

Minutes of the Council meeting held on 9 February 2012 at 129 Lambeth Road, London SE1 7BT at 11.15 am

Present

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| Bob Nicholls - Chair | Tina Funnell |
| Sarah Brown | Liz Kay |
| Celia Davies | Lesley Morgan |
| Soraya Dhillon | Peter Wilson |
| Gordon Dykes | Judy Worthington |
| John Flook (mins 556-573) | |

In attendance

Duncan Rudkin (Chief Executive & Registrar)
Christine Gray (Head of Governance)
Martyn Schofield (Council Secretary)
Hugh Simpson (Director of Policy and Communications)
Hilary Lloyd (Director of Regulatory Services)
Bernard Kelly (Director of Resources and Corporate Development)
Elaine Mulingani (Head of Private Office)
Jane Robinson (Head of Communications)
Heather Walker (Business Planning & Improvement Lead)
Darren Hughes (Director for Wales)
Lynsey Cleland (Director for Scotland)
Naomi Phillips (External Relations Manager)

ATTENDANCE AND INTRODUCTORY REMARKS

556 The Chair welcomed everyone to the Council meeting, including a visitor observing the meeting: Lindsey Gilpin, Chair of the Royal Pharmaceutical Society's English Pharmacy Board.

Apologies for absence were received from Cathryn Brown, Ray Jobling and Keith Wilson.

DECLARATIONS OF INTEREST

- 557 All registrants declared an interest in item 7 – 2012 Fees Rules consultation.

MINUTES OF THE LAST MEETING

- 558 The minutes of the meeting held on 12 January 2012 were agreed as a true record of the meeting, subject to the following correction:

Minute 540.1 – ‘..it was agreed that anyone who chose to keep the title of ‘pharmacist’ would need to ensure that their revalidation was up to date in order to justify continuing with the title and the accompanying public recognition.’

to be changed to:

‘..it was agreed that anyone who worked as a pharmacy professional would need to ensure that their revalidation was up to date in order to justify public recognition and confidence in the professions.’

MATTERS ARISING

- 559 Minute 537 – The Chair reported that the registered pharmacies consultation launch had taken place on Wednesday 8 February 2012. The first consultation events in Scotland and Wales would take place within the month. The Chair thanked Liz Kay and Sarah Brown for assistance in finalising the consultation drafting. It was already appreciated that, whatever Council’s final decisions in due course on the content of the standards, communications resources and activities would need to be prepared to support stakeholders, including registrants and pharmacy business owners, through the transition towards the new standards.

This would need to cover, amongst other matters, clarification and confirmation of the significance of the change from one approach to standards to the other; subject to consultation and Council’s decisions it was possible that the transition to outcome-focused standards would prompt questions about the apparent removal of longstanding requirements (e.g. in relation to the use of licensed versus unlicensed medicines) which the new standards were less explicit about but which were covered in a different way, in terms of outcomes. DR confirmed that a mapping document would be developed to ensure consistency and clarity of explanations about whether changes were substantive or more a function

of the move to outcome-focused standards.

- 559.1 Minute 538 – Duncan Rudkin (DR) reported that he had written to Gavin Larnar at the Department of Health detailing the priority changes to the Pharmacy Order, who in turn had requested that the CHRE advise which of the regulators' requests for legislative change be prioritised.
- 559.2 Minute 546.3 – The Chair reported that Health Education England was being set up with a transition steering group in place to oversee its creation. The GPhC was working with the GMC and NMC on establishing mechanisms for communication between the regulators and Health Education England. This would help ensure understanding of the regulators' roles regarding standards of education and training, and quality assurance of its providers.

ROLLING CORPORATE PLAN APRIL 2012 – MARCH 2015

- 560 DR introduced paper 02.12/C/01 and advised that the plan would be updated annually so there would always be three years of planning detailed. The most important area of the plan would be the statutory duties of the GPhC.
- 560.1 DR advised that Department of Health officials had been kept up to date with the organisation's plans for revalidation which had been broadly welcomed.
- 560.2 In discussion, several drafting points and suggestions on re-scheduling were made by Council members to assist with clarity.
- 560.3 DR advised that some aspects of the IT work were already underway and could be implemented within the coming year, but that there was development work to be carried out in other areas to ensure the system would be fully fit for purpose.
- 560.4 In a discussion about costings and budgets, Council members requested that the proposed zero based budget exercise be replaced by a commitment to a rigorous annual review of budgets.
- 560.5 The quality assurance of pre-registration training was raised and it was agreed that this be placed into a separate workstream of the plan. The review of continuing professional development was already incorporated in the revalidation work.

- 561 The Council agreed the corporate plan subject to a number of drafting amendments as discussed; the final text to be signed off by the Chair on behalf of the Council.**

BUDGET 2012/13

- 562 Bernard Kelly (BK) introduced paper 02.12/C/02 and advised that the outcome of item 7 – 2012 Fees Rules consultation relating to reducing the fees - would impact largely on the budget for 2013/2014 rather than on 2012/2013.
- 562.1 BK outlined the key issues relating to the budget including the proposal that the underspend for 2011/2012 go into the reserves and that the changes to the IT and finance systems with the Royal Pharmaceutical Society continued with finance to be brought in-house and IT to an external provider mid 2012. BK reported that the Council target of £12.5 million in reserves was likely to be achieved shortly after 2012-13.
- 562.2 In a lengthy discussion, Council members made a number of points regarding the budget including:
- The allowance for staff costs
 - The need to continue to seek efficiency savings
 - Greater specificity of the reserves and the need for an investment policy
- 562.3 Council requested that a paper specifically detailing past and anticipated efficiency savings be submitted to a future meeting.
- 562.4 In response to the concerns raised by some Council members, BK advised that although the budget was 2.6% over that presented in 2011/2012, with inflation running at 4% the budget did present efficiency gains. Ongoing costs relating to fitness to practise caseloads; increased number of registrants; a history of cost restraint in relation to staff salaries; all coupled with challenges in recruiting staff suggested that the budget and priorities detailed in the corporate plan were appropriate.
- 563 The Council approved the budget for 2012/13. The Council requested that a paper detailing efficiency savings be submitted to Council at a future meeting.**

2012 FEES RULES CONSULTATION DOCUMENT

- 564 BK introduced paper 02.12/C/03.

564.1 In discussion the following points were noted:

- Include the cost of credit card charges in the consultation
- Reduce repetition in the document
- Include a footnote on the cost of restoration within a month of voluntary removal for clarity
- Broad support for the fee levels recommended as a basis for consultation

565 The Council agreed the content of the 2012 fees rules consultation subject to a number of amendments as discussed.

EDUCATION RELATED FEES FOR 2013

566 Damian Day (DD) introduced paper 02.12/C/04.

566.1 Council members asked about the costings of education related fees and if it would be possible to reduce the cost of fees across the board in line with the proposed reduction in retention fees. DD advised that the fees were based on historical information. If the information on current costings was available this would be submitted to April 2012 Council for consideration, otherwise this would be identified and used to review education related fees in the next financial year.

566.2 DD advised that there was no surplus made on accreditation fees which were charged at a set rate for staff costs, plus travel and accommodation, without overheads.

566.3 Council members requested that a review of the charging regime for accreditation and approval of education for pharmacists and pharmacy technicians be included in the Council's future schedule at an appropriate time.

567 The Council agreed that the current levels of education related fees and charges remain unchanged for 2013 and requested that if information was available on the costings behind the fees then a paper to be submitted to April Council, if not available then to be submitted in the next financial year.

APPOINTMENTS COMMITTEE REMIT AND PROCEDURE FOR APPOINTING MEMBERS

568 Imogen Kelly (IK) introduced report 02.12/C/05.

568.1 Council requested that the quorum always include a lay person and that it was imperative to always take up references which should normally be obtained in advance of final interviews.

568.2 Council noted that it would be inappropriate for a Council member to take part in the appointment of statutory committee members due to the separation of functions between the Council and statutory committees.

569 The Council agreed the remit of the Appointments Committee and the procedure for appointing the Chair and members of the Appointments Committee, subject to clarification on the quorum including a lay person and the requirement to take up references.

REVIEW OF GOVERNANCE POLICY AND GOVERNANCE AND ASSURANCE FRAMEWORK

570 CG introduced paper 02.12/C/06.

571 The Council agreed the governance policy and the governance and assurance framework with the minor changes identified in the paper.

PERFORMANCE REVIEW OF THE COUNCIL AND APPRAISAL OF COUNCIL MEMBERS

572 CG introduced paper 02.12/C/07.

572.1 Council members agreed that the one to one appraisal of Council members was the system that they would like to continue but asked that there be a link to the wider themes detailed in paragraph 1.2.

573 The Council agreed to continue with the current system of appraisal for Council members and confirmed that the Council would continue to review its performance as a governing board on an annual basis using a variety of tools.

PERFORMANCE MONITORING

574 DR introduced paper 02.12/C/08 and advised that twice a year information on staffing would be included. Council members requested that the population norms be included as a reference and that the data include some information about sickness and absence rates.

574.1 DR explained that due to the January and February 2012 Council meetings being held close together organisational complaints had been reported to January and would be included for the April 2012 Council meeting. The

performance monitoring report in April would include a closing report on the 2011-2012 business plan.

575 Council noted:

- i. **The performance across the fitness to practise functions to the end of December 2011;**
- ii. **The financial performance to the end of December 2011; and**
- iii. **The HR information for the period 1 May to 31 October 2011.**

CHIEF EXECUTIVE & REGISTRAR'S REPORT

576 DR introduced paper 02.12/C/09 and advised that a new amendment to the Health & Social Care Bill on dispensing errors had been tabled by Lord Tim Clement-Jones. As yet no further information was available on the prospects or otherwise of this amendment but Council would be kept informed. DR updated the Council on the progress of the annual CHRE performance review and CHRE's audit of the initial stages of fitness to practise cases.

577 Council noted the paper.

ANY OTHER NOTIFIED BUSINESS

578 There being no further public business, the public meeting closed at 3.25 pm.

CONFIDENTIAL BUSINESS

DECLARATIONS OF INTEREST

579 There were no declarations of interest.

CONFIDENTIAL MINUTES OF THE LAST MEETING

580 The minutes were agreed as a true record of the meeting.

MATTERS ARISING

581 There were no matters arising.

582 There being no further confidential business the meeting closed at 3.30pm.

Date of next meeting – 12 April 2012 - London