

PSNC Health Policy and Regulation subcommittee Minutes

for the meeting held on Tuesday 12th January 2016

at Radisson Edwardian Grafton, 130 Tottenham Court Road, London, W1T 5AY

Present: Ian Cubbin (Chair), David Evans, Margaret MacRury, Prakash Patel, Janice Perkins

Together with: Steve Lutener, William Goh.

Apologies for absence

No apologies for absence were received.

Minutes of previous meeting and matters arising

The minutes of the meeting held on 14th October 2015 were approved.

Report of progress on matters previously discussed by the subcommittee

The subcommittee agreed that items be removed from the progress report 12 months after closure to keep the size of the table reasonable. The table will be updated after each meeting.

PSNC plan and subcommittee workplan

The subcommittee noted the remit set out in the governance papers circulated with the agenda papers and the annual plan set out in the PSNC papers.

Agenda and Subcommittee Work

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| 1 | Proactively seek changes in the regulatory framework that support contractors and will robustly respond to proposals from the Department of Health and NHS England |
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Market Entry

Noted.

Numbers of pharmacy premises

Noted. It was reported that PSNC were not automatically included in a number of working groups but the Director of Regulation & Support has submitted a request to DH to be part of several working groups.

Hub and spoke / centralised dispensing

Noted. Director of Regulation & Support due to attend the working group on hub and spoke.

Public Sector Equality Duty

Noted.

CD Accountable Officer resilience

Matter of report. The subcommittee decided that the office should pursue NHS England to acknowledge emails. It was noted that NHS England's CD Accountable Officers could not delegate its responsibilities.

Regulation 31 Same or adjacent premises test

Noted. The office to prepare and publish an article to LPCs.

Rural Working Group

Subcommittee approved amendments to ToR and canvas nominations for membership of RWG. It was recommended that the ToR would be amended so that the Chairman of the subcommittee together with the Director of Regulation and support are able to appoint eligible members.

General Pharmaceutical Council inspection and monitoring regime for pharmacy premises

Report noted. Although, a member of the subcommittee considered that the contents of the report differed from her own understanding of GPhC's inspection and monitoring regime for pharmacy premises. It was stated that this item would be adequately taken forward by other pharmacy organisations so should not be a priority for PSNC in the current climate.

Accessible Information Standard

Noted. Office to continue to work with other primary care professions on seeking greater support from NHS England as well as managing the introduction of the requirements

Rebalancing

Noted. Director of Regulation & Support had asked to be part of the working group on supervision and is awaiting a response from DH/NHS England.

2 PSNC will address operational issues affecting pharmacy practice, working to secure the best outcomes for contractors.

Falsified Medicines Directive

Noted.

Direction of prescriptions

Noted.

Report of progress on matters previously discussed by the subcommittee

Matters worked on between October 2014 to present (starting with most recent open workstream items and descending to closed workstream items)			
Item/description of workstream	Most recent action/s	Current status	Date of last subcommittee meeting
Hub & spoke	Director of Regulation & Support to attend working. Hub and spoke will be considered as part of rebalancing.	Open	01/16
Accessible Information Standard	Office to continue working with the primary care professions and encouraging NHS England to make the accessible information standard workable.	Open	01/16
Rebalancing	Director of Regulation & Support requested DH to be part of the working group on supervision and is awaiting a response.	Open	01/16
Charges regulations matters including "switching", discretionary payments etc.	"On hold" pending community funding consultation outcome. The office continues to press DH for action. Awaiting formal response from DH with proposed Drug Tariff amendments and wording proposals. Awaiting confirmation of policy on discretionary payments from NHS England.	Open	01/16
FMD	Delegated Acts issued. System suppliers to look at options. PSNC to keep watching brief on developments. PSNC hosting a meeting in January 2016 with other UK home countries at which NPA will provide an update / briefing	Open	01/16
Rural Working Group (RWG) ToR need amendment and members appointed	Subcommittee approved amendments to ToR and canvas nominations for membership of RWG with Chairman and Director of Regulation and Support agreeing the nominations.	Open	01/16
National Provider company	PSNC agreed to support a national provider company with £25,000 to cover the remaining part of the year, subject to the NPA matching this funding pledge. It is envisaged that the national provider company will proceed to incorporation in due course [instructions to lawyers to prepare draft Articles issued].	Open	01/16
Pregabalin	No change to NHS guidance - refer back to prescriber if Lyrica intended. An appeal against the High Court decision is pending. Noted that Wales LHB have issued contrary guidance, PSNC to contact CPW. [CPW subsequently confirmed no problems at present].	Open	10/15

Co-Commissioning	Informal discussions so far. Legislation may need to be amended, and the co-commissioning will be “complementary and supplementary to the core contract”.	Open	10/15
APPG	Continue to work with Pharmacy Voice and the RPS to engage with politicians to promote the services that pharmacies can offer and to support the APPG.	Open	10/15
Application timescales	On 1st September 2015, Capita took over responsibility for primary care support services PSNC as part of the PCS stakeholder forum have raised examples of where NHS England have failed to abide by the timescales set down in the regulations for determining applications. [Director of Regulation and Support discussing with Capita].	Open	10/15
Application consultation: LPCs and interested parties NHS England not consulting properly on new applications	On 1st September 2015, Capita took over responsibility for primary care support services PSNC as part of the PCS stakeholder forum have raised examples of where NHS England has not consulted adequately. [Director of Regulation and Support discussing with Capita].	Open	10/15
Prices on labels	No formal communication on this policy from the Department.	Open	07/15
CG – IG -Business continuity plan	[PSNC to draft template].	Open	07/15
Dispensary Waste confusion if Rx waste can be included	Waste procurement exercise ongoing.	Open	05/15
Return of denatured CDs	Subcommittee discussed whether this was a significant issue - believed that it was isolated and best dealt with locally. A request for further particulars made in October 2015.	Closed	10/15
Inducements	DH taking no further action – suggested that PSNC might raise during negotiations with NHS England.	Closed	10/15
7-day access	Pharmacy may be encouraged into 7 day access like GPs noted.	Closed	10/15
Contract monitoring/CPAF Including reports of inappropriate action	CPAF lite a success. [Full CPAF for those selected for possible visit being prepared for January].	Closed	10/15
LA Commissioning Failure of LA to consult LPC.	Noted [National primary care representative bodies to work with LRCs – NHS England on memorandum of agreement setting out the roles and functions – will recommend LRCs as consultees.	Closed	10/15
Messages on RHS Rx	Reported and noted that HSCIC will update guidance to GPs on the appropriate use of RHS.	Closed	10/15

NHS Standard Contract	<p>The office submitted response to the proposals for the NHS Standard Contract 2016/17. [A copy of the response is available on request from Director of Regulation and Support].</p> <p>The draft shorter NHS Standard Contract has been reviewed and comments provided to NHS England prior to the formal consultation by the end of the year. [A copy is available on request from the Director of Regulation and Support].</p>	Closed	10/15
Charge for carrier Bags	Legislation introduced 5 pence charge for single use plastic carrier bag which is now effective in England. Noted.	Closed	10/15
Boxing day 2015 Query about status of 26/12	Publicity give to contractors, as NHS England taking a hard line.	Closed	07/15
Pharmacy Closures 2 nearby pharmacies. If close one creates a gap. Discussed with NHSE and DH	Some guidance already provided by DH to HWB. PSNC to write LPC briefing. [covered in PSNC market entry events. Article written for LPCs (12/15)].	Closed	07/15
FtP - Superintendent named on applications	For NHS England to decide whether there needs to be change.	Closed	07/15
GPhC fees consult – response to consultation	PSNC response submitted and noted that GPhC confirmed that the proposed fees increase would take place.	Closed	07/15
Supply of CDs in police custody – guidance in development	Guidance published and noted.	Closed	07/15
NHS Fraud - exemption checking Reference to DH announcement	No developments.	Closed	07/15
EPS Schedule 2 & 3 controlled drugs - regs to be amended	Changes came into force 1st July 2015. Now awaiting action by system suppliers.	Closed	07/15
Post election lobbying	Update on conferences to date PSNC's fringe events at the Labour and Conservative Party Conferences were well attended and good discussions were had with ministers, councillors and other health professions (the CEO will report on these events in the PSNC plenary session).	Closed	07/15
GPhC consult - Investigating Comm.	Not PSNC's role and remit.	Closed	07/15
Psychoactive substance bill	Reported and noted.	Closed	07/15

GPhC Inspections Report published. No further action	Report published by the GPhC setting out a provisional timetable (dependent on parliamentary approval) for full implementation of the inspection model, with publication of inspection reports. No further action for the subcommittee.	Closed	05/15
HSJ supplement	It was reported and noted that there will be 3-4,000 spare copies many of which available to LPCs for their own local discussions.	Closed	05/15
PNA Enh services	PNAs have been published. It was noted in the agenda that the current PNA remains in place until the HWB PNA is published.	Closed	05/15
Homecare	Reported to the subcommittee that the homecare market is flaky and the research undertaken as part of the MBA could help identify opportunities for community pharmacy to integrate with homecare. No subcommittee action required.	Closed	05/15
Francis review	The report was considered and no further action needed.	Closed	05/15