



Confidential

## Legislation and Regulatory Affairs Minutes

**Date:** 30 November 2023

**Location:** Community Pharmacy England Office, London

**Members present:** Ian Cubbin (Chair), Stephen Thomas, Ifti Khan, Lindsey Fairbrother.

**In attendance:** Phil Day, Beran Patel, Jay Patel, Adrian Price, Sian Retalick, Mike Dent (Director of Pharmacy Funding), Gordon Hockey (Director, Legal), Janet Morrison (CEO), Rob Thomas (Funding Delivery Manager), Katrina Worthington (Regulations Officer).

**Apologies:** Marc Donovan.

**Conflicts of interest:** No additional conflicts declared.

**Minutes of the last meeting:** The minutes of the meeting held in September 2023 were approved by the subcommittee.

**Matters arising:** There were no matters arising. Updates on actions were given.

**Item 5: ----**

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**ACTION: ----**

**Item 6: ----**

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**ACTION: ----**



## Item 7: ----

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**ACTION:** ----

## Item 8: Reasonable adjustment digital flag

- 21. The Director, Legal introduced the agenda paper indicating the reasonable adjustment digital flag has been introduced as an information standard and, therefore, applies to community pharmacy. It enables healthcare professionals to record, share and view details of reasonable adjustments.
- 22. The reasonable adjustment digital flag's application to community pharmacy is problematic because, under the Equality Act, it is each supplier who makes the decision to make an assessment and/or a reasonable adjustment. One supplier is not bound to follow another's assessment, but this flag will give patients an expectation that they will.
- 23. It was noted that Monitored Dosage Systems may be supplied for convenience rather than due to a relevant disability under the Equality Act. The confusion the flag could cause between patients, prescribers and other healthcare professionals and pharmacies was also noted.

24. A Coroner's court case was referenced which related to a GP's message to the pharmacy about the prescribed medicine that was not included on the prescription. It was suggested this might be helpful to consider and the LRA member raising the issue said details of the case would be provided to the Director, Legal.
25. The Director, Legal indicated that the regulations team would continue to discuss the issues with NHS England.

## Reports

### Item 9: MYS reporting of temporary closures

26. The subcommittee noted the report and the ongoing work, the aim of which was to ensure that a terms of service 'approved manner' of reporting temporary closures is introduced only after APIs linking to MYS are available to those contractors currently using their own IT reporting systems to notify ICBs.

### Item 10: Section 75 consultation

27. The subcommittee noted the report and our consultation response.

### Item 11: Provider Assurance

28. The Director, Legal introduced the report and highlighted some of NHS England's ongoing provider assurance work.
29. The subcommittee confirmed that it is helpful to inform contractors of forthcoming provider assurance work.

**ACTION:** Information to be published on the LFD service provider assurance work.

### Item 12: ICB requests and issues

30. The subcommittee noted the report.



### Item 13: Change of Core Opening Hours Appeal

31. The Regulations Officer introduced the report. She indicated that the report focused on the evidence that is required as part of an application to the ICB to change core opening hours.
32. The subcommittee asked for more information on opening hours and PNAs to be provided to contractors.

**ACTION:** Information to be provided to contractors.

### AOB

33. There was none.