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Royal  
Pharmaceutical  
Society  
of Great Britain

# New consultation needed on Council election regulations

Members of the Royal Pharmaceutical Society are to be consulted for a second time on regulations governing the election and appointment of members of the future Council.

The revised proposed regulations follow from a new set of changes required by the Department of Health since the first consultation two months ago.

The Council agreed its original proposals for election regulations at a meeting in September (*PJ*, 2 October, p497). These proposals were set out for consultation in the 2 October issue of *The Journal* (p499) for the required 60-day period of consultation.

The Society had previously cleared with the Department of Health its intention to consult on the proposed regulations before the new Charter had been sealed. This was to allow the regulations to come into force in time for the Council election to be completed before the 2005 AGM. The Society sent the proposed regulations to the Department of Health and Privy Council Office and received comments on them in early November.

The intention was for the Council to confirm the regulations at its December meeting, after the sealing of the Charter. However, the Department of Health has now decided that it requires certain minor and some more substantial changes to the regulations. The significant changes are set out in the Panel.

In addition, given that the revised regulations will be made under the new Charter, the Department said that they must be published only after the Charter has been both sealed and brought into force. To allow the Society to meet its Charter requirement of bringing the reformed Council into being on the day after the 2005 annual general meeting (assuming there are no further hold-ups), the Charter was therefore sealed on 7 December — the first day of the Council's December meeting — and was brought into force on the same day, which was earlier than had been expected.

Having the Charter in force allowed the Council to agree the revised regulations in time for immediate publication through an Official Notice in this issue of *The Journal* (see p868).

But, if the Society is to meet its Charter requirement of bringing the reformed Council into being on the day after the 2005 AGM, the

## Main changes in the revised proposal for regulations on electing the Council

The following are the four most significant changes made in the revised proposal for regulations governing the election and appointment of members of the reformed Council:

- Council members should serve a maximum of three consecutive terms
- Pharmacist and pharmacy technician members of Council should be on the practising part of the relevant register
- If there are fewer candidates than vacancies in an election, a by-election would be held to fill the remaining places
- The first pharmacy technician members of Council would be elected from and by those on the voluntary register of technicians at that time.

need for a second 60-day consultation has some repercussions for the timetabling of Society activities. The Society has had to alter its election timetable so that calls for election nominations will be made, on a conditional basis, in January 2005, about a month before the election regulations are expected to be finally approved. And, because the new Council must be ready to take office on the day after the AGM, that meeting is to move back from Wednesday 11 May to Tuesday 24 May 2005. (There is only limited opportunity to reschedule it because the Society's Byelaws require it to take place during May.)

Having to move the AGM also means that the branch representatives' meeting, traditionally held on the day after the AGM, will now take place on Wednesday 25 May 2005.

The Society's Secretary and Registrar, Ann Lewis, said: "The Society regrets the necessity for these changes to the Society's timetable but we hope that the members will understand that these new developments are beyond our control. We are writing to our branches right away to inform them as early as possible of the new dates for these important meetings. We hope that members will not be overly inconvenienced by the change in timetable."

## This week

### ■ Council election regulations

The Council is to consult the Society's members for a second time on regulations governing the election and appointment of member of the future reformed Council. The second consultation is the consequence of changes required by the Department of Health since the first consultation (p863).

### ■ Head of accreditation

The Society has made an appointment to the new post of head of accreditation within its Education and Registration Directorate. (p864).

### ■ Collection of retention fees

An article this week answers a range of questions about the procedures for the collection of members' retention fees for 2005. It includes information on payment methods, on retiring from the register and on completing the fitness-to-practise declaration (p865).

## Christmas and New Year closures

**London** The London headquarters building of the Royal Pharmaceutical Society will close for the Christmas holiday at 5pm on Thursday 23 December and will reopen at 9am on Wednesday 29 December. It will close for the New Year holiday at 4pm on Friday 31 December and will reopen at 9am on Tuesday 4 January 2005.

The library at the London headquarters building will close for the Christmas holiday at 5pm on Thursday 23. In addition, it will close between noon and 2.30pm on Wednesday 22 December. The library will open from 9am to 5pm on Wednesday 29 December and Thursday 30 December and from 9am to 3.30pm on Friday 31 December. It will reopen as normal from Tuesday 4 January 2005, except that the usual Thursday late opening will not be restored until 13 January 2005.

**Scotland** The House of the Society's Scottish Department in Edinburgh will close at 4pm on Friday 24 December and will reopen at 9am on Wednesday 5 January 2005.

**Wales** The Society's Welsh Executive office in Cardiff will keep the same hours as the London headquarters building.

## Leicestershire branch holds its eighth Diwali celebration

The Royal Pharmaceutical Society's Leicestershire and Rutland branch held its eighth annual Diwali celebration on 20 November. About 300 pharmacists and their families attended the event.

The branch says that its annual event is now the largest celebration of Diwali by pharmacists in the British Isles. It was instigated eight years ago to provide a shared cultural evening for Asian and British pharmacists in the Leicester area.

Diwali is a five-day Hindu festival celebrating the victory of good over evil, light over darkness and knowledge over ignorance. Commonly known as the "festival of lights", it is also celebrated by Jains and Sikhs.

During the Leicestershire celebration, events were organised to raise money for several charities. The main beneficiary was Heart Search, which received a cheque for £1,500, including a contribution of £750 from UniChem. Entertainment was provided by Asian dancers and musicians.

## Society appoints first head of accreditation

The new post of head of accreditation within the Education and Registration Directorate of the Royal Pharmaceutical Society is to be filled by Damian Day.

Mr Day will join the Society's staff on 17 January 2005 from Roehampton University, where he is head of distributed learning and assistant director of educational development in the education development centre.

He will work to develop and implement policies that affect the Society's undergraduate degree accreditation activities and will help with developing the Society's wider educational strategy.

The Society says that Mr Day has an extensive experience of quality assurance and



**Damian Day: "brings a wealth of experience"**

enhancement, having introduced the new quality and standards handbook for taught programmes for the university as well as other higher education policy documentation.

Mr Day is also a subject reviewer and institutional auditor for the Quality Assurance Agency for Higher Education and an external examiner for City University's master of arts degree in academic practice.

Philip Green, the Society's Deputy Secretary and Registrar and Director of Education and Registration, said: "I am delighted to welcome Damian to the Society. He brings a wealth of experience to the role and I look forward to him strengthening and contributing to the education team."

## Museum highlights role of women in medicine

The museum of the Royal Pharmaceutical Society has been helping to highlight women's involvement in the world of medicine in history through its support for three separate projects.

Museum staff have assisted with the research and lent objects to the Florence Nightingale Museum for its exhibition "Calamity unparalleled: order out of chaos". The exhibition marks the 150th anniversary of the Crimean War, focusing specifically on the "Lady of the lamp" and her band of nurses.

The exhibition runs until the end of April 2005. The museum (tel 020 7620 0374; website [www.florence-nightingale.co.uk](http://www.florence-nightingale.co.uk)) is at St Thomas' Hospital, London SE1.

The museum has also provided research and illustrations for a book on Agatha Christie, whose detective novels often made use of the knowledge of poisons she gained during wartime work in hospital pharmacies — a red Cross hospital in Torquay during the 1914–18 war and University College London during the 1939–45 war.

The new book, 'Agatha Christie: a reader's companion' by Vanessa Wagstaff and Stephen Poole, was published in October by Aurum Press. It includes images of a number of items from the museum's collections, including poisons linked to the plots of novels and interiors of premises from the period when Mrs Christie worked in pharmacy.

The third project assisted by the museum was a small temporary exhibition about women and medicine at Waterloo Library, London, for which the museum lent a number of objects.



**The Florence Nightingale museum's exhibition includes a reconstruction of a Crimean War dispensary, with bottles loaned by the Society's museum**

Briony Hudson, keeper of the museum collections, said: "We are always pleased to contribute to exhibition and publication projects that take the Society's collections out to the public. The female theme is particularly interesting and one we will be building on during 2005 when we will celebrate the centenary of the National Association of Women Pharmacists."

## Society freezes fees for veterinary courses

Fees have been frozen for the Royal Pharmaceutical Society's diploma in veterinary pharmacy and certificate in companion animal health. For the next programme, which starts in January 2005, the course fees have been held at the 2004 level of £800 for the diploma and £500 for the certificate.

The revised diploma course and the new certificate course were launched early last year (*PJ*, 13 March 2004, p333). The core programme for the diploma consists of four modules: (1) companion animals and public health; (2) companion animal health care; (3) veterinary pharmacy; and (4) livestock health and husbandry. Modules 1 and 2 are studied through distance learning and Modules 3 and 4 are studied during residential periods at Harper Adams University College.

Those aiming for the diploma must also undertake 75 hours of recorded practical experience, submit a dissertation and sit an oral examination. The certificate can be obtained by completing Modules 1 and 2.

The course is directed by Michael Jepson, former head of pharmacy practice at Aston University, and Steven Kayne, a community pharmacist in Glasgow. They are also the authors of the course textbook, 'Veterinary pharmacy', which is available from the Pharmaceutical Press.

Further information and registration forms can be obtained from Ann Harrington, Veterinary Pharmacists Group, Royal Pharmaceutical Society, 1 Lambeth High Street, London SE1 7JN (tel 020 7572 2411; e-mail [ann.harrington@rpsgb.org](mailto:ann.harrington@rpsgb.org)).

# Collection of retention fees for 2005

## When will I get my retention fee form?

Following the Privy Council's approved the proposed changes to the Society's Byelaws (PJ, 4 December, p833), pharmacists' retention fee forms were posted out between 6 and 10 December.

## What if I do not receive my form or if I lose it?

If you have not received your form by Friday 17 December, or if you lose or misplace your form, please contact the registration section by telephone (020 7572 2322) or e-mail ([registration@rpsgb.org](mailto:registration@rpsgb.org)).

**How much do I have to pay?** If you are a practising member, the fee is £256. If you are a non-practising member, the fee is £46. The part-time fee and the overseas members' fee have been discontinued, as has the reduced fee for those not practising because of ill health or because they are aged over 60 years.

**When must I make payment?** Fees are payable on 1 January 2005. If you have not paid by the end of January 2005 you will be sent a statutory demand. If payment is not forthcoming after the issue of the demand, you risk being erased for non-payment.

## Payment methods

**How do I pay my fee online?** You can pay your fee online at [www.rpsgb.org/payment](http://www.rpsgb.org/payment). All you need is your retention fee form number and your registration number, both of which are on your form, and your payment card details. The secure payment site will accept major credit and debit cards. Using the website is quick and easy. It is the most cost effective way to pay, and you will be sent an e-mail acknowledgement as soon as payment has been received.

**Can I pay by direct debit?** If you already have a direct debit instruction with the Society, then the practising fee will be debited from your account on or shortly after 4 January 2005. Please ensure there are sufficient funds in your account. If you do not already have a direct debit instruction, it is too late to set one up for the 2005 fee. Direct debit can only be used to pay the practising fee.

Please do not pay online or by cheque if you have an existing direct debit instruction. "I know it sounds crazy", says Andrew Gardner, head of registration, "but last year we had one or two people who paid by direct debit, paid online, and then paid again by cheque."

**Can I still pay by cheque?** If you do not have a direct debit instruction and do not wish to pay online using a credit or debit card, then you can pay by cheque. Cheques should be in pounds sterling and drawn on a UK bank account. Cheques should be made payable to "RPSGB (member)" and returned

## So what is new for 2005?

In April, Royal Pharmaceutical Society staff began negotiations to ensure that the 2005 retention fee collection exercise ran more smoothly than in 2004. It became apparent in September that the Society's requirements would not be met by the contractor used for the 2004 fees and the decision was taken to process fees internally. Significant time and resources have been invested since then in preparing for the collection and processing of the 2005 fees.

Philip Green, Deputy Secretary and Registrar, said "I must congratulate members of the retention fee project team for all the hard work they have done. The online service is much improved and, if members take up the service as we hope, will significantly reduce processing costs. The internal cheque and form processing team is in the last phase of training and we're raring to get on with it."

with the retention fee form in the prepaid reply envelope. Please do not include any other payment on your cheque.

**Can I pay by any other method?** Payment can only be made online, through an existing direct debit instruction or by cheque. You cannot pay by telephone, by postal order, by BACS (bank automated clearing system) or by internet banking payment direct into the Society's account.

**What do I do if I have a query about payment?** If you have a query about making your payment, please telephone or e-mail the registration section.

**Will I be sent a receipt?** Online payments are acknowledged instantly by e-mail. All members will receive a receipt within 28 days of making payment.

**What if I cannot afford to pay?** The Benevolent Fund can assist those members most in need, but it is by no means a foregone conclusion that the fund will assist every application for assistance.

## Retiring from the register

**What do I have to do to retire from the register?** Please complete the retention fee form by ticking the "I wish to retire" box and return your certificate of registration with your form. No payment is required.

**... and if I later wish to return to the register?** If you wish to return to the register after retiring, you will be required to pay a restoration application fee and the current year's retention fee. You will be subject to continuing professional development requirements when these become mandatory and

may be required to complete a personal development plan.

## Dealing with problems

Of course, there may be a few problems. The Society is introducing a new fee structure and asking members to make a declaration on the retention fee form for the first time.

**Am I practising?** The leaflet "Helping you make the right decision", distributed with last week's *Pharmaceutical Journal*, is a useful resource for members who do not clearly fall into the practising category. The leaflet can be downloaded from the Society's website if you missed it. If you have difficulty working out whether you are classed as practising, please make use of the telephone helpline (tel 0845 606 6285) or the e-mail help address ([am\\_i\\_practising@rpsgb.org](mailto:am_i_practising@rpsgb.org)).

## Signing the declaration

**Do I have to sign the declaration on the retention fee form?** Yes, if you can. If you fail to sign it, you will be asked why you have not signed. You should complete the declaration whether you are practising or non-practising.

**What if I am unable to sign the declaration?** If you have been convicted of a criminal offence, bound over, conditionally discharged, cautioned or reported to a procurator fiscal and have not already informed the Registrar, then you must do so. Similarly, if you are the subject of ongoing or pending criminal proceedings or ongoing or pending fitness-to-practise proceedings by a licensing or regulatory body, then you must advise the Registrar. A form is available to download at [www.rpsgb.org/registration](http://www.rpsgb.org/registration). Complete the form and return it with your retention fee form. If you do not have access to the internet, please telephone or e-mail the registration section for a copy of the form.

**Does a speeding ticket count? Does an arrest count?** If you are unsure whether you need to advise the Registrar about a hearing or conviction, then it is best to declare it and complete a form and return it with your retention fee form.

**What will happen to me? What will happen next?** Once you have completed the form, return it with your retention fee form in the prepaid envelope. Where convictions and proceedings are declared, these will be screened on a case-by-case basis. You will be notified within a reasonable timescale in the event that a formal investigation or hearing is required.

**What will happen to me if I don't supply the details?** If you deliberately mislead, you will be in breach of the Code of Ethics and may be disciplined by the Society.

## Pharmacist reprimanded after dispensing error made while unfit

A St Albans pharmacist has been reprimanded following a dispensing error through which an eight-year-old boy received three times the dose of medication that the doctor had prescribed. The pharmacist had returned to work while "shaken and uncomfortable" after having teeth extracted.

At its meetings on 22 June and 21 July the committee considered the case of Derek Michael Evans, of 19 Carlisle Avenue, St Albans, Hertfordshire. Mr Evans is the superintendent pharmacist and director of Freeman Grieve Ltd, which owns a pharmacy at 111-113 St Peters Street, St Albans.

A complaint had been received from the Council of the Royal Pharmaceutical Society alleging that, when he was pharmacist in charge on the evening of 7 July 2003, Mr Evans had been unfit to carry out properly his professional duties. He had dispensed Neoclarityn to a patient in a container not labelled with the directions for use requested by the prescriber.

Geoff Hudson, of Penningtons (solicitors), presented the facts of the case on behalf of the Council.

Charles Apthorp, of counsel, instructed by Turner & Debenhams (solicitors), represented Mr Evans at the 22 June hearing, which Mr Evans did not attend. Mr Evans attended the 21 July hearing and was represented by

Joseph Giret, of counsel, instructed by Turner & Debenhams (solicitors).

At the earlier meeting, the committee heard that on the day in question Mr Evans had had two teeth extracted under a local anaesthetic at about 2.20pm. Following the extractions, Mr Evans had been advised to take an analgesic, which he had done, but he felt "shaken and uncomfortable" for the rest of the day. However, he had returned to his pharmacy at about 5.30pm. A locum pharmacist he had employed for the day left at about 6pm and Mr Evans remained in charge of the pharmacy until shortly after 7pm. In that time he dispensed some 23 prescriptions. One of these was for a boy of eight; it called for 100ml Neoclarityn syrup 2.5mg/5ml, with a dose of 5ml per day. Mr Evans had labelled the bottle "One 5ml spoonful three times a day".

The child's mother gave him the medicine according to the dose on the label between the evening of 7 July and 12 July. She reported that during that period he was unusually tearful and exhibited other abnormal behaviour.

### Error admitted

The chairman (Lord Fraser of Carmyllie, QC) said that although Mr Evans was not present, he had admitted the error in a state-

ment. He had also acknowledged that he had been the pharmacist in charge of the premises and unfit to carry out properly his professional duties. Such misconduct was such as to render him unfit to be on the register.

Before the committee came to a decision the chairman asked whether anything was known in relation to Mr Evans. It was reported that Mr Evans had appeared before the committee on 17 March 2003, when he had been reprimanded for two dispensing errors (PJ, 20/27 December 2003, p851).

The committee decided to adjourn the inquiry, to ascertain the basis for Mr Evans's non-attendance.

On the resumption of the inquiry on 21 July, Mr Evans was in attendance. The committee heard that his earlier absence had been because the advice given him about the desirability of attending had not been as clear as it might have been.

Giving the committee's decision, Lord Fraser said Mr Evans had been extremely ill advised to return to the pharmacy on 7 July after the operation on his teeth. The dispensing error that day had been a serious one, but very different to the circumstances that had led to Mr Evans's earlier appearance before the committee on 7 March 2003 (PJ, 20-27 December 2003, p851).

Mr Evans was reprimanded.

## Adjournment in case of pharmacist who stole Controlled Drugs

A pharmacist who stole Controlled Drugs to satisfy her addiction has had her case adjourned by the Statutory Committee for 18 months.

At its meeting on 21 June the committee inquired into the case of Navjot Kaur Manku, of "Sukh Oham", Heads Nook, Brampton, Cumbria. Information had been received that at Carlisle magistrates' court on 4 September 2003, Miss Manku had been convicted of two counts of possessing a Class B Controlled Drug; two counts of possessing a Class C Controlled Drug and two counts of theft.

She had been sentenced to six months' imprisonment, suspended for 12 months, and had to pay £272 costs. Ten additional offences were taken into consideration.

The facts of the case were presented by Geoff Hudson, of Penningtons (solicitors).

Sam Flew, of RadcliffesLeBrasseur (solicitors), represented Miss Manku, who attended the inquiry.

The committee heard that Miss Manku had stolen Dexedrine, temazepam and diazepam tablets for her own use from various pharmacies at which she had worked as a locum. The thefts came to light in May 2003 when stocktaking at a pharmacy in Carlisle at which she had worked revealed discrepancies in the stock of Dexedrine tablets. In a

period of three weeks while Miss Manku had been in charge, a total of 392 Dexedrine tablets had been ordered and could not be accounted for. Inquiries at other pharmacies in the area also revealed discrepancies.

At the time of that investigation Miss Manku was working at Cumberland Infirmary. When her locker was searched by police officers on 23 June 2003, they found 36 Dexedrine tablets, 218 temazepam tablets and 48 diazepam tablets. Miss Manku was arrested and charged.

When interviewed, Miss Manku admitted that she had stolen the tablets from pharmacies where she had worked. The committee was told she had had difficulties in her personal life that had resulted in increasing use of alcohol while she was a student, and then of the other drugs.

Miss Manku was admitted as an in-patient to Birdsgrove House on 3 July 2003, remaining until 7 August.

### Full admission

Giving the committee's decision, the chairman (Lord Fraser of Carmyllie, QC) said that, although Miss Manku had made a full and frank admission of her addiction, her acts of theft had been systematic. They were, however, of such a character that it was inevitable they would be discovered.

Notwithstanding the thefts, the committee would treat the case as one of addiction or as a health case. There was no evidence that Miss Manku had been selling on the drugs, nor was she charged in court to that effect.

Her response to treatment had been described in glowing terms by the co-ordinator of the Pharmacists Health Support Programme, said the chairman, and she regularly attended meetings of various support groups. She was working part-time and had good references from her present employer, who was prepared to offer her a permanent post.

However, the conviction amounted to misconduct such as to render her unfit to be on the register.

The committee proposed to adjourn the case for 18 months. During that time, Miss Manku would be expected to continue under the supervision of the health co-ordinator, and the Society's inspector would maintain contact with her employer. In the event of a relapse, the committee would expect to be advised instantly, said Lord Fraser.

If nothing adverse was reported, Miss Manku could expect the case to be dealt with by way of a reprimand.

The hearing was adjourned.

## OFFICIAL NOTICES

Communications to the Royal Pharmaceutical Society should be addressed, unless otherwise stated, to: The Secretary and Registrar, Royal Pharmaceutical Society of Great Britain, 1 Lambeth High Street, London SE1 7JN (tel 020 7735 9141; fax 020 7735 7629). Official Notices also appear in the Notice-Board section of PJ Online ([www.pjonline.com/notices](http://www.pjonline.com/notices)).

### Proposed regulations: elections to the reformed Council

Notice is hereby given that the Council of the Society has made regulations concerning the election of Council members and appointed Council members.

These regulations are intended to take effect after the expiry of 60 days from the date of this notice, subject to such amendments as the Lords of the Privy Council may require.

Previously, the Society's Byelaws have been made under powers provided either by the Charter or by legislation. Under the Society's new governing documents, the terminology will be different: the Council will make regulations under the new Charter and rules under the new legislation. These regulations will replace Section XII of, and the First Schedule to, the Society's Byelaws.

### Regulation 1: Election of Council members

#### Elections

1.1 Elections to elect pharmacists or pharmacy technicians to membership of the Council shall be held in accordance with this regulation.

#### Interpretation

1.2 In this regulation: "the Effective Date" means the day after the day of the Annual General Meeting ("AGM") of the Society in 2005 "Secretary" means the Secretary (or chief executive officer by whatever title known) of the Society and includes any deputy or acting Secretary or other person fulfilling the office of Secretary and any person (not being a member of the Council) authorised by the Secretary "general election" means an election held on the expiry of the terms of office of members of the Council "Register of Pharmacists" means the register of pharmaceutical chemists "Register of Pharmacy

Technicians" means the register of pharmacy technicians maintained by the Society "pharmacy technician" means a person registered in the Register of Pharmacy Technicians and not registered in the Register of Pharmacists.

#### Returning Officer

- 1.3 (1) The Secretary shall act as Returning Officer for elections under this regulation.
- (2) The Returning Officer shall invite each candidate to supply by an appointed date and time and in the form specified:
- particulars of his qualifications;
  - information about his professional activities;
  - an election statement; and
  - a recent photograph of himself.
- (3) The Returning Officer shall not be required to publish an election statement, information about professional activities and statement of relevant interests relating to a candidate which together exceed 630 words.
- (4) The Returning Officer shall not be required to publish anything which in the Returning Officer's opinion is or may be libellous or untrue on matters of fact.
- (5) The Returning Officer may, in consultation with the candidate, issue a statement of clarification if in his opinion any part of an election statement refers to matters outside the current functions, powers and duties of the Society.
- (6) The Returning Officer shall inform all candidates of the outcome of an election and shall publish the results of the election.

#### Reserved places for constituencies

- 1.4 (1) Three places on the Council shall be reserved for pharmacists who are normally resident in each of three national constituencies.
- (2) The three national constituencies shall be:
- England, the Isle of Man and the Channel Islands;

(b) Scotland; and  
(c) Wales.

#### Election to reserved places and remaining places

- 1.5 (1) Pharmacists filling the reserved places referred to in paragraph 1.4(1) shall be elected by ballot of pharmacists whose addresses in the Register are in the relevant national constituency.
- (2) Pharmacists shall be elected to the reserved places on the Council on a first past the post basis.
- (3) A pharmacist may be nominated as a candidate in a national constituency and as a candidate for election to a place on the Council not reserved to a national constituency in the same election.
- (4) In the circumstances referred to in paragraph (3) above, the candidate receiving the highest number of votes in a national constituency shall be deemed to have been elected in that constituency and any votes he has received in respect of a place on the Council not reserved to a national constituency in the same election shall be void.
- (5) Pharmacists filling places on the Council other than the reserved places referred to in paragraph 1.4(1) shall be elected by ballot of all pharmacists.
- (6) Pharmacists shall be elected to the Council on a first past the post basis.
- (7) An election ("the first election") to elect the seventeen pharmacists who shall be elected members of the Council from the Effective Date shall be held before that date.

#### Period of office

- 1.6 (1) At the first election, the three pharmacists elected in national constituencies and the three pharmacists elected with the highest numbers of votes to places on the Council not reserved to a national constituency shall be elected for a period of three years.
- (2) The six pharmacists elected with the next highest numbers of votes

to places on the Council not reserved to a national constituency shall be elected for a period of two years.

- (3) The remaining five pharmacists elected to the Council shall be elected for a period of one year.
- (4) At subsequent elections (other than a by-election to fill a casual vacancy) elected members of the Council shall be elected for a period of three years.
- (5) After the first election, elections to places on the Council for pharmacists shall be held every year.
- (6) The members of the Council leaving office shall be reported to the Council by the Returning Officer before the notice of election is issued.

#### Provisions for pharmacy technicians

- 1.7 (1) An election shall be held before the Effective Date to elect the two pharmacy technicians who shall be members of the Council from that date (the "first pharmacy technician members").
- (2) Candidates in the election of the first pharmacy technician members shall be self-nominated.
- (3) The first pharmacy technician members shall be elected by ballot of all registered pharmacy technicians on a first past the post basis.
- (4) Of the first pharmacy technician members, the one elected with the highest numbers of votes shall serve for three years and the other shall serve for two years.
- (5) All subsequent pharmacy technician members shall be elected to the Council for a period of three years by ballot of all registered pharmacy technicians on a first past the post basis.

#### Eligibility for election

- 1.8 (1) A pharmacist or pharmacy technician shall only be eligible for election to the Council if his name appears within Part 1 (practising) of the Register of Pharmacists or, as the case may be, the

- Register of Pharmacy Technicians.
- (2) A pharmacist or pharmacy technician shall only be eligible for election to the Council if he is normally resident in Great Britain, the Isle of Man or the Channel Islands.
- (3) If in the opinion of the Council any elected member of the Council ceases to be normally resident in Great Britain, the Isle of Man or the Channel Islands, he shall cease to be a member of the Council.
- (4) A pharmacist shall only be eligible for election in a national constituency if he is normally resident in that constituency.
- (5) If in the opinion of the Council any member of the Council elected in a national constituency ceases to be normally resident in that constituency, he shall cease to be a member of the Council.
- (6) If a pharmacist or pharmacy technician ceases to be a member of the Council under this regulation the resulting vacancy shall be treated as a casual vacancy.
- (7) No pharmacist or pharmacy technician shall be eligible for election if he has failed to pay by the date and time fixed for the return of nomination forms any retention fee or penalty then due and payable by him to the Society.
- (8) No person may be elected as a member of the Council for more than three consecutive terms of office, each of up to three years.
- (9) Any member of the Council elected in the first election who has served six or more consecutive years on the Council immediately prior to that election shall be eligible to serve only one consecutive term from the Effective Date.
- (10) Any member of the Council elected in the first election who has served less than six consecutive years on the Council immediately prior to that election shall be eligible to serve three consecutive terms from the Effective Date.
- (11) No person who has served as a member of the Council for three consecutive terms of office shall be eligible for re-election until a period of three years after leaving office has expired.
- Eligibility to vote*
- 1.9 (1) Subject to paragraphs (2) to (5) below:
- (a) all pharmacists registered with the Society shall be entitled to vote in the election of pharmacist members of the Council; and
- (b) all pharmacy technicians registered with the Society shall be entitled to vote in elections to seats on the Council for such technicians.
- (2) Only pharmacists whose addresses in the Register are in the relevant constituency on the date when the electoral roll is passed to the election organisers shall be entitled to vote in an election in a national constituency.
- (3) A person who becomes registered with the Society after the date on which the electoral roll is passed to the election organisers shall not be entitled to receive a voting paper in that election.
- (4) A person whose registration with the Society is suspended on the date when the electoral roll is passed to the election organisers shall not be entitled to vote in an election under this regulation.
- Notice of election*
- 1.10 (1) The Returning Officer shall fix the time and date by which nomination forms shall be returned and at least 21 days before that date shall publish a notice of the election.
- (2) For the first election, the requirement referred to in paragraph (1) above shall be treated as having been met provided that a notice of the first election has been published at least 21 days before the deadline fixed for the return of nomination forms.
- (3) The notice shall specify:
- (a) the number of persons to be elected;
- (b) any national constituency in which a vacancy arises;
- (c) the place to which nomination forms are to be returned; and
- (d) the time and date by which they are to be returned.
- Nominations*
- 1.11 (1) Nominations for election shall be made on a nomination form provided by the Returning Officer.
- (2) Each prospective candidate for election shall be nominated on a nomination form signed by ten nominators in the case of a pharmacist candidate or by five nominators in the case of a pharmacy technician candidate.
- (3) All nominators shall be persons eligible to vote for the candidate in question.
- (4) A duly completed nomination form shall include:
- (a) the registered name, registered address, registration number and age of the prospective candidate;
- (b) the registered names and registration numbers of the required nominators and their signatures.
- (5) A prospective candidate shall also provide with the nomination form:
- (a) a signed declaration that:
- (i) the information provided in the nomination form is correct;
- (ii) he consents to be nominated;
- (iii) he will accept office if duly elected; and
- (iv) he is eligible to serve as the trustee of a charity;
- (b) details of the date and terms of any relevant adverse decision of which he has been the subject, including adverse decisions by the Society or another regulatory body on his fitness to practise, and of any criminal convictions, or a statement that he has not been the subject of any relevant adverse decision; and
- (c) a statement of relevant interests or that he has no relevant interests.
- (6) Every nomination form shall, on or before the deadline fixed for the return of nomination forms, be delivered by post, by hand or by fax (or by such other method as may be determined by the Returning Officer) at the place appointed.
- (7) A nomination form which has not been properly completed, or is not accompanied by the items mentioned at paragraph (5) (a) to (c) above, or is received after the due deadline, shall be invalid.
- (8) A nomination form may be withdrawn by notice in writing signed by the prospective candidate and delivered at the place appointed on or before that deadline.
- (9) If a prospective candidate dies or ceases to be eligible for election before the close of the nomination period, the nomination form shall be treated as having been withdrawn.
- Holding of election*
- 1.12 (1) If the number of pharmacist or pharmacy technician candidates (for pharmacists, in a national constituency or for election to places on the Council not reserved to a national constituency) is equal to the number of vacancies for such candidates and the period for voting has not commenced, the Returning Officer shall declare the candidates elected.
- (2) If the number of candidates is fewer than the number of vacancies, the Returning Officer shall declare the candidates elected and a by-election shall then be held to secure the remaining Council members.

- (3) If the number of candidates is greater than the number of vacancies, the Returning Officer shall cause an election to be held.

#### Voting

- 1.13 (1) The Returning Officer shall fix the time and date by which voting forms must be returned.
- (2) At least 14 days before this deadline, the Returning Officer shall send a voting form to each person entitled to vote in that election at his registered address.
- (3) The voting form shall include:
- a list of the candidates in alphabetical order giving in respect of each candidate his:
    - registered name;
    - age; and
    - registered address;
  - the national constituency in which each candidate is standing for election (if applicable);
  - the deadline for return of voting forms; and
  - instructions on the voting procedure.
- (4) The voting forms shall disclose the information provided by candidates under sub-paragraphs 1.12(5)(b) and (c).
- (5) The period for voting commences on the date on which the first voting forms in an election are dispatched.
- (6) If a serious interruption of postal services occurs after the Returning Officer has fixed the deadline for the return of voting forms, he may fix a new deadline for the return of voting forms.
- (7) If after the period for voting commences a candidate dies or withdraws his nomination or is found by the Returning Officer to be ineligible to be elected or becomes ineligible to be elected, the votes cast for that candidate shall be void.
- (8) The Returning Officer may replace a voting form on request being made to him in writing stating that the original form has not been

received or has been lost, destroyed or spoiled.

- (9) Votes shall only be cast on a voting form provided by or on behalf of the Returning Officer.
- (10) Only one voting form may be completed and returned by each voter.
- (11) The voter shall record his vote or votes on the voting form in accordance with the instructions thereon, placing a mark thus X against the name in the voting form of each candidate for whom he wishes to vote. Each voter shall have as many votes as there are vacancies for which he is eligible to vote.

#### The Scrutineer and outcome of election

- 1.14 (1) The completed voting forms shall be sent by post to the body appointed by the Council to examine voting forms, count votes and determine the result of the election ("the Scrutineer").
- (2) The Scrutineer shall make a report to the Returning Officer specifying:
- the total number of voting forms received;
  - the number of voting forms rejected as invalid;
  - the number of votes cast for each candidate;
  - the names of those elected; and
  - if an election has been decided under paragraph (3) below, a note to that effect.
- (3) In the event of a tie, the election shall be decided between the tied candidates by the drawing of lots conducted by or on behalf of the Scrutineer.

#### Casual vacancies

- 1.15 (1) In the event of any casual vacancy occurring in the elected members of Council, a by-election shall be held to fill the vacancy.
- (2) The person so elected shall hold office for the remainder of the period of office of the outgoing member.
- (3) If the relevant unexpired term is less than a year,

the Council may determine that the vacancy need not be filled.

#### By-election

- 1.16 A by-election shall be conducted as nearly as possible in accordance with the provisions relating to a general election under this regulation.

#### Resignation and non-eligibility to remain an elected member of Council

- 1.17 (1) If any elected member of the Council shall cease to be registered within Part 1 (practising) of the Register of Pharmacists or, as the case may be, the Register of Pharmacy Technicians, or to be eligible to serve as trustee of a charity, he shall thereupon cease to be an elected member of the Council.
- (2) Any elected member of the Council may resign his office at any time by giving notice in writing of his resignation to the Secretary except where such resignation would cause there to be less than two trustees of any charity of which the member is a trustee.

#### Effect of non-compliance with provisions

- 1.18 No election held under this regulation shall be invalidated by reason of any non-compliance with these provisions, or of the non-delivery, loss or miscarriage of any document required under this regulation, if it appears to the Returning Officer: that the election was conducted substantially in accordance with this regulation, and that the result of such failure, non-compliance, non-delivery, loss or miscarriage did not affect the return of any candidate at the election. On this and any other matter concerning the election the decision of the Returning Officer shall be final.

#### Regulation 2: Appointed Council members

##### Number of appointed Council members

- 2.1 The Charter provides that there shall be 11 appointed members of the Council:
- ten persons appointed by the Privy Council; and
  - one registered pharmacist

appointed by the universities in Great Britain awarding degrees accredited by the Society for the purposes of registration as a pharmacist.

#### Eligibility for appointment

- 2.2 (1) The Registrar shall ask the Privy Council to bear in mind the eligibility requirements that apply to candidates for election to the Council concerning residence and capacity to serve as the trustee of a charity.
- (2) If any appointed member of the Council ceases to be eligible to serve as trustee of a charity, he shall thereupon cease to be a member of the Council.
- (3) The following sub-paragraphs shall apply to the appointments under 2.1(a) above only:
- No person may be appointed as a member of the Council for more than three consecutive terms of office, each of up to three years.
  - No person who has served as a member of the Council for three consecutive terms of office shall be eligible for re-appointment until a period of three years after leaving office has expired.
  - Any appointed member of the Council who, on the day after the day of the Annual General Meeting of the Society in 2005, has served six or more consecutive years on the Council immediately prior to that date, whether as an appointed or elected member, shall be eligible to serve only one consecutive term of office from that date.
  - Any appointed member of the Council who, on the day after the day of the Annual General Meeting of the Society in 2005, has served less than six consecutive years on the Council

immediately prior to that date, whether as an appointed or elected member, shall be eligible to serve three consecutive terms of office from that date.

**Ann Lewis**  
Secretary and Registrar

### Reminder: declaration of competence forms for dispensing/pharmacy assistants

Pharmacists are reminded that the cut-off date is 31 December for the submission of declaration of competence forms for members of staff covered by the minimum competence requirement "grandparent clause".

A completed form should be submitted for each member of staff in current employment who complies within the terms of the grandparent clause. The forms should be addressed to the Registration Section at the Society's headquarters.

Copies of the form can be downloaded from the pharmacy support staff section of the Society's website ([www.rpsgb.org/pharmacysupportstaff](http://www.rpsgb.org/pharmacysupportstaff)). The form can also be requested from the Society's registration section (tel 020 7572 2577; e-mail [gp2@rpsgb.org](mailto:gp2@rpsgb.org)).

### Parliamentary Fund: return of contributions

In December 2003, following advice from the internal auditors and against the background of the Society's status as a modern regulator, the Council of the Royal Pharmaceutical Society resolved to dissolve the Parliamentary Funds of the Society and to return any surplus funds to the donors. Any funds not returned were to be applied for the support of the Society's Parliamentary work.

In pursuance of this resolution any member who has contributed to the Parliamentary Fund in recent years and who wishes to have their contributions refunded or used for any purpose other than the Society's Parliamentary work is requested to write to Bernard Kelly, the Society's Director of Finance and Resources, at the Society's headquarters in Lambeth by 31 December 2004. Any member doing so is requested to state the amount and date of their contribution and their preference for the disposal of the funds.

### Statutory Committee inquiries

The Statutory Committee will meet at the Royal Pharmaceutical Society of Great Britain, 1 Lambeth High Street, London SE1, at 9.30am on Monday 13 December, Tuesday 14 December and Wednesday 15 December 2004 to hear the following inquiries:

#### Monday 13 December

1. The Committee hopes to deliver its decision in an inquiry into a complaint by the Council of the Society against two pharmacists and a company which alleges that various failings in relation to the manufacture and preparation of products, storing of raw materials, product labelling, and the recording and custody of controlled drugs may amount to misconduct. This inquiry was adjourned from 24 November 2004.
2. The Committee will resume its inquiry into a complaint by the Council of the Society against a pharmacist which alleges that a failure to honour an agreement to provide locum services and informing a pharmacy manager that he was unable to work because of illness when he had arranged to work as a locum and did work at another pharmacy on the day in question may amount to misconduct.
3. An inquiry into a complaint by the Council of the Society against a pharmacist which alleges that obtaining medicines for onward supply to the public from a source other than a manufacturer or licensed wholesaler and failing to take appropriate steps to check that the source, supplier and quality of those medicines was reputable may amount to misconduct.

#### Tuesday 14 December

4. An inquiry into the case of a pharmacist convicted of conspiracy to steal.
5. An inquiry into the case of a pharmacist convicted of theft.

#### Wednesday 15 December

6. An inquiry into a complaint by the Council of the Society against a pharmacist which alleges that the unlawful supply of a prescription-only medicine in the absence of a prescription by a member of pharmacy staff while the pharmacist was the pharmacist in charge may amount to misconduct.

**David Gomez**  
Secretary to the Statutory Committee

## DIARY

### Headquarters meetings

The following meetings take place at the Royal Pharmaceutical Society's London headquarters

#### Monday 13 December

Infringements Committee. 1.30pm.  
Executive Group. 9am.  
Infringements Committee. 1.30pm

#### Thursday 16 December

Functional and Occupational Map Steering Group. 10am.

### Local meetings

Events listed below are meetings of Royal Pharmaceutical Society branches. Details of all future meetings notified to *The Journal* appear in the Diary section of *PJ Online* ([www.pjonline.com/diary](http://www.pjonline.com/diary))

#### Monday 13 December

**Bromley** "Statins" by Dr Barend Delpont (GP, Oak Surgery, Swanley). Postgraduate Medical Centre, Queen Mary's Hospital. Buffet 7pm, meeting 8pm.  
**Nottingham** "Defibrillators in the community" by Roderick Cable (clinical skills lecturer, School of Nursing, University of Nottingham). School of Pharmacy, University of Nottingham. Finger buffet 7.30pm, meeting 8pm.

#### Tuesday 14 December

**Shropshire** "It's your money: isn't it?" by Davan Eustace (member of the Royal Pharmaceutical Society's Council). Albrighton Hall Hotel. Buffet 7pm meeting 7.30pm.  
**West Surrey** "Nutrition and coeliac disease" by Elizabeth Gibbons (dietitian, Royal Surrey County Hospital). Burchatts Farm Barn, Guildford. Festive buffet 7pm, meeting 8pm.

#### Wednesday 15 December

**Solihull** "The work of the National Patient Safety Agency" by Shirley Procter-O'Toole (patient safety manager, Birmingham and Black Country, NPSA). Education Centre, Solihull Hospital. Buffet 7pm, meeting 7.45pm.


**Birdsgrove**

Pharmacists in need of convalescence are reminded that the Royal Pharmaceutical Society's convalescent home is at their service.

Application should be made to the Administrator, Birdsgrove House, Mayfield, near Ashbourne, Derbyshire DE6 2BN (tel 01335 342144).