Minutes of the Council Meeting held on 17 November 2010 at Holyrood Suite 1&2, Holyrood Hotel, 81 Holyrood Road, Edinburgh EH8 8AU at 09.30am

Present

Bob Nicholls - Chair  Liz Kay
Cathryn Brown  Keith Wilson
Sarah Brown  Peter Wilson
John Flook  Judy Worthington
Kirstie Hepburn  Tina Funnell
Ray Jobling

In attendance

Duncan Rudkin (Chief Executive & Registrar)
Christine Gray (Head of Corporate 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)

ATTENDANCE & CHAIR’S INTRODUCTORY REMARKS

331 The Chair welcomed Council members, staff and the press to the meeting. Due to the adverse weather conditions apologies had been received from Celia Davies, Soraya Dhillon and Lesley Morgan.

The Chair updated the Council on the previous evening’s Stakeholder event which had been well attended and expressed appreciation to Dr Ian McKee MSP for sponsoring the event and standing in for the Cabinet Secretary Nicola Sturgeon, who was unable to attend at the last minute due to an urgent Cabinet meeting.
The Chair informed the Council that interviews had taken place for the external members for the Audit and Risk and Remuneration Committees. The panel had been successful in appointing a member to the Audit and Risk Committee and were waiting for written acceptance before notifying the Council formally of the appointment. The panel had been less successful with an appointee to the Remuneration Committee and were seeking further applications.

The Chair was delighted that within two months of formal operations, a Council meeting was being held in Edinburgh and the Council had had the opportunity the previous day to hear from the Chief Pharmaceutical Officer, Professor Bill Scott and the Chair of the Royal Pharmaceutical Society Scottish Pharmacy Board, Sandra Melville.

**DECLARATIONS OF INTEREST**

332  The Chair asked members whether they had any interests to declare in respect of the agenda items. No interests were declared.

**MINUTES OF THE LAST MEETING**

333  The minutes of the meeting held on 20 October 2010 were agreed as a true record of the meeting.

**MATTERS ARISING AND OUTSTANDING ACTION POINTS**

334  Minute 305.2: Bernard Kelly (BK) reported that clarifications to Grant Thornton’s terms of engagement had been confirmed.

335  Minute 318: Christine Gray (CG) confirmed that notification of the consultation on the CPD framework and rules had been sent out to stakeholders but said she would be keen to have details of other stakeholders that would like to receive notification.

336  Minute 328/330: Elaine Mulingani confirmed that the membership of the FTP Task and Finish group comprised Liz Kay, Sarah Brown, Ray Jobling and Kirstie Hepburn. The group would meet on 8 December 2010 and again in Feb/March 2011. The Council would receive an interim report at the February 2011 meeting and a final report in April or June 2011.

337  The Council noted the schedule of outstanding actions. A question was raised as to when there would be a review of the ‘conscience clause’ in the standards of conduct, ethics & performance. CG confirmed this would be part of the ‘Schedule for Review of policies’ paper which it was planned to bring to the December meeting.
STRATEGIC REVIEW OF RISKS

338 Duncan Rudkin (DR) presented paper 11.10/C/01 requesting the Council discuss and note the risk review summarised in the paper. DR highlighted three points:

- it was a ‘strategic review of risks’ and not a ‘review of strategic risks’. There should be no distinction between strategic and operational risks as both can impact on strategic objectives.
- Risk management should be part of the daily management role. The risk register provides a framework that makes this visible.
- The Audit and Risk Committee had reflected on whether the register covered external risks sufficiently. DR said he had now taken this into account and there was now a better internal/external balance.

338.1 The Chair of the Audit and Risk Committee (ARC) John Flook (JF) informed the Council that the ARC supported the approach that risk management should be embedded in the organisation and that the risk register was developmental. It was important a tick box exercise was avoided and ‘who and when’ was clearly identified in relation to risk mitigation. JF indicated that it was the intention that the ARC and the external and internal auditors should give the Council more assurance that risks were being managed.

338.2 The Council discussed the paper and the consensus was that members were happy with the direction of travel and reassured by the delegation to the ARC to oversee the register. DR confirmed that the register was available to members on request.

338.3 Referring to the overview of the key risks, the Council made a number of points which included:

- Risks relating to delays to Pharmacy Technician registration should be made more specific.
- Communications were too heavily focussed on the profession and we should be saying more about what we can do to communicate more effectively with the public.
- The list of stakeholders we work with should be expanded both nationally and internationally.

338.4 Concern was raised over renewals and particularly the IT aspect as this was a reputational risk for the organisation. BK assured Council this was a high priority and work was taking place on the next stage beyond the adaptation of the existing register database.
339  **It was agreed that** the risk review paper be noted.

**REVIEW OF AUDIT AND RISK COMMITTEE TERMS OF REFERENCE**

340  DR introduced paper 11.10/C/02 seeking the Council’s approval of the revised terms of reference for Audit and Risk Committee. DR explained that the revised terms provided more detail about how ARC would fulfil its functions, referred to ARC reviewing the adequacy of governance policies for ensuring compliance with relevant requirements, reviewing the annual report before submission to Council, attendance of auditors at meetings. The draft also provided that senior representatives of the auditors should have access to the ARC Chair and that there should be a private ARC meeting at least once a year with the auditors.

341.1 The Council were generally content with the revised terms of reference but asked that they be amended to read that attendance of the Chair and members of Council at ARC should be ‘at the invitation of or agreement with the ARC Chair’.

342  **It was agreed that the revised terms of reference for the Audit and Risk Committee be approved**

**DEVELOPING OUR APPROACH TO COMMUNICATIONS AND ENGAGEMENT**

343  Hugh Simpson (HS) gave a presentation and introduced paper 11.10/C/03 seeking agreement on the proposed principles for the way in which the GPhC would communicate and engage with key interest groups and the process and timetable for the development of a communications strategy. HS informed the Council there were two factors that influenced this strategy:

- Operational capacity and capability. Steps were being taken to address this urgently;
- Ensuring our external communications, including publically stated aspirations for the GPhC, match what we deliver.

HS outlined the proposed approach to communications and principles for patient and public engagement. Public and patient engagement must be integral to work across the organisation. HS explained there was a distinct difference between communication and engagement. Communication was a one way process and engagement was active participation.

343.1 The Council agreed a communications and engagement strategy was vital for the reputation of the organisation and building relationships with registrants and the public. A number of points were made including using more local structures to get the GPhC message across. Engagement within Scotland and Wales should underpin the strategy and not be a separate strand but recognising
differences when they occur. The Council agreed overall it was important the GPhC has a credible presence in England, Scotland and Wales.

344  It was agreed that

344.1 subject to the amendments and additions discussed, the proposed principles for the way in which the GPhC would communicate and engage with key interest groups be approved

344.2 the process and timetable for the development of a communications strategy be approved subject to resources and linkage to the corporate and business plan.

CONSULTATION PROCEDURE

345 HS presented paper 11.10/C/04 seeking the Council's agreement on the consultation procedure to underpin all consultations undertaken by the GPhC. HS informed the Council that Celia Davies had made a number of points particularly around the purpose and operational aspects of consultations which he had taken into account when drafting the paper. HS explained the paper was there to underpin the consultation process.

345.1 The Council discussed the document and the point was made that the procedure should be for staff and the Council should have a view on what the consultation was about and the overall policy not the procedures for consultation. There was consensus on this point. The Council agreed that the paper needed to make clear that the view of Council should only be sought on an issue that the Council will determine. The Council also asked that more information be provided on the quality and number of questions asked in consultations.

346  It was agreed that although the procedure was useful it was not appropriate for the Council to approve. The Council therefore noted the paper.

STANDARDS FOR PRE-REGISTRATION TUTORS IN GREAT BRITAIN

347. DR presented paper 11.10/C/05 asking for agreement to consult on the draft standards for pre-registration tutors and to publish the consultation document on the proposed standards. DR explained to the Council that the paper was based on an assumption that listing of tutors would be used as a quality assurance (QA) measure. DR suggested that the consultation on standards could go ahead but maybe an open mind needed to be kept on QA methods and maybe a question needed to be added on this in the consultation.
347.1. The Council discussed the paper and made a number of points particularly around the mix of terminology on standards and competencies, which needed to be made clearer. Any competencies needed to be measurable. Clarification was also needed on whether competencies were being used to assess or guide the tutor. The Council, although acknowledging that the Professional Behaviour standards captured the need for current relevant knowledge, considered that this should be a standard in its own right. There was consensus that comparable standards from other organisations should be looked at, including overseas organisations. The Council was conscious of the need to ensure the needs of the trainees were met in how they were used and provision of time for learning but was unsure where this should be covered. The Council fully agreed that it was important to introduce tutor standards but needed assurance that the consultation document was applicable across GB and relevant across sectors of practice. It was agreed that DR and Michele Savage would inform the paper’s authors of all the comments made by Council.

348  **It was agreed that** this paper would be re-presented to Council at a later date.

**PERFORMANCE MONITORING**

349  DR introduced paper 11.10/C/06 on performance across registration and asking Council to note progress towards developing the report to include FTP matters, and inspection visits.

350  **The Council's noted** the performance of registration and progress of the performance monitoring report.

**FITNESS TO PRACTISE**

351  DR introduced report 11.10/C/07 asking the Council to note the report on dealing with FTP cases (legacy cases) inherited by the Council from the RPSGB. DR informed the Council that he was expecting to see measurable improvement by the next meeting of the Council. Considerable progress was being made on reviewing cases that had passed the Investigating Committee stage and they should have all been reviewed by the end of March 2011. The CHRE audit of the initial stages of FTP process was in progress. DR explained that he had emphasised that the GPhC wanted to work alongside CHRE and not allow problems to build up, and was encouraged that there was a shared view on an appropriate approach.

352  **The Council noted** the FTP report.

There being no further business, the meeting closed at 2.24pm
Date of next meeting – 8 December 2010 - Cardiff