

Expression of Interest Information pack

Queensland Pharmacy Business Ownership
Council



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Summary

The *Pharmacy Business Ownership Act 2024* (the Act) was passed by Parliament in March 2024 and is expected to commence by late 2025. The Act provides for the establishment of the Queensland Pharmacy Business Ownership Council to regulate pharmacy business ownership and implement a pharmacy business licencing scheme in Queensland.

The Minister for Health, Mental Health and Ambulance Services and Minister for Women invites suitably qualified persons from a wide range of professional backgrounds, including pharmacy business owners and employee pharmacists, to apply to be a member of the inaugural Queensland Pharmacy Business Ownership Council. The council will independently oversee the new regulatory framework, including making licencing decisions, monitoring compliance and reporting on actions taken to ensure compliance with the Act. The council will employ staff to support the council's regulatory activities and provide administrative and secretariat support to the council.

The council must comprise at least five (5) members appointed by the Governor in Council on the Minister's recommendation. Members will be appointed for a term of not more than four (4) years, stated in the member's instrument of appointment.

This Expression of Interest information pack provides information for potential applicants seeking to be appointed to the council, including key dates, how to apply, a summary of key roles as well as background to the Act.

Please note:

Within this document, the term 'council' collectively refers to the Chairperson, Deputy Chairperson and individual members, unless otherwise specified.

Key dates and timeline

Closing date for applications is midnight (AEST) Friday 17 May 2024.

Following the recruitment and selection of nominees, the actual appointment of nominees can take an extended period because of government processes. There is often a significant time period between submitting your application and notification of the outcome of your application.

2024 Pharmacy Business Ownership Council Appointment timeline	
Expression of Interest open	3-17 May 2024
Application review period	late May 2024
Interviews	late May 2024
Endorsement of nominees and government approval process under the <i>Pharmacy Business Ownership Act 2024</i>	mid-June to early August 2024
Commencement of appointments	mid-late August 2024

Background

Purpose of the Act

The main purposes of the Act are:

- to promote the professional, safe and competent provision of pharmacy services by pharmacy businesses; and
- to maintain public confidence in the pharmacy profession.

You can view a copy of the Act on the Queensland legislation website at [Pharmacy Business Ownership legislation](#)

Functions of the council

The council will provide independent oversight of the approximately 1300 pharmacy businesses in Queensland. The council will focus on licensing pharmacy businesses, and monitoring and enforcing compliance with the Act, including through audits.

Under the Act, each pharmacy business must hold a licence issued by the council, with an annual renewal process. The council will undertake an assessment of the ownership structure of each pharmacy business to ensure it complies with the Act. The council must publish an annual report about any audit and compliance activities undertaken by the council. The council may provide advice to the Minister about matters relating to the Act, on its own initiative or at the Minister's request.

Having an independent council is intended to promote the professional, safe and competent provision of pharmacy services and enhance public and professional confidence in the Act and pharmacy business ownership in Queensland.

The functions of the council under the Act are:

- deciding applications relating to pharmacy business licences;
- changing, suspending and cancelling pharmacy business licences;
- monitoring and enforcing compliance with the Act;
- advising the Minister on:
 - standards premises must meet to be authorised premises; and
 - other matters relating to the Act;
- administering the Queensland Pharmacy Business Ownership Council Fund under the Act;
- keeping a register of licensed pharmacy businesses under section 207.

The council will perform any other function given to it under the Act. In performing its functions, the council must act independently, impartially and in the public interest.

Members for the inaugural council are expected to be appointed by September 2024. Licensing functions under the Act are expected to commence by late 2025. The inaugural council will oversee the establishment of the council as a statutory body and implementation of the licensing framework. The council will play an important role in supporting pharmacy business owners to transition to the new regulatory framework.

The inaugural council will also play a role in approving the appointment of a Chief Executive Officer for the council. The council's Chief Executive Officer must be appointed by the Governor in Council, on the Minister's recommendation. The Minister must not recommend a person for appointment unless the council approves the appointment.

Role of Chairperson, Deputy Chairperson and members

The Chairperson is responsible for leading and directing the activities of the council to ensure the council performs its functions appropriately. In addition to the general obligations as a member, the Chairperson will also preside at all meetings at which the Chairperson is present and may be required to lead or participate in public presentations on the role and functions of the council.

The Deputy Chairperson is to act as the Chairperson during a vacancy in the office of the Chairperson and during all periods when the Chairperson is absent from duty or for another reason cannot perform the duties of the office.

Council members (including the Chairperson and Deputy Chairperson) are individually responsible for ensuring that the council fulfils its functions as set out in the Act. In discharging this responsibility, council members will:

- act independently and in the public interest
- disclose any direct or indirect interest in a matter being considered
- exercise diligence, care and skill
- comply with the *Public Sector Ethics Act 1994* (Qld)
- comply with all applicable regulatory requirements (statutory and policy)
- attend council meetings
- provide the Minister with an annual report in relation to the performance of the council's functions within 3 months after the end of each financial year
- where requested by the Minister or Chief Executive, provide a report about the council's functions.

Under the Act, the council must meet at least once every three (3) calendar months. It is expected the council will meet every month. The Queensland Pharmacy Business Ownership Council staff will provide secretariat and other support to the council.

It is expected that council members will be:

- committed to implementing pharmacy business ownership regulation in Queensland in accordance with the Act
- effective listeners and verbal communicators, with the ability to apply legislation in a compliance environment
- highly organised, with attention to detail and the ability to work well under pressure
- capable of making fair, balanced, consistent and timely decisions when performing the functions of the council
- a person of integrity with a commitment to understanding and fulfilling the duties and responsibilities of the council and maintaining knowledge in this regard.

How to apply

Overview

Executive Quarter will facilitate this application process. Prior to submitting your application, please ensure that all required documents are provided, and that forms are fully completed and meet the stated requirements.

Applicants will be kept informed of the progress of their application at regular intervals. However, prospective applicants should note that the outcome of the recruitment process cannot be confirmed until the successful applicants are notified, which is anticipated to be in late August/early September 2024.

Where possible, applicants who have not progressed to interview will be advised at an earlier stage of the recruitment process.

Application process

Applications are to be submitted via the Executive Quarter website at <https://executivequarter.com.au/pboc>. Detailed instructions on submitting your application are available on the website.

Applicants are required to provide the following documentation:

- Curriculum Vitae (CV) – **no more than two (2) pages** in length¹.
- Completion of an online application form (which includes a personal particulars form and criminal history consent form).
- **To complete the online application form, you will also be required to attach a Personal Statement that is:**
 - for member applicants, no more than two (2) pages addressing the member criteria outlined below
 - for Chairperson and Deputy Chairperson applicants, no more than three (3) pages addressing both the member criteria and Chairperson criteria outlined below.

Applicants who wish to apply for Chairperson, Deputy Chairperson and member positions are encouraged to complete an application for the Chairperson and Deputy Chairperson role, nominating their interest in also being considered for a member position. In this instance only one, three (3) page personal statement is required.

Initial shortlisting will be undertaken following the close of the application period. Applicants selected for progression will be contacted to provide additional documentation to support a range of required probity checks. Probity checks will be initiated on a confidential basis.

¹ The *Queensland Cabinet Handbook* sets out the requirements for Significant Appointments including that a CV of two pages is to be included in documentation to progress to appointment. Consequently, failure to adhere to this strict requirement when submitting your initial application may result in your application not being progressed for consideration by the selection panel.

As statutory appointees, the *Queensland Cabinet Handbook* requires a range of probity checks to be undertaken on potential council members which include:

- a review of any conflicts of interest
- a national criminal history search
- searches of the Australian Securities and Investments Commission's banned and disqualified register and bankruptcy index
- a review of the Queensland lobbying register, and other internet-based searches.

Applicants should note that disclosure of conflicts of interest or convictions for an offence may not preclude progression to appointment as each instance will be considered on a case-by-case basis.

Referee checks may also be undertaken by Executive Quarter for all applicants selected for progression. Your nominated referees will not be contacted without your prior consent.

Please note that a request for any probity documentation does not necessarily indicate that your nomination will be successful.

For member applicants

The Minister may only recommend a person for appointment as a member if satisfied:

- (a) the person is—
 - (i) an individual who owns a pharmacy business in Queensland; or
 - (ii) a director of a corporation that owns a pharmacy business in Queensland; or
 - (iii) a practising pharmacist who is an employee of a pharmacy business in Queensland; or
- (b) the person has qualifications or experience in 1 or more of the following areas:
 - (i) accounting;
 - (ii) business;
 - (iii) financial management;
 - (iv) law;
 - (v) carrying on a pharmacy business;
 - (vi) another area that:
 - A. in the Minister's opinion, qualifies the person to represent consumers of pharmacy services; or
 - B. the Minister considers appropriate or beneficial to the performance of the council's functions

The council must include at least one owner of a Queensland pharmacy business and one person who is a practising pharmacist employed at a Queensland pharmacy business.

Personal statements for member positions **must not exceed two (2) pages** and should address the following criteria:

1. The reason for your interest in being a member of the council
2. How you think you will be able to add value to the council in performing its role through your skills, knowledge and experience
3. Demonstrated experience in relation to assessing and promoting compliance with legislative frameworks, and associated processes

4. Ability to analyse information, identify issues and problem solve
5. Evidence of ability to constructively build and manage stakeholder relationships
6. Excellent interpersonal, verbal and written communication skills
7. Current, up-to-date details of two (2) professional referees (name, contact number, email and relationship, including years known), preferably a recent direct manager.

Please note that referees will only be contacted where applicants are shortlisted for progression to the Minister for Health, Mental Health and Ambulance Services and Minister for Women.

For Chairperson and Deputy Chairperson applicants

In addition to the membership criteria above, applicants for the Chairperson and Deputy Chairperson positions must also demonstrate, in a combined statement **not exceeding three (3) pages** in length:

8. Experience in leading and directing the activities of a comparative entity to ensure it performs its functions appropriately.
9. Ability to engage with relevant stakeholders around the work of the council.

Remuneration

Members are to be paid remuneration and allowances as decided by the Governor in Council and hold office on the terms and conditions decided by the Governor in Council.

Remuneration and reimbursement of out-of-pocket expenses will be in line with the Queensland Government *Remuneration Procedures for Part-time Chairs and Members of Queensland Government Bodies*.

Residential status

Personal residency status must enable an applicant to legitimately live and work in Australia.

Public Sector Employees

In accordance with the *Remuneration procedures for part-time chairs and members of Queensland Government bodies*, public sector employees selected for progression to the Minister for appointment will require certification from their Chief Executive that their proposed appointment is not connected in any way with their employment.

As such, public sector employees will only be eligible to receive fees when undertaking council business outside the hours they would normally be expected to work, or when they are on unpaid leave.

Where applicable, the department will facilitate any such certification as required.

Personal information

Personal information will be treated as confidential and will only be used or accessed by authorised persons for the purposes connected with your current application, and should you be successful in appointment, to ensure an accurate record of nominees and appointees to statutory bodies.

Personal information collected by the Department of Health (or its Suppliers such as a specialist recruitment agency) is handled in accordance with the *Information Privacy Act 2009*. The personal information provided by you will be securely stored and made available only to appropriately authorised officers. Personal information recorded on this form will not be disclosed to other parties without your consent, unless required by law.

Personal information may be disclosed as part of the recruitment process, for example, in contacting referees or obtaining certification of public sector employee nominees. Names of successful applicants appointed by the Minister may be published on the Queensland Health website and added to the Queensland Register of Appointees to Government Bodies², which provides information about all Government bodies.

Further information

If you require more information please contact Will Wilson, David Reynolds or Elena Ryan via email pboq@executivequarter.com.au or on 0485 860 640 for a confidential discussion.

² <https://www.premiers.qld.gov.au/about-us/what-we-do/qld-appointees-register.aspx>