Minutes of the Council meeting held on 12 January 2012 at 129 Lambeth Road, London SE1 7BT at 11.00 am

Present

Bob Nicholls - Chair
Cathryn Brown
Sarah Brown
Celia Davies
Gordon Dykes
John Flook
Tina Funnell
Ray Jobling
Liz Kay
Lesley Morgan
Keith Wilson
Peter Wilson
Judy Worthington

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)
Priya Warner (Head of Standards and Fitness to Practise Policy) minute 1-6
Rachael Oliver (Media and Public Affairs Manager) minute 1-7
Ambrose Paschalides (Standards Policy Advisor) minute 1-6
Bernie Lunney (Head of Investigations and Case Management) minute 1-6
Janice Charlton (Education Policy Manager) minute 1-6
Sam McAuslan (Communications consultant) minute 1-6
Maxine Pryce (Governance and Assurance Officer) minute 13-14

ATTENDANCE AND INTRODUCTORY REMARKS

532 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 Soraya Dhillon.
DECLARATIONS OF INTEREST

533 Cathryn Brown and Gordon Dykes declared interests in Item 5: Consultation on the draft standards for registered pharmacies, as community pharmacists and, in Gordon Dykes’ case, a superintendent pharmacist and owner of a retail pharmacy business. Liz Kay declared an interest in the same item as a superintendent pharmacist of an NHS Trust with some retail pharmacy functions.

MINUTES OF THE LAST MEETING

534 The minutes of the meeting held on 10 November 2011 were agreed as a true record of the meeting.

MATTERS ARISING

535 The Chair advised that the report detailing the cyclical and non-cyclical Council items would be circulated after the February 2012 Council meeting.

CONSULTATION ON THE DRAFT STANDARDS FOR REGISTERED PHARMACIES

536 Hugh Simpson (HS) introduced paper 01.12/C/01 and advised that one of the aims of the consultation was to ensure understanding of what was a registered pharmacy, the accountability relating to this and clarity over who the standards were aimed at.

536.1 Duncan Rudkin (DR) advised that the consultation would be supported by a range of engagement activities and documentation.

536.2 The consultation document was discussed in depth, section by section, with comments made on terminology and the structure of the document as well as clarification sought on parts of the appropriate legislation.

536.3 In particular, the following points were raised:

- role of the pharmacy owner and the superintendent pharmacist
- manufacture of medicines for a patient compared to manufacture of medicines for stock
- ‘closed pharmacies’ premises that were not open to the public even though the pharmacy was operating
- the availability of some pharmacy services from registered pharmacies and other premises.
In addition some drafting points were also noted and members invited to send in any others by 16 January 2012.

536.4 It was clarified that the principles were mandatory, and, together with the standards, formed the professional requirements for registered pharmacies.

536.5 HS stated that once Council approval on the draft standards had been received, professional advice on how to word the consultation questions would be sought in order to ensure the language was appropriate and unambiguous. Following this the consultation would be launched over a 13 week period, accompanied by an extensive engagement plan.

537 The Council considered the draft consultation document, which included the draft standards for registered pharmacies;

i. Subject to finalisation of the drafting in the light of Council members’ comments, agreed the consultation document; and

ii. Delegated responsibility for approving the final text of the document to the Chair of Council with assistance from a registrant and non-registrant member of Council.

PRIORITY CHANGES TO THE PHARMACY ORDER

538 DR introduced paper 01.12/C/02.

538.1 There was discussion over the uncertainty on whether the changes to the Pharmacy Order would be implemented and what the GPhC could do to maximise opportunities to influence whether the legislation was changed. It was suggested that, where appropriate, a collaborative approach with the other health regulators would carry more weight.

539 The Council confirmed the list of items summarised in paragraph 2.5 of the paper as desirable priority changes to the Pharmacy Order 2010.

REVALIDATION: RECOMMENDATIONS FROM THE TASK AND FINISH GROUP

540 HS introduced paper 01.12/C/03 and advised that the recommendations of the Task and Finish Group had been informed by significant prior work from the Royal Pharmaceutical Society of Great Britain, discussions with a range of external stakeholders as well as contributions from members of the Task and Finish Group themselves.
540.1 There was discussion over how pharmacists who were not practising pharmacy would be revalidated and 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.

540.2 It was agreed that it be stated in the document that the principles would be regularly evaluated to ensure that they were kept up to date and relevant.

540.3 The Chair thanked members of the Task and Finish Group for their work. The direction for revalidation was now clear and stakeholders would be engaged in taking this forward. The Chair requested that a report be submitted to Council in due course detailing progress made.

541 The Council agreed;

i. The draft definition of revalidation;

ii. The draft principles which will underpin future policy development in this area;

and

iii. The next steps to take forward the work based on the draft principles including: the development of external communications about Council’s support for the development of a model of revalidation for pharmacy; that the principles be tested with pharmacy professionals, representative groups and patients and patients representative bodies; and that further work, including research, be carried out to enable the development of suitable models and to report back to Council on progress made.

PERFORMANCE MONITORING REPORT

542 DR introduced paper 01.12/C/04 and advised that due to the limited time since the last report was produced it did not include a full analysis of work across the customer service team functions.

542.1 Hilary Lloyd (HL) provided an update on the number of registered pharmacy technicians, pharmacists and premises as at 1 January 2012 and on the number of restorations to the register. Information on the first successful prosecution by the GPhC against a registrant who was working as a pharmacist whilst suspended from the register was provided.

542.2 HL noted that the fitness to practise team had reduced the overall caseload by 20% within 15 months of the GPhC becoming operational and advised that fitness to practise hearings would be moved to Birmingham during the London Olympics to ensure that there was no delay in progression.
Members considered it would be helpful to include in the report information on cases outside of the 12 – 15 months timeframe and on progress in continuous professional development monitoring.

542.3 Bernard Kelly (BK) provided information on the investment policy for cash, with investment being made with banks that offered the best short-term interest rates. It was agreed that longer term investment policies may need to be decided upon if there was likely to be a greater level of reserves over a longer period of time.

543 The Council noted:
   i. The state of the register at the end of December 2011;
   ii. Performance across the fitness to practise functions to the end of November 2011; and
   iii. Financial performance to the end of November 2011.

Handling Organisational Complaints

544 Christine Gray (CG) introduced paper 01.12/C/05 and stated that this was the first annual report that summarised organisational complaints.

544.1 It was agreed that, in addition to regular information in the Performance Monitoring Reports, there should be an annual report hereafter on complaints, to include a total number of complaints for the year as well as individual categories.

545 Council noted the complaints statistics for the reporting period; and the handling of complaints and lessons learnt.

Chief Executive & Registrar’s Report

546 DR introduced paper 01.12/C/06 and advised that since the report had been written the Chair and DR had been invited to attend a Department of Health meeting to be briefed on plans to amend the Medicines Act regarding single dispensing errors and that the GPhC had issued a statement on this topic.

546.1 DR also reported that a meeting including the GPhC, Royal Pharmaceutical Society, Pharmaceutical Society of Northern Ireland and the Department of Health took place to discuss supervision and the Responsible Pharmacist regulations.

546.2 The GPhC had responded to the Health Select Committee’s call for evidence for their hearing into health education, training and workforce
planning. The GPhC had highlighted the importance of including non-NHS education and training in future plans (as most pharmacy pre-registration was non-NHS), the importance of robust structures for delivering education and training (such as deaneries) and the importance of inter-professional education and training. DR advised that the GPhC had offered to provide additional, oral evidence, if required.

546.3 The Chair advised that he had attended a Medical Education England meeting where education and training of the workforce had been discussed and important proposals for the new system for developing the healthcare workforce outlined.

547 Council noted the paper.

ANY OTHER NOTIFIED BUSINESS

548 There being no further public business, the meeting closed at 2.40 pm.

Date of next meeting – 9 February 2012 - London