

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