to many issues including the demerger of the Society.

Ray – on a personal note it has been a real pleasure to work with you, and to benefit from your words of wisdom and support. You have brought a very welcome perspective to our discussions over the years, and are decisions have undoubtedly benefited from your very much appreciated contribution. Thank you from all of us.

Keith, Ray and Cathryn - on behalf of the Council and staff of the Society I would like to formally record our thanks for your hard work and dedication to the Society during what I am sure we all agree has been a challenging period of change.

The support that we have received from you has been much appreciated, and the good relationships that you have fostered with our people have most definitely helped things to run smoothly and to time.”

The Vice-President thanked the observers for attending and closed the public business part of the meeting.