Minutes of the Council Meeting held on 10 February 2011 at 129 Lambeth Road, London SE1 7BT at 11.00am

Present

Bob Nicholls - Chair, John Flook
Cathryn Brown (until 3pm), Keith Wilson
Sarah Brown, Tina Funnell
Ray Jobling, Soraya Dhillon
Liz Kay, Celia Davies
Judy Worthington, Lesley Morgan.
Peter Wilson

In attendance

Duncan Rudkin (Chief Executive & Registrar)
Christine Gray (Head of Governance)
Michele Savage (Council Secretary)
Bernard Kelly (Director of Resources and Corporate Development)
Elaine Mulingani (Head of Private Office)
Hugh Simpson (Director of Policy and Communications)
Hilary Lloyd (Director of Regulatory Services)
Aidan Vaughan (Interim Head of Communications)
Damian Day (Head of Education & Quality Assurance)

Attendance & Chair’s Introductory Remarks

391 The Chair welcomed the Council members, Kings Fund Observer Katy Steward, President of the Royal Pharmaceutical Society (RPS) Martin Astbury, and other visitors and staff to the meeting. Apologies had been received from Kirstie Hepburn.
DECLARATIONS OF INTEREST

392 The Chair asked members whether they had any interests to declare in respect of the agenda items. Liz Kay, Peter Wilson, Lesley Morgan, Cathryn Brown, Keith Wilson and Soraya Dhillon declared an interest on paper 02.11/C/02 Fees consultation as registrants of the GPhC. Peter Wilson declared an interest on paper 02.11/C/05 Revalidation as a former employee of the RPS who was involved in the preceding work. Celia Davies declared an interest on paper 02.11/C/05 Revalidation as she was advising another regulatory body on a revalidation project. Cathryn Brown declared an interest on paper 02.11/C/07 Developing pre-registration tutor standards as an employee of a community pharmacy multiple. Liz Kay declared an interest on paper 02.11/C/07 Developing pre-registration tutor standards as an employee of a NHS trust.

MINUTES OF THE LAST MEETING

393 The minutes of the meeting held on 13 January 2011 were agreed as a true record of the meeting.

MATTERS ARISING AND OUTSTANDING ACTION POINTS

394 Minute 383 Lesley Morgan requested a report from the Appointments Committee as soon as possible. Elaine Mulingani advised the Council that a report would be presented at the April Council meeting. The Chair told the Council that there would be six monthly reports for the first year and then a review as had been previously agreed by the Council.

394.1 Minute 386 Hugh Simpson (HS) informed the Council that the Pharmacy Technician registration criteria consultation had started on 9 February and stakeholders and pharmacy press had been alerted. The Chair thanked the Council members who had contributed to the process.

394.2 The Chair told the Council that the RPS guidance was discussed in the Chief Executive & Registrar’s report but there had also been helpful discussions between DR and the RPS executive.

394.3 It was clarified that the outstanding action points log was not a list of all future Council items but items that the Council had asked to have brought back from a previous meeting.
DRAFT BUSINESS PLAN AND BUDGET 2011-2012

395 Bernard Kelly (BK) presented paper 02.11/C/01 asking the Council to approve the business plan and budget for 2011/12. BK explained to the Council that the context of the draft business plan and budget was also relevant to the fees consultation. BK told the Council that there were considerable challenges for the GPhC in budgeting and fee setting as the timetable required by the legislation meant that the GPhC needed to consult on a set of fees much in advance of their coming into effect. The main impact of the fees changes would be felt from 1 January 2012. The real concern was around the potential impact of inflation on the GPhC’s cost base and the more general impact of the economy on registrants. BK explained that the GPhC needed to invest in resources to deal with legacy cases and to be able to process future fitness to practise cases more efficiently and effectively.

395.1 BK told the Council that a number of assumptions had been made which included the number of registrants and overseas applicants. BK told the Council there was still some DH working capital grant to fund investment in technology for efficiency and consultancy to assist the move to new premises. The Council was informed that a reserves policy would be developed later in the year. The small surplus budgeted for 2011/12 would be allocated to and thus start contributing to reserves.

395.2 The Council discussed the paper and asked that it be clarified that, while the GPhC became a legal entity in March 2010, it only became fully operational from 27 September 2010 and that this was the reason for it being difficult to base the budget on a full year’s accounting. The Council wanted to see efficiency and effectiveness measures shown in the paper, related to the GPhC’s purpose and vision with some of the action plans given target dates.

395.3 DR agreed that specific efficiency targets should be able to be identified in the future but the GPhC did not have the ‘year one’ baseline data to do this accurately and therefore any targets would not be soundly based. DR told the Council that it was expected that more information on potential efficiency savings would be available before the Council had finally to set the fees. DR said that the executive would demonstrate in the plan where there were proposals for better, more efficient ways of working.

395.4 The Chair acknowledged the Council’s concern that both effectiveness and efficiency were important and the need to communicate its work to safeguard the public and the challenges it faced in predicting expenditure. A summary of the business plan and budget should be published on the GPhC web site.
The Council approved:

I. the budget for 2011/12; and
II. the business plan for 2011/2012, subject to presentational issues raised by the Council being incorporated.

FEES CONSULTATION

DR introduced paper 02.11/C/02 asking the Council to agree the content of the consultation on the draft 2011-12 fees rules and the launch of the 2011-12 fees consultation. DR told the Council that he had reflected further on the paper and wanted to add greater context to the consultation document. DR felt that that more scene setting and narrative at the beginning would be beneficial.

The Chair told the Council that the timetable for the consultation was dictated by the Pharmacy Order and that renewal forms for most registrants would be issued by end of September with renewal applications and fees due by the end of October. The Chair said it would be helpful to be explicit about the renewal timetable.

The Council discussed the document and asked that the key issues be explained in more detail and future efficiency savings be made more explicit where possible. The proposed reduction in the pharmacy technician fees should be explained in terms mainly of comparison with other professions. The document should recognise that not all registrants were patient-facing. The Council were asked whether the proposed 4% fee increase for pharmacists and premises was acceptable and after much discussion they agreed that taking into account the factors identified and the current best assumptions it was.

The Chair took the Council through the proposed fees and consultation questions and subject to some presentational issues, the Council were generally content. The Chair asked that any other comments should be sent to the office by the end of the week.

The Council agreed the content of the 2011-12 fees consultation and the launch of the 2011-12 fees consultation, subject to the comments made. It was further agreed that the Chair would have delegated authority to sign off the consultation document on the Council's behalf.

EDUCATION RELATED FEES FOR 2012

Damian Day (DD) introduced paper 02.11/C/03 asking the Council to consider the education-related fees and whether to consult on them. DD told Council that
the proposed increase was 4%. DD explained to Council that there was no requirement to consult on these fees but stakeholders’ views had previously been sought; he would welcome the Council’s views on this.

399.1 It was suggested that these fees could be consulted on with the fees rules. Christine Gray (CG) explained that although this was possible it could cause some confusion as there were specific requirements for consultations on rules but it could perhaps be considered for future fee consultations.

399.2 The Medicines, Ethics and Practice document was raised as an issue if the RPS were no longer to supply this to pre-registration students. The Council agreed that this had been a valuable resource in terms of interpretation of legislation and guidance to Colleges and students. DD told the Council that it had already been noted that this could be a resource implication for pharmacy students and that an options document had been commissioned on this issue.

400 The Council agreed the proposed education-related fees for 2012 and that there should be an appropriate form of consultation on the proposed fees

**REVIEW OF DEPUTISING ARRANGEMENTS FOR THE CHAIR**

401 The Chair introduced paper 02.11/C/04 asking the Council to agree to continue the current arrangements for deputising for the Chair of the Council

402 The Council agreed to continue the current arrangements for deputising for the Chair of the Council

**REVALIDATION – TASK AND FINISH GROUP**

403. DR introduced paper 02.11/C/05 seeking agreement from the Council to establish a task and finish group to look at Revalidation. DR told Council that para 3.2 of the paper made an assumption of a wider group, the suggestion was that there should be a smaller Council group formed first to provide thinking around leadership on revalidation, including the possibility of establishing a wider stakeholder group at a later date.

403.1 The Chair asked for volunteers for a group of 2 registrants and 2 lay members to be notified to him by 18 February 2011.

404 The Council agreed to establish a revalidation task and finish group and the proposed means of populating it.

**THE ACCREDITATION OF COURSES IN NORTHERN IRELAND**
405   DR introduced paper 02.11/C/06 asking the Council to explore ways of strengthening the GPhC’s accreditation work with the Pharmaceutical Society of Northern Ireland (PSNI). DR told the Council that this was about the Council’s commitment to consistency of outputs and standards.

405.1 DD explained to Council that there had been a long standing relationship between the RPS and PSNI but issues of responsibilities and funding had not been fully resolved. A dialogue needed to be opened to clarify these issues and ensure that the Council was comfortable with the arrangements.

405.2 The Council discussed the paper and agreed that there needed to be clarity around the governance arrangements and that the issue was wider than accreditation. The Council discussed the issue of reciprocal recognition of registrants and that this created a need for education standards to be compatible between GB and NI. The Council asked that consideration should be given to working towards a memorandum of understanding (MOU) with PSNI.

406   The Council agreed:

   i. that the GPhC should continue to work with PSNI on accreditation matters to ensure there was a consistent approach to this work across the UK.

   ii. that the GPhC should open a dialogue with the PSNI to ensure that future joint work was resourced on a transparent and appropriate basis.

   iii. that the GPhC should explore ways it can assist the PSNI by offering staff development opportunities to its accreditors; and

   iv. that consideration be given to whether a wider memorandum of understanding with PSNI was needed.

DEVELOPING PRE-REGISTRATION TUTOR STANDARDS

407   DR introduced paper 02.11/C/07 asking the Council to agree a process for agreeing and implementing pre-registration tutor standards. The Council had considered the draft pre-registration tutor standards at the November Council meeting and had asked for further work on them. There had been some confusion between standards for becoming a tutor and standards expected once someone had become a tutor. The standards development proposals now before Council sought to clarify this and to give ownership to the Council as the work on which the standards had been based had been inherited from the RPS. It is proposed that the Council approve the piece of work outlined in Appendix 1 towards agreeing and implementing pre-registration tutor standards.
407.1 The Chair said that this was relevant to proposals emerging from Modernising Pharmacy Careers (MPC) but that MPC was a long term piece of work and progress needed to be made now. The Council agreed that this was an important piece of work as poor tutors could put standards at risk as they were fundamental to the process leading to registration. It was suggested that existing good practice could be picked up from within the profession.

408 The Council agreed the process for agreeing and implementing pre-registration tutor standards. It was also agreed that the draft consultation document should be brought to Council in June for agreement.

CHIEF EXECUTIVE & REGISTRAR’S REPORT

409 DR presented the Chief Executive and Registrar’s report paper 01.11/C/08. DR reminded Council that there would be a CE&R update monthly, including an email version in months without Council meetings.

409.1 The Chair advised the Council that a summary of the views developed by informal discussions on Medical Education England/Modernising Pharmacy Careers workstream 1 proposals would be circulated for comment before sending it to MPCB. DR informed the Council that he had given evidence to the Scotland Bill Committee that was examining the UK Government proposal to reserve regulation of all health professions to the UK Parliament. Evidence had been given in line with the Council’s agreed policy on devolution that it is for the legislators to decide the scope of the devolution settlement and that the GPhC would regulate within the legislative framework. The Chair informed the Council that he was to meet with the Scottish Executive Minister for Health and Well-being Nicola Sturgeon in early March.

409.2 DR told the Council that pharmacy assistants were indirectly regulated as Council agreed the policy for minimum training standards. The Council raised the issue of how the GPhC could ensure that pharmacy assistants were enrolled on an appropriate course. Hilary Lloyd (HL) told the Council that this was covered by the inspectorate and could be relevant to the premises project.

410 The Council noted the report

PERFORMANCE MONITORING REPORT

411 DR introduced paper 02.11/C/09 asking Council to comment on and note the performance monitoring report. DR asked the Council to note that there had
been progress in relation to fitness to practise data and it was hoped to further develop the format for performance monitoring for the April council meeting.

411.1 HL acknowledged and thanked the staff who had worked hard to provide the data that was before the Council. HL told the Council that, from this point forward, reports would include comparison data, although this would not go back beyond February 2011 because of the known issues about the historic data. The Chair thanked HL and her staff on behalf of the Council for their work in producing the report.

411.2 The Council raised the issue of how many pharmacy technician applications were incomplete when received. It was suggested that networks were used to help applicants understand the requirements, as incomplete applications created more costs and delays. The Council suggested that a dashboard presentation of performance data might be helpful. DR said that further consideration needed to be given to what data was required and how this would be presented. It was suggested that it would be helpful to Council to have a clearer idea of the capacity of the fitness to practise system. HL told the Council that this would be covered by the planned work for April and would be reported to the Council in June. The Chair made the point that, until effective management information systems could be implemented, there needed to be a balance struck between resources devoted to reporting and resources devoted to regulatory functions themselves.

412 The Council agreed to note the report.

There being no further business, the meeting closed at 4.10pm.

Date of next meeting – 13 April 2011 - London