

Updated March 2021

PSNC Briefing 045/2020: Regulatory and contractual dispensations agreed to assist contractors with the ongoing COVID-19 pandemic

This briefing sets out the regulatory and contractual dispensations agreed with the Department of Health and Social Care (DHSC) and NHS England and NHS Improvement (NHSE&I). These have been agreed to support contractors in their continuing efforts to provide core services and meet the needs of their patients.

The aim of the dispensations is to help community pharmacy to be able to focus on the provision of key pharmacy services, including COVID-19 related services; maintaining pharmacy availability and accessibility; and providing advice and reassurance to patients and the public on their health needs.

Some of the dispensations mean regulatory and contractual work will not need to be undertaken and, in some cases, work may be delayed, as set out below. At the end of the stated period of time, the regulatory requirement resumes, unless a further dispensation is agreed.

Topic	Change and further information
Pharmacy Quality Scheme (PQS) Part 2 2020/21	The PQS Part 2 2020/21 declaration was made in February, however, contractors will have until 30th June 2021 to collate the evidence to demonstrate that they are compliant with many of the elements of the scheme they have declared as having met. Please see https://psnc.org.uk/our-news/pqs-preparing-to-declare-additional-faqs/ for more information. Following their declaration, contractors will still receive any PQS payment due as part of the overall payment made by the NHSBSA to contractors on 1st April 2021. The 2021/22 PQS will commence in July 2021. https://psnc.org.uk/services-commissioning/pharmacy-quality-scheme/pqs-2020-21-part-2/
NHSE&I determined audit	Requirement waived for 2020/21.
Contractor determined clinical audit	Requirement waived for 2020/21.
Community Pharmacy Patient Questionnaire	Requirement waived for 2020/21.
Community Pharmacy	The CPAF will not be undertaken in 2020/21. NHSE&I has halted routine contract monitoring but reactive work on compliance, for example, investigating complaints or concerns, may still be required.

Assurance Framework (CPAF)	
Data Security and Protection Toolkit 2020/21	<p>Deadline for completion extended to 30th June 2021.</p> <p>https://psnc.org.uk/contract-it/pharmacy-it/data-security/data-security-and-protection-toolkit/</p> <p>No action will be taken against contractors that have not completed the 2019/20 Toolkit if they are working to complete the 2020/21 Toolkit.</p>
Secretary of State declaration of emergency	<p>The period of emergency declaration has been extended to 30th June 2021. This allows contractors to request and NHSE&I to grant temporary flexible opening hours (days or times) by setting out the reasons for the request and giving 24 hours' notice.</p> <p>Having given 24 hours' notice to NHSE&I with reasons for the request, and in the absence of a response from NHSE&I, contractors may start the flexible provision of opening hours, but must return to normal opening hours if the request is subsequently refused.</p> <p>Temporary relocations during the emergency are also permitted – see details of the procedure at:</p> <p>https://psnc.org.uk/the-healthcare-landscape/covid19/network-resilience/</p>
Regional or national announcements on flexible opening hours	<p>NHSE&I's Community Pharmacy SOP permits NHSE&I regional teams to exercise local flexibility on opening hours.</p> <p>https://psnc.org.uk/the-healthcare-landscape/covid19/network-resilience/ and https://www.england.nhs.uk/coronavirus/publication/standard-operating-procedure-community-pharmacy/</p>
Opening hours over the Easter 2021 period clarified	<p>On 16th February, NHSE&I indicated that there was unlikely to be any national direction requiring additional opening of community pharmacies on the Bank Holidays during the Easter period:</p> <p>https://psnc.org.uk/the-healthcare-landscape/covid19/network-resilience/</p> <p>Local rotas and directions for Bank Holiday opening continue to apply and the pharmacy's opening hours listed in the Directory of Services and on the NHS website must be up to date.</p>
NMS and MUR quarterly returns	<p>At the start of the outbreak NHSE&I indicated that these would not be required and has confirmed that this continues to be the case.</p> <p>https://psnc.org.uk/the-healthcare-landscape/covid19/contract-and-regs-changes/</p>
Complaints return	<p>At the start of the outbreak NHSE&I indicated that annual complaints submissions would not be required during the pandemic and no complaints return is needed at the end of the year 2020/2021.</p> <p>https://psnc.org.uk/the-healthcare-landscape/covid19/contract-and-regs-changes/</p>
Practice leaflets	<p>At the start of the outbreak NHSE&I indicated that no action would be taken against contractors not updating practice leaflets during the pandemic. https://psnc.org.uk/the-healthcare-landscape/covid19/contract-and-regs-changes/</p>
Health campaigns	<p>No campaigns have been arranged to date for the calendar year 2021.</p>
Post Payment Verification (PPV) or Provider Assurance	<p>NHSE&I has continued with only limited PPV activities, for example, on MUR activity in excess of that which may be claimed and the pandemic delivery service.</p>

Breach notices	NHSE&I has adopted a pragmatic approach to performance management, seeking to avoid issuing breach notices.
Patient signatures to confirm a prescription charge exemption	<p>Patient signatures are not required on prescriptions and dispensing tokens; this applies until 30th June 2021.</p> <p>Applying the correct patient declaration (of exemption status) to the electronic claim message is essential – otherwise the prescription charge will be deducted from the contractor’s remuneration; also submitting paper prescriptions in the correct divider/groups in the end of month prescription bundle is essential for similar reasons.</p> <p>https://psnc.org.uk/our-news/temporary-suspension-of-signature-and-token-submission-requirements-extended/ PSNC Briefing 040/20: Requirement to sign prescriptions suspended: dispensing and submission guidance</p>
Dispensing tokens where an exemption is claimed	<p>Contractors are not required to submit these with their end of month prescription bundle; this applies until prescriptions dispensed from July 2021 - the bundle of prescriptions submitted by 5th August 2021.</p> <p>The tokens are not required because they are not signed by the patient AND the exemption is deducted on the basis of the electronic message, not the dispensing token.</p> <p>https://psnc.org.uk/our-news/temporary-suspension-of-signature-and-token-submission-requirements-extended/</p>
NHS Test and Trace	<p>Contractors should escalate to the Public Health England Local Health Protection Team any decisions which could affect their continuity of service.</p> <p>https://psnc.org.uk/the-healthcare-landscape/covid19/wellbeing-and-testing/ and https://psnc.org.uk/our-news/nhs-test-and-trace-december-2020-update/</p>
Lateral flow testing for asymptomatic community pharmacy staff	<p>This was requested by PSNC and sought by NHSE&I to assist with continuity of service issues for community pharmacy and primary care.</p> <p>Community pharmacy staff must still self-isolate if requested by NHS Test and Trace.</p> <p>https://psnc.org.uk/the-healthcare-landscape/covid19/wellbeing-and-testing/</p> <p>NHSE&I has indicated that if patient-facing pharmacy staff choose to use the LFDs (this is a voluntary test) and test for COVID-19, they must report their results on the GOV.UK website each time they do a test as this is a statutory notifiable disease reporting requirement. Reporting is straightforward, with a standard NHS login, which removes the requirement to input demographic data each time a result is reported.</p>

If you have queries on this PSNC Briefing or you require more information please contact [Layla Rahman, Regulations Officer](#), or [Gordon Hockey, Director of Operations and Support](#)