

**REPORT TO:** Halton Health and Wellbeing Board

**DATE:** 29 March 2017

**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 a briefing on the Pharmaceutical Needs Assessment (PNA), including risks associated with it and proposed local governance.

## **2.0 RECOMMENDATION: That**

- 1) a Board level sponsor for the PNA be nominated;**
- 2) the financial risks associated with the PNA be logged through Halton Borough Council's risk assessment and register process; and**
- 3) the Board note the establishment of a local steering group to oversee the PNA development process in line with the national regulations. This group needs to report back to the Board on the draft before the statutory consultation begins and following this period detailing our responses to feedback.**

## **3.0 SUPPORTING INFORMATION**

3.1 The pharmaceutical needs assessment (PNA) 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.

### **3.2 Background to the PNA**

A PNA details 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. It covers a 3-year period. Any changes to community pharmacy provision within the lifetime of the PNA can be detailed in supplementary statements to keep the document up-to-date.

The PNA enables all commissioners of community pharmacy services to make sure that any new contracts granted and pharmaceutical services commissioned are based on the information provided in the document. It means that anyone wishing to open a new pharmacy in the area needs to include in their application their plans to meet the needs of local people as identified in the PNA.

When making decisions about provision against levels of need, pharmacy provision is not taken in isolation. In some cases pharmacies are the sole provider of the service but in others there is a mix of provision.

The next PNA will be Halton's third document. The first PNA to cover Halton was the 2011-2015 Halton & St Helens PCT document, with the second one specifically covering Halton signed off by Halton Health & Wellbeing Board covering 2015-2018, published 1 April 2015.

A steering group has recently been established to oversee the next version of the PNA, chaired by a consultant in public health.

### **3.3 Changes effective from 1 April 2013**

From April 1st 2013 health and wellbeing boards (HWBs) have had a statutory responsibility to publish and keep up to date the PNA. Health & Wellbeing Boards are also responsible for producing the Joint Strategic Needs Assessment (JSNA). Giving local authorities the responsibility for conducting both PNA and JSNA strengthens the links between the two documents and there may be opportunities, for combined working on both documents.

The responsibility for making decisions on pharmacy applications based on the PNA passed to NHS England from this date. The NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, effective from 1 April 2013, stipulate both the process for developing the PNA and minimum content. This includes a statutory 60 day consultation period.

### **3.4 Department of Health Community Pharmacy Review Implementation**

Implementation of the funding settlement, as part of delivery of The Five Year Forward View, includes a 6% reduction in NHS England funding. Community pharmacy will play its part in delivering these

efficiency savings. The vision is for community pharmacy to be integrated with the wider health and social care system. During the development of the PNA, subject to the outcomes of the Judicial Review granted to the Pharmaceutical Services Negotiating Committee, implementation of this review will start to come in to effect. The PNA will need to take account of any changes this brings about in community pharmacy provision.

The Pharmacy Access Scheme has been designed by Department of Health to ensure a baseline level of patient access to NHS community pharmaceutical services, specifically those pharmacies where patient and public access would be materially affected should they close. Under this two pharmacies within Halton have been identified as appropriate to support via the scheme.

### **3.5 Commissioning arrangements**

NHS England are mandated under the same regulations to use the PNA when making decisions on applications to open new pharmacies and dispensing appliance contractor premises.

Public health teams and clinical commissioning groups should also use the PNA to inform their commissioning decisions on locally-commissioned services from community pharmacies. Robust, up-to-date evidence is important to ensure that community pharmacy services are provided in the right place and meet the needs of the communities they serve.

### **3.6 Proposed arrangements for producing Halton's 2018-21 PNA**

It is proposed to use the current framework developed across Merseyside to produce the next Halton PNA. This will ensure that although each local authority PNA will be developed locally and differ according to the local area and population, it will continue to be in the same format which will make it easier to use and review.

A Cheshire and Merseyside group of local authority PNA leads, the NHS England pharmacy contracts team and representatives from the Local Pharmaceutical Committees have started to meet to discuss common elements of the PNA, both content and information gathering exercises. This will avoid duplication of effort and enable easy sharing of information, especially in relation to the requirement to consider cross-border provision as part of the PNA.

The Health & Wellbeing Board is asked to nominate a board-level sponsor with responsibility for the PNA, with the management of the PNA being passed to the local steering group led by public health. The steering group will oversee the operational development and consultation for the PNA, reporting report back to the Health & Wellbeing Board for approval at strategic stages of the process, in line with the regulations.

It is important to ensure that all information within the PNA is

accurate and up to date, and this can be achieved by ensuring that all relevant stakeholders are represented on the steering group. The membership includes:

- Public health teams,
- NHS England area team,
- Clinical Commissioning Group,
- Local pharmaceutical committee (LPC),
- representation from the local community (Halton & St Helens CVA),
- Healthwatch,
- an elected representative from the Health & Wellbeing Board.

There are several key points in the PNA development at which a report must be submitted to the Board:

- once the draft is completed this will be submitted to Board for approval to publish it for the statutory 60-day consultation period.
- Following the consultation period we are required to provide a response to each point that is fed back through the consultation process, making any necessary amends to the PNA document. This feedback, our responses and amended PNA should be submitted to Board, for their approval to publish.

The PNA must be published by 1 April 2018 at the latest on a publically accessible website. The JSNA is published on Halton Borough Council website so the PNA will be made available alongside the JSNA.

### **3.7 Resources**

This is a large piece of work which will extend over a considerable period of time. As well as information gathering from the organisations commissioning services from pharmacies as to current and future needs, there needs to be extensive work done by public health teams mapping the health and social needs of the local population compared to provision of pharmaceutical services. Work also needs to be done looking at future changes that could impact upon pharmaceutical need such as a new housing estate, closure of a local industry, firm plans for health arising from JSNA. The local population will also need to be consulted as to their views on current provision of pharmaceutical services and aspirations for future pharmaceutical services.

### **3.8 Proposed next steps**

- Nominate board level sponsor for PNA
- Steering group to:
- Start to populate the PNA with information already available such as JSNA

- Start to gather information from community pharmacy providers to update current PNA
- Ask the local community for feedback on current pharmacy services and aspirations for future pharmacy services
- Speak to local authority planners and healthcare commissioners to determine future planning of housing, industry and healthcare.

#### **4.0 POLICY IMPLICATIONS**

- 4.1 The health needs identified in the JSNA should be used to develop the PNA.

The JSNA provides a robust and detailed assessment of need and priorities across Halton borough. As such it should continue to be used in the development of other policies, strategies and commissioning plans and reviews such as those of Halton Clinical Commissioning Group.

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

- 5.1 Any legal challenges to decisions based on information in the PNA may open the Health & Wellbeing Board up to Judicial Review. This can have significant financial implications.

#### **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 Health & Wellbeing Board who produced that PNA is significant and Boards should add the PNA to the risk register.
- 7.3 The development process, including the use of national guidance, involvement of local expertise throughout and statutory consultation, that has been detailed above will mitigate against this risk. HBC Solicitors will be consulted at key stages in the PNA development to further ensure any potential risks are identified and mitigated.
- 7.4 Recent communication from NHS Digital, the national body responsible for NHS data including hospital admissions, has reduced public health teams access to some of the data necessary to produce the PNA. This has been raised at the highest levels within Public Health England and the Association of Directors of Public Health. A data sharing agreement between Halton Borough Council Public Health Team and NHS Digital has been applied for but the approval process has thus far been slow. The team are continuing to pursue this as the most robust long-term solution. They are also working with colleagues across Cheshire & Merseyside on alternative short-term solutions.

## **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 under the meaning of the Act.