



PHARMACY PRACTICES COMMITTEE _____
CONSTITUTION AND TERMS OF REFERENCE

CHAIRPERSON, PHARMACY PRACTICES COMMITTEE

Date of Board Approval: 26 April 2011

PHARMACY PRACTICES COMMITTEE**CONSTITUTION AND TERMS OF REFERENCE****1. PURPOSE**

- 1.1 To exercise the delegated functions of the Board in terms of the Regulations detailed below.
- 1.2 The Committee's constitution and Terms of Reference reflect the specific purpose of the Committee.

2. COMPOSITION

- 2.1 The Pharmacy Practices Committee shall consist of seven members of whom:

- (a) One Non-Executive Member who shall be Chairperson but who is not nor has previously been a doctor, dentist, ophthalmic optician or pharmacist or the employee of a person who is a doctor, dentist, ophthalmic optician or pharmacist.

- (b) Three pharmacists of whom:

- (i) one shall be a pharmacist whose name is not included in any pharmaceutical list and who is not the employee of a person whose name is so listed; and he shall be appointed by the Board from persons nominated by the Royal Pharmaceutical Society of Great Britain;
- (ii) two shall be pharmacists each of whom is included in a pharmaceutical list or is an employer of a person whose name is so listed, and each shall be appointed by the Board from persons nominated by the Area Pharmaceutical Committee.

- (c) Three shall be persons appointed by the Board otherwise than from the members of the Board but none shall be nor previously have been a doctor, dentist, ophthalmic optician or a pharmacist, or an employee of a person who is a doctor, dentist, ophthalmic optician or a pharmacist.

- Persons to act as deputies for and corresponding in number to, each of those categories of person appointed to the Committee shall, provided they satisfy the criteria specified in paragraphs (a), (b) and (c) above, be appointed by the Board, and in the absence of any of those persons a deputy from the appropriate category shall be entitled to act in his place.
- If a nomination sought for the purposes of paragraph (b) (i) or (ii) above is not made before such date as the Board may determine, the Board may appoint as a member a person who satisfies the criteria specified in the relevant sub-paragraph.

- The members of the Pharmacy Practices Committee shall be appointed for a period of two years. Casual vacancies shall be filled by the Board as soon as practicable and, where appropriate, from nominations submitted by the Area Pharmaceutical Committee and the Royal Pharmaceutical Society of Great Britain.
 - The Board shall prepare and maintain lists of the persons who have been appointed, in accordance with paragraph (a), (b) (i) or (b) (ii) or (c) above as the case might be, and who currently serve as members of the Pharmacy Practices Committee, and shall provide Scottish Ministers with a copy of such lists from time to time.
- 2.2 Committee members who are not Board members and who have been nominated on to the Committee shall be appointed for two years in the first instance, with the possibility of re-appointment. Any re-appointments will be agreed by the Board Chairperson in consultation with the Committee Chairperson.
- 3. MEETINGS**
- 3.1 The Committee will meet as and when required.
- 3.2 Quorum – no business shall be transacted at a meeting of the Pharmacy Practices Committee unless the Chairperson or in his absence another Non-Executive Board Member appointed to act as Chairperson, one member appointed under each of paragraph 2 (b) (i) and (ii), and two other members appointed under paragraph (c) above are present and continue to be present.
- 3.3 The Committee will be supported by the NHS Fife Primary Care Department. The NHS Fife Medical Director will be the Lead Officer.
- 3.4 Minutes will be taken by the Primary Care Department and will be approved at the next meeting of the Committee. Approval will be noted in the minutes of that meeting. The minutes will be forwarded to the next available Board meeting, with distribution to Board members only, if issues of commercial sensitivity are included. Unconfirmed minutes should be designated as such.
- 4. REMIT**
- 4.1 The Pharmacy Practices Committee shall, on behalf of the Board, exercise the functions of the Board in terms of regulation 5(10) and paragraph 2 of Schedule 3 of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 1995, as amended.
- 4.2 The Pharmacy Practices Committee shall assess and determine the need for additional contracts or services in relation to the provision of National Health Service Pharmaceutical Services and shall consider applications for new or relocated pharmacies to be admitted to the Board's Pharmaceutical List in accordance with the procedures laid down in Schedule 3A of the aforementioned Regulations.

4.3 The Pharmacy Practices Committee shall submit a report of all decisions reached in relation to matters considered by the Committee to the Board at its next regular meeting.

4.4 Owing to its remit, the Committee is not required to produce (a) an Annual Report for submission to the Board, nor (b) an Annual Work Plan.

5. DECLARATION OF INTEREST

5.1 Before any meeting of the Pharmacy Practices Committee begins, the Chairperson, or in his absence, the person acting as Chairperson, shall ask the members intending to be present whether, in respect of any matter to be considered at the meeting, any of them:

(a) has an interest to declare; or

(b) is associated with a person who has any personal interest

and any such member who has or, as the case may be, is associated with a person who has any such interest shall disclose it accordingly.

5.2 Any member who has pursuant to the provisions above, disclosed an interest or who in the opinion, expressed to the meeting, of the Chairperson or in his absence, the person acting as Chairperson as the case may be, should have disclosed such an interest, shall not be present at the consideration or discussion of that matter or the voting on it and a deputy who has no such interest may act in his place.

6. VOTING

(a) Subject to paragraph 6 (b), (c) and (d) below, every application considered by the Pharmacy Practices Committee shall be considered by all members present, but shall be determined only by a majority of votes of the members present who are entitled to vote;

(b) A member appointed by virtue of paragraph 2 (b) (i) is entitled to vote;

(c) A member appointed by virtue of paragraph 2 (b) (ii) is not entitled to vote and shall withdraw immediately before a decision on an application by voting takes place;

(d) The Chairperson, or in his absence the person acting as Chairperson, shall not be entitled to vote at any meeting except in the case of an equality of votes of the other persons present and voting, in which case he shall have a casting vote;

(e) The Pharmacy Practices Committee shall within ten working days of taking its decision give written notification of it to the Board with reasons for that decision.

7. AUTHORITY

- 7.1 The Committee is authorised by the Board to investigate any activity within its terms of reference, and in so doing, is authorised to seek any information it requires from any employee.
- 7.2 In order to fulfil its remit, the Pharmacy Practices Committee may obtain whatever professional advice it requires, and require Directors or other officers of the Board to attend meetings.
- 7.3 The authority for the Committee shall be within the Board's Standing Orders (Scheme of Delegation), and Standing Financial Instructions and is set out in the Purpose and Remit of the Committee.

8. REPORTING ARRANGEMENTS

- 8.1 Minutes of the Committee are presented to the Board by the Committee Chairperson, who provides a report, on an exception basis, on any particular issues which the Committee wishes to draw to the Board's attention.
- 8.2 In accordance with the Risk Management Strategy of the Board, the Committee is required to provide regular reports, on an annual basis, to the Strategic Management Team (Risk) through the Lead Officer for the Committee, on areas of significant risk. Details of all moderate and high level risks will be recorded on the appropriate risk register and have a supporting action plan which will ensure that the risk is managed to an acceptable level.
- 8.3 Any moderate or high level risks identified that are deemed impossible or impractical to manage at an operational level will be submitted immediately to the Strategic Management Team (Risk) to be considered for inclusion in the NHS Fife Corporate Risk Register.