

PSNC Legislation and Regulatory Affairs (LRA) Subcommittee Agenda

For the meeting to be held on Wednesday 4th September 2019

At 14 Hosier Lane, London EC1A 9LQ

Members: Ian Cubbin (Chair), Marc Donovan, Jas Heer, Janice Perkins, Stephen Thomas.

1. Welcome from Chair
2. Apologies for absence
3. Conflicts or declaration of interest
4. Minutes of the last meeting in May 2019 (**Appendix 01/09/2019**).
5. Matters Arising

Action

6. Hub and Spoke dispensing/delivery models – initial consideration (confidential) (**Appendix 02/09/2019**)
7. Prescription direction (confidential) (**Appendix 03/09/2019**)
8. Rural working group report and updated terms of reference (confidential) (**Appendix 04/09/2019**)

Report

9. Brexit update – the notes of two recent meetings of the Community Pharmacy Brexit Forum are attached and a (confidential) note relating medicines with short expiry dates (**Appendix 05/09/2019**)
10. Community Pharmacy Assurance Framework (CPAF) (**Appendix 06/09/2019**)
11. Primary Care Support England (**Appendix 07/09/2019**)
12. Any other business

Pharmaceutical Services Negotiating Committee

Legislation and Regulatory Affairs Subcommittee

Minutes of the Legislation and Regulatory Affairs Subcommittee meeting held on 22 May 2019.

Members: Ian Cubbin, Stephen Thomas, Janice Perkins, Jas Heer, Marc Donovan.

In attendance: Gordon Hockey, Will Goh, Sam Fisher, Tricia Kennerley, Lucy Morton-Channon and Has Modi.

Apologies: There were no apologies for absence.

Conflicts of Interest/minutes: There were no additional conflicts of interest declared. The minutes of the meetings in February and April 2019 were approved and there were no matters arising.

Item 1 – Consolidation - confidential

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Item 2 – The rebalancing board’s proposed legislation on the responsible pharmacist - open

- 2.1 The agenda paper was noted and after a short discussion, the subcommittee agreed that there was no action to taken at the current time and that the issue of the responsible pharmacist is not a matter for PSNC alone, but a matter for DHSC to take up with broader stakeholders, including PSNC. It was noted that contractual issues are for PSNC alone.

Item 3 – Rural community pharmacies – confidential

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Item 4 – Prescription direction – open

- 4.1 The agenda paper was noted and there was brief discussion on the issues; the longstanding nature of the problem was noted.
- 4.2 After discussion, three clear steers were provided for discussion of these issues in the ongoing negotiations:
- a) The rules for DSPs need to ensure the provision of a national service and compliance with the current terms of service, including the presence of a pharmacist for 40 hours at the DSP.
 - b) NHS England should be under a duty to investigate contractor concerns that there has been prescription direction – and do so fully and promptly.
 - c) There must be a sufficient sanction against community pharmacies that are involved or benefit from direct prescriptions – liaising with others, often those in the healthcare

system who use positions of trust to seek to gain or fail to respect patient choice of community pharmacy – to act as a deterrent. Such sanctions to include removal of the NHS contract.

Action 3: Subject to the committee’s views, take forward the prescription direction issue in ongoing negotiations as suggested.

Matters of Report

Item 5 – Brexit update – the notes of two recent meetings of the Community Pharmacy Brexit Forum were attached - open

5.1 The reports were noted. It was reported that a meeting to assist implementation and operationalisation of SSPs was planned and it was asked that this is provided as soon as practicable.

Item 6 - Community Pharmacy Assurance Framework (CPAF) - open

6.1 Will Goh introduced the report and indicated that screening questionnaire will be available for completion by contractors from Monday 3rd June 2019 until Sunday 30th June 2019. It was agreed that as part of CPAF reminders contractors should be reminded to complete current contractual requirements.

Item 7 - PCSE market entry web portal - open

7.1 The report was noted and in particular PCSE’s offer to give contractors a preview of the system and participate in testing before it is launched nationally.

Item 8 - Pharmacy Manual - open

8.1 The report was noted.

Any other business – policy asks

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List of Actions:	Relevant person(s)
Action 1: Subject to the committee’s views, the NT to take forward consolidation suggestions as part of the ongoing negotiations	GH
Action 2: House of Lords Select Committee’s recommendation on essential small pharmacies in rural areas is a policy ask for PSNC	ZL
Action 3: Subject to the committee’s views, take forward the prescription direction issue in ongoing negotiations as suggested in paragraph 4.2.	GH

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Terms of reference for Rural Working Group

Chair

The Rural Working Group shall consist of a Chairman, who shall be a member of PSNC nominated by the Legislation and Regulatory Affairs Subcommittee.

Members

At least one member with expertise in rural pharmacy matters may be appointed from each Region of PSNC in which there is a significant level of rural dispensing.

Members will be reviewed every two years by the Legislation and Regulatory Affairs Subcommittee. A member may resign at any time, and in the event of such a casual vacancy, the Rural Working Group may invite another person with expertise in rural pharmacy matters to become a member for the remaining portion of the year.

Status

The working group shall not itself be a Subcommittee or panel of PSNC but will report to the Legislation and Regulatory Affairs Subcommittee. The Legislation and Regulatory Affairs Subcommittee shall not be bound to accept the views expressed by the Rural Working Group.

Remit

The Rural Working Group shall consider matters of interest to pharmacy contractors operating in rural areas and shall provide reports to PSNC's Legislation and Regulatory Affairs Subcommittee.

The Legislation and Regulatory Affairs Subcommittee may request that the Rural Working Group considers specific items, and the Rural Working Group may additionally consider other items that are of relevance to rural dispensing.

If the Legislation and Regulatory Affairs Subcommittee requests the Rural Working Group to consider specific items, it shall also specify the period within which a report is to be produced.

Governance

Members of the Rural Working Group must agree to be bound by PSNC's Governance requirements and may be removed from membership by the Legislation and Regulatory Affairs Subcommittee for breach. The discussions of the Rural Working Group and its reports shall be confidential, but the Chairman may authorise members to disclose information if appropriate.

Meetings

The Rural Working Group is expected to meet when needed but is not expected to meet more than three times per year. Meetings will be held in London. Travelling expenses will be reimbursed in accordance with PSNC's travel policy.

The Working Group will be provided secretariat support by the Director of Operations and Support and/or the Regulations Officer

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Subject	Community Pharmacy Assurance Framework (CPAF)
Date of meeting	4 September 2019
Subcommittee	LRA
Status	Open
Overview	The paper provides an update on the 2019/20 CPAF screening process.
Proposed action(s)	None
Author of the paper	William Goh

The 2019/20 CPAF screening questionnaire, issued electronically by NHSBSA, commenced on Monday 3rd June 2019 for a period of four weeks. In announcing this year's CPAF, there was an update of the work the office did with NHS England to reflect and review contractor feedback from last year's survey and implement improvements to the survey. This stated:

...PSNC has worked with NHS England to reflect upon and review contractor feedback from last year's screening survey. Contractor feedback showed that pharmacies aimed to attain level 3 and exceed their terms of service. Therefore, PSNC agreed with NHS England new wording to the safeguarding question to make it possible for contractors to attain Level 3 without requiring a safeguarding issue to have occurred in their pharmacy. More information will be provided in PSNC's updated guidance which we are currently finalising.....

Contractors were also reminded, as requested by the subcommittee that the terms of service including the [clinical governance requirements of the CPCF](#) must be complied with throughout the year and were supported with a PSNC briefing on the CPAF screening process.

The screening questionnaire closed on Sunday 30 June 2019. According to NHSBSA, as of 1 July 2019, the number of NHS pharmacy contractors that had completed the CPAF screening questionnaire was 11,322 or (98%) responses – this is broadly in line with last year and a positive outcome.

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