

# PSNC Legislation and Regulatory Affairs (LRA) Subcommittee

## Minutes For the virtual meeting held on

Wednesday 29 July 2020

**Members of LRA present:** Ian Cubbin (Chair), Marc Donovan, Janice Perkins, Stephen Thomas.

**In attendance:** David Broome, Sam Fisher, Gordon Hockey, Tricia Kennerley, Sunil Kochhar, Layla Rahman.

### Welcome from the Chair

1. The Chair welcomed everybody to the meeting.

### Apologies for absence

2. There were no apologies for absence.

### Conflicts or Declarations of Interest

3. Conflicts of interest: There were no additional conflicts of interest declared.

### Minutes of the last meeting

4. The minutes of the subcommittee meeting held on 18 May 2020 were approved.

### Actions and Matters Arising

5. Gordon Hockey indicated that the set of principles or arguments for the continued provision of flexible services had not been drafted.

*[This has since been drafted and representations made to DHSC and NHSE&I as follows:*

*On 1 September, the activated emergency regs provision end and this is a request for these provisions to be extended. It is on these 'activated' regs that most of the NHSE&I SOP hinges for opening hours and I have discussed this with XXX.*

*We need the emergency declaration from the Secretary of State to continue beyond 1 September 2020 – and a number of arguments and observation why are set out below:*

- *Contractors need to be able to respond quickly to the changing circumstances of COVID-19, particularly in surge areas, for the benefit of patients to ensure continuity of supply of medicines and other pharmaceutical services;*

- *Staff illness and absence may still be an issue in some areas of the country and contractors need to be able to flex their opening hours accordingly at short notice;*
- *Contractors can make necessary changes following 24 hour notice to NHSEI, but without NHSE&I agreement, which means the ability to respond does not rely on NHSE&I capacity to provide approval in advance;*
- *NHSE&I still retains overall control and may refuse applications for flexible provision of pharmaceutical services and may do so retrospectively if a decision cannot be made during the 24 hour notice period;*
- *This flexibility is not a ‘open ticket’ for contractors because flexibility is agreed by NHSE&I only if there is good reason for it;*
- *This flexibility provides the option for closed door working if required, but subject to NHSE&I approval; and,*
- *The existing system in the regulations for approval of hours is too slow to ensure manage these needs during the ongoing pandemic.]*

### **The Pharmacy Access Scheme**

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### **Hub and Spoke**

...

### **Regulations and Terms of Service**

...

### **Rural Working Group**

...

### **The 2019/20 student/pharmacist cohort**

...

### **Transition out of the EU (Brexit update)**

21. The items for AOB were:

<b>No.</b>	<b>Action</b>	<b>Responsible</b>
<b>Action 1</b>	Keep the subcommittee informed of broad progress in advance of discussion at the committee	GH
<b>Action 2</b>	The issues on hub and spoke dispensing to be considered by committee in September, before being raised with DHSC	GH

<b>Action 3</b>	PSNC to continue to seek discussions with NHSE&I on the issue of support for the 2019/20 student/pharmacist cohort.	GH
<b>Action 4</b>	Raise PCSE delays with NHSE&I	GH

