

REPORT TO:	Health and Wellbeing Board
DATE:	24 March 2021
REPORTING OFFICER:	Director of Public Health.
PORTFOLIO:	Health and Wellbeing
SUBJECT:	Pharmaceutical Needs Assessment 2021-2024
WARD(S)	Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 To appraise the members of the Board to the risks associated with development and subsequent publication of the next required Pharmaceutical Needs Assessment (PNA) covering 2021-2024, due to the ongoing coronavirus pandemic local system response.

2.0 **RECOMMENDATION: That: the Board write to the Local Government Association detailing their concerns about the requirement to start the PNA process and ask that they lobby the Department for Health and Social Care for a further postponement.**

3. 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.

Halton's current PNA covers between 1 April 2018 to 31 March 2021. There have been a number of supplementary statements issued alongside the PNA covering minor changes to community pharmaceutical provision.

Locally the Director of Public Health is the HWB sponsor for the PNA, with a PNA steering group, chaired by a Consultant in Public Health, tasked with producing the PNA. The process is managed by the Public Health Evidence & Intelligence who also write the PNA document. It requires significant input from Community Pharmacy.

3.3 Suspension of the current development process for next Pharmaceutical Needs Assessment – was due for publishing in April 2021

Local Health and Wellbeing Boards and Local Authority leads had started working towards new Pharmaceutical Needs Assessments that were due to be renewed and published by Local Health and Wellbeing Boards no later than 1 April 2021.

The Department of Health and Social Care announced on 21st May 2020 that, due to current pressures across all sectors in response to the coronavirus (COVID-19) pandemic, the requirement to publish renewed Pharmaceutical Need Assessments has been suspended until 1 April 2022.

Local Health and Well Being Boards retain the ability to issue supplementary statements to respond to local changes and pharmaceutical needs during this time.

The suspension of publishing PNAs from April 2021 until April 2022 was confirmed to free up time and capacity given other priorities during the COVID-19 pandemic. If additional information is required ahead of the extended deadline then Supplementary Statements can still be issued.

The decision took account that updating the PNA brings a considerable amount of work, in particular to local authority public health intelligence teams, local pharmaceutical committees and their member pharmacies.

The NHS Pharmaceutical and Local Pharmaceutical Services Regulations 2013 were subsequently updated.

Thus instead of having to work on the PNA during 2020 with publication due 1 April 2021 it was confirmed the current PNA findings could remain valid, with any minor changes detailed in supplementary statements.

3.4 Locally and across Cheshire & Merseyside

Typically, in previous years, the PNA has taken 12-15 months to complete, taking in to account the need to follow the regulated process and significant new data collection required.

In December 2019-March 2020 we had already started planning the pharmacy survey as a collaborative effort across Cheshire & Merseyside, with NHS England and the Local Pharmaceutical Committees.

This survey requires 100% of pharmacies to complete to gather necessary information for inclusion in local PNAs and enable cross border issues to be identified and dealt with in each local PNA.

In March 2020 we asked the health and wellbeing board to stand up the PNA steering group to oversee development of the PNA and allow them to continue writing supplementary statements as required. This was approved.

However, with the start of the coronavirus pandemic and notification from DHSC this work was suspended.

3.6 Current position

All public services have worked exceptionally hard to react to, and mitigate the pressures created by the pandemic. The 3rd wave of the pandemic, commencing November 2020, has seen capacity stretched beyond our experience to date. Public services are under intense pressure and the mass testing and vaccination programmes are also taking significant resource. Community Pharmacy is similarly stretched.

Delaying the PNA another year will not cause the same disruption that would be caused by attempting to undertake a new PNA at the time of a local, national and international crisis.

- Since March 2020 the local public health intelligence team responsible for co-ordinating the PNA development and writing the updated version have been working on coronavirus surveillance
- This position is likely to continue during 2021.
- Even if the team are able to re-start a limited amount of non-coronavirus surveillance and needs assessment work, given that the PNA must draw on a the local JSNA it is unlikely there will be sufficient capacity to do both
- This is especially so given that the PNA is bound up in strict regulations on content and development process, meaning it is a lengthy and involved endeavour.
- The PNA relies heavily also on a substantial amount of data gathering from each pharmacy in the form of a survey. Again, with capacity in pharmacies needing to continue to support coronavirus measures including vaccination, it is unlikely there would be sufficient engagement and would draw on human resources in the pharmacies needed for direct patient care.
- As the Cheshire & Merseyside collaborative approach has been suspended, if Halton were to 'go it alone' additional capacity, over and above that needed previously would be required.

3.8 Proposed next steps

- Communications with both the Cheshire & Merseyside NHS England pharmacy contracts lead and a contact in the Local Government Association (LGA) have suggested there are conversations at a national level to determine if the PNA, amongst other activities, should be suspended a further year. However, this is far from definite. A strong voice from local HWBs would greatly assist in this decision-making process
- When DHSC were consulting in 2019 on local HWB views as to potential changes to the PNA regulations, they did this through the LGA.
- **As such it is recommended that the HWB write to the LGA apprising them of their views. That in this letter they ask that the LGA act on our behalf to request DHSC grant another postponement of the PNA.**

- A specimen letter has been produced which could be used as the basis of the communication between the HWB and the LGA (attached)

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.

However, because of the coronavirus pandemic, the team responsible for co-ordinating the JSNA have been working exclusively on coronavirus surveillance.

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 There is a legal duty under the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 to complete a PNA every three years. 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 There is a risk of challenge to the Health & Wellbeing Board who produced that PNA, and

Boards are recommended add the PNA to the risk register. Legal challenges to decisions based on the information in the PNA may be open to judicial review. However to date there have been no legal challenges nationally.

There is an increased risk of being unable to produce a PNA by 1 April 2022 due to additional pressures brought about by the coronavirus pandemic.

- 7.3 This increase in risk should be logged though Halton Borough Council's risk assessment and register process

Achieving a postponement of the PNA for an additional year would mitigate the risks identified above.

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

Paul Ogden
Senior Adviser
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Dear Paul,

RE: Pharmaceutical Needs Assessment (PNA) postponement

I am writing to you regarding the impending start of the already delayed Pharmaceutical Needs Assessment (PNA) and Halton Health and Wellbeing Boards' concerns that this is now not the time to be undertaking such as assessment with system-wide capacity and demand at breaking point.

The PNA is a requirement under [the National Health Service \(Pharmaceutical and Local Pharmaceutical Services\) Regulations 2013](#) and as such requires repeating every three years to provide the next generation of its local PNA, which is a legal, comprehensive, assessment of the current and future needs of local people for community pharmacy services..

At the start of the Coronavirus pandemic last March 2020 concerns were raised that it was not the right time to have to start developing the next PNA. This resulted in the Department of Health and Social Care announcing on 21st May to postpone the completion of a new PNA due to current pressures across all sectors in response to the coronavirus (COVID-19) pandemic, with the requirement to publish renewed Pharmaceutical Need Assessments being suspended until April 2022. This was recognition across the NHS and Local Government that the focus needed to be on patients and residents.

We believe this situation remains the same and as such we do not see the work to complete a new PNA as time best spent serving the public, nor does it use the scarce and overburdened public services.

Halton Health & Wellbeing Board request that you speak with Department for Health and Social Care on our behalf and convey our concerns and make them aware of the unnecessary but real demands a new PNA process would make on staff already stretched to the limit. Another year will not cause the same disruption that would be caused by attempting to undertake a new PNA at the time of a national and international crisis.