



Community Pharmacy England Minutes

Dates: 13th – 14th September 2023

Start time: 12.15pm on 13th September

Location: 14 Hosier Lane, London, EC1A 9LQ

Members present: Sue Killen (Chair), David Broome, Peter Cattee, Ian Cubbin, Marc Donovan, Sami Hanna, Jas Heer, Tricia Kennerley, Clare Kerr, Ifti Khan, Fin McCaul, Niamh McMillan, Claire Nevinson, Jay Patel, Prakash Patel, Olivier Picard, Adrian Price, Sian Retallick, Ian Strachan, Stephen Thomas, Gary Warner

In attendance: Sharlyn Beltran, Shine Brownsell, Alastair Buxton, Jack Cresswell, Mike Dent, Daniel Fladvad, Gordon Hockey, Zoe Long, Melinda Mabbutt, Janet Morrison, David Onuoha, Rosie Taylor, Rob Thomas, Gabriele Vickers, Katrina Worthington, James Wood

Apologies: Apologies for absence were received from David Broome (Thursday only), Lindsey Fairbrother, Beran Patel, Olivier Picard (Thursday only), Anil Sharma and Faisal Tuddy.

Conflicts of interest: None.

Minutes of the last meeting: The minutes of the meeting held on 13th July 2023 were approved by the Committee.

Matters arising: The Chair noted the action points from the last meeting which had been completed.

Following the last Committee meeting which took place in Leeds, the Chair received positive feedback about meeting outside of London. There was agreement that it was good for the Committee to engage with LPCs, however, the Committee should be clearer with them on the expectations of any engagement sessions.

The Chair requested that members submit their profiles for the website if they have not done so already.

Welcome from Chair: The Chair highlighted changes that had to be made to the order of the agenda, as a consequence of an update on the negotiations.



The Chair informed the Committee that a letter on outstanding issues related to the ongoing negotiations had arrived from the Department of Health and Social Care (DHSC), and they were expecting a response from the Committee. The Chair commented that the sector needed additional funding and that it was important for Community Pharmacy England to complete the negotiations as quickly as possible.

The Chair reminded the Committee that the Strategy and Vision report was being launched on Tuesday 19th September, and that we would then develop our strategy, building on that.

The Chair referred to the pharmacy owner survey results in the papers and commented that the direct dialogue with those who we represent, could be a game changer.

Item 1: Economic Review

- 1.1 As part of the Year 4/5 agreement, a commitment was made for NHSE to commission an independent economic review, and for NHSE to work with us on this review.
- 1.2 Our key ongoing concerns were described, including both the potential risks if we did or did not participate. It was noted that previous NHSE analysis done without engagement from Community Pharmacy England (for example, at the time of the 2016 cuts) could produce very skewed findings, and participation could help mitigate this risk.
- 1.3 There were concerns that pharmacy owners asked to provide their data may not have the resources to do so, especially given the current economic and operational pressures. However, the Committee also felt that there was risk of backlash from the sector if Community Pharmacy England did not take part and seek to provide them the opportunity to provide data given the current economic position.
- 1.4 NHSE were expecting the chosen supplier to help refine the methodology of the review, so some of our concerns should be addressed at this stage. It also remains to be seen how the Advisory Board and Working Group will operate in practice. The decision was noted as a finely balanced one with pros and cons for both options.
- 1.5 Following the discussion, the Committee were asked to vote on whether to participate in the project. With no members voting to refuse to participate in the project, it was agreed to proceed, with Community Pharmacy England setting out its expectations to NHSE.



Item 2: Governance Review

2.1 Victoria Finney reported on the progress of the Governance Review since the Committee last met in July, and asked for the Committee's consideration, feedback and agreement on the appendices within the agenda.

2.2 Following a discussion, the Committee approved and endorsed the following:

- **Action Plan for addressing the conclusions and recommendations of the Committee Effectiveness Review** – endorsed
- **Draft Governance Framework** – approved in principle.
- **Draft Code of Conduct** – approved in principle.

A member commented that Community Pharmacy Local should be included with Community Pharmacy England in relation to values and behaviours which would be proposed and discussed with LPCs at the annual conference.

- **Draft Scheme of Delegation** – approved in principle.
- **Governance subcommittees** – endorsed

The Committee discussed whether the proposed remit of the Community Pharmacy England Governance and People sub-committee in relation to complaints should extend to CPLs. While recognising the benefits of a consistent approach to the handling of complaints as set out in the CPE/CPL Code of Conduct, it was agreed that on balance it was appropriate for CPLs to have responsibility for dealing with their own complaints at this time for two key reasons:

Committee members on CPLs are responsible for their own governance as separate legal entities. While Community Pharmacy England can and will provide advice and support to them, it does not have the resources to commit to stepping in and providing individual support for each of the 58 organisations, at the current time. This could of course be reviewed at a future date.

There was a comment that it was important to reinforce good governance for all CPLs and help them to support each other as well. This could be discussed with CPL at the annual conference.

- **Skills matrix** – there were strong differences of opinion about the value of undertaking a skills audit, and it was agreed that this would be discussed further and its suitability for Community Pharmacy England re-considered.
- **Committee composition review: suggested arrangements** – endorsed

The brief analysis in the paper was noted and there was discussion of the issues.

The Committee agreed to review composition of the Committee based on the latest available NHS ownership data, one year ahead of the next elections/appointments, which would be in spring 2026. This would inform elections for the new terms of office starting in April 2027.

A vote was taken on this: 21 members voted to endorse the proposal, 2 members voted against the proposal and 1 member abstained.

- 2.3 Victoria Finney discussed the next steps and will continue to work on these and the remaining governance documents and will share the governance framework and code of conduct with the CPLs.

Item 3: Update on negotiations

- 3.1 On Day 1 Janet Morrison presented to the Committee an update on the Pharmacy First negotiations.
- 3.11 Alastair Buxton provided a reminder on the proposed C-19 LFD supply service and then updated on the discussions on funding and our assessment of the cost of providing the service.
- 3.12 The fee proposal and the Drug Tariff process for reimbursement of the cost of the LFDs was discussed.
- 3.13 The Committee voted on whether to accept the proposal of a £4 + VAT fee for the service, with all votes cast in favour of accepting the proposal.



Item 4: Subcommittee reports

- 4.1 Key points of the discussion at the Resource Development and Finance (RDF) Subcommittee were presented by Mike Dent.

The Committee approved the following recommendations:

- Agreement of the statutory financial statements for the year ended 31st March 2023.
- Community Pharmacy England's day rate for 2023/24 be set at £300 a day, with pre-approved claims up to £450 allowed subject to provision of evidence.

There was a comment that there was discrepancy across the CPLs on expenses, and that it would be good to ensure that CPLs and Community Pharmacy England are aligned and to share our revised policy with the CPLs.

- 4.2 Key points of the discussion at the Funding and Contract (FunCon) Subcommittee were presented by Peter Cattee.

- 4.3 Key points of the discussion at the Communications and Public Affairs (CPA) Subcommittee were presented by Tricia Kennerley.

There was a question on whether there was a calendar for when APPG meetings are held, so that politicians and others can be notified in advance to ensure their attendance. Zoe Long informed the Committee that a new agency for the APPG had just been appointed and that they will hopefully include this in their forward planning.

- 4.4 Key points of the discussion at the Service Development Subcommittee (SDS) were presented by Fin McCaul.

- 4.5 Key points of the discussion at the LPC and Contractor Support (LCS) Subcommittee were presented by Ifti Khan.

ACTION:

- The office to share the new expenses policy with the CPLs.



Item 5: Negotiations, Year 6 asks and survey results

Negotiations

- 5.1 On Day 2, the Committee focused on the key priorities and what views should be included in the response to DHSC:
- Convey the Committee's appreciation for the write off of the fee over delivery for Years 3 and 4, including £36m of the fee over delivery in Year 5.
 - That the Committee are committed to working with DHSC on putting stronger mechanisms in place to prevent further over-delivery and discussing this as part of Year 6 negotiations.
 - Timing for starting the CCS service in January was very tight.
 - Convey the Committee's concern on how to ensure the rapid rollout of the service without disincentivising pharmacies from signing up. Urging DHSC to ensure the payment structure and conditions incentivise early sign up.
 - Strongly urge the provision of a set-up fee months ahead of the start of the service to encourage as many pharmacies as possible to sign up for the CCS.
 - The Committee would support reasonable provisions for a clawback regime to recover the set-up fee in such situations.
 - The requirement for a minimum number of consultations for payment of the monthly fixed payment – set at 20 – was a significant concern. The Committee were concerned that 20 was too high for the commencement of the service and could act as a severe disincentive to signing up for the service. The Committee wanted to consider a very low activity requirement for the first six months which could be raised through a graduated target, which is set against actual consultation numbers.
 - On CCS – cost control mechanism/capping, the Committee were concerned by the proposal to set a flat cap on a per pharmacy basis, and were keen for the Government to consider a more flexible mechanism.
 - Remote provision of the CCS service must be provided via a video-consultation

process with the pharmacist. A telephone or text-based communication, or questionnaire, would not suffice. The Committee also felt that DSPs should receive the same ongoing monthly fixed fee as other pharmacies.

- Referring to fees for existing services, the Committee argued that both fees should be higher than the £15 set out in the letter, recognising the time taken to provide the service and also the cost of IT. The Committee also believed that fees for the existing services should be reviewed in line with inflation. The Committee also raised concerns that the fee for the initiation of oral contraception was too low given the amount of time such consultations would take.
- The Committee appreciated the concession made by the Government in moving back the requirement for bundling to September 2024, however still had concerns about the practicalities of the bundling proposal which the Committee felt needed more thought and discussion.

ACTION:

- Janet Morrison to write a response to DHSC communicating this.

Survey results

5.2 James Wood presented the most recent pharmacy owner survey results. The office will encourage all CPLs to circulate future surveys to all their local pharmacies.

Negotiation Asks for 2024/25

5.3 Mike Dent provided a presentation. The list had been pitched on the basis of the sector needing more money given pressures, reduced regulation and no new activity unless this was paid for.

The Committee considered the core asks, priorities and red lines for us to take into the upcoming negotiations on the Community Pharmacy Contractual Framework (CPCF) for 2024/25. Recent polling of pharmacy owners as well as Committee Members' own experiences helped shape the discussion, which centred around themes, such as:

- Pushing for increased core funding (including issues around excess margin and the increasing number of price concessions);

- Developing new funding mechanisms;
- Improving funding distribution; and
- Easing workload through operational changes.
- Our priorities and red lines will be revisited once we have received the mandate for these negotiations from DHSC and NHS England.

Item 6: Vision and Strategy

- 6.1 Janet Morrison provided a presentation, setting out the proposal to develop the strategy that informs what Community Pharmacy England should prioritise between now and March 2024, including looking at the Committee's strengths and weaknesses, and what key themes were arising from the Vision for Community Pharmacy.
- 6.2 Janet expressed concerns on our capacity constraints, commenting that she was very aware of the workload of the Committee and that there were a lot of workstreams which are ongoing and forthcoming.
- 6.3 Janet commented that there can never be a fully defined, perfect strategy for the next 5 years, due to it being dependent on the policies of the NHS and the Government and the timelines they decided to pursue.
- 6.4 The Committee discussed in groups the organisation's current capabilities and performance.
- 6.5 There was a recommendation to create a working group of members to work on a strategy, starting with an in-depth evaluation of the key elements of Nuffield Trust and The King's Fund Vision. It was suggested the group should meet in October to look at priorities and to help shape the discussion for the November Committee meeting and create a draft of the objectives for Community Pharmacy England.
- 6.6 Some members felt that it may be difficult to deliver this by March 2024, however it was the right thing to do.

ACTION:

- Committee members to let the office know if they would like to be part of the

working group.

Item 7: TAPR programme update

7.1 The information in the agenda was noted.

Item 8: Any other business

- 8.1 Jay Patel informed the Committee that AIMp will be having their AGM the following week and commented that they would want an explanation of Community Pharmacy England's decision on reviewing the composition of the Committee. It was agreed that an explanation of the decision reached at the meeting would be provided.
- 8.2 Tricia Kennerley asked what the next steps were with the negotiations. Janet Morrison confirmed that she would be responding to DHSC on Friday 15th September. Further negotiations will need to take place, however both sides will be working to get to decision point as soon as possible.
- 8.3 Fin McCaul requested direction from the Committee on the fees for the NHS England IP Pathfinder. Alastair Buxton and James Wood confirmed they had met with NHSE to share CPL's feedback on the pathfinder process and concern over the funding. This feedback had also been shared with all the CPLs following discussions at the last CLOT meeting.
- 8.4 The Chair commented that more Committee members blogging following each meeting would be a good thing to do.
- 8.5 The Chair asked the Committee to continue feeding in on how to improve Committee meetings. The meeting environment will be improved at Hosier Lane however there was agreement that Hosier Lane was the best place to meet.
- 8.6 The Chair thanked the team for their hard work and reminded the Committee that the farewell dinner for Committee members who left earlier this year, will be taking place during the November Committee meeting.