

The Society

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AUGUST COUNCIL MEETING

BRM not to be linked with Conference

The Council of the Royal Pharmaceutical Society has agreed to change its policy so that the branch representatives' meeting can continue to be held in London on the day after the Society's annual general meeting instead of being held in conjunction with the British Pharmaceutical Conference. It also agreed to look again at its decision to withdraw the central funding that had supported Conference attendance by branch and regional representatives.

The Council made its decisions at its meeting on 7 August in response to resolutions made by the 2002 BRM.

Asked about the cost implications of reversing the decision to link the BRM with the Conference, the PRESIDENT said that they were covered in budget proposals that would come to the Council on the following day. The proposal had been drafted in anticipation of the Council approving the change.

Mrs GLOVER said that the withdrawal of funding for branch and regional representatives attending the BPC had been part of the Council's cost-cutting exercise in 2001 to meet the budget. The Council had known that it would not be a popular decision. The Conference Committee believed it was not in a position to reverse the decision, but it felt that the notion of trying to support first-time attenders at the BPC was sustainable.

WALLY DOVE (chairman, Conference Committee) said that the BPC budget could not provide money for subsidising Conference attendance. Money would have to be provided from somewhere else. It would not be possible to reverse the decision in time for the 2002 Conference, but the matter could be re-examined for 2003. It was hoped that a number of branch representatives would attend the Conference anyway. The Council needed to focus on ways of getting new blood at the Conference. However, it should not go back on old issues.

ANDREW BURR said that the message was very simple: they were trying to encourage new people to attend. The challenge for individual branches was to identify who might benefit. But it was not budgeted for. Therefore the branches had to ask themselves whether they wanted to spend



being increased to allow for that funding. In the next months the Council should revisit whether or not any allocation could be made from elsewhere within the Society's budget to fund branch and regional representatives.

KIRIT PATEL said it was for the branches to set their own priorities with regard to the use of their funding.

(The Council's response to all the 2002 BRM resolutions is expected to be published early in September.)

COUNCIL MEMBERS' EXPENSES

The Council agreed to continue with its aim of amending the Byelaws to clarify its policy on the reimbursement of locum expenses to Council members who were independent proprietors operating a pharmacy business.

ASHWIN TANNA said that on 6 June the Council had resolved that such reimbursement should continue and that an amendment to the Byelaws be proposed to remove ambiguity and clarify the policy. How was it intended to change the Byelaws?

The SECRETARY AND REGISTRAR said that, as a consequence of the Council's resolution on 6 June, she had instructed counsel to assist in drafting a Byelaw to achieve the objectives set out by the Council on the last occasion. A Byelaw amendment would go before the Council as soon as counsel had agreed it.

The PRESIDENT said that when completed the draft amendment would be further considered by the Council. He hoped the Council would approve the course of action that was being followed. [Agreed]

STANDING ORDERS

The Council rejected a motion calling on it to suspend part of the standing orders for Council meetings so as to allow it to reconsider decisions on the future structure of the Council.

HASSAN ARGOMANDKHAH moved: "The Council of RPSGB should suspend the standing order 6.3 in relation to the discussions on the future structure of the Society's Council and its functions until such a time that a majority consensus is achieved."

MAIN POINTS

Branch representatives' meeting The Council has agreed to change its policy so that the branch representatives' meeting can continue to be held in London on the day after the Society's annual general meeting instead of being held in conjunction with the British Pharmaceutical Conference. It also agreed to look again at its decision to withdraw the central funding that had supported Conference attendance by branch and regional representatives (this page).

Budget savings Information on the savings to the Society arising from budget decisions last year was given to the Council in a series of written answers (p228).

Corporate governance The Council agreed that members of Council who have not signed the Council code of conduct should be precluded from nomination for election as Officers of the Society (p229).

money on that against all the other things that they wanted to do for the membership.

LINDA STONE said that the Council had made the right decision with regard to the Conference budget not funding branch and regional representatives. But it was not reasonable to expect branches and regions to fund delegates from their own financial allocations when those allocations were not

He said that the motion would allow the Council to rescind decisions it had previously made so that it could make the right decision when it received new information showing that its course of action might not be wise.

SULTAN DAJANI seconded the motion.

ANDREW BURR urged Council members to vote against the motion. They had to lead the profession and take difficult decisions. The motion would undermine the entire process.

CHRISTINE GLOVER supported Mr Burr. The only decision so far taken on modernisation was to keep the professional side with the regulatory side. That was wanted by most members who had answered the *Pharmaceutical Journal* questionnaire (*PJ*, 3 August, p175). It would be a gross breach of the Council's leadership to accept Mr Argomandkhah's motion.

Mr DAJANI said that the motion was about one specific matter — arguably the most important since the Council was set up in 1841. If the membership were aware that the Council were fluid and dynamic about a decision that had been taken, at least they would know there was the opportunity to discuss a matter.

LINDA STONE said that she was anxious about the motion's implication that Council decisions were not based on proper information. If new information came to light concerning any Council decision, the Council had always been mature enough to revisit the decision, and it would continue to do so. The motion would not help. It would make for a free-for-all.

Dr NICOLA GRAY said that standing orders were essential for the efficient and transparent workings of an organisation. Introducing flexibility into a crucial standing order undermined the workings of Council and was dangerous.

ASHWIN TANNA said he had sympathy with Mr Argomandkhah. But the Council had to go forward as a professional body, making decisions on what was right for the profession. He hoped the Council would not accept the motion.

Dr GORDON APPELBE said that he accepted that suspension of the standing order could be abused, but he supported Mr Argomandkhah because the circumstances were exceptional, since it was probably the most important issue in the Society's 160 years. The Council had made a decision that he disagreed with but accepted because of collective responsibility. However, circumstances could fundamentally change the way the Council looked at any decision it had made. He saw nothing wrong with suspending the particular standing order for, say, four months.

PETER CURPHEY said that the motion was regrettable because it implied that the Council was full of doubts and uncertainties. The Council had made only one decision, which was that it wished the Society to remain both a modern regulator and the professional body for pharmacy. Nobody disagreed with that. The standing order was there to stop issues being con-

Attendance Those present at the meeting were the President (Marshall Davies), the Vice-President (Dr Gillian Hawksworth), the Treasurer (Kirit Patel), Gerald Alexander, Dr Gordon Appelbe, Hassan Argomandkhah, Andrew Burr, Peter Curphey, Sultan Dajani, Wally Dove, Digby Emson, Dr Phillida Entwistle, Dr John Evans, Alison Ewing, Christine Glover, Dr Nicola Gray, Patricia Hoare, Clive Jackson, Hemant Patel, Linda Stone, Ashwin Tanna and the Secretary and Registrar (Ann Lewis). Also present were the chairman of the Society's Scottish Executive (David Thomson) and the chairman of the Welsh Executive (Andrea Robinson).

Apologies for absence were received from Sally Greensmith, Helen Remington, and Professor Michael Schofield.

Guests Present by invitation were the following representatives of the Society's branches and regions: Andy Lawson (secretary, Exeter branch), Stephen Hughes (secretary, Lincoln branch), Alex Kelso (Northern Scottish branch), Martin Orpin (secretary, Jersey branch), Elisabeth Bennett (chairman, Mersey region), Sally Fairbrother (vice-chairman, South Cheshire branch), Cathryn Leask (Shropshire branch), Fiona Evans (Weald of Kent branch) and Paul Gimson (Cardiff and Vale of Glamorgan branch)

stantly revisited by those who had been outvoted originally. If something fundamentally changed in the next few months, standing orders would not apply because the Council could revisit the matter in any event.

Mr ARGOMANDKHAH said that the motion was nothing to do with whether he was against the decision that had been taken. The motion would enable the Council to have an open, honest, clear debate as and when it was felt necessary to make the final decision.

The Council then voted. The motion was lost by 15 votes to three.

FINANCE QUESTIONS

The cutbacks in museum activity would save the Society £110,000 in 2002 compared to the original budget request last year, the Council was told in answer to a number of written questions on financial matters. Higher sums would be saved in future years, beginning with £125,000 in 2003.

The Council was also told that cutting the number of Council dinners to two a year would save an average cost of £1,400 for each dinner no longer held. The cost of employing temporary and agency staff had risen from £381,000 in 2000 to £421,000 in 2001, but this was offset by a saving of several hundred thousand pounds made by the Society on unfilled posts and delayed recruitment to established posts. This substantial saving was reflected in the surplus

achieved by the Society in 2001 in a difficult budget year, thus enabling funds to be returned to reserves for the first time for three years.

In answer to a question on the President's flat, the Council was told that relocating the President's flat to the new apartment block opposite 1 Lambeth High Street had allowed the Society to dispense with 24-hour security in its headquarters building, with a cost saving of over £40,000 in a full year. Set against that saving, the flat's running costs (estimated to be under £10,000 per annum) were not substantial. Most of the furnishings in the flat had transferred from 1 Lambeth High Street.

In an answer to a further question, the Council heard that, if revalued to current market value, the Society's freehold properties would be worth about £12m. The cost and net book values for the properties were given as follows: headquarters, £3,817,191 and £3,130,668; Bell House, Lambeth, £323,376 and £176,655; Welsh office, £134,733 and £129,457; President's flat, £631,601 and £623,180. Of the properties owned by the Benevolent Fund, Birdsgrove House had a cost value of £294,777 and had been revalued at £668,000 (including refurbishment); York Place, Edinburgh, was valued £68,126 (cost) and £854,000 (revalued amount).

MODERNISATION PROGRAMME

Giving an update on progress with the modernisation programme, the PRESIDENT said that, since the Council's previous discussion on the progress of the work to modernise the Society, some concerns had been expressed by members about the handling of the work and the decisions taken so far. Much time had been invested in explaining why the decision-making timetable was largely out of the Society's hands and giving a detailed rationale for the decision to take the Society forward as a regulatory and professional body.

The Council needed an opportunity to think as a team about the issues that appeared to be provoking these concerns and to understand why these strongly held views were being expressed. Only then could they be dealt with appropriately. By being clear about the basis for their decision, Council members could acknowledge and respect opposing views without necessarily agreeing with them or being deflected from their course. Ultimately, as a Council, they had to accept that leadership, particularly in times of change, brought criticism and that one could not hope to satisfy everyone.

The President then gave the Council a preview of the analysis of the response to the modernisation steering group's first discussion paper (*PJ*, 10 August, p198). Overall, most respondents within pharmacy, and all those representing other stakeholders, recognised that the Council would need to increase its lay membership. There was general support for a Council of 20 to 30 members, for including technicians on the Council, provided that registration of tech-

nicians by the Society proceeded, and for inviting government chief pharmacists to contribute to debate at Council meetings but not to vote.

Almost all those who did not support the proposed responsibilities of the Council (and the need for it to change its composition) wanted the Council to delegate its regulatory responsibilities and retain its current composition, while remaining the governing body of the Society. This was the essence of the YPG's model, which has appealed to a number of pharmacists as a way around the need to change the composition of the Council.

Within the consultations, and elsewhere, some of the issues raised were based on an unrealistic view of what the Society was or did. Some pharmacists appeared to find it difficult to accept that the Society's "professional" activity did not and could not pursue the commercial or financial benefit of pharmacists and that the Society could not represent pharmacists' interests without qualification. The Society could not be pharmacy's equivalent of the British Dental Association, British Medical Association or Royal College of Nursing. These were trades unions whose primary purpose was to negotiate pay and conditions. The roles they had developed in "professional" activity were secondary roles designed to enhance their functions as trades unions.

A few commentators persisted in calling for the Society to give up either its professional leadership role or its regulatory function. Some individuals and organisations might have legitimate interests that they believed would be served by such moves. But, in the end, the Council's decisions should create a sustainable future for pharmacy and that involved considering the best interests of the profession and public alike. The Council's decision to take the Society forward as a regulatory and professional body was based on that wider consideration. The chief pharmacist in England (Jim Smith) had endorsed the value of the Society's integrated functions (*PJ*, 3 August, p158). The Council now needed to get behind its collective decision and continue to explain why it had rejected the other options and how it believed it had chosen a way forward that built on the Society's record of achievement and would make the Society stronger, not weaker.

The Government had clearly indicated that the Society would need to increase the lay membership on its Council. The Young Pharmacists Group model was therefore not a realistic option, but it was a welcome contribution to the debate because it had helped to identify valid concerns that would need to be addressed, such as how professional expertise and advice should be fed into the future Council and how the Society could best engage pharmacists and others in its future work.

Some eminent members of the profession have voiced their concerns that increased lay membership might weaken the Society's professional roles. Yet, the Council's work — in both regulatory and professional areas — has been immensely

COUNCIL BRIEFS

Obituaries The Secretary and Registrar reported with regret the death of Joe Wright, former director of the National Pharmaceutical Association, former chief executive of the Pharmaceutical Services Negotiating Committee and a recipient of the Society's Charter gold medal (*PJ*, 13 July, p84). Council members stood in silent remembrance.

Fellowship designation The Council agreed to proceed with seeking an amendment to the Byelaws to reduce from 20 years to 12 years the minimum length of membership of the Society before a member can be considered by the Panel of Fellows for designation as a fellow. The decision followed discussions with the Privy Council after an agreement in principle at a previous Council meeting (*PJ*, 23 February, p263).

Privy Council nominees The Secretary and Registrar reported that the Privy Council had reappointed Professor Michael Schofield to serve on the Council for a further three years and had reappointed Dr John Evans to serve until the end of October. The process to appoint a successor to Dr Evans was beginning and an advertisement would be placed in the newspapers shortly, following the procedures for public appointments.

strengthened by the contribution of the three lay members nominated by the Privy Council. A wider lay membership would bring even greater benefits.

Because the Society had a limited time in which to bring proposals to ministers, the modernisation steering group had concentrated on making progress on the regulatory element of the Society's role and on the Society's governance. Since this would continue to be the case for a while, the Society needed to reassure the members that the current focus was a result of the external timetable. It did not mean that the professional elements of the Society's future structure and activities were being sidelined. There was a need to explore what structures might be put in place to secure for the future Council the best advice and input from across the many professional sectors and specialisms in pharmacy. Ultimately, these decisions would be for a future Council to take, but it would, of course, want to encourage pharmacists to start thinking positively about this aspect of the process.

Dr NICOLA GRAY said that one problem with the modernisation programme was that it did not examine what the new structure would look like in its entirety. Current terminology was being used for the body that would replace the Council, but the new Council might be more like a board of trustees coupled with a large professional forum. Until there was discussion on how the parts would fit together, the membership would suffer. Many issues could not be

tackled until the Council got down to the detail. For example, there might be a mechanism by which any professional decisions taken by a professional forum could go to a subcommittee of a board of trustees that was purely professionally based. There were mechanisms that could prevent lay members having a veto on activities unrelated to regulation.

ASHWIN TANNA asked when it was intended to implement the new structure of the Council so that the lay membership could be increased as soon as possible.

The SECRETARY AND REGISTRAR said that that would be part of the development process leading to the proposals to the Department at the end of the year after discussion at the October Council meeting. The proposals would be made with a view to a Section 60 Order under the Health Act, which would be required as authority to change the composition of the Council. The Department would respond with a consultation document setting out in detail the whole of the structure and the composition of the Council. There was a statutory consultation period for that. Following that, taking account of the comments on the consultation, recommendations would be finalised and taken through as a Section 60 Order. The earliest that that could be implemented would probably be early 2004.

PETER CURPHEY said that Council members should understand that the criticism was narrowly focused on lay membership and a concern about the loss of control by the profession. The Council should concentrate on the things that it agreed on, not the things it disagreed on. It agreed that change had to take place, that lay membership had to increase and that a clear mechanism was needed for professional input into the Council's decisions. There had to be an understanding that the Society needed to remain a body which was both a modern regulator and a professional one. That was pretty substantial.

Discussion seemed to have become bogged down by a hysterical response to what might happen if the Council did not get things right. Council members needed to be careful in explaining what could and could not be done. They should understand that what they said would be judged on the written word because others were not in the Council chamber to understand what was being said.

HASSAN ARGOMANDKHAH agreed with Mr Curphey's remarks. The Council needed a transparent, clear discussion so that the membership knew that it was not pulling the wool over their eyes.

The PRESIDENT said that the comments made by Council members would be considered by the modernisation group at its next meeting, in the following week.

CORPORATE GOVERNANCE

The Council agreed that members of Council who have not signed the Council code of conduct should be precluded from nomination for election as Officers of the Society.

The decision supplements previous decisions precluding those who have not signed the code from chairing any Society committee or serving on certain committees.

The Council's decision was one of several recommended by the Corporate Governance Steering Group. It also agreed that the President should not attend meetings of the Infringements Committee and that the Vice-President should attend only as part of his or her monitoring role. Other Council members would be able to attend as silent observers as part of their training, but no more than three would attend any one meeting and each member would be allowed to observe only one meeting in each Council year. Wherever possible, their attendance would be at no cost to the Society.

It was further agreed that, because any Council member might become a member of the Resource Management Committee in his or her capacity as chairman of one of the

main standing committees, all Council members should have financial training.

The Council also reaffirmed a previous decision that if the chairman of the Scottish Executive or Welsh Executive was unable to attend a Resource Management Committee meeting, the executive's secretary should attend. Being responsible for the day-to-day management of their departments and having a good understanding of their budgets, the secretaries would be expected to be better placed than the deputy chairmen to contribute to the meeting.