

PSNC Health Policy and Regulations Subcommittee Minutes

for the meeting held on Tuesday 8th May 2018

at Mercure Bristol Holland House Hotel and Spa, Redcliffe Hill, Bristol, BS1 6SQ

Members: Ian Cubbin (Chair), Janice Perkins, Prakash Patel and Stephen Thomas

Together with: Simon Dukes, Gordon Hockey, Zoe Long, Sue Sharpe, Alastair Buxton, Faisal Tuddy, Mike King, Fin McCaul, Mark Burdon, Adrian Price, Sunil Kochhar, Mike Pitt, Has Modi, Marc Donovan, Tricia Kennerley, Clare Kerr, Margaret MacRury, Sam Fisher, Peter Cattee, Jack Cresswell, Anil Sharma, Jas Heer, Andrew Lane

Apologies for absence: None

Minutes of the previous meeting and matters arising

The draft minutes for March 2018 were approved by the subcommittee. Janice Perkins and Gordon Hockey confirmed that the RPS had been informed of the subcommittee's view on its proposed guidance on the safe and secure handling of medicines; Janice also confirmed that she would be a member of the RPS group considering the issues.

Agenda and Subcommittee Work

All ongoing matters were noted. The date of the appeal hearing was noted. It was noted that contractors have speculated about what the outcome of the appeal will be, and the office will produce communications to ensure contractors understand what is going on.

Consider and resolve regulatory issues associated with the current CPCF and future developments; where necessary proactively seek changes to the regulatory framework, to support contractors.

Report: General Data Protection Regulation (GDPR)

The Subcommittee noted the hard work done by the Director of Operations and Support and thanked him for this. The office will continue to support contractors on GDPR.

A verbal update was given on the lobbying work seeking an amendment to the Data Protection Bill which would mean that pharmacies may not require a DPO if they are **not** processing data on a large scale. When we know whether this has been successful, the office will issue communications with an update and further advice for contractors. The subcommittee discussed the challenges for small businesses if they do require a DPO, and the possibility of appointing a pharmacist, technician or other appropriate person, or using an external DPO. The subcommittee was broadly content with the draft guidance for internal and external DPOs.

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Decision: Review of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013

The subcommittee noted the report and its recommendations partly reflect concerns raised by PSNC. The subcommittee heard feedback that the recommendation concerning 100-hour pharmacies was a worrying one for some contractors and noted that this aspect of the review will be contentious. The subcommittee agreed to

set up a working party to consider detailed aspects of the review and agreed the office should prioritise work with DHSC on areas of most interest to contractors and where there was broadest agreement.

Report: Regulation 94, appeal mechanism

The subcommittee noted that the directions were awaited.

Ensure administration of the regulations is undertaken properly and effectively;
advising and supporting LPCs and contractors

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Report: Community Pharmacy Contractual Framework (CPAF)

The subcommittee noted that the new CPAF screening questionnaire, set out in annex 9 of the agenda, had been agreed with NHS England.

Report: Post Payment Verification

The subcommittee noted the information in the agenda and that this item would be the subject of discussion in July.

Report: Information about health service products

The subcommittee noted that the Department of Health and Social Care had indicated that it had accepted PSNC's submissions on which pharmacies should be 'small UK producers'. It was reported that the draft regulations had been received at the end of last week and it was agreed that the subcommittee should meet by teleconference at an appropriate time to discuss them.

Report: Community Pharmacy submissions in the UK Warner-Lambert v Actavis (Lyrica) case

The PSNC submissions as an interested party were noted. Judgment in the case is awaited.

Any other business

There was none.