

Minutes of the Pharmaceutical Services Negotiating Committee meeting

held on 19th and 20th April 2023

at 14 Hosier Lane, London, EC1A 9LQ

Present: David Broome, Peter Cattee, Ian Cubbin, Marc Donovan (19th), Lindsey Fairbrother, Sami Hanna, Jas Heer, Sue Killen (Chair), Tricia Kennerley, Clare Kerr, Ifti Khan, Fin McCaul, Niamh McMillan, Claire Nevinson, Jay Patel (19th), Prakash Patel, Beran Patel, Olivier Picard, Adrian Price, Sian Retallick, Anil Sharma, Ian Strachan, Stephen Thomas, Faisal Tuddy, Gary Warner

In Attendance: Janet Morrison, Shiné Brownsell, Alastair Buxton, Jack Cresswell, Mike Dent, Michael Digby, Victoria Finney, George Foote (19th), Gordon Hockey, Melinda Mabbutt, David Onuoha, Suraj Shah, Rosie Taylor (20th), Rob Thomas, Gabriele Vickers, Sarah Welbourne, James Wood, Katrina Worthington

Item 1 – Welcome from Chair

- 1.1 Sue Killen welcomed the Committee to the meeting including the new members; Sami Hanna, Beran Patel, Olivier Picard and Ian Strachan.
- 1.2 The Chair reflected on the extreme challenges and changes within the NHS which create pressures for the sector and for the patients we serve. PSNC needed to engage and be as transparent as possible with the sector, while also protecting confidential items from the Committee meetings.
- 1.3 PSNC will be changing its name to Community Pharmacy England. Beyond a name change and rebrand, the Chair highlighted the opportunity to think more widely about the organisation's purpose and the future.
- 1.4 The Chair introduced Victoria Finney to the Committee who is an independent consultant who will be taking forward the work on the governance review with the Committee. The Chair commented that governance is at the core of how the Committee delivers for the sector and embodies the values and culture, strategy and communications of Community Pharmacy England. It was noted that the strength of PSNC/Community Pharmacy England is that it brings together different parts of the sector and reaches decisions on behalf of the sector as a whole, taking collective responsibility for all the decisions we take. The Chair reminded the Committee on the importance of confidentiality around the Committee discussions.

Item 2 – Apologies for absence

- 2.1 Apologies for absence were received from Marc Donovan and Jay Patel on Thursday 20th April.

Item 3 – Conflicts or declaration of interest

- 3.1 None.

Item 4 – Minutes of the 2nd February 2023 meeting

- 4.1 The minutes of the meeting, which took place on 2nd February 2023, were approved.

Item 5 – Matters Arising

- 5.1 The Chair noted the action points from the last meeting which had been completed.
- 5.2 In the minutes from the 2nd February meeting, it was recorded that the Chief Executive had asked the Department of Health and Social Care (DHSC) and NHS England (NHSE) to provide a timeframe for the next contractual framework negotiations. There was a question on whether they had responded; the Chief Executive confirmed that the office had not received a formal response but the likely scenario would be covered in the CEO's presentation on the political climate and influencing on the second day of the meeting.

Item 6 – Subcommittee reports

- 6.1 Key points of the discussion at the Review and Audit Panel meeting were presented by Adrian Price. The Risk Register will be reviewed and presented to the Committee. The Panel will also be considering diversity of the Committee's membership for the future.
- 6.2 Key points of the discussion at the Communications and Public Affairs Subcommittee were presented by Tricia Kennerley. Due to work pressure, the launch of the rebrand has been delayed until mid-May. It was highlighted that the CPA Subcommittee meetings take place outside of the regular meetings cycle. This will be reviewed along with how often they take place. The Committee thanked the Communications Team for all of their hard work on the pharmacy pressures survey.
- 6.3 Key points of the discussion at the Legislation and Regulatory Affairs Subcommittee were presented by Ian Cubbin, noting in particular the discussions on regulatory easements and supervision, as well as the cautious welcome for DHSC's work exploring the delivery of medicines by drone.

Item 7 – Overview of PSNC's Objectives 2023/24

- 7.1 Janet Morrison provided an overview of PSNC/Community Pharmacy England's role, values, objectives and challenges. The Chief Executive also provided a summary and update on contractor communications, media and public affairs work and the collaborations with other pharmacy organisations.
- 7.2 A member asked where PSNC stands with negotiations on the launch of the contraception service if the sector shows intent to deliver the service in spite of current pressures. The Chief Executive wrote to the Minister for Primary Care and Public Health on 13th March, stating that no new or expanded services should be rolled out unless extra funding is put into the sector. The Chief Executive noted that it was difficult to take a holistic view of the roll-out of Year 5 services without knowing the content of the Primary Care Recovery Plan. PSNC has made it clear to DHSC that the launch should not go ahead without the injection of additional funding and that PSNC would not promote guidance or take-up related to the service. The Chief Executive commented that the sector's actions should reflect its words and it is important that community pharmacy put value on its own worth.
- 7.3 The Chair felt that it was important to make sure the sector is well informed and that the Committee has a responsibility to explain the reality of the situation and why the Committee is taking this line.
- 7.4 There was agreement that this is a challenge and the Committee understands the severe pressure contractors are under. The Government needs to value what the sector does and the sector has to be taken seriously.

Item 8 – Directors' overview of key work objectives and challenges

- 8.1 Alastair Buxton provided an overview on the work on service development.
- 8.2 Gordon Hockey provided an overview on legislation and regulations.
- 8.3 James Wood provided an overview on LPC and contractor support.

Item 9 – Funding overview, objectives and issues

- 9.1 Mike Dent gave an overview on national funding and key projects.

Item 10 – TAPR update

- 10.1 James Wood provided an update on the Transformation Pharmacy Representation (TAPR) Programme and a progress report against the Review Steering Group (RSG) recommendations.
- 10.2 A member asked if the office can share with LPCs how PSNC spends the levies and what was spent from the reserves. This will be communicated through the annual report and KPIs.
- 10.3 A member commented that if contractors see PSNC receiving more money, they will expect greater or better delivery from PSNC. A member asked what would happen in two years' time if the sector is still in the same shape. The Chief Executive responded that this is why it's important to invest in strategy, build the right relationships and bring about change in the next contractual framework to get better results for the sector.
- 10.4 A member commented that communication is key. It is important that the sector shows that they can provide solutions for patients and to keep pushing a positive agenda.

Item 11 - Governance Review

- 11.1 The Chair and Victoria Finney provided an update on the governance review.
- 11.2 A member noted that PSNC is not incorporated and sought assurance that there is indemnity insurance for Committee members, including indemnity for directors and officers. It was confirmed that PSNC has indemnity insurance which includes indemnity insurance for directors and officers. There was discussion on previous PSNC consideration of incorporation. It was reported that this was not progressed due to issues around the joint NPA and PSNC pension fund and other tax reasons, which had saved significant cost for PSNC.
- 11.3 A member asked how the Committee can deal with any increased hostility towards PSNC. It was suggested that better communication and engagement are needed, and close working with LPCs.
- 11.4 The Chair commented on the importance of behaviours to governance and the need to develop the right culture for Community Pharmacy England. The Committee needs to agree the right ground rules.
- 11.5 A member commented that rebranding puts a spotlight on culture, values and governance and that it must be 'more than a poster'.

Item 12 – Vision and Strategy emerging findings and questions

- 12.1 Nigel Edwards, Chief Executive of the Nuffield Trust, and Richard Murray, Chief Executive of the King's Fund, presented to the Committee their findings from various interviews with key stakeholders within pharmacy and beyond, literature reviews, consultations and from various working group meetings.
- 12.2 A member commented that community pharmacies need to demonstrate that the sector can help improve patients' access to healthcare. Both Government and the public need to be made aware of the value of community pharmacy.
- 12.3 A member suggested a national booking system as part of the solution, where patients can book blood pressure checks and MMR vaccinations as an example, just like they book a flu or covid jab. This provides an opportunity to empower the patient. Referring to the Tiers in the presentation, it was also suggested to have a specific Tier for vaccinations.
- 12.4 A member commented that the sector is not being seen as part of the primary care system and that could be a potential hurdle. There needs to be integration with GPs and the services they access.
- 12.5 It was also noted that the sector won't save the NHS any money or be offering services on the cheap, but what it would be doing is providing a service that patients can't currently receive effectively, offering improvement and solutions to primary care. The Government needs a viable sector to invest in.

Item 13 – Current political environment, influencing and public affairs

- 13.1 The Chief Executive discussed the pharmacy funding crisis going into 2023 and the pressure indicators. The Committee looked at the feedback from contractors from the webinars surveys and the results of the pharmacy pressures survey.
- 13.2 The Chief Executive provided an overview of the long, medium and short term strategy to re-shape the next Contractual framework, including the key building blocks of the Vision and Strategic options for community pharmacy, the underpinnings of economic and social value and mechanisms and the influencing and media strategy. The Committee also looked at the implications for Year 5 and DHSC's response and the forthcoming Primary Care Recovery Plan.
- 13.4 It was noted that the influencing and vision work is all working towards offering solutions to primary care and patients that could form the basis for the sector's future role and sustainability.

Item 14 – Primary Care Recover Plan and Year 5 and 6 and next steps

- 14.1 Alastair Buxton discussed the background to Pharmacy First and took the Committee through PSNC's proposal, which was submitted to DHSC and NHSE in 2022 as part of Year 4 negotiations. He also described the fee structure that was proposed but noted that it would have to be revised in negotiations as costs have increased since 2022.

Item 15 – Cat A reform

- 15.1 Mike Dent presented the proposed Category A reform, noting that DHSC has indicated that they are determined to implement changes.

- 15.2 The Committee were asked whether they agreed in principle to the proposed reform and, if not, what would be the case for approval in future. The Committee were nervous about endorsing any change to Cat A reimbursement at a time when the sector is facing immense funding pressures and felt that, depending on dispensing mix, the impact on individual businesses could be notable. Moreover, following the turbulence in drug prices experienced by contractors over the past few months, the Committee were particularly concerned about the risks of introducing further instability to supply chains and the pharmacy sector through reform of Cat A. Members felt that PSNC should continue talking to DHSC and tweaking the proposals to try and mitigate these concerns.
- 15.3 Mike Dent thanked the Reimbursement Reforms Working Group, which works on these matters.

Item 16 – Governance update

- 16.1 The Committee were asked whether they were content with allowing the subcommittee chairs and membership to roll over for an interim period
- 16.2 It was noted that there will be a period where the new Committee will function under the existing constitution and rules before these are revised in accordance with implementation of the relevant RSG recommendations, as agreed following the Governance review. Also, that this implementation may bring significant changes to PSNC's governance.
- 16.3 After a discussion and a vote, the Committee agreed to the proposed flexible approach.
- 16.4 In addition, after a vote, Ifti Khan should be the Chair of the LPC and Contractor Support subcommittee.

Item 17 – Any other business

- 17.1 The Chair asked the Committee to let the office know if they have any feedback or suggestions on having the Committee meetings at the Hosier Lane office.
- 17.2 A question was raised on why the next Committee meeting will be held in Leeds and it was noted that the year before when the dates were set, there was a desire to meet outside of London so that LPC engagement could take place.
- 17.3 The Chair asked the Committee to let Shiné Brownsell know if anyone had any objection to her sharing the email addresses and telephone numbers of each Committee Member with the whole Committee.
- 17.4 The Chair thanked the office for all their hard work.