

**REPORT TO:** Health and Wellbeing Board

**DATE:** 14 January 2015

**REPORTING OFFICER:** Director of Public Health.

**PORTFOLIO:** Health and Wellbeing

**SUBJECT:** Pharmaceutical Needs Assessment

**WARD(S)** Borough-wide

## **1.0 PURPOSE OF THE REPORT**

1.1 To provide members of the Board with the final version of the Pharmaceutical Needs Assessment (PNA) and briefing on the results of the statutory 60-day consultation.

## **2.0 RECOMMENDATION: That**

- 1. the Board approve the PNA for publication; and**
- 2. the Board delegate the Steering Group to deal with production of supplementary statements needed throughout the lifetime of the PNA**

## **3.0 SUPPORTING INFORMATION**

3.1 The pharmaceutical needs assessment is a statutory document that states the pharmacy needs of the local population. This includes dispensing services as well as public health and other services that pharmacies may provide. It is used as the framework for making decisions when granting new contracts and approving changes to existing contracts as well as for commissioning pharmacy services. First detailed in the NHS Act 2006 where PCTs were divested with the responsibility for producing the PNA, since 1 April 2013 this responsibility now sits with Health & Wellbeing Boards (HWB).

## **3.2 Background to the PNA**

National guidance states that the PNA should detail the current pharmaceutical service provision available in the area and where there may need to be changes to this in the future because of changes to the health needs or geographical location of the local population. The guidance, in line with regulations, includes both minimum content of a PNA and the process that must be followed.

The PNA is designed to be a statement of fact, both the current position and where there are 'known firm plans' in place to review or amend provision based on need, evidence of effective practice and identified gaps in provision. Also to assess where there are 'known firm plans' for new developments or population changes which may impact on the needs of pharmaceutical services. It is designed to assess the need for pharmaceutical services and adequacy of provision of pharmaceutical services, not to assess general health needs. The latter is the role of the Joint Strategic Needs Assessment (JSNA). Preparation of the PNA has taken account of the needs identified in the JSNA, where they are relevant to pharmaceutical services.

At the 17 September 2014 HWB meeting, the Board authorised the commencement of the statutory 60-day consultation.

### **3.3 Statutory 60-day consultation**

The Regulations set out that HWBs must consult the bodies set out in Regulation 8 at least once during the process of developing the PNA.

Regulation 8(1) states that the HWB must consult the following list as a minimum during the development of the PNA:

- (a) Local Pharmaceutical Committee(s) for its area;
- (b) Local Medical Committee(s) for its area;
- (c) all pharmacy contractors and any dispensing doctors for its area;
- (d) any LPS chemist in its area with whom the NHS England has made arrangements for the provision of any local pharmaceutical services;
- (e) Local Healthwatch organisation for its area, and any other patient, consumer or community group in its area which in the opinion of HWB has an interest in the provision of pharmaceutical services in its area;
- (f) NHS trusts or NHS foundation trusts in its area;
- (g) NHS England
- (h) neighbouring HWBs.

### **3.4 60-day consultation process**

A standard letter was sent to all organisations detailed in Section 3.3. Additionally the invitation to participate in the consultation was sent out to a wider range of stakeholders via various partnerships.

The consultation opened Monday 24 September 2014 and ended at close of normal business hours on Monday 24 November 2014. A total of 6 responses were received. However, one referred to the previous, 2011, PNA and so was omitted from the responses detailed in Appendix 9 of the PNA.

The consultation formed a set of questions to which respondents could agree or disagree with space in each question to make comments. The survey was available online or could be filled in by downloading the questionnaire in a word document format.

### **3.5 60-day consultation results**

Overall the respondents were very positive about the way we had developed the PNA, stating it was clear what we were trying to achieve. The majority agreed with the findings. A number of comments were made:

- There was one comment about whether the statement of overall provision being adequate was strong enough and that it was not clear if we were saying no further NHS pharmaceutical service providers were needed. This statement was subsequently strengthened by the Steering Group within the Key Findings of both the Executive Summary and Main Document
- There were a couple of comments about particular pieces of evidence that could be added to Section 7 which looks at health needs and pharmacy services to address these. The Steering Group looked at each to decide if they should be added
- It was pointed out that the Regulations stipulate that the PNA detail what approach to localities has been used. The PNA uses the broad categories of Widnes and Runcorn, with health data at ward level. Mapping of need and service provision enables an overall assessment to adequacy to be made. A short section has been added to the PNA stating the approach (section 2.6)
- A query about whether Halton people can access all services provided by out-of-borough pharmacies was raised and this has been responded to
- Opening times of two pharmacies were checked and amendments made to the table that constitutes Appendix 3 for one of them. For the other the information was already correct within the draft PNA
- Comments about possible service developments have been passed on to the relevant commissioners

The Steering Group met on 3 December 2014 and prepared responses to each comment. These are included in the PNA, Appendix 9. All necessary amendments have been made to the final version of the PNA.

### **3.6 Proposed next steps**

- The PNA must be published no later than 1 April 2015

- The Health & Wellbeing Board are asked to approve this draft of the PNA
- The PNA is uploaded onto Halton Borough Council's website as part of the Public Health pages detailing the JSNA
- This is communicated to key stakeholders and the public
- The Steering Group will meet periodically and as needed to produce supplementary statements during the lifetime of the PNA. These are needed if and when there are minor amends which do not substantially alter provision of pharmaceutical services. An example of this would be if a pharmacy changed their opening hours

#### **4.0 POLICY IMPLICATIONS**

- 4.1 The health needs identified in the JSNA have been used to develop the PNA.

The PNA provides a robust and detailed assessment of the need for pharmaceutical services across Halton borough. As such it should continue to be used in the decisions around 'market entry' as well as local commissioning decisions of both Halton Clinical Commissioning Group and Halton Borough Council Public Health. Local groups and partnerships should also take the findings of the PNA into account when making decisions around the need for pharmaceutical services.

#### **5.0 OTHER/FINANCIAL IMPLICATIONS**

- 5.1 Any legal challenges to decisions based on information in the PNA may open the HWB up to Judicial Review. This can have significant financial implications. It is therefore vital that the HWB continues to follow national guidance in the implementation of the Regulations.

#### **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

##### **6.1 Children & Young People in Halton**

Improving the Health of Children and Young People is a key priority in Halton and this should be reflected in the PNA, detailing service provision that is appropriate to this age group.

##### **6.2 Employment, Learning & Skills in Halton**

Not applicable

##### **6.3 A Healthy Halton**

All issues outlined in this report focus directly on this priority.

##### **6.4 A Safer Halton**

Not applicable

##### **6.5 Halton's Urban Renewal**

The environment in which we live and the physical infrastructure of our communities has a direct impact on our health and wellbeing. Pharmacies provide a vital primary health care service to residents across the borough, are located within the heart of communities and offer open access to trained health professionals for advice on a wide range of issues.

## **7.0 RISK ANALYSIS**

- 7.1 Failure to comply with the regulatory duties fully may lead to a legal challenge, for example, where a party believes that they have been disadvantaged following the refusal by NHS England over their application to open new premises based on information contained in the PNA.
- 7.2 The risk of challenge to the HWB who produced that PNA is significant and Boards should add the PNA to the risk register.
- 7.3 A sound process, using national guidance and with support from local expertise, should be established to ensure this risk does not materialise.

## **8.0 EQUALITY AND DIVERSITY ISSUES**

- 8.1 The PNA seeks to provide intelligence on which to base decisions about service provision that are based on levels of need across the borough. This includes analysis of a range of vulnerable groups and the need for targeted as well as universal services to meet the range of needs identified.

## **9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None within the meaning of the Act.