

Council meeting

Via Zoom

Thursday, 11 May 2023

Public meeting 10.00

Public business

Standing Items (10 mins)

- | | | |
|----|---|--------------------------------------|
| 1. | Attendance and introductory remarks | Rose Marie Parr |
| 2. | Declarations of interest – public items | Rose Marie Parr |
| 3. | Minutes of the meeting held on 13 April 2023
Minutes of the public session – for approval | 23.05.C.01
Rose Marie Parr |
| 4. | Actions and matters arising
Minutes section 6: Registration assessment
Minutes section 7: Regulation of pharmacy technicians | 23.05.C.02
Rose Marie Parr |
| 5. | Workshop summary – 13 April 2023
<i>For noting</i> | 23.05.C.03
Rose Marie Parr |

Regulatory functions

- | | | |
|----|--|-------------------------------------|
| 6. | Strengthening pharmacy governance – update
15 mins <i>For noting</i> | 23.05.C.04
Annette Ashley |
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Governance, finance and organisational management

- | | | |
|----|---|-----------------------------------|
| 7. | Accommodation update
5 mins <i>For noting</i> | Oral update
Jonathan Bennetts |
| 8. | Audit and Risk Committee minutes
10 mins | 23.05.C.05
Neil Buckley |
| 9. | Any other business
5 mins | Rose Marie Parr |

Confidential business¹

Standing items

- | | | |
|---------------|---|-------------------|
| 10. | Minutes of the meeting held on 13 April 2023 | 23.05.C.06 |
| 5 mins | Minutes of the confidential session – for approval | Rose Marie Parr |

Regulatory functions

None at this meeting

Governance, finance and organisational management

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|----------------|--|-------------------|
| 11. | Audit and Risk Committee minutes | 23.05.C.07 |
| 10 mins | Minutes of the confidential items from the meeting on 2 March 2023 | Neil Buckley |
| 12. | Workforce Committee minutes | 23.05.C.08 |
| 10 mins | Minutes of the meeting held on 31 March 2023 | Elizabeth Mailey |
| 13. | Any other business | Rose Marie Parr |
| 5 mins | | |

¹ The Council's Governance Policy (GPhC0040, agreed December 2019) states that the Council may take business as confidential when the item:

- may be prejudicial to the effective conduct of the GPhC's functions if discussed in public; or
- contains information which has been provided to the Council in confidence; or
- contains information whose disclosure is legally prohibited, or is covered by legal privilege; or
- is part of a continuing discussion or investigation and the outcome could be jeopardised by public discussion; or
- refers to an individual or organisation that could be prejudiced by public discussion; or
- relates to negotiating positions or submissions to other bodies; or
- could be prejudicial to the commercial interest of an organisation or individual if discussed in public session; or
- could be prejudicial to the free and frank provision of advice or the exchange of views for the purpose of deliberation if discussed in public; or
- needs to be discussed in confidence due to the external context, for example, during periods of heightened sensitivity such as during an election period.

Minutes of the Council meeting held on 13 April 2023

To be confirmed on 11 May 2023

Minutes of the public items

Present:

Gisela Abbam (Chair)	Rima Makarem
Yousaf Ahmad	Penny Mee-Bishop
Neil Buckley	Arun Midha
Mark Hammond	Rose Marie Parr
Ann Jacklin	Aamer Safdar
Jo Kember	Jayne Salt
Elizabeth Mailey	Selina Ullah

Apologies:

None

In attendance:

Duncan Rudkin	Chief Executive and Registrar
Carole Auchterlonie	Director of Fitness to Practise
Jonathan Bennetts	Director of Adjudication and Financial Services
Claire-Bryce Smith	Director for Insight, Intelligence and Inspection
Mark Voce	Director of Education and Standards
David Hajduk	Associate Director, Technology
Laura McClintock	Chief of Staff and Associate Director, Corporate Affairs
Liam Anstey	Director for Wales
Damian Day	Head of Education
Janet Collins	Senior Governance Manager

Standing items

1. Attendance and introductory remarks

1.1 The Chair welcomed those present to the meeting.

2. Declarations of interest

2.1 The Chair reminded members of the Council to make any appropriate declarations of interest at the start of the relevant item.

3. Minutes of the last meeting (23.04.C.01)

3.1 The minutes of the public session held on 23 February 2023 were approved as a true and accurate record of the meeting.

4. Actions and matters arising (23.04.C.02)

4.1 The action log was up to date.

5. Workshop summary (23.04.C.03)

5.1 The Council noted the summary of the workshop held on 23 February 2023.

Regulatory functions

6. Registration assessment report (23.04.C.04)

6.1 Mark Voce (MV) introduced this item, which had been moved from the February agenda due to time constraints. The papers included the report on the November 2022 sitting of the registration assessment and the Executive Summary of the Verita report on the June sitting.

6.2 937 candidates had sat the assessment in November 2022, with a pass rate of 56%. The pass rate for November sittings tended to be lower than that for summer sittings and it was possible that the performance of this cohort had been affected by the pandemic. The paper set out the actions being taken with universities with consistently lower pass rates, which had been discussed with the Quality and Performance Assurance Committee (QPAC) in February and would continue to be monitored. All three universities were subject to re-accreditation.

6.3 The paper also set out the main actions and mitigations which had been put in place for the November sitting. Details of the actions being put in place for the June sitting would be discussed with the QPAC in May.

6.4 The future development of the registration assessment would require some input from Council, with the work being overseen by the QPAC.

6.5 Following the discussion, the Council **noted**:

- i. **The candidate performance data for the November 2022 sitting of the registration assessment;**
- ii. **The Board of Assessors Report and the assurance it provided about the November sitting;**
- iii. **The feedback to the candidates from the Board of Assessors; and**

iv. The Executive Summary of the Verita report into issues with the June 2022 sitting of the registration assessment.

7. Regulation of pharmacy technicians (23.04.C.05)

7.1 MV also presented this item. The paper set out guiding criteria to inform the GPhC's approach to the regulation of pharmacy technicians (PTs).

7.2 Several items in the current workplans related to PTs, including post-registration assurance of practice, strengthening pharmacy governance, the quality assurance of education providers, assessment and work on standards. The paper suggested guiding criteria for the ongoing programmes of work and to set the overall approach to the pharmacy technician profession.

7.3 These were:

Leading:

- Ensure parity of considerations of both professions in communications and through programmes of work;
- Provide a regulatory leadership role in holding ourselves and others to account on achieving and maintaining this;
- Ensure the necessary representation from pharmacy technicians and representative groups in our stakeholder engagement work.

Informing:

- Emphasise the positive and complementary differences in knowledge and skills of pharmacists and pharmacy technicians in providing safe and effective care
- Increase understanding of the education, training, and revalidation requirements for pharmacy technicians to provide clarity and assurance to patients and the public, healthcare professionals and employers
- Identify more opportunities to highlight how pharmacy technicians are contributing to safe and effective care through our communication channels, including Regulate

Developing

- Develop our understanding of pharmacy technician roles and input from different sectors, groups and individuals including obtaining additional data and evidence to inform our regulatory functions
- Develop our relationship with individual pharmacy technicians and pre-registration trainee pharmacy technicians to ensure our communications are tailored more effectively.
- Maintain and develop our working relationship with the Association of Pharmacy Technicians UK to ensure the respective responsibilities of the regulator and professional body work collectively in the interests of safe and effective care for patients and the public.
- Further develop our approach to recruiting Council members to recruitment to ensure greater representation of pharmacy technicians in governance of our regulatory functions.

- 7.4 If the criteria were agreed by Council, they would be discussed with stakeholders and then come back to Council for final approval and discussion about how to implement them. Further work would include finding ways to evaluate success.
- 7.5 Council discussed the EDI data on PTs – 82% of whom were white and 86% female. It would be important to ensure that the GPhC listened to and acted on any issues particularly relevant to minority groups within the profession.
- 7.6 The education and training of PTs needed to be modernised, particularly in relation to supervision which could affect PT practice. PT career development was also a consideration. The value of PTs to the profession and patient services needed to be re-evaluated and emphasised.
- 7.7 **The Council agreed that the proposed criteria should be taken forward for discussion with stakeholders.**

8. UK Commission on Pharmacy Professional Leadership (23.04.C.06)

- 8.1 Duncan Rudkin introduced this item which summarised the Commission's 'core conclusions' and recommendations. Four of the recommendations were addressed to the Chief Pharmacy Officers but they were also relevant to the GPhC.
- 8.2 The recommendations did not necessarily fully reflect the level and scope of work of the Commission's work on education and training.
- 8.3 The paper also set out themes for the GPhC's continuing involvement in the next stages of the Commission's work.
- 8.4 The Council agreed in discussion that, while there was a clear role for the organisation in relation to standards, its involvement should not be limited to that area of work. The proposed leadership body should be fully representative and include a wide range of voices.

Governance, finance and organisational management

9. Council member appointments 2024 and 2025 (23.04.C.07)

- 9.1 Janet Collins presented the paper, which set out proposals for the recruitment of three Council members to begin their terms in 2024 and two in 2025. The proposal was to carry out one recruitment exercise in 2023 with the candidates able to choose whether they preferred to start in 2024, 2025 or had no preference.
- 9.2 The PSA had been consulted on the proposal and had no objections. While the proposal would mean considerable savings in agency fees and staff time, a second recruitment exercise could be run for the 2025 vacancies if the single recruitment was not successful.
- 9.3 Following a discussion, the Council:
 - i. **Agreed the process to be used for filling Council member vacancies arising in 2024 and 2025, including the use of a single recruitment exercise;**
 - ii. **Noted the selection criteria and competences for the appointments, including the addition of desirable criteria derived from the recent Council skills audit; and**
 - iii. **Noted the next steps in the appointments process and the timetable.**

10. Audit and Risk Committee minutes (23.04.C.08)

10.1 Neil Buckley introduced the minutes of the public items discussed at the ARC meeting on 1 December 2022.

10.2 **The Council noted the minutes.**

Council action log – May 2023

	Open and on track
	Overdue
	Rescheduled
	Complete

No.	Status	Minutes	Action	Lead	Update	Due date
8	Open	December 7.6	Further status update on the temporary register to be provided in 12 months	MV		December 2023
9	Open	February	ARC to provide further information to Council on the Committee's assurance of FtP improvement work	JB		June 2023

Council workshop summary

Meeting paper for Council on 11 May 2023

Public

Purpose

To provide an outline of the discussions at the Council workshop on 13 April 2023.

Recommendations

The Council is asked to note the discussions from the April 2023 workshop.

1. Introduction

1.1 The Council often holds a workshop session alongside its regular Council meetings. The workshops give Council members the opportunity to:

- interact with and gain insights from staff responsible for delivering regulatory functions and projects;
- receive information on projects during the development stages;
- provide guidance on the direction of travel for workstreams via feedback from group work or plenary discussion; and
- receive training and other updates.

1.2 The workshops are informal discussion sessions to assist the development of the Council's views. A summary of the workshop discussions is presented at the subsequent Council meeting, making the development of work streams more visible to stakeholders. Some confidential items may not be reported on in full.

2. April workshop summary

(a) Risk register rebase

- 2.1 Rob Jones presented a session on the rebasing of the organisation's risk registers, to give the Council assurance about the work carried out by the Senior Leadership Group (SLG) and the Audit and Risk Committee (ARC).
- 2.2 Neil Buckley (Chair of the ARC) introduced the session and explained that the new versions of the Strategic and Operational risk registers worked together in a different way and did not sit in a hierarchy. He thanked RJ, the SLG and the ARC for the effort that had gone into this work.

- 2.3 The strategic risk register had previously been high level but the new version was focused on risks to the delivery of the strategy. Operational issues, even large ones which affected the whole organisation, were now in the operational risk register.
- 2.4 Members discussed a number of points around the rebased registers, some of which would be taken up by the ARC.

(b) Strategic aim 1 progress review

- 2.5 Claire Bryce-Smith led a session on Strategic aim 1 ('Deliver an adaptable standards framework that meets public and professional needs that are changing quickly'). This was a continuation of a session held at the February workshop.
- 2.6 The session recapped on the progress made in years 1-3 of the current strategic plan but also asked the 'so what?' question about real changes which had taken place. The period 2020-2023 had seen changes in the make up of the registers, with increased numbers of pharmacists and pharmacy technicians and rapid growth in the number of independent pharmacists prescribers, decreased numbers of pharmacies and changes to the profile of ownership.
- 2.7 There had been a rapid increase in the use of technology and changes to service provision. The workforce and the wider health and social care systems were under pressure and there had been changes to policy and public expectations.
- 2.8 The session also covered how the organisation assessed the effectiveness of its core standards framework and went through case studies to show how the principles were being applied in practice.

(c) Routes to registration for international applicants

- 2.9 Damian Day presented a session exploring issues around routes to registration for international applicants, including the current routes and requirements and the shortage of places on the Overseas Pharmacists' Assessment Programme (OSPAP).
- 2.10 Three significant legislative or policy changes were at play:
- The Professional Qualifications Act 2022;
 - The UK/EFTA trade agreement; and
 - Post-Brexit 'standstill' options.
- 2.11 The principal routes to registration for international pharmacists and pharmacy technicians were due to be revised as part of the education and training work programme and there would be further workshop sessions.

3. Recommendations

The Council is asked to note the discussions from the April 2023 workshop.

Janet Collins, Senior Governance Manager
General Pharmaceutical Council

28/04/2023

Update on the strengthening pharmacy governance programme

Meeting paper for Council on 11 May 2023

Information

Purpose

To provide Council with an update on the strengthening pharmacy governance programme of work

Recommendations

The council is asked to note and discuss the update.

1. Introduction

- 1.1 In technical and policy terms, the purposes of the strengthening pharmacy governance work are to:
 - Rebalance criminal law and professional regulation so that the GPhC and PSNI can deal with pharmacy matters within their remit, rather than by the criminal courts
 - Rebalance ministerial powers and the powers of the pharmacy regulators, so that pharmacy practice matters are more appropriately set by pharmacy regulators and less by government Ministers
 - Rebalance legislation and standards, so that pharmacy practice standards are set and enforced by pharmacy regulators and less by inflexible legislation
 - Rebalance the relationship between pharmacy owners, Responsible Pharmacists (RPs), and Superintendent Pharmacists (SPs) to ensure safe and effective practice of pharmacy in a retail pharmacy context, making clear the accountability of the RP, who is in charge of a particular pharmacy on a given day; the SP who is intended to be the professional lead within a company; and the pharmacy owner.
- 1.2 In the context of the changing nature and role of the pharmacy professions, this programme of work has much wider strategic significance, as a key opportunity to put in place a comprehensive updated set of governance roles and expectations for modern pharmacy practice.
- 1.3 The work comes from two pieces of legislation which came into force on 1 December 2022:

- **The Pharmacy (Preparation and Dispensing Errors – Hospital and Other Pharmacy Services) Order 2022**
- **The Pharmacy (Responsible Pharmacists, Superintendent Pharmacists etc.) Order 2022**

1.4 The work involves the production of rules for RPs, which will replace the existing Medicines (Pharmacies) (Responsible Pharmacist) Regulations 2008, including rules on RP absence from pharmacy premises.

1.5 Work also includes producing three new sets of standards for:

- Chief Pharmacists (CPs)
- SPs
- RPs

The standards will cover responsibilities, accountabilities, conduct and performance.

2. Stakeholder engagement

2.1 Although not a statutory requirement, a decision was made to start work by engaging with external stakeholders. This was in acknowledgement of the importance and impact of this work on the pharmacy sector, and the benefits of getting an early indication of the main concerns before developing the consultation proposals.

2.2 For the first phase of stakeholder engagement, we are holding one-to-one virtual events with key organisations across England, Scotland, and Wales. This work began in January 2023.

2.3 Stakeholders covered the hospital and community sectors, and included Chief Pharmacist groups, the Company Chemists' Association, National Pharmacy Association, Association of Independent Multiple Pharmacies, Royal Pharmaceutical Society, Association of Pharmacy Technicians UK, Pharmacists' Defence Association, and EDI groups. The one-to-one approach, as an alternative to holding large focus groups, was chosen to give each organisation an opportunity to speak openly, and at length, about those issues which were of most concern to them. Feedback on this approach was very positive. The first phase of stakeholder engagement is almost complete.

2.4 As the regulator for Northern Ireland, the PSNI were also invited to attend stakeholder events.

2.5 Some joint stakeholder events were held with DHSC who, in the summer of 2023 are aiming to consult on clarifying the law around the preparation, assembly, sale and supply of medicines to be supervised by a pharmacist.

2.6 The second phase of stakeholder engagement will be completed in June 2023. This phase will involve engagement with larger groups, including Law firms, Local Pharmaceutical Committees, and locum agencies.

3. Emerging views

3.1 In parallel with the engagement events, we are starting to analyse the feedback we have received so far. Stakeholders have raised interesting and important issues which will be used to inform our consultation proposals. As work progresses, we will be providing further updates and detail.

- 3.2 There have been some general points raised, including requests from CPs, SPs, and RPs for case studies showing good practice, as examples of ‘what is possible’.
- 3.3 There were also requests for supporting guidance, either from the GPhC or from the RPS.
- 3.4 Although some attendees wanted prescriptive details in the standards, the majority asked for the standards to be outcome-focused, to provide flexibility when addressing the specific needs of patients and communities, and to future-proof them.
- 3.5 Stakeholders also stressed the importance of taking variations across England, Scotland, and Wales into account when producing standards.
- 3.6 Stakeholders were positive about having specific standards for each role, which are in addition to meeting the existing standards for pharmacy professionals and registered premises and felt that it would provide clarity in governance terms.
- 3.7 Most of the discussions around RPs have focused on how supervision will work in practice, and this is informing the forthcoming consultation by DHSC.

4. Key considerations

- 4.1 The development of new regulatory standards for updated roles in medicines legislation contributes to our Strategic Aim 1, to: ‘Deliver an adaptable standards framework that meets public and professional needs that are changing quickly’. We will do this by developing new regulatory standards for updated roles in medicines legislation; and making sure our core standards and supporting guidance meet the changing needs of the public and professionals.
- 4.2 A full, formal, public consultation must take place when producing the rules for RPs, and the sets of standards for CPs, SPs, and RPs.

5. Equality and diversity implications

- 5.1 The one-to-one nature of our initial engagement has been very well received. In addition, some female pharmacy professionals and some from an ethnic minority background have highlighted that this has enabled them to speak up and raise issues in a way that they sometimes feel prevented from doing in larger meetings, where discussions can sometimes be dominated by particular individuals or groups.
- 5.2 An Equality Screening and Impact Assessment (ESIA) will be undertaken for each set of standards and rules, and will be published on the GPhC website, together with the consultation analysis reports, when the standards and rules have been signed off by the Council, the Privy Council, and Secretary of State.
- 5.3 With regards to meeting our Standards, expectations are the same for all pharmacy professionals regardless of whether they identify as having one or more of the protected characteristics under the Equality Act 2010.

6. Communications

- 6.1 We are currently engaging with a broad and diverse range of stakeholders through various channels, including individual one-to-one meetings, virtual focus groups, and webinars. Stakeholders include pharmacy organisations, membership bodies, as well as patient groups, equality networks and organisations.

6.2 Regular updates on the progress of the strengthening pharmacy governance programme of work will be given to SLG, Council, and published on our website. In addition, we remain in regular contact with officials in DHSC.

7. Resource implications

7.1 There are no additional resources needed beyond those already noted in our budget.

8. Risk implications

8.1 The development of the rules for RPs, and the standards for RPs, and to a lesser extent the standards for SPs, overlap with the supervision areas being considered by DHSC. This means that the drafting of these rules and standards and our consultations, are dependent, to a certain extent, on the timing of the DHSC supervision consultation and any subsequent legislative changes.

8.2 We are therefore aiming to first consult on the Chief Pharmacist standards later this year, as they are more self-contained and not related to the supervision question.

8.3 We will monitor the work being undertaken by the DHSC on supervision and will start consultations on the RP rules, and the standards for RPs and SPs when DHSC legislative amendments are finalised or laid before parliament.

9. Monitoring and review

9.1 We will continue to monitor this programme of work and provide updates (see 6.2 above); we will also seek input from the project programme board, SLG, and Council, as well as Ministers, as this work progresses.

10. Recommendations

The council is asked to note and discuss the update.

Annette Ashley, Head of Policy and Standards
General Pharmaceutical Council

03/05/2023

Minutes of the Audit and Risk Committee meeting held on 2 March 2023

Minutes of the public items

Present:

Neil Buckley (Chair)

Helen Dearden

Ann Jacklin

Apologies:

Yousaf Ahmad

Aamer Safdar

Jayne Salt

In attendance:

Duncan Rudkin	Chief Executive and Registrar
Carole Auchterlonie	Director of Fitness to Practise
Jonathan Bennetts	Director of Adjudication and Financial Services
Laura McClintock	Chief of Staff and Associate Director – Corporate Affairs
Gary Sharp	Associate Director – HR and Organisational Development
Rob Jones	Head of Risk Management and Audit
Janet Collins	Senior Governance Manager
Kelly Reid	TIAA
Ezenwa Osuji	Haysmacintyre
Mark Weaver	Haysmacintyre

1. Attendance and introductory remarks

- 1.1 The Chair welcomed those present to the meeting. Apologies had been received from Yousaf Ahmad, Aamer Safdar and Jayne Salt.

2. Declarations of interest

- 2.1 The Chair reminded members of the committee to make any appropriate declarations of interest at the start of the relevant item.

3. Item 3 - Minutes of previous meeting – 1 December 2022 (23.03.ARC.01)

- 3.1 The minutes of the public items considered at the meeting on 1 December 2022 were approved.

4. Item 5 - Actions and matters arising – public items

- 4.1 The committee noted the action log.

5. Item 10 – Internal audit (23.03.ARC.06 a-d)

- 5.1 Kelly Reid of TIAA introduced this item.

Summary internal controls assurance report (SICA)

- 5.2 All audits planned for 2022-23 had been completed. The Health and Safety audit report would be issued once a point on governance had been clarified.

- 5.3 **The Committee noted the SICA.**

Assurance review of Core Finance

- 5.4 The overall assessment was amber (reasonable assurance). Testing had identified that one invoice had been approved for an amount beyond the approver's delegated limit. The new purchase order system, due to be introduced by 1 April 2023, would have approval limits built in and so would prevent a recurrence.

- 5.5 **The Committee noted the outcome of the assurance review.**

Action: An interim report would be provided to the Committee once the new system was fully operational. Further reports would follow at the end of 2023-24, including invoices received without a purchase order and an analysis of credit card spend, and then annually.

ICO Accountability Framework self-assessment

- 5.6 Antony Palmos (AP), Governance and Assurance Manager, joined the meeting for this item. The accountability self-assessment helped organisations to assess the extent to which they were meeting the ICO's expectations in ten categories. Five categories had been selected for the report, which reviewed self-assessment statements across 33 key expectations with 144 examples of compliance. Of those, 120 were assessed as fully meeting expectations, seven as partially meeting or not meeting expectations and 17 as not applicable to the GPhC.

- 5.7 Recommendations had been made in relation to the unmet expectations and most had been accepted. AP was asked about the two recommendations which were not accepted - one in relation to training and one in relation to request for reviews of decisions. Both explanations were accepted by the Committee.

Internal audit recommendations tracker

- 5.8 Jonathan Bennetts gave an update on the Learning and Development audit which had led to concern from the Committee about completion rates for mandatory training and performance and development reviews. The closing date for the latest mandatory training (Health and Safety) had just passed with a 94% completion rate. Action was being taken to escalate the issue for the small number of staff who had not completed the training.

6. Item 10 – Indicative audit strategy and annual plan 2023/24 (23.03.ARC.07)

- 6.1 The scope of the plan had been previously agreed. A number of updates to timings were given and agreed by the Committee. The second part of the ICO assessment would take place in May 2023, replacing the Governance audit which had been postponed because it would overlap with the board effectiveness review.
- 6.2 The Committee was concerned that the HR audit had been moved back again and was now not scheduled to take place until February 2024. Gary Sharp explained that this was because the new HR system was due to go live in April, followed by an applicant tracking system in July. The Committee accepted the explanation but made clear that the audit was not to be pushed back any further, even if there were any delays with the implementation of the systems.

7. Item 14 - Never events and serious incident updates

- 7.1 There were no never events or serious incidents to report. One data breach had been referred to the ICO but no action had been taken by the Commissioner's office.

8. External audit planning report

- 8.1 Richard Weaver of Haysmacintyre presented this item which confirmed the arrangements for the audit of the GPhC's financial statements for 2022-23 and set out the audit plan.

9. Any other business

- 9.1 There was no other business.

Date of next meeting: 25 May 2023