

## DEVON LOCAL PHARMACEUTICAL COMMITTEE

### CODE OF CONDUCT AND ACCOUNTABILITY

#### Function of the Local Pharmaceutical Committee

The LPC is the officially recognised, statutory, elected body, which has to be consulted by the Primary Care Trusts on all matters relating to the terms of service and contracts for community pharmacy. The LPC Constitution states that the LPC must conduct its affairs in accordance with principles of good governance arrangements.

The LPC is here to represent the interests of community pharmacy contractors and to help and advise them on all NHS matters. Its primary aim is to accurately reflect and put forward the professional views and aspirations of all pharmacists engaged in community pharmacy that provide NHS pharmaceutical services in Devon; and to improve pharmaceutical services to the local population of Devon.

The LPC is involved in local negotiations for additional services such as advice to care home, out of hours services, medication reviews, supply of emergency hormonal contraception, health promotion, clinical governance, management of long term conditions, medicines management, when local policy and funding allows.

The LPC believes that community pharmacists have a significant role to play in meeting local healthcare needs. The Secretariat Officers and the Committee Members will actively pursue any issue that affects or is likely to impact on local pharmacy services. The work and agenda of the committee will always be directed to protect and enhance the interests of contractors and the customers and patients they serve.

The following document sets out the standards of conduct, accountability and openness expected of the Secretariat Staff and members of the committee. Its aim is to ensure that everyone understands the way they are expected to work.

All committee members, co-opted members and employees of the Devon Local Pharmaceutical Committee will be asked to sign a declaration confirming that they have read this code, understand it and agree to abide by it.

#### Conduct

On 1995 the Committee on Standards in Public Life formulated the Seven Principles of Public Life, which it recommended should be incorporated in the Codes of Conduct of all public bodies - See Appendix A.

## **Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty.**

The success of the Committee depends to some extent on the adoption of these values so that they influence the behaviour of those who are involved in the organisation. The Committee works closely with the NHS; as a consequence of this its own values must reflect those of the public service values that are at the heart of the NHS. Acceptance of the values should inform and govern the decisions and conduct of all committee members and staff.

### **Accountability**

The LPC is accountable to the community pharmacy contractors. The LPC members have a responsibility to set the strategic direction of the LPC, define its annual and longer-term objectives and agree plans to achieve them. The work of the committee and individual members must be able to stand the test of public scrutiny, judgements on propriety and professional codes of conduct.

The Officers of the Committee shall be the Chairman, Vice- Chairman and Treasurer.

The Management Executive of the Devon Local Pharmaceutical Committee shall comprise the Chairman, Vice-Chairman, Chief Officer and Treasurer and one other LPC member. The Chief Officer is directly accountable to the Management Executive for ensuring that the decisions of the Executive and Committee are implemented, that the organisation works effectively and for the maintenance of proper financial stewardship.

The Management Executive is required to meet on a quarterly basis and is responsible for monitoring the executive management of the organisation.

Whilst it is accepted that the Executive will from time to time make decisions before consulting with the Committee, where time is of the essence, all such decisions will be referred to the Committee at its next meeting for ratification. The Executive may authorise payments of up to £1000 on behalf of the LPC before ratification by the Committee.

### **The Role of the LPC Chair**

- To provide leadership to the Committee and to represent the Committee in meetings with Strategic Health Authorities, Primary Care Trusts and other organisation as appropriate.
- To be a member of the LPC Management Executive Group.
- To be accountable for enabling all Committee members to make a full contribution to the Committee's affairs and ensure that the Committee acts as a team.

- To be accountable for ensuring that new committee members are fully briefed on the terms of their membership and their rights and responsibilities including this Code.
- To be accountable for ensuring that key and appropriate issues are discussed by the Committee in a timely manner.
- To be accountable for ensuring that all committee members declare relevant interests and if requested withdraw from any relevant discussions.
- To be accountable for ensuring that the committee has adequate support and is provided efficiently with all the necessary data on which to base informed decisions.
- To ensure mentoring or buddying arrangements are in place to assist newly elected committee members.
- To be accountable for appraising the performance of the Secretariat staff.
- To be accountable for ensuring that the Committee conducts its affairs in accordance with accepted principles of good governance, and that high standards of personal behaviour are maintained in the conduct of the business of the LPC.
- In consultation with the LPC Chief Officer to appoint/nominate representatives to any committee or sub-committee on which pharmaceutical representation is required.
- To be accountable for ensuring transparency and equality of information and opportunity for all contractors in matters relating to the local purchasing of pharmaceutical services.
- To respond to any request for an inquiry by a contractor who believes that the LPC or an officers of the LPC has acted unconstitutionally by holding a meeting of the LPC to deal with the matter and to report to all contractors represented by the LPC.

A complementary relationship between the Chair and the Chief Officer is paramount. The Chief Officer should be allowed full scope within clearly defined delegated powers for action in fulfilling the decisions of the Committee and to ensure that there is effective dialogue between the LPC and the local health and social care community.

### **The Role of the Chief Officer**

- To ensure systems are in place for effective managements and organisation of the Secretariat arrangements.
- To be responsible for the prudent and economical administration; for the avoidance of waste and extravagance and for the efficient and effective use of all the LPC resources.
- Ensure that the LPC has in place effective management systems that safeguard contractor's funds.
- Ensure that the LPC achieve value for money from the resources available and appropriate advice is tendered to the LPC Committee members.

- To ensure that the committee members have access to the information, training and expert advice they need to exercise their responsibilities effectively.
- Be clear what decisions and information are appropriate to the Committee
- Ensure that financial and other information is organised and presented succinctly and efficiently to ensure that the Committee can fully undertake its responsibilities.
- To take accountability to the Committee for the transparency of LPC operations and communicating them to pharmacy contractors.
- Ensure an effective communications strategy is in place for both communications with members and the contractors.
- To work with the Chair to ensure that meetings are managed in an appropriate way in accordance with the Standing Orders (Appendix B)
- To minute meetings of the LPC and associated meetings and to ensure that all pharmacy contractors are provided with relevant and timely information.
- Ensure that the LPC has a risk management process to ensure all significant risks and potential liabilities are addressed.
- Establish effective liaison and relationships with other organisations concerned with health and social care.
- Collaborate with the PSNC on all matters for the provision of pharmaceutical services in terms of local and/or national issues.
- Develop the role of the Secretariat in acting as a clearing house for information, as a collating point and as a network for members to minimise their individual isolation.

### **Role of the LPC Treasurer**

- To ensure effective financial stewardship.
- To ensure there is a budgetary control system in place.
- To draw up a schedule of financial standing orders.

### **Role of the LPC Committee Members**

- To support the work of the LPC Management Executive.
- To commit to working together effectively as a team in order to get things right first time, saving time and effort.
- To take responsibility for mentoring new members as required
- Take on tasks for the LPC where these tasks are allocated in ways which build on the interests and expertise of individual members in order to maximize expert input on key issues.
- To recognise and adhere reporting procedures put in place by the LPC and the Management Executive and to submit activity reports in a timely way.
- To continue to develop the correct LPC competencies
- To ensure any actions do not bring the LPC into disrepute

- Any breaches of the Nolan Principles would require investigation. A committee member who does not disclose relevant information regarding a contractual arrangement or who uses such information to their advantage could constitute a breach.

### **Procedure for Non-Attendance at Committee Meetings**

- The Chief Officer to contact the Committee Member in the first instance.
- The Chief Officer to then write to the Committee Member to enquire as to their reasons for non- attendance.
- The LPC Management Executive to discuss the matter
- The Chair of the Committee to adjudicate the proceedings.
- In the event of a Committee member being unable to continue to carry out their duties on the Committee they will be asked to consider their position.

### **Declaration of Interests**

It is a requirement that all committee members declare any conflict of interest that arises in the course of conducting committee business. There is also a register, available to the public of the committee members' interests. Members will be asked to declare their interests on appointment and to inform the committee of any changes to their register entries as and when they occur.

### **Conflict of Interest**

LPC members are required to act in the best interests of the pharmacy contractors they serve and not for personal gain. Members should not attempt to influence other members through canvassing or other activity prior to meetings.

### **Openness**

There should be sufficient transparency about the committee activities to promote confidence between the LPC, the community pharmacy contractors it represents, its staff, patients, and the public, health and social care organisation it deals with. Reports from meetings will ensure that the reasons and results of discussions held are reported in an open way, although the content of the discussion will remain confidential to the committee members.

The Chief Officer will ensure that:

- There will be an annual general meeting for which the agenda papers, accounts and annual report will be made available to contractors at least seven days in advance of the meeting. Provision must be made for questions and comments to be put by contractors to the committee at the meeting.

- An annual report will be published describing the committee's performance over the previous year, including details of any remuneration and expenses.
- An annual summary of the committee's business plan for the coming year will be published.
- Audited annual accounts will be available.

## **Confidentiality**

LPC members at times may be privy to information that should be treated in the strictest confidence and not discussed outside the meetings. The Devon LPC requires all employees and LPC members to sign a Confidentiality Agreement (See Appendix attached).

## **Corporate Responsibility**

During a debate on an issue at an LPC meeting, members are able to express their views freely and firmly, however, once a decision has been taken by the LPC then that decision is binding on all members, irrespective of any counter views which may have been expressed during the debate.

Corporate responsibility means that individual members will publicly state that only the LPC's collective view on an issue and, as an LPC member, will not say or do anything to undermine the LPC's position.

Individually LPC members have little if any power. The personal or individual views of an LPC member have little relevance outside of the LPC. The only view that is relevant is that of the LPC collectively.

It is important that LPC members make sure they are aware of the views and concerns of the contractors they represent - where a decision is to be made that will significantly affect contractors or a major financial expenditure is planned a more formal consultation may be needed or a meeting of contractors may need to be called.

## **Employee relations**

The Management Executive must comply with employment legislation and guidance, respect agreements entered into by themselves or on their behalf and establish terms and conditions of service that are fair to the staff and represent good value for money.

## APPENDIX A

The Committee on Standards in Public Life formulated in 1995 the seven Principles of Public Life, which it recommended should be incorporated in the codes of conduct of all public bodies. The LPC is a statutory body that relates to the NHS and related organisations; it should therefore reflect the Nolan Principles in its own activities.

### Guiding Principles for LPC Officers, Employees and Members

**Accountability:** Members of the LPC are accountable for their decisions and actions to contractors and the public and therefore submit to scrutiny.

**Openness:** Members should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions, and restrict information only for short term tactical reasons, or when the wider public interest clearly demands.

**Honesty:** Members have a clear duty to declare any private interest relating to their LPC duties, and take steps to resolve any conflicts arising.

**Leadership:** Members should promote and support the above principles by leadership and example.

**Selflessness:** Members must reflect the interests of the contractors who elected or appointed them to the LPC and must make decisions in the interests of the general body of contractors; they must not make decisions in order to gain financial or other materials benefits for themselves, family or friends.

**Integrity:** Members must not put themselves under any obligation that might influence their performance on the LPC or their ability to reflect the interests of the contractors who elected or appointed them or to make decisions in the interests of the general body of contractors.

**Objectivity:** In making decisions and in carrying out the business of the LPC members should act within the constitution and make decisions only on merit.

**Note:** The effect of the principles of Representativeness and Integrity is that the nominating bodies can mandate a member to express a view, but cannot bind him in how he votes or decides on a particular issue. This means the member can head and participate in debate, and is free to amend his view in the light of the debate. He will no doubt reflect back to the relevant body why he made the decision he did, recognising his accountability.

## APPENDIX B

### LPC Standing Orders

#### 1 The Committee

The Officers of the Committee shall be Chairman, Vice-Chairman, Chief Officer and Treasurer. The officers shall be elected at the first meeting of the LPC following an election.

All business shall be conducted in the name of the LPC

All funds received shall be held in the name of the LPC

The composition of the LPC shall be in accordance with Section 3 of the Constitution.

Regulations setting out the period of tenure of office of the Chair and member and for the termination or suspension of office of the Chair and members are contained in Section 8 of the Constitution.

#### 1. Meetings of the LPC

Minimum number of meetings to be six per year, daytime meetings to be used for a combination of official business and development work. Evening meetings to last no longer than two hours.

Ordinary meetings of the Committee shall be held at such times and places as the Committee may determine.

The Chair of the LPC may call a meeting of the LPC at any time.

#### Meetings Management

Members will consider rotating the chair at meetings from a pool of volunteers so that they increase their skills, identify who has competencies in this area and use it appropriately.

All questions/comments to go through the chair. Members commit to brevity and avoid repetition when speaking and also to active concentrated listening.

Criticism to be made in a constructive and respectful way.

Members to recognise the competitive tensions inherent in the LPC structure and be determined to turn these into strengths by celebrating and using their diversity.



Draft minutes of meetings will be circulated within one week (five working days) of the meeting to which they refer. Members will then have one week (five working days) in which to comment to the Chief Officer or ask for corrections. Minutes will be kept brief and action oriented. In the event of any changes to the minutes, the Committee will be notified immediately. In the event of no changes, the Minutes will be considered finalised and adopted without comment at the next meeting except with the express permission of the Chairman and by exception (e.g. Committee members away for a period of time following a meeting).

Matters arising from the Minutes and other items for discussion must be placed on the agenda for the next meeting by the Chief Officer or at the request of members and no other matters may be raised without the Chairman's express permission.

Members required to report to the Committee must submit reports to the Chief Officer not less than fourteen days before the appropriate meeting so that they can be circulated with the agenda. Reports received after the deadline will be circulated at the meeting if possible but may not be discussed without the permission of the Chairman.

Agreed action points will be checked against progress at each meeting.

## **2,2 Setting the Agenda**

The LPC will operate under a standard agenda drawn from an agreed model. Agendas for Committee meetings will have a time allocated to each item, which will be binding on all debates unless the Chairman expressly decides otherwise.

All members must address themselves to the Chair during discussion and debate.

Agenda items to be submitted by a specific date in advance of the meeting. No other business may be added to the published Agenda except:-

- Items of correspondence etc, coming into the Chief Officers possession after the publication of the Agenda will be notified to the Chairman who will decide whether they may be added at the appropriate point.
- Members may approach the Chairman at any time before the meeting to request the inclusion of any item which they consider too important to leave until the following meeting, but the Chairman's decision will be binding.

- At the commencement of the meeting the Chairman will ask if there are any important items for discussion that cannot wait until the next meeting.

The agenda shall if necessary contain a Closed Session, during which the Committee shall discuss matters of a confidential nature. Guests, who are not pharmacists, shall be asked to leave the meeting before the closed session starts. Pharmacy contractors or their representatives attending as guests may be invited to remain for all items except for matters of finance. Notwithstanding the above, any member may call for the exclusion of guests at any time during a meeting. A simple majority shall be sufficient for the motion to be carried.

Agenda and papers to be circulated two weeks in advance of the meeting; all are responsible for reading ahead of the meeting. Papers to be posted on the website when appropriate.

Any other business. Each member to have the opportunity of a one minute slot; anything longer can be considered for a future agenda.

### **2.3 Chairman's Ruling**

Statements of members made at meetings of the committee shall be relevant to the matter under discussion at the material time and the decision of the Chair of the meeting on questions of order, relevancy, regularity and any other matters shall be final.

### **2.4 Representation**

Ahead of the meeting each member to contact by phone a pre-agreed number of contractors about specific issues on the agenda so that each members can take sounds ahead of the meeting and come prepared to contribute other people's views as well as their own.

### **2.5 Voting**

Every question at a meeting shall be determined by a majority of the votes of the Chair of the meeting and members present and voting on the question. If the numbers of votes for and against a motion are equal the Chair of the meeting shall have a second or casting vote.

## **3 Delegation of Powers**

### **3.1 Sub-Committees**

From time to time it may be necessary to appoint a sub-committee to work on a specific topic or for a particular area. The composition and terms of reference of  
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such committees shall be that determined by the full committee, together with the reporting requirements.

The committee must develop policies on key issues to set “floors and ceilings” on negotiations and contractors must be kept informed about negotiations that are taking place early in their development to allow them to comment in a timely manner.

Resolutions passed by Sub-Committees shall not be binding on the Committee and sub-committees will not hold executive powers. In the event that a Sub-Committee requires an urgent decision, which cannot wait until the next meeting of the Committee, the matter shall be referred to the management Executive, which shall make an interim decision. The LPC must ratify any recommendations and decisions made as a result of sub-committee work.

### **3.2 Individual Committee members**

Members of the management Executive and LPC Committee must be briefed about the powers they have when attending meetings on behalf of the LPC and pharmacy contractors.

## **4 Declarations of interest and register of interests**

The Code of Accountability requires committee members to declare interests, which are relevant and material to the LPC of which they are a member. Interests, which should be regarded as “relevant and material” are;

1. Ownership or part-ownership of private companies, businesses or consultancies likely or possibility seeking to do business with the LPC or NHS.
2. A position of trust in a charity or voluntary organisation in the field of health or social care.
3. Any connection with a voluntary or other organisation contracting for NHS business.
4. Any other commercial interest in the decision before the meeting.
5. At the time LPC members’ interests are declared they should be recorded in the minutes.

During the course of a committee meeting if a conflict of interest is established the member concerned should withdraw from the meeting and play no part in the relevant discussion or decision.

The committee members should ensure that no special favour is shown to any member of their close relatives or associates in awarding contracts to be run by them.

## **5 Staff Appointments**

No officer of the LPC may engage an employee either on a permanent or temporary nature unless authorised to do so by the Management Executive.

All employees to be issued with a Contract of Employment in a form approved by the Management Executive, which complies with employment legislation.

Responsibility must be delegated to the Management Executive to deal with variations to or termination of contracts of employment.

Personal Development plans must be produced for employees setting out training required to meet set standards.

An annual appraisal system should be put in place with documented outcomes and personal development plans

## **6 Register of Assets**

An asset register must be established and maintained.

## APPENDIX C

### Devon LPC

#### Standing Financial Instructions

It is the responsibility of the Management Executive to ensure there are arrangements to review, evaluate and report on the financial control of the LPC.

#### 1 Role of the Treasurer

Provide monthly reports in the form required by the LPC

Ensure timely payment of remuneration and expenses to officers and members of the LPC engaged on LPC business and publish details in the annual report.

Ensure money drawn from the LPC accounts is required for approved expenditure only.

Ensure that an adequate system of monitoring financial performance is in place to enable the LPC to fulfil its statutory responsibility and not to exceed its annual budget.

The Treasurer will prepare and submit budgets for approval by the LPC.

The Treasurer is responsible for bank accounts in particular to establish a separate bank account for income not derived from the levy collection.

#### 2 Business Planning

The Chief Officer will compile and submit to the LPC an annual business plan that takes into account financial targets and forecast limits of available resources.

The plan will include;

1. A statement of the assumptions on which the plan is based
2. Details of changes in workload, delivery of service or resources required to achieve the plan.

## APPENDIX D

### CODE OF CONDUCT - DECLARATION OF INTERESTS

Name \_\_\_\_\_

1.	Remunerated Directorship of company(s) (public or private) and business owned personally or in partnership.	
2.	Remunerated employment or offices	
3.	Remunerated Consultancy (s)	
4.	Remunerated work performed under contract.	
5.	Names of companies or other bodies in which I have an interest, either on my own account, my spouse or infant children, for a beneficial interest in share holdings greater than the 10% of the share capital.	
6.	Remunerated contributions to professional and scientific publications	
7.	Membership of other pharmaceutical bodies	

#### DECLARATION FORM

I agree to update this document at any time there is a change in my interests.

Signed \_\_\_\_\_ Date \_\_\_\_\_



## APPENDIX E

### CONFIDENTIALITY AGREEMENT FOR LPC SECRETARIAT EMPLOYEES

I understand that in the course of my work as an employee of the Devon LPC I will produce or acquire information that will be commercially sensitive or may for other reasons be information that the LPC or the pharmacy contractor(s) to whom the information relates would not wish to be communicated to third parties.

I acknowledge my obligation to ensure that I do not make use of any such information for purposes other than those of the LPC, and that I seek prior consent of the Chairman of the LPC before making any use of my office or any information produced or acquired as a consequence of it. I further acknowledge that all information received from or about contractors that relates to their business and financial affairs may not be disclosed to anyone without the express consent of the contractor to whom it relates.

I will make full disclosure to the LPC of all appointment or offices held by me and I will consult the LPC prior to accepting any appointment or office that may reasonably be thought to be relevant to my work.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_



## APPENDIX F

### CONFIDENTIALITY AGREEMENT FOR DEVON LPC MEMBERS

I \_\_\_\_\_ understand that as an LPC member I may have sight of or acquire information that will be commercially sensitive or may for other reasons be information that the LPC or the pharmacy contractor(s) to whom the information relates would not wish to be communicated to third parties.

I acknowledge my obligation to ensure that I do not make use of any such information for purposes other than those of the LPC. I further acknowledge that all information received from or about contractors that relates to their business and financial affairs may not be disclosed to anyone without the express consent of the contractor to whom it relates, in which case the disclosure will be through the LPC Chief Officer.

I will make full disclosure to the LPC of all appointments or offices held by me and I will consult the LPC prior to accepting any appointment or office that may reasonably be thought to be relevant to my membership of the LPC.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_





## DECLARATION FORM

I confirm that I have read and understood this Code of Practice on Conduct and Accountability and that I will follow it at all times during my appointment as a member of the Devon Local Pharmaceutical Committee.

Signed:

Date:

Name:

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