

Standing Orders of the General Pharmaceutical Council

GPHC0025 Version 2

These Standing Orders, together with the provisions of the Pharmacy Order 2010 and the General Pharmaceutical Council (Constitution) Order 2010 (together, 'the Orders'), establish basic rules about how the Council conducts its proceedings.



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1. Application and Interpretation

- 1.1 These Standing Orders, together with the provisions of the Pharmacy Order 2010 and the General Pharmaceutical Council (Constitution) Order 2010 (together, 'the Orders'), establish the basic rules about how the Council conducts its proceedings.
- 1.2 Unless the context otherwise requires, terms used in the Standing Orders shall have the same meaning as in the Orders and in addition:
 - 1.2.1 'General Pharmaceutical Council' or 'GPhC' means the General Pharmaceutical Council as a body corporate
 - 1.2.2 'Council' means the members of the General Pharmaceutical Council acting collectively as a body
 - 1.2.3 'Chair' means the person appointed by the Privy Council to lead the Council in successfully discharging its overall accountability for the GPhC as a whole;
 - 1.2.4 'Member' means a member of the Council
- 1.3 If a procedural point arises during a meeting of the Council which is not covered by these Standing Orders or the Orders, the common law rules concerning the conduct of meetings will apply.
- 1.4 Save as otherwise permitted by law, at any meeting of the Council, the Chair shall be final authority on the interpretation of these Standing Orders.

2. Statutory Framework

- 2.1 The General Pharmaceutical Council is a statutory body corporate established under the Orders.
- 2.2 The GPhC will also be bound by such other statutes and legal provisions as govern the conduct of its affairs.

3. Composition of the Council, tenure and role of members

- 3.1 In accordance with the Orders the composition of the Council shall be seven lay members and seven registrant members.
- 3.2 Parts 2 and 3 of the General Pharmaceutical Council (Constitution Order) 2010 determine that the Chair and members are appointed by the Privy Council.
- 3.3 The terms of office of the Chair and members and arrangements for the termination or suspension of office of the Chair and members are governed by parts 2 and 3 of the General Pharmaceutical Council (Constitution Order) 2010.
- 3.4 The Council will function as a corporate decision-making body. Lay and registrant members will be full and equal members. Their role as members will be to consider the key strategic and policy issues facing the GPhC in carrying out its functions.
- 3.5 All business shall be conducted in the name of the GPhC.
- 3.6 The members shall not be granted nor shall they seek to exercise any individual executive powers on behalf of the GPhC unless specifically authorised to do so by the Council. They may however, exercise collective authority when acting as members of any committee of the GPhC to which the Council has delegated powers.

- 3.7 The Chair shall be responsible for the operation of the Council. The Chair must comply with the terms of appointment and with these Standing Orders.
- 3.8 The Chair shall work in close harmony with the Chief Executive & Registrar and shall ensure that appropriate issues are discussed by the Council in a timely manner with the necessary information and advice being made available to the Council to inform the debate and decisions.

4. Frequency of meetings

- 4.1 The Council shall meet as necessary for the transaction of its business, normally according to a schedule agreed by the Council, provided that the Council shall meet at least four times a year.
- 4.2 Additional Council meetings, outside the agreed schedule, may be convened by the Secretary upon the written request of the Chair or any six members of the Council.
- 4.3 A written request for an additional Council meeting shall include details of the business to be transacted at that meeting.
- 4.4 An additional Council meeting shall be held within such reasonable time of the Secretary receiving the request for the meeting as the Chair shall see fit.

5. Notice of meetings

- 5.1 Before each meeting of the Council, a written notice specifying the business proposed to be transacted shall be delivered to every member, or sent by post or electronic transmission to each member.
- 5.2 The Secretary shall normally give members not less than seven clear days' notice of the time and place of a meeting.
- 5.3 If for any reason a meeting is convened at shorter notice, the Secretary shall give members notice of the time and place of the meeting at the time that the meeting is convened.
- 5.4 Failure to provide notice of a meeting to a member shall not invalidate the proceedings of that meeting.

6. Adjournment of a meeting

- 6.1 The Chair may, with the consent of the Council, adjourn a meeting, but no business shall be transacted at an adjourned meeting other than the business which had not been disposed of when the adjournment took place.
- 6.2 If a meeting is adjourned for more than seven days (but not otherwise), notice of the meeting shall be given as if it was an additional meeting.

7. Agenda

- 7.1 The Secretary shall issue an agenda for each meeting. The Chair shall determine the content of the agenda, having consulted with the Chief Executive & Registrar.
- 7.2 Except in cases of urgency or where circumstances make it impracticable to do so, the agenda for a meeting and any accompanying papers shall be sent to members not less than seven days before the meeting.
- 7.3 Any member wishing to raise any matter at a Council meeting shall notify the Chair and Secretary not less than 14 days before the meeting.

7.4 No business other than that which has been included on the agenda, or of which notice has been given under paragraph 7.3 above, shall be discussed at any Council meeting, with the exception of urgent business which may be discussed with the consent of the Chair.

8. Public access to meetings

8.1 Members of the public may attend meetings of the Council. The public shall be excluded from any part of the meeting dealing with confidential business.

8.2 Before excluding the public from any part of a meeting under paragraph 8.1 above, the Chair shall announce the reasons why the Council is to hold a confidential session.

8.3 Matters to be dealt with in confidential business shall be confidential to the members of the Council. Members shall not reveal or disclose outside the GPhC the contents of papers or minutes marked as confidential without the express permission of the Council. This prohibition shall apply equally to the content of any discussion during a Council meeting which may take place on such papers or minutes.

8.4 Electronic recording, transmission or photography of Council meetings without prior permission from the Chair is prohibited.

8.5 If a member of the public interrupts the proceedings at any meeting, the Chair may order that person to be removed from the meeting or may order that part of the room which is open to the public to be cleared.

9. Observers

9.1 The Council may decide what arrangements and terms and conditions it considers are appropriate to any observers invited to attend or address any of the Council's meetings and may change or vary these arrangements, terms and conditions as it sees fit.

10. Meetings using remote conference facilities

10.1 At the discretion of the Chair, meetings of the Council may be held in the form of a teleconference or using other remote conference facilities which allow all Council members participating to hear and address one another. Such meetings will be deemed to take place at the location of the Chair.

10.2 Members are expected to attend meetings of the Council in person. In exceptional circumstances, and on prior agreement with the Chair, individual members may participate remotely in Council meetings (for example, using teleconference or other remote conference facilities) and this will constitute full attendance.

11. Chair

11.1 The Chair shall preside at any meeting of the Council.

11.2 If the Chair is absent from, or otherwise unable to preside at, a meeting, the members present shall nominate one of their number to serve as a chair at that meeting.

11.3 In these Standing Orders, references to the 'Chair' include a member presiding at a meeting of the Council in place of that Chair.

11.4 In the event that:

- a) The Chair is likely to be absent for more than one meeting of the Council or to be unavailable to perform the duties of the Chair for more than one month; or
- b) The office of Chair is vacant,

The secretary shall notify the Council accordingly and the Council shall proceed to nominate one of its members ('deputy chair') to serve as Chair during the absence or unavailability of the Chair or the vacancy. The Council may identify the deputy chair who would serve in advance of such circumstances arising.

12. Quorum

12.1 The quorum at any meeting of the Council shall be eight members. No business shall be transacted at a meeting unless at least eight members are present.

12.2 If a quorum is not present within *a reasonable time after* the time appointed for a meeting to commence, the meeting *may* be dissolved and all business which should have been transacted at that meeting held over until the next scheduled meeting, unless an additional meeting is called in the meantime for the transaction of that business.

12.3 If, during a meeting, it appears to the Chair that a quorum has ceased to exist, business will be suspended and the number of members present counted and, if;

- a) A quorum exists, the business will proceed;
- b) A quorum does not exist, the meeting will be dissolved and all remaining business will be adjourned to the next scheduled meeting, unless an additional meeting is called in the meantime for the transaction of that business.

12.4 If a member has been disqualified from participating in discussion of and/or voting on any matter by reason of a conflict of interest, that member shall not count towards the quorum. If a quorum is not available for the discussion of and/or voting on any matter, that matter may not be discussed further or voted upon at that meeting. Such a position shall be recorded in the minutes of the meeting. The meeting shall then proceed to the next item of business.

13. Interests of Members

13.1 Members must ensure that no conflict arises, or could reasonably be perceived to arise, between their position as a Council member and their personal interests, financial or otherwise.

13.2 A member who has a personal interest in any matter under consideration at a meeting, whether or not declared in the Register of Members' Interests, shall promptly declare that interest and, unless the Chair determines otherwise, the member shall withdraw from the meeting until the Council has concluded its consideration of the matter.

13.3 In any case of doubt the member should openly declare the possibility of interest.

13.4 All declarations of interest shall be recorded in the minutes.

14. Minutes of Council Meetings

14.1 The secretary shall produce minutes of each meeting which shall include a record of the members in attendance at that meeting.

- 14.2 At each meeting, the minutes of the previous meeting shall be confirmed, or confirmed as amended, by the Council.
- 14.3 No discussion shall take place upon the minutes except upon their accuracy or where the Chair considers discussion appropriate.
- 14.4 The confirmed minutes of a meeting shall, unless the contrary is proved, be a correct and authoritative record of the meeting.
- 14.5 Where they provide a record of a public meeting, the minutes shall be made available to the public

15. The Secretary

- 15.1 The Chief Executive & Registrar shall be the Secretary to the Council.
- 15.2 The Chief Executive & Registrar may authorise any employee of the Council to act for him or her as Secretary to the Council and where the Chief Executive & Registrar does so, a reference in these Standing Orders to the Secretary shall include reference to the person so authorised.

16. Conduct of Council Members

- 16.1 Members shall comply with the Code of Conduct adopted by the Council and with the seven principles of public life established by the Committee on Standards in Public Life (the 'Nolan Principles').
- 16.2 The Chair may order a member to withdraw from a meeting if, in the opinion of the Chair, that member has persistently disregarded the ruling of the Chair or is behaving improperly, offensively or in a manner which is obstructing the business of the meeting.
- 16.3 In the event of a general disturbance which, in the opinion of the Chair, prevents the orderly conduct of business, the Chair may adjourn the meeting for such a period as the Chair considers appropriate.

17. Members education, training and performance

- 17.1 Members shall comply with the Code of Conduct adopted by the Council and with the seven principles of public life established by the Committee on Standards in Public Life (the 'Nolan Principles').
- 17.2 The Council shall establish standards of attendance and performance for members, including a system of annual performance appraisal.
- 17.3 Members shall comply with the standards established by the Council under Standing Orders 17.1 and 17.2 and shall not, without reasonable cause, fail to undertake satisfactorily the education and training requirements or to participate in appraisal processes for members.

18. Voting and recording of votes

- 18.1 Decisions shall be taken by vote in the following circumstances:
- a) When the Chair determines that no clear consensus has emerged;
 - b) When a member requests a vote be taken and this is supported by at least one other member; or

- c) When the Chair concludes that a vote should be taken.
- 18.2 Voting shall be by a simple majority of those members present and voting, unless specified otherwise in these Standing Orders or in the Orders.
- 18.3 Voting shall be by a show of hands or by any technological equipment provided.
- 18.4 The Chair shall have a substantive vote and, in any case of an equality of votes, a second or casting vote.
- 18.5 The minutes shall record the numbers voting for and against the proposal and the number of abstentions, if any.
- 18.6 If a majority of the members present so request, the voting on any question may be recorded to show how each member present voted or did not vote.
- 18.7 In no circumstance may an absent member vote by proxy. Absence is defined as being absent at the time of the vote.

19. Suspension of a Standing Order

- 19.1 Except where this would contravene any statutory provision, the Council may suspend any one or more of the Standing Orders at any meeting, by resolution of the Council carried by not less than two-thirds of the members present and voting. The reason for the suspension shall be recorded in the minutes.
- 19.2 In proposing the suspension of one or more of the Standing Orders, the member making the proposal must state the number(s) of the Standing Order(s).
- 19.3 If such a proposal is agreed the suspension shall be for the duration of the item under discussion.

20. Provisional Suspension of Members

- 20.1 If circumstances arise which may result in a member being suspended or removed from office by the Privy Council under the Orders, the Council may resolve that the member shall be provisionally suspended from office until such a time as the Privy Council has reached a decision on whether to suspend or remove the member.
- 20.2 A member who is provisionally suspended shall not be entitled to participate in meetings of the council or to exercise any other functions of a member.

21. The Chief Executive & Registrar, Secretary and advisers

- 21.1 The Chief Executive & Registrar and the Secretary shall be entitled to attend and address the meetings of the Council.
- 21.2 Any other person advising on the business before a meeting of the Council, including advising the Chair on matters relating to governance, may attend and, with the consent of the Chair, address the meeting.

22. Committees and working groups

- 22.1 The Council may from time to time establish or dissolve committees or other informal groups, composed of its own members or other persons, for such purposes as may be expedient. Nothing in this paragraph applies to any committee established by or under legislation.

23. Custody and Affixing of Corporate Seal

- 23.1 The Corporate Seal of the Council shall be kept by the Chief Executive & Registrar or another employee designated by the Chief Executive & Registrar, in a secure place.
- 23.2 The Corporate Seal shall only be affixed to a document with the consent of the Council and shall be attested by the signature of:
- a) The Chair or a member of the Council authorised by the Chair for that purpose; and
 - b) The Chief Executive & Registrar or an employee authorised by the Chief Executive & Registrar for that purpose.
- 23.3 The Chief Executive & Registrar or an employee designated by the Chief Executive & Registrar shall keep a record of the affixing of the Corporate Seal.

