

February 2023

LPC Elections 2023: Guidance Notes

Introduction

The term of office for the majority of LPC members will expire on **30th June 2023**. Following this, new committees will need to form from **1st July 2023**, subject to LPCs having gone through the process to adopt the new model constitution.

This guidance outlines the steps LPCs must take to establish the new committee and should be read in conjunction with the model LPC constitution and rules. This guidance applies only to those LPCs that have adopted the new PSNC model LPC constitution and the dates herein only apply to those on a 4+1 yearly election timetable, similar to PSNC. LPCs following this election cycle last established new committees in April 2014 and again in 2018, after which followed an extension to LPC committee terms.

LPCs not following the model timeline for change or on a different legacy election cycle should contact the PSNC Contractor and LPC Support Team for advice. The indicative timetable (page 5) is illustrative for the model timetable of July 2023 start dates, and for April 2023, which is outside of the model timetable for change, LPCs should note this is a compressed and tight timeline.

Timeline of Action Points

February 2023:

Committee Numbers

Within the new model constitution, a range of between 10 and 12 members is provided for, note membership is not restricted solely to pharmacists. It is suggested that LPCs propose the final number for their committee from this range, while considering the balance of efficiency, effective decision-making and costs with the workload for each member. The model LPC constitution gives LPCs the power to only vary their committee size if the range of 10-12 members will not properly represent contractors in the area for which the LPC is formed.

When adopting the new model constitution, the committee should have already proposed the number of members that the new LPC will have and this should have been approved by contractors via a vote at a Special Meeting of Contractors.

If your LPC has not yet held a special meeting for your contractors to vote to accept the new constitution, this should be an urgent priority, otherwise the timetable for elections may need to be compressed.

Returning Officer

The next task is to appoint a Returning Officer who must be a person other than an elector. This would usually be the LPC Chief Officer unless they are an elector. The Returning Officer is responsible for the management and integrity of the process, declaring the results of any election and confirming the membership of the new Committee.

The Returning Officer should study carefully and adhere to the provisions of the LPC Constitution regarding membership, election and appointment to the Committee.

Note the elections exclude those appointed to the LPC under the constitution. This guidance also sets out the process for appointments.

Rounding Policy

The number of LPC members for each contractor group is proportional to the related number of contracts – NHS pharmacy premises – in the area members of each group have, and rounding is often required to work out the number of LPC members for each contractor group.

First, the Committee should confirm the rounding policy; see item 2 below for the first occasion the returning officer will need to apply rounding rules. Rounding is a very simple concept and consistency of approach is the most important matter. PSNC strongly recommends the normal rounding rule where 0.5 and above are rounded up; and less than 0.5 is rounded down.

Second, the committee should calculate the number of LPC members for each contractor group. A calculator is available on the PSNC website in the LPC Members' Area that will help you calculate the places on your LPC based on this rounding rule and the arrangements for each membership category. The calculator is designed to follow the clauses and the sequential nature of these as set out in the constitution, following logic rules.

The rounding policy applied to the calculator may not work in all instances (depending on committee size) with the simple rounding policy, *for example, a scenario where all membership categories are below 0.5*, though this is rare. In such instances further guidance and support should be sought from PSNC via the Contractor and LPC Support Team. The model constitution makes provision for where the number of appointed members equals or exceeds the total size of the Committee, in this case there shall be one additional place to be filled by election.

Election process

February - March 2023:

Step by step guidance on the election process can be found below.

- 1.** Confirm the list of all contractors for the LPC area. Make sure that you have a complete and accurate list of all your contractors' names, business addresses, corresponding NHS Organization Data Service (ODS) codes and where appropriate the NHS Parent Organisation Code (POC) – if available from your NHS regional team. For LPCs merging, election will be for the new organisation and the sum of the contractor lists should be used.
- 2.** Finally, make sure you have an accurate list of all contractor's premises email addresses, such as pharmacy premises NHS email addresses.
Why? This data is your starting point, so it is essential that it is correct.
Timing: To determine the composition, it is necessary to identify the proportions as of 31st January 2023, known as the 'appropriate date'.
Ownership and memberships: Make sure that you are clear who is a member of CCA, AIMp, a Regional Multiple and Independent (see below).
- 3.** Whilst there may be changes after 31st January 2023, the proportions of seats on the LPC are fixed as of that date; the electors will be determined at the time at which the Returning Officer sends out the voting papers to them. There are provisions in the constitution to deal with changes that might arise.
- 4.** Total the number of CCA pharmacy premises and determine what percentage of all contracts (i.e. pharmacies) are CCA contracts within your area. There are 8 CCA member companies: Boots, Lloydspharmacy, Tesco, Asda, WM Morrison, Rowlands, Superdrug and Well.

The constitution provides that the percentage of CCA pharmacies will be the percentage of places on the LPC – rounding is almost certain to be required. If 60% of your pharmacies are CCA then for a 12-member Committee, the CCA will be entitled to 7.2 places, this means you will need to round down, which would give the CCA 7 places.

Following this, give notice to the CCA that elections are being held, inform them of the number of CCA places available and invite the CCA to make nominations to fill the number of places available. When doing so, the CCA may ask LPCs to state the total number of CCA contracts broken down by the number of pharmacies for each CCA member in the LPC area (e.g. 15 Boots, 12 Lloydspharmacy etc). You should ideally provide this information when inviting the CCA to make their nominations. A template is available in appendix 5.

The person at the CCA handling this matter on behalf of the CCA is Rob Severn, his contact email is: Robert.Severn@thecca.org.uk, alternative contacts are Adria Reeves and via the CCA office email address, once again please see appendix 5. The CCA should inform the Returning Officer of the number of places, up to its entitlement, that it wishes to fill, within 28 days of being notified. If the CCA does not reply indicating that it wishes to fill fewer places than it is entitled to, then the Returning Officer should proceed on the basis that the CCA intends to fill all its places.

5. Remove CCA contractor premises from the list of electors determined in 1 above.
6. Adopt the same process in 3 above for AIMp members. As with the CCA entitlement, if AIMp is eligible under this provision to appoint a member or members, there is **no** option to take part in the elections. A list of AIMp members is no longer readily available to PSNC. As such, LPCs should contact AIM directly to determine the list of full AIM members (not associate members) relevant to their area. LPC Chief Officers should note that Neil Slater has retired and that LPC enquiries related to verifying membership information should go to admin@aimp.co.uk. To assist AIMp to provide membership information, LPCs should consider providing a simple list of non-CCA contractors by name, who have premises in the LPC area. This is a new step since elections were last held in 2018.
7. The Model constitution provides places as of right to contractors who are not CCA or AIMp members but with sufficient numbers of contracts (pharmacy premises) in the area and who decide to appoint to the LPC. A sufficient number of contracts is considered 8% or more of the total number of premises (i.e. those determined at paragraph 1 above) in the area. These are classed as regional multiples and must be owned by the same company. You must make sure these contractors are not AIMp members.

Such contractors may either have a place as of right if they have 8% or more premises or opt to go into the election. In practice, it is unlikely that LPCs will have any places under this provision as most regional multiples with significant numbers in an area will be AIMp members. However, if this does apply to your LPC, contact the PSNC Contractor and LPC Support Team for further advice.

8. Determine the number of places remaining.

April – May 2023:

9. You should now have the list of contractors (including contractors of independently owned LPS pharmacies, which are treated in the same way as other independent contractors, provided the LPS contractor has agreed to be represented by the LPC) who are eligible for nomination and to vote. CCA and AIMp are not eligible to vote, and any regional multiples taking places as of right as in paragraph 5 above will also not be eligible to vote.
10. The next step is to write to electors (i.e. those determined in 8 above) to seek nominations.

The text of a draft letter and nomination form is attached in appendix 1 and 2. Note that a nomination must include details of the candidate's community pharmacy experience and skills. Nominations are valid only if received by the Returning Officer by the specified closing date (14 days).

11. On receipt of nominations check the eligibility of each (i.e. that they are a contractor in the LPC area and not otherwise excluded) and acknowledge receipt of the nomination. If there are fewer nominations than places, the Returning Officer will declare the nominees elected without the need for a ballot. If there are more nominations than places, then an election is needed - follow the procedure in steps 11 and 12 below.
12. Collate all the statements from the nomination forms received by the deadline. Prepare the voting paper - see attached example in appendix 4. Publish the voting paper and statements to the contractors determined in 8 above, via the open part of the LPC website. A notification by email should include the link, with covering information clearly specifying the closing date for returning voting selection – draft copy is attached in appendix 3. This could be incorporated into electronic means, such as Microsoft Forms. LPCs may also want to consider a postal mailing as a pre-vote notice to ensure awareness and encourage participation.
13. Voting selection via paper, or electronic means should be returned to the LPC Returning Officer for counting by email, post, or submitted via electronic form. If the LPC prefers that the votes are counted by an independent body rather than the LPC the Returning Officer can arrange this, and several election provider services are in operation such as Civica, Mi-Voice and UK-Engage. In exceptional circumstances, this can be PSNC, in which case contact the Contractor and LPC Support team by **28th February 2023** and well before voting papers are sent out to make the arrangements; under this arrangement, once agreed, the LPC Returning Officer sends out the voting papers with PSNC as the returning officer.
14. The Returning Officer should include clear instructions for the return of the voting selection, such as an email address, or an envelope with the return address for the voting paper (this can be pre-paid if the LPC wishes).
15. The election results will determine the independent members enabling the LPC Returning Officer to complete the Committee membership by including them with the CCA, AIMp and regional multiple nominees. If an election was necessary, the Returning Officer should inform all the candidates of the result before making a public announcement.

June 2023:

16. This should give the committee a total number of members i.e 12 members (for a 12-member Committee). If any vacancies remain unfilled because an insufficient number of candidates have been nominated, the persons elected may fill the vacancies in accordance with clauses in the model constitution for dealing with vacancies.
17. Declare the results to contractors via a news story on the LPC website, inform PSNC via the PSNC Contractor and LPC Support Team email lpc.support@psnc.org.uk and record changes in details via <https://psnc.org.uk/lpcs-and-local/lpc-members-area/lpc-member-changes/>
18. Finally inform the regional NHS England team and NHS Integrated Care Board (as from April, they are expected to have delegated responsibility for LPC recognition). A sample notification letter template will be available in due course, once the process is confirmed with NHS England.

From July 2023:

19. The first meeting of the new Committee will be arranged in accordance with clause 8 and 9 of the constitution and officers appointed in accordance with section 4 of the model rules for LPCs. Further guidance on election of LPC officers will follow.

Need further advice?

If you have queries on this guide or require more information please contact:

James Wood, Director of Contractor & LPC Support, PSNC, 14 Hosier Lane, London EC1A 9LQ

E-mail: james.wood@psnc.org.uk / Direct Line 0203 1220 835 / Mobile 07796 957988

Suggested indicative timetable

Action required	Date in 2023 For those following the model timeline, electing a new committee to start in July	Date in 2023 For those electing a new committee to start in April outside of the model timeline for change (compressed timetable)
Calculate the number of CCA, AIMp and regional multiple places (based on 31st Jan 2023 data) notify them of entitlement, then allow 28 days for confirmation of take-up	From Monday 20th February	From Wednesday 1st February
Nomination forms to be distributed by LPCs to electors	From Monday 20th March	Wednesday 1st March
Closing date for return of nomination forms to LPCs	Friday 14th April	Wednesday 15th March
Voting papers and candidate statements to be distributed by LPC Returning Officer no later than	Monday 24th April	Friday 17th March
Closing date for return of Voting papers	Friday 12th May	Friday 31st March
Announcement of results by LPC to contractors	Around Wednesday 17th May	Friday 31st March
Inform PSNC, NHS England and the NHS ICB	From Monday 22nd May	Friday 31st March
New LPC Members take up office	Saturday 1st July	Saturday 1st April

Frequently Asked Questions

Q. What is a NHS Parent Organisation Code (POC) ?

HS Parent Organisation Code (POC) code is the pharmacy's unique identifying code for the parent organisation. Every pharmacy contractor has a POC even if there is one pharmacy within the organisation. If your pharmacy organisation has more than one pharmacy within it, each of them should be connected to your POC code. Further information is available on the PSNC website (see [NHS Parent Organisation Code \(POC\) - PSNC Website](#)).

Q. Why is the 'appropriate date' to determine the total number of pharmacy premises in the area for which the LPC is formed (and therefore, also the composition of the categories for election and/or appointment) being set at 31st January 2023, especially when there are potential market place changes?

In the existing constitution there is a requirement that this is the 31st October preceding an election cycle. This has been constitutional practice for the last 20+ years.

In the new model constitution, the wording of this section (3.4.3) was adjusted to deal with the transition year, given that most LPCs requested to 1st July (rather than 1st April) to form new committees. It says: 'The numbers shall be those existing on 31st October in the year preceding the election, or an appropriate date'

The rationale for drafting into the guidance an appropriate date of 31st January is that the election cycle is being moved forward by 3 months and therefore a January date would maintain the spirit of the constitution and established custom and practice. There needs to be sufficient time after the appropriate date to complete all the administration to deal with both appointments and elections.

If by the time the new LPC is confirmed for the 1st July, change of ownership, closures and/or consolidations results in resignation of LPC members before the committee begins (or thereafter) there are provisions in the constitution to deal with changes in ownership mix in an LPC area: firstly by appointment to fill a vacancy, and secondly at this point, a duty to ensure that the composition of the Committee reflects the mix of pharmacy contractors in the area for which the Committee is formed.

There are also several practical considerations to consider:

- Change of ownership applications can take considerable time and also the provision of updates to the pharmaceutical list and data available to LPCs (and PSNC), meaning there will always be a lag. Whilst the appropriate date could be changed, whatever line is drawn, there is the potential for changes. We should be aiming for consistency across the network – hence the guidance.
- In addition to this, elections have already been delayed by 1.5 years and this guidance attempts to avoid further delays to the process.

<Add to LPC Letterhead>

Dear Contractor

LPC Elections 2023

Your Local Pharmaceutical Committee (LPC), which from July 2023 will be known as Community Pharmacy <Local name> , is the organisation that represents the general body of pharmacy contractors at a local level, as recognised by the local NHS.

The term of office of the members of the <enter name> Local Pharmaceutical Committee expires on 30th June 2023, and I am writing to you seeking nominations for the pharmacy contractor places on the committee.

There are <enter number> places available and a nomination form is attached. Other places on the LPC are filled by nominations from the Company Chemists' Association (CCA) and Association of Independent Multiple Pharmacies (AIMp) and consequently neither candidates nor nominators may be representatives of member companies of the CCA or AIMp. The same prohibition applies to non AIMp regional multiples with more than 8% of the total contracts in the LPC area who have accepted reserved places on the LPC.

This process is vitally important to the work of your local representative body to the NHS, as our success depends on vibrant, engaged and committed leaders. Committee members are required to make decisions in the best interests of NHS community pharmacy owners, providing leadership and vision, bringing insight and accurately and fairly representing the views of contractors and LPCs. Further information is available at <enter website link>

If you would like to put forward a nomination, please complete and return the attached nomination form to me by 12 noon on <enter Date> 2023. If there are more nominations than places available there will an election and voting papers will be distributed to eligible contractors. Accompanying the voting paper will be the information taken from the **shaded boxes** on the nomination paper to provide voters with information on each of the candidates.

Yours Sincerely

<enter name>

Returning Officer

<enter name> Local Pharmaceutical Committee

**<enter name> LPC
ELECTION Self-Nomination
Form (MS FORMS VERSION)**

Name:	Representing: (name of contractor)
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Address of contractor:

Are you a Pharmacist? <input type="checkbox"/> Yes <input type="checkbox"/> No	Job title: (e.g. Superintendent Pharmacist, pharmacist manager, regional manager, NHS development manager, technician)
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Please tick which of the following applies to you:

Owner Employee Shareholder
 Director Manager Locum
 Other (please state):

How many hours a week do you work at this pharmacy?	How many hours a week do you work in any community pharmacy? (including those specified to the left)
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Personal statement: to include qualifications and experience relevant to LPC membership and may include comments on major issues for contractors:

Name and address of two other contractors who are different to the contractor (and who shall not be electors in which the candidate has a business interest) seeking representation in the LPC area and who support the nomination.	
Name and address of first contractor	Name and address of second contractor



Signed:	Date:	Signed:	Date:
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Declaration: I confirm I am authorised to put myself forward to represent the above contractor. I understand that to be valid all sections of this form must be completed.	
Signature of candidate:	Date:

Please return this form by 12 noon on <enter date> to the Returning Officer at the following email address: <enter address>



<Add to LPC Letterhead>

Dear Contractor

LPC Elections 2023

Following our letter to you seeking nominations for places on the <enter name> Local Pharmaceutical Committee I can report that for the X places available there were Y nominations and consequently there is an election to decide which of the Y candidates will be appointed to the committee.

Attached is background information on each of the candidates to help you decide. There is also a voting form, which can be returned electronically: please put a cross against the candidates you would like to vote for - as there are X places you should vote for no more than X candidates.

One vote will be permitted per NHS pharmacy premises owned in the region (i.e. one vote per ODS code), based on the data the LPC holds to carry out elections as of 31st January 2023.

These elections give you the chance to directly shape the leadership of your Local Pharmaceutical Committee so I encourage you to use this opportunity.

Please make sure your voting slip is returned to me by:

12 noon <enter date> 2023 at the latest.

<enter name>

Returning Officer

<enter name> Local Pharmaceutical Committee



**<ENTER NAME> LOCAL PHARMACEUTICAL COMMITTEE
LPC Elections 2023
CASTING YOUR VOTE (MS FORMS VERSION)**

	Candidate 1 Name	Candidate 1 Contractor Name and Address
	Candidate 2 Name	Candidate 2 Contractor Name and Address
	Candidate 3 Name.... etc	Candidate 3 Contractor Name and Address ...etc

VOTE FOR NO MORE THAN <number of places> CANDIDATES with a cross in the column on the left
I declare that I am the contractor, or someone authorised by the contractor to vote

Signature of Elector:

.....

Please print name and position at the contractor premises

.....

.....

Pharmacy stamp with address (ensuring it is clear and easy to read for the vote to be valid)



To be sent by email to office@thecca.org.uk

Cc: Robert.Severn@thecca.org.uk ; Adria.reeves@thecca.org.uk

Subject: <Name> CCA LPC Nominations 2023

Dear Company Chemists' Association,

The term of office of the members of the <enter name> Local Pharmaceutical Committee expires on 30th June 2023, and I am writing to inform you of the intention to hold elections and also to seek nominations for the CCA places on the committee.

Contractors approved the new model constitution at a special meeting held on <add date> and there will be a total of <number> of places on the committee from the new term of office starting 1st July 2023.

Based on the total number (<number>) of NHS pharmacy premises in the LPC area as of 31st January 2023, there are a <number> places available for nomination by the CCA as follows:

CCA Member Company	Number of NHS premises in the LPC area as of 31st January 2023
Asda	
Boots	
Lloydspharmacy	
Rowlands	
Superdrug	
Tesco	
WM Morrison	
Well	
Total	

Total number of places on the committee	
Total number of pharmacy premises in LPC area	
Total number of CCA member pharmacy premises in LPC area	
% of CCA places on the committee (rounded)	
Notes on rounding	
Total number of CCA places on the committee	

This is based on information held by the LPC, as of <date>. To raise a query about the data please contact us urgently by return email.

Please confirm the of the number of places, up to the entitlement of **<number>** that you wish to fill, within 28 days of this email, with the names of appointees to follow. If I don't hear from you in this time, I will proceed on the basis that the CCA intends to fill all its available places.

Yours Sincerely

<enter name>

Returning Officer

Add email signature with full contact details

