

# Minutes of the Pharmaceutical Services Negotiating Committee meeting

held on 20th May 2021

via Zoom

**Present:** Reena Barai, David Broome, Mark Burdon, Peter Cattee, Ian Cubbin, Marc Donovan, Samantha Fisher, Mark Griffiths, Jas Heer, Clare Kerr, Sue Killen (Chair), Sunil Kochhar, Margaret MacRury, Rhys Martin, Has Modi, Lucy Morton-Channon, Roger Nichols, Bharat Patel, Indrajit Patel, Prakash Patel, Umesh Patel, Jay Patel, Janice Perkins, Adrian Price, Sian Retallick, Anil Sharma, Stephen Thomas, Faisal Tuddy, Gary Warner

**In Attendance:** Simon Dukes, Shiné Brownsell, Alastair Buxton, Rosie Taylor, Jack Cresswell, Mike Dent, Gordon Hockey, Ifti Khan (Observer), Zoe Long, David Onuoha, Layla Rahman, Suraj Shah, Gabriele Skieriute, Rob Thomas, James Wood

## Item 1 – Welcome from the Chair

- 1.1 The Chair welcomed everyone to the meeting.
- 1.2 With the ongoing negotiations with the Department of Health and Social Care (DHSC) and NHS England & NHS Improvement (NHSE&I), the Chair reminded the Committee on the importance of confidentiality, especially where the Source Papers from DHSC were shared in the subcommittee agenda papers.
- 1.3 Since the Committee last met, things have become more positive in terms of the country leaving lockdown; however, the Indian variant had the potential for unanticipated consequences. The Chair commented that the C-19 vaccination programme has been amazing, with which many members of the Committee have been involved.
- 1.4 The Chair was sorry that Garry Myers was not able to join this meeting and thanked him for his significant contributions to PSNC over the years.
- 1.5 The Chair noted that this was Janice Perkins' last PSNC meeting, with her last day as a PSNC member on 30th June 2021. Janice will be replaced by Ifti Khan, who joined the meeting as an observer, and the Chair welcomed Ifti to the Committee.
- 1.5 The Chair welcomed Roger Nichols, as this was his first full PSNC meeting, following the departure of Richard Bradley in March.
- 1.6 Finally, the Chair wished Niamh McMillan well while she is on maternity leave and welcomed Lucy Morton-Channon back to the Committee.
- 1.7 It was agreed that the Committee will find a proper way of saying thank you and goodbye to everyone who has left, once everyone is able to meet in person again.

## Item 2 – Apologies for absence

- 2.1 Apologies for absence were received from Reena Barai (part of the meeting), Tricia Kennerley and Sian Retallick (part of the meeting).

## Item 3 – Conflicts or declaration of interest

- 3.1 No new conflicts or declarations of interest were made.

- 3.2 The Chair reminded the Committee that if they had not yet signed the declaration of interest form, they should do so as soon as possible.

#### Item 4 – Minutes of the 4th February 2021 meeting

- 4.1 Indrajit Patel and Prakash Patel requested an amendment to the minutes and with that amendment, the minutes of the meeting were approved.

#### Item 5 – Matters Arising

- 5.1 None.

#### Item 6 – Chair’s report

- 6.1 The Chair provided feedback on the key points arising in the annual review meetings with the Committee which she had so far undertaken.
- 6.2 The Chair summarised the main points Committee members had made about what PSNC does well and things that PSNC could do better, and what they saw as the main challenges as well as emerging risks. The Chair proposed a session on Governance once all the review meetings have been completed.
- 6.3 A specific issue was raised on culture and division. The Chair invited members of the Committee to contact her if they would like to be part of a small working group on this matter.
- 6.4 A key theme in the feedback had been the under-resourcing of the executive team and the Chair thanked the team in the office for the amount of work being carried out on behalf of PSNC. This was an issue that RDF was focused on. Many Committee members had also raised the importance of having a clear strategy and vision for the future. This had also been raised by the Wright Review.

#### Item 7 – Chief Executive’s report

- 7.1 It was agreed that there is no doubt that there are difficult times ahead. The Source Papers indicated how much the Government and the NHS want to demand from community pharmacy, yet with still no action on funding shortfalls. This will challenge the sector and it will also challenge PSNC from a reputational perspective. At every step, the Committee will need to reflect and be certain the best is being done for all contractors.
- 7.2 Alongside challenging negotiations, there will be tough conversations about the future of PSNC and LPCs. Some Committee members are at the heart of those conversations and the full Committee will need to support them in whatever way it can and remain open to new ideas and ways of working. Alongside that, unity of purpose and unity of the Committee is vital to its success.
- 7.3 With the £370m still hanging over the sector, the CEO confirmed that HM Treasury had sent a final offer to DHSC, who are busy working on a proposal. The details of the final offer will be shared with the Committee once the office has received it and the CEO suggested there would be a need for a special meeting at that time.
- 7.4 Relevant to this is the recent Health Service Journal article highlighting chronic underspending of billions of pounds given to the NHS by the Treasury to deal with COVID costs. The CEO had made that point to DHSC.
- 7.5 The CEO reported on the positive and strong support community pharmacy has been receiving in Parliament this past week. During the days of debate following the Queen's Speech, MPs used the opportunity to mention pharmacy. Key contributors included Jackie Doyle-Price, Conservative MP for Thurrock, the Chair of the APPG, and James Cartlidge, Conservative MP for South Suffolk, who is also PPS to the Chancellor.

- 7.6 The CEO informed the Committee that although the situation with COVID has eased, the Indian variant may present a new threat. The office continues to work remotely in line with guidance and this will be closely monitored. The CEO's ambition is for PSNC staff to gradually return to Hosier Lane from September with a full face to face PSNC meeting at the refurbished offices on 24th and 25th November. However, it remains an ambition at this time, as evidence and Government guidance will ultimately determine our actions.
- 7.7 It was noted that there is a new CEO expected soon at NHSE&I. As discussed at the CPA Subcommittee meeting, the Committee needs to make sure our first impression makes a positive impact.
- 7.8 It was noted that this was the first time that a Minister had joined a PSNC Committee meeting. Jo Churchill has long been a supporter of community pharmacy and has worked behind the scenes to help influence outcomes for the sector.

#### Item 8 – Jo Churchill MP

- 8.1 Jo Churchill, MP for Bury St Edmunds and Parliamentary Under-Secretary of State for Prevention, Public Health and Primary Care, joined the meeting to articulate her thanks to the sector. The Chair commented that it was great to have a Minister who values and has publicly thanked community pharmacy for their support and who appreciates the brilliant contribution they have made.
- 8.2 The Minister thanked the Chair and the Committee and commented that pharmacists are unsung heroes, and that pharmacy is a part of her portfolio of which she is immensely proud. The Minister noted that as we have gone through this pandemic, community pharmacy has added value to people's lives, and she was grateful for the resilience pharmacists have shown. The past 18 months has brought challenges for the whole NHS. The Minister sees community pharmacy as an integral part to the NHS and an important cog that allows the machine to function as a whole.

Pharmacies sit at the heart of the community, easily accessible to every part of the NHS and they are loved, appreciated and trusted by the public. The Minister said that the sector's contribution to this pandemic and working 7 days a week relentlessly, has not gone unnoticed. Community pharmacy stepped up when needed and implemented services, helped shielded patients and supported the vaccination programme. The Minister commented that we wouldn't be where we were without community pharmacy's contribution.

- 8.3 The Minister talked about the support package that was put in place last year by the Government. The Minister would also be keen to hear where the Government can do more to allow community pharmacy to play a fuller role in the system. It is recognised that pharmacies stayed open to serve communities and incurred costs and the Minister is committed to getting an agreement on the reimbursement of legitimate COVID-19 costs.
- 8.4 It is also important to recognise that the pandemic has provided an opportunity for community pharmacy to demonstrate its unique role and showcase the diversity of its workforce. That is reflected in a range of services that are additionally funded.
- 8.5 The Minister commented that the public needs community pharmacy out there to help recover the nation and mutually support other parts of the NHS. She noted that they need to build on the value of community pharmacy and look at what can be done to make it part of primary care. The Minister remains committed to the vision to ensure community pharmacy is better integrated, respected and equipped to deliver more clinical services.
- 8.6 The Minister talked about the new Health and Care Bill and felt it was important to look at what opportunity that can bring for community pharmacy. How the Bill can integrate pharmacy but also make

sure pharmacy has a voice. The Minister strongly believes in the potential and value that community pharmacy brings to communities.

- 8.7 The Minister answered a number of questions from PSNC Members, covering:
- GP views of community pharmacy and what more Government and the sector can do to improve these;
  - Integration and what community pharmacy wants its future to look like;
  - Pharmacies' role in improving public health after COVID – the sector needs to better use the skills base within it; and
  - Pharmacy numbers and clustering – the Minister stressed her desire to have a sustainable network of pharmacies and a sustainable funding model.

#### Item 9 – Subcommittee reports

9.1 Key points of the discussion at the Service Development Subcommittee were presented by Gary Warner. The Committee approved the following recommendation:

- The proposed changes to the C-19 lateral flow device service should be agreed.

9.2 Key points of the discussion at the LPC and Contractor Support Subcommittee were presented by Sam Fisher. A main item for discussion was the deferral of LPC elections. The subcommittee felt it was appropriate to suggest deferral by a year, considering the timing of the Wright Review.

9.3 Key points of the discussion at the Legislation and Regulatory Affairs Subcommittee were presented by Ian Cubbin. The Committee agreed the following recommendations:

- the regulatory changes proposed in Annex 1 to LRA's minutes are PSNC's negotiating approach on these issues for the Year 3 negotiations and the agenda paper should be developed into a source paper for the negotiations;
- the negotiating approach for prescription direction is based on patient choice and a threshold number of patients (at which NHSE&I should investigate contractor complaints) is not identified, rather the issues around identifying a threshold are identified for discussion with DHSC and NHSE&I. The agenda paper should be developed into a source paper for the negotiations; and
- the negotiating approach on the core dataset is that set out in annex 2 to the LRA minutes.

9.4 Key points of the discussion at the Funding and Contract Subcommittee were presented by Peter Cattee. The Chair made reference to Garry Myers' resignation and noted the subcommittee has to nominate a Vice Chairman.

9.5 Key points of the discussion at the Communications and Public Affairs Subcommittee were presented by David Broome. It was noted that the national media are interested in the impact on patients if funding issues are not resolved. If the Committee has any thoughts on this issue, they should contact Zoe Long.

An update was provided on the website upgrade. A workshop will be held over the summer to review the new designs. If any members of the Committee are interested in joining this workshop, they should contact Zoe Long. The office will also stop publishing CPN after May 2021.

9.6 Key points of the discussion at the Resource Development and Finance Subcommittee, which took place on 1st March 2021, were presented by Mark Burdon. The CEO had discussed revised KPIs with the subcommittee, which would be applied to 2021/22.

9.7 Adrian Price reported on the Review and Audit Panel meeting, which took place on 22nd April 2021. He asked Committee members to sign the governance and confidentiality declaration if they had not already

done so. He indicated that two main issues discussed were items on the agenda today, NT reserve members and postponing PSNC elections and recommending likewise for LPCs.

#### Item 10 – Update on RSG

- 10.1 James Wood informed the Committee that the RSG had been busy with a development plan and assessing options for change. The RSG commissioned the Berkeley Partnership to help refine the scope of the programme and to determine how best to move plans forward. They are specialists in change management and they themselves commented that this is a complex programme.
- 10.2 The RSG is now in a position to seek views from contractors and trade bodies on the programme plan. Two events are being held on 24th and 25th May, to present information on the planning work so far.
- 10.3 The RSG continues to meet monthly and, subject to sign off, the next step will be implementation of a high-level plan by the end of the year. It was noted that resource and funding is a key risk, but the office is in the process of recruiting a full time Project Manager, and the RSG are considering how the Berkeley Partnership can continue to support and help with certain phases of the work, which the Committee will have seen in the programme plan.
- 10.4 Mark Burdon highlighted the success of the Berkeley Partnership and the excellent work they have undertaken. Adrian Price also commented on the quality of their work; however, he asked the Committee to acknowledge the cost as well. Peter Cattee agreed with Adrian and commented that the Berkeley Partnership has helped bring focus and are valuable and noted that the functions that PSNC performs are complex. The Berkeley Partnership can help steer us through the programme, and their continued support may become necessary for the Project Manager to see this through to completion. The RSG may have to come back to the Committee if more funding is needed. Margaret MacRury commented that we need to address this at speed and not lose momentum, as it's about investing in the future of community pharmacy, to allow us to be in a stronger negotiating position for the next 5-year agreement.
- 10.5 The Chair referred to the resourcing point and said that the RSG will want to discuss resourcing going forward and they will come back to PSNC and RDF. The Chair commented that professional support to do this properly would require an increased budget.
- 10.6 James Wood also informed the Committee that before anything goes out to contractors for ballot, the RSG will update LPCs and PSNC on the plans first. The approach of the whole process is ongoing dialogue and requesting input from LPCs and contractors as the plan progresses. The RSG wants to do this with everyone on side and they cannot implement something unless much of the sector can agree.

#### Item 11 – PSNC and LPC Elections for 2022

- 11.1 The Review and Audit Panel proposed to postpone the PSNC 4-yearly elections by a year, through changes to PSNC's constitution meaning:
  - Existing elected members stay on PSNC an extra year until 31 March 2023; and
  - Elections for the next 4-year period on PSNC take place in early 2023.

It was also recommended that LPCs postpone their elections for a year, for those with elections in 2022.

- 11.2 Following group discussions, the Committee voted on the proposed changes to the constitution and the changes were agreed.

#### Item 12 – NT Membership

- 12.1 The Review and Audit Panel proposed and asked PSNC to agree the principle of co-opting five additional negotiating team reserve members (2 CCA, 2 Independents and 1 non-CCA) for one year, with a review of this approach at the end of the year; individual names to be agreed at a later date.

12.2 Following group discussions, the Committee agreed the proposal.

Item 13 – Any other business

13.1 Jas Heer was nominated by the Regional Representatives as the new member of the negotiating team.

13.2 The following was also agreed:

- Prakash Patel will join the Funding and Contract Subcommittee.
- Sunil Kochhar will join the Service Development Subcommittee.
- The vacancy in the Legislation and Regulatory Affairs Subcommittee will be filled by the new regional rep member.

13.3 The Chair thanked the Committee, Executive team and admin team for all their hard work. The Chair will embark on the final annual review meetings.