

16 December 2014		ITEM: 6
Health & Wellbeing Overview and Scrutiny Committee		
Pharmaceutical Needs Assessment		
Wards and communities affected: All	Key Decision: Non-key	
Report of: Debbie Maynard, Head of Public Health		
Accountable Head of Service: As above		
Accountable Director: Roger Harris, Director of Adults, Health and Commissioning		
This report is Public		

Executive Summary

From 1st April 2013, Health and Wellbeing Boards have assumed the responsibility for the development and publication of local pharmaceutical needs assessments (PNAs), formerly published by primary care trusts.

The PNA provides a full, ongoing assessment of the local need for pharmaceutical services, which is different to identifying general health need.

NHS England will use the PNA when deciding if new pharmacies or dispensing appliance contractor premises are needed, and to also make decisions on which NHS funded services need to be provided by local community pharmacies. Local authorities and Clinical Commissioning Groups will also use the PNA to inform their commissioning decisions.

The legislation states that the PNA must be published by **1st April 2015**, and fully revised every three years to ensure it remains accurate.

1. Recommendation(s)

1.1 The Health & Wellbeing Overview and Scrutiny Committee is asked to note the contents of the report;

2. Introduction and Background

2.1 The Health and Social Care Act 2012 transferred the statutory responsibility for the development and updating of Pharmaceutical Needs Assessment's (PNAs) from Primary Care Trusts to Health and Wellbeing Boards, with effect

from 1st April 2013. The PNA is a document that provides a full and on-going assessment of the need for pharmaceutical services within a specific area. The PNA tells us what pharmaceutical services are currently available and where we are likely to need changes in the future because of demographic or other factors. If someone wants to provide NHS pharmaceutical services, they are required to apply to the NHS to be included on a pharmaceutical list and must prove they are able to meet a pharmaceutical need.

- 2.2 NHS England (the national body responsible for commissioning pharmaceutical services) relies on PNAs to inform decision making, specifically regarding whether existing pharmaceutical services meet local need. The PNA is also used by NHS England to assess applications from applicants who want to deliver pharmaceutical services within the borough.

The Thurrock Health and Wellbeing Board is required (under the NHS Pharmaceutical Services and Local Pharmaceutical Services Regulations 2013) to:

- Produce a PNA by 1st April 2015
- Publish a revised PNA within three years of publication of their first Assessment
- Publish a revised PNA as soon as is reasonably practical, if any significant changes to the availability of pharmaceutical services are identified, unless the Health and Wellbeing Board is satisfied that making a revised assessment would be a disproportionate response

- 2.3 The Thurrock Health and Wellbeing Board delegated executive authority to the Director of Public Health (DPH), to oversee the development of a new PNA for Thurrock. The DPH ensured a steering group with appropriate terms of reference and governance arrangements was established. The steering group comprised representation from all key representative organisations as required by the regulations.

3. Update on the process of the development of the Thurrock PNA

- 3.1 The Council undertook a public consultation exercise with citizens during the months of May and June 2014. This exercise enabled the needs of local people (in terms of pharmaceutical services) to be identified. Following the public consultation the draft PNA was reviewed by the PNA steering group and amended.
- 3.2 The PNA was issued to stakeholders on the 23 July 2014 for a 60 day consultation period (as required by regulations). This statutory consultation period ended on the 22 September 2014. All responses have been assessed and pertinent issues relating to local pharmaceutical services noted and amended within the final version of the PNA.

4. Reasons for Recommendation

- 4.1 That the Overview and Scrutiny committee supports the management of the new Pharmaceutical Needs Assessment. The Steering Group will be responsible for supplying regular update reports to the Health and Wellbeing Board on a quarterly basis.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 There is a statutory 60 day consultation required as part of the process for producing a PNA.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 Contribution to Council's Vision and Corporate Priorities
Pharmacies are an important part of the healthcare system and play a further role in meeting the health needs of the population by improving public health in a number of areas such as smoking, cardiovascular disease, sexual health and substance misuse.

7. Implications

7.1 **Financial**

Implications verified by: **Mike Jones**
Management Accountant

The cost of the development of the Thurrock PNA has been met from the public health budget. Any future amendments or revisions of the PNA will also be met by the public health ring-fenced grant and included in future commissioning intentions

There are no financial decisions that relate to this report. Decisions arising from recommendations by the Director of Public Health that may have a future financial impact for the Council would be subject to the full consideration of the Cabinet before implementation.

7.2 **Legal**

Implications verified by: **Dawn Pelle**
Legal Officer

There is potential for legal challenges associated with the PNA. These include Direct challenge to the Council for failure to meet duties by those consulted on a draft of the PNA, or contractors who believe they are affected by what the

PNA does or does not say. In any event the report and timescales comply with the statutory provisions laid down in s.128A National Health Service Act 2006 and the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013.

7.3 **Diversity and Equality**

Implications verified by: **Natalie Warren**
Community Development and Equalities
Manager

Equality and diversity issues have been reviewed following the public consultation and will be taken account of in the publication of the final PNA.

7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

Failure to deliver a pharmaceutical needs assessment by 1st April 2015 would put the Council in breach of Section 128A of NHS Act 2006, as amended by Health Act 2009 and Health and Social Care Act 2012.

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Department of Health: Pharmaceutical Needs Assessments. Information Pack for Health and Wellbeing Boards

9. **Appendices to the report**

- Pharmaceutical Needs Assessment

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