



# RULES OF COMMUNITY PHARMACY ENGLAND

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## 1. REGIONAL REPRESENTATIVES

### 1.1. Election of Regional Representatives

The election for the Regional Representatives shall be by Ballot from the Independent pharmacy owners in England to be taken as soon as may be practicable after the first day of January and in any case not later than the last day of March in each year when an election is held.

### 1.2. Returning Officer

The function of Returning Officer shall be undertaken by one or more members of staff of Community Pharmacy England, under the direction of the Chief Executive Officer (CEO).

### 1.3. Regions of Community Pharmacy England

**1.3.1.** Community Pharmacy England has 10 regions.

**1.3.2.** Community Pharmacy England shall determine the LPCs that form each region, subject to paragraph 1.3.5.

**1.3.3.** The regions and their respective LPCs will be published by Community Pharmacy England.

**1.3.4.** One representative may be elected in each of the Community Pharmacy England regions.

**1.3.5.** The Community Pharmacy England determination in 1.3.2, the election processes and their preparation remain valid, and elected Community Pharmacy England regional representatives remain elected, despite any changes to LPCs as part of implementing the

Pharmacy Representation Review (RSG) recommendations approved by pharmacy owners in England in 2022 (including any changes involving mergers or to LPC boundaries), unless decided otherwise by Community Pharmacy England.

#### **1.4. Candidates for election as regional representative**

**1.4.1.** Candidates for election as a regional representative must, at the time of nomination, be pharmacists and members or officers of an LPC in that region.

**1.4.2.** A person shall be eligible for election as a regional representative only if they are an Independent Pharmacy Owner (either individually or in partnership), or a director and a substantial shareholder (either personally, or through shares owned by members of their immediate family, i.e. parents, spouse or children) in a body corporate which is an Independent Pharmacy Owner.

**1.4.3.** A person shall not be eligible for election as regional representative if they have substantial ownership (either personally, in partnership or through shares owned by members of his immediate family, i.e. parents, spouse or children) in more than nine pharmacies in England.

**1.4.4.** No person who is a member or officer of a Local Pharmaceutical Committee shall be eligible for nomination as a regional representative where the levy due from that Local Pharmaceutical Committee pursuant to Paragraph 19.3 of the Constitution is outstanding, and has been outstanding for six months or more.

#### **1.5. Nominations**

**1.5.1.** The Returning Officer shall contact in writing or by email each member or officer of an LPC of whose appointment he has been informed in the Region or Regions in which an election is to be held to invite them to declare whether any of them would be willing and eligible to accept nomination as representative for that Region.

**1.5.2.** On receipt of declarations the Returning Officer shall give email or written notice of the election to the members and officers of the Local Pharmaceutical Committees in the Region including details of the members or officers in the Region who have expressed willingness to accept nomination and shall invite written nominations.

**1.5.3.** Candidates for election shall be nominated in writing, and the nomination shall state their full name; address of one pharmacy premises in the region at which they are the Independent Pharmacy Owner (either individually or in partnership) or a director and substantial shareholder (either personally, or through shares owned by members of their immediate family, i.e. parents, spouse or children), of a body corporate carrying on the business of an Independent Pharmacy Owner at those premises; their correspondence address; and telephone number. In the case of a body corporate, the candidate shall submit confirmation that they are a director and a substantial shareholder by means of the last annual return made to Companies House, and where changes have occurred since the last Companies House submission, a statement from the Company Secretary stating that the person is a director, and the details of their shareholding (either personally, or through shares owned by members of their immediate family, i.e. parents, spouse or children), and the date on which the change took place. The candidate should state whether they additionally hold an interest in a Multiple Pharmacy business, and if so, identify the name of that Multiple Pharmacy business.

**1.5.4.** The nomination form shall be signed by or on behalf of six electors in the Region, and shall be despatched so as to be delivered at the address of the Returning Officer not later than midday on the 15th day after the invitation to nominate is posted.

**1.5.5.** In those Regions where more than one candidate has been nominated a ballot will be held.

**1.5.6.** The Returning Officer will invite candidates who are to participate in the ballot to submit a policy statement not exceeding 500 words. The statement must avoid any direct reference to other candidates.

**1.5.7.** The Returning Officer shall distribute any policy statement received not later than 14 days after the invitation is sent by the Returning Officer.

## **1.6. Electorate**

**1.6.1.** Except as specified in 1.6.2 below, every Independent Pharmacy Owner shall be entitled to one vote for each of its premises in the Region.

**1.6.2.** Independent Pharmacy Owners in a Local Pharmaceutical Committee area where the levy due from that Local Pharmaceutical Committee pursuant to Paragraph 19.3 of the

Constitution is outstanding, and has been outstanding for six months or more shall not be eligible to take part in the election of regional representatives.

### 1.7. Election

The Returning Officer will send a ballot form to each elector, which shall specify the last day and hour for the receipt of votes and shall be sent so as to be delivered to the elector not less than fourteen clear days before the day specified thereon. If the Returning Officer is satisfied that arrangements can be made for secure electronic ballot, the ballot may be conducted electronically.

### 1.8. Co-option

A pharmacist shall be eligible to be co-opted by the Community Pharmacy England Committee only if he lives or works in the region for which co-option is being considered and is not a member or officer of a local pharmaceutical committee from which the levy due under paragraph 19.4 of the Constitution has not been received by Community Pharmacy England within 6 months of the due date.

A pharmacist shall be eligible to be co-opted by the Community Pharmacy England Committee notwithstanding that he is not a member or officer of a local pharmaceutical committee.

A pharmacist shall be eligible to be co-opted by the Community Pharmacy England Committee only if they are an Independent Pharmacy Owner (either individually or in partnership), or they are a director and a substantial shareholder (either personally, or through shares owned by members of their immediate family, i.e. parents, spouse or children) in a body corporate which is an Independent Pharmacy Owner.

The Community Pharmacy England Committee, if it co-opts a pharmacist as regional representative, shall select a candidate who most closely meets the eligibility criteria for regional representatives.



## **2. MULTIPLE PHARMACY OWNER REPRESENTATIVES**

### **2.1. Election of Multiple Pharmacy Owner Representatives**

The election for the Multiple Pharmacy Owner Representatives shall be by Ballot from the Multiple Pharmacy Owners in England to be taken as soon as may be practicable after the first day of January and in any case not later than the last day of March in each year when an election is held.

One of the elected Representatives must be a candidate nominated by a Multiple Pharmacy Owner that has fewer than 40 premises on a pharmaceutical list in England, if one or more such candidates are nominated.

### **2.2. Returning Officer**

The function of Returning Officer shall be undertaken by one or more members of staff of Community Pharmacy England, under the direction of the Chief Executive Officer.

### **2.3. Nominations**

The Returning Officer shall write to the head office or other agreed correspondence address of each Multiple Pharmacy Owner to invite them to nominate a candidate for election as Multiple Pharmacy Owner Representative.

Candidates for election shall be nominated in writing, and the nomination shall state their full name; the name of the Multiple Pharmacy Owner; their correspondence address; and telephone number; and a declaration that they are either the Multiple Pharmacy Owner or employed by the Multiple Pharmacy Owner. The nomination shall be signed by the owner of the Multiple Pharmacy, or in the case of a body corporate, by a director of the Multiple Pharmacy, stating their name and correspondence address and the number of premises on a pharmaceutical list in England operated by the Multiple Pharmacy Owner. The nomination may be accompanied by a policy statement not exceeding 500 words, which must avoid any direct reference to other candidates.

The nomination form shall be despatched so as to be delivered at the address of the Returning Officer not later than midday on the 21st day after the invitation to nominate is posted.



Where there are more candidates for the Multiple Pharmacy Owner Representatives than there are places a ballot will be held. If there is only one candidate nominated by a Multiple Pharmacy Owner that has fewer than 30 premises on a pharmaceutical list in England, that candidate is elected and the ballot held for the remaining candidates.

#### **2.4. Electorate**

Every Multiple Pharmacy Owner shall be entitled to one vote for each of its premises which are on a pharmaceutical list in England.

#### **2.5. Election**

The Returning Officer will send a ballot form to each elector, which shall specify the last day and hour for the receipt of votes and shall be sent so as to be delivered to the elector not less than fourteen clear days before the day specified thereon.



### 3. CONFERENCE OF REPRESENTATIVES OF LOCAL PHARMACEUTICAL COMMITTEES

#### 3.1. Annual Conference

A Conference of Local Pharmaceutical Committees shall be called by Community Pharmacy England normally at least once in each calendar year.

#### 3.2. Special Conference of Representatives of Local Pharmaceutical Committees

Community Pharmacy England shall, if requested in writing, by not less than 25 Local Pharmaceutical Committees, call a Special Conference of Local Pharmaceutical Committee Representatives.

#### 3.3. Representation

**3.3.1.** Subject to the provisions of paragraph 3.3.2 below, Local Pharmaceutical Committees shall be entitled to appoint representatives to attend Conferences of Local Pharmaceutical Committees as follows:

Number of Pharmacies	Number of Representatives
Up to 100	2
101 up to 200	3
201 up to 300	4

One additional representative may be appointed for every 100 or part thereof of pharmacies in the Local Pharmaceutical Committee area.

**3.3.2.** A Local Pharmaceutical Committee shall not be entitled to appoint representatives to attend a Conference of Local Pharmaceutical Committee Representatives if at the date of the Conference, there are any amounts due under paragraph 19.3 of the Constitution that have been outstanding for more than six months.

#### 3.4. Quorum

The number of Committees which shall form a quorum of a Conference of Representatives of Local Pharmaceutical Committees shall be 25 Local Pharmaceutical Committees.



### 3.5. Voting

If the number of Representatives attending the Conference on behalf of an LPC is fewer than the entitlement under 3.3.1 above, the Representatives attending will be entitled to submit votes in person and votes as a proxy totalling the number that would have been available had all Representatives attended the Conference.