

Annual Report of the Scrutiny Committee 2024

1. Introduction

As Chair of the Scrutiny Committee, I have compiled the twelfth Annual Report of the Committee's work in compliance with Regulation 7(1) of the Council of the Pharmaceutical Society of Northern Ireland (Statutory Committee, Scrutiny Committee and Advisers) Regulations (Northern Ireland) 2012 for the year 11 January 2024 to 31 December 2024.

1.1 The legislation states as follows at Regulation 7(1):

7(1) The Scrutiny Committee has the following additional functions—

- (a) providing an annual report to the Council in respect of each calendar year, by a date specified by the Council, which is to include
 - (i) trends, patterns and learning points observed from cases considered by the Scrutiny Committee,
 - (ii) details of the numbers of Fitness to Practise and disqualification allegations which were disposed of by the Scrutiny Committee by means of warnings and undertakings during that year, and
 - (iii) the reasons why the allegations referred to in sub-paragraph (ii) were not referred to the Statutory Committee.

1.2 Following the final removal of the pandemic restriction in February 2022 the Committee has continued to meet online with the option for panel Chairs to hold meetings at the Pharmaceutical Society NI premises, when necessary. Last year I reported that improved communication at Senior Level would better support the Committee's work, and I can report that during the 2024 year I met with and wrote to the respective Caretaker Chief Executives. I look forward to this continuing in the 2025 year as this enabled me to learn about the challenges facing the Society and to share concerns which I have as Scrutiny Committee Chair.

2 Composition of the Scrutiny Committee

The Scrutiny Committee, which sat during 2024, consisted of a publicly recruited panel, trained in Fitness to Practise proceedings. A panel considering a case comprises a legally qualified Chair or Deputy Chair, a lay member, and a pharmacist member.

Table 1: Table showing the membership of the Scrutiny Committee in 2024	
Chair and legally qualified member	Ms. Nicole Lappin
Deputy Chair and legally qualified member	Mr. Paddy McDaid
Lay member	Mr. Andrew Popplewell
Lay member	Ms. Jennifer Knappe
Pharmacist member	Ms. Rachel Lloyd
Pharmacist member	Mr. Andrew Dawson
Pharmacist member	Ms. Anita Lawther
Lay Member (reserve)	Paul Corrigan
Registrant Member (reserve)	Shauna McAnerney
Lay Member (reserve)	Paula Sheils

3. Assignment of Scrutiny Committee panels in 2024

- 3.1 I assign members to panels on a rota basis unless the member is unavailable or where, for example, a potential conflict of interest exists in a particular case. This allows members to maintain the knowledge and expertise and shares the workload. Members from the Scrutiny Committee reserve list may also be used if a Committee member is unavailable under Regulation 11(7) of the 2012 FtP Regulations.

Before preparing this Report, I was made aware of the Fitness to Practise Reporting Dashboard which is on the Society's website. I was concerned to note that the 24/25 Quarter 3 Fitness to Practise dashboard indicates that, as of the final three months of 2024, 6 cases were 'awaiting Scrutiny Committee'. I do not recognise this figure, as it suggests that the Scrutiny Committee was dealing with 6 cases at that time. I therefore wrote to the Society's Senior Management, seeking clarification. Senior Management confirmed that 'awaiting Scrutiny' means that cases have passed the threshold test and a date needs to be listed. However, prior to that the Notice and Bundle need to be complete. Therefore, 'Awaiting Scrutiny Committee' does not mean that the cases have been referred to the Scrutiny Committee and I am grateful for the clarification as I endeavour to ensure that we find panel dates as quickly as possible once the Committee's Secretary is made aware of a referral. Given the requirement that Registrants receive 28 days' notice under the regulations of a Scrutiny Committee hearing, panels are convened with this date in mind so that the holding of a panel hearing does not contribute to any delays in the system. I mention this because I have noted that the Professional Standards Authority Standard 15, (Fitness to Practise timeliness) for the period 1 January 2024 to 31 December 2024 was not met and want to assure Council that this was not down to the Scrutiny Committee's inability to convene in a timely way.

As can be seen from the table below, owing to the very few numbers of cases referred to the Scrutiny Committee in 2024, (2), each panel member only sat on one Committee each. One of the issues which I raised with Senior Management in 2024 relates to the

fact that as Committee Members are not sitting on a regular basis to hear Fitness to Practise cases, (some did not sit on any – see below), raises at least two further areas of concern. First, the lack of regular hearings means that training is important to ensure that the Committee receives refresher training in addition to being made aware of any new fitness to practise developments. As of the date of writing, (June 2025), the panel has not received training since autumn 2023. Secondly, additional preparation time is required for panel members to remind ourselves of the focus of the Scrutiny Committee as it takes longer for panel members to ‘read in’ to the Committee’s procedures given our lack of regular hearings. As of June 2025, this remains unremunerated and in 2024 I requested a schedule of fees for Committee members.

Table 2: Table showing the number of cases assigned to Scrutiny Committee members in 2024.		
	Member	Number of Panels
Chair and legally qualified member	Ms. Nicole Lappin	1
Deputy Chair and legally qualified member	Mr. Paddy McDaid	1
Lay member	Mr. Andrew Popplewell	
Lay member	Jennifer Knappe	1
Pharmacist member	Ms. Rachel Lloyd	
Pharmacist member	Mr. Andrew Dawson	1
Pharmacist member	Ms. Anita Lawther	1
Lay Member (reserve)	Paul Corrigan	1
Registrant Member (reserve)	Shauna McAnerney	
Lay Member (reserve)	Paula Sheils	

4. Background

4.1 Following the enactment of new legislation in October 2012, additional powers enable the Fitness to Practise Committees of the Pharmaceutical Society NI to take more proportionate approaches to the management of fitness to practise case outcomes than simply removal from the Register.

The Committees are empowered to:

- give advice;
- issue formal warnings;
- agree undertakings;

- place conditions on the practise of a pharmacist;
- impose suspension;
- issue interim orders; and
- remove Registrants from the Register.

4.2 Fitness to Practise Committees

Under the legislation, two Committees have been established which determine allegations regarding fitness to practise.

4.2.1 Scrutiny Committee (Initial Proceedings)

This Committee considers initial allegations on a paper-based format, and it has the power to dismiss a case, give advice, issue warnings and agree undertakings, if appropriate, and refer more serious cases to the Statutory Committee (subject to threshold criteria).

4.2.2 Statutory Committee (Hearings Committee)

This Committee considers allegations at hearings of misconduct of registered pharmacists. Registrants are invited to make representations with legal support should they so wish. The Statutory Committee deals with all categories of alleged impairment referred to it by either the Registrar or the Scrutiny Committee and may utilise the full range of Fitness to Practise sanctions i.e., give advice, issue formal warnings, agree undertakings, place conditions on the practice of a pharmacist, impose suspension and remove registrants from the Register. It also deals with interim orders, restoration applications and review hearings.

5. The Work of the Scrutiny Committee in 2024

The Committee sat on two occasions during the reporting period, dealing with a total of two cases.

A table outlining the date of the meeting, the Registrar's recommendation in each case and the method of disposal by the Committee is shown below at Table 3 below.

All cases were examined using the published Pharmaceutical Society NI 2020 Threshold Criteria. These criteria guide the Scrutiny Committee as to how to assess which cases meet the criteria for referral to the Statutory Committee. Following the Committee's deliberation, the legally qualified Chair provides a full written determination setting out how these criteria have been applied in each case.

The Scrutiny Committee must not refer any Fitness to Practise allegation to the Statutory Committee unless it is satisfied that there is a real prospect that the Statutory Committee will make a finding that the registered person's fitness to practise is impaired. In addition,

the Scrutiny Committee must not refer any disqualification allegation to the Statutory Committee unless it is satisfied that there is a real prospect that the Statutory Committee will give a direction for disqualification.

The 'real prospect' test applies to both the factual allegations and to the question whether, if found proved, the facts could support a finding of impairment. Where there is doubt as to whether the real prospect test is met, case law indicates that the Scrutiny Committee should err in favour of referral to the Statutory Committee.

The Scrutiny Committee concluded that in the cases before it, (Registrants A and B,), the threshold for referral to the Statutory Committee was met and these cases are not discussed further in this report.

Further information on these cases is provided in Section 7 of this report which deals with Regulation 7(1)a(iii).

Table 3: Table showing the recommendation of the Registrar compared to the method of disposal by the Scrutiny Committee.			
Registrant	Date of Meeting	Registrar's recommendation for disposal	Disposal by the Scrutiny Committee
A	10 January 2024 (adjourned) 20 February 2024	Referral to Scrutiny Committee and not directly Statutory Committee	Referral to the Statutory Committee
B	19 June 2024	Scrutiny Committee issue a Warning	Referral to the Statutory Committee

6. The statutory purpose of this report

6.1 Regulation 7(1) a(i): "Trends, Patterns and Learning Points".

As required by legislation, the key purpose of this report is to identify "trends, patterns and learning points" and bring these to the attention of the Council of the Society with a view to enabling issues to be identified at as early a stage as possible.

6.1.1 Trends and Patterns

Of the two cases totalling two registrants, dealt with by the Scrutiny Committee during the reporting period, all met the statutory criteria and were referred to the Statutory Committee. In any event, the few cases which were referred to the Scrutiny Committee in 2024, means that it would be impossible to discern any particular pattern of concern.

7. Conclusion

I want to express the Committee's appreciation of the support by Pharmaceutical Society staff to the Committee to enable it to fulfil its role. In particular, I would like to thank Lorna McFerran, the Scrutiny Committee Secretary, for her assistance from September 2023 and to Jackie Murray the new Scrutiny Committee Secretary for her work from November 2024 and for her assistance in the preparation of this report. I look forward to continuing to work with Jackie and others as the Committee carries out its role to protect the safety of patients and to maintain the profession's reputation and the public's confidence in it.

I trust that this report will again provide a useful insight into the work of the Scrutiny Committee in the past year and reassurance to the Society that, in relation to the cases referred to it, important issues are being addressed in accordance with the legislation in a satisfactory and proportionate way.

Accordingly, I commend this report to you.

Nicole Lappin
Scrutiny Committee Chair of the Pharmaceutical Society NI

Date 16/06/25