



**Health and Wellbeing Board**  
19 March 2015

**Report from the Director of Public  
Health**

For decision

Wards Affected:  
ALL

**Arrangements for keeping the Pharmaceutical Needs  
Assessment up to date**

**1.0. Summary**

- 1.1. The Health and Social Care Act 2012 conferred the duty for publishing and keeping up to date a statement of the population needs for pharmaceutical services in their area, referred to as a Pharmaceutical Needs Assessment (PNA), onto Health and Wellbeing Boards (HWBs).
- 1.2. The Brent HWB has previously agreed to establish a PNA Steering Group. The HWB has delegated to the PNA Steering Group the authority to conduct, consult on and publish a revised Brent PNA. The HWB has also delegated to the PNA Steering Group the task of reviewing PNAs from neighbouring boroughs and responding to consultation as required
- 1.3. A draft PNA has been published and consulted on. The PNA Steering Group will consider responses to consultation at its meeting on 16<sup>th</sup> March 2015, with a view to agreeing a final PNA. It is anticipated this will be published on the Brent Council Website in advance of the 1<sup>st</sup> April and in accordance with the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (the Regulations).
- 1.4. The Regulations require that HWBs produce a statement of its revised assessment within three years of its previous publication of a PNA, or sooner should the HWB determine there has been a significant change in pharmaceutical needs in the area. This paper proposes a process for keeping the PNA up to date and determining if a revision of the PNA is needed within the next three years.

## **2.0. Recommendations**

The Board is asked to

- Note that the Brent PNA has been published in draft form and consulted upon
- Note that the Brent PNA Steering Group intend to publish the final Brent PNA before 1<sup>st</sup> April 2015
- Note the roles of NHS England, the CCG and Brent Council in maintaining the PNA
- Agree the process for keeping the Brent PNA up to date by:
  - Delegating to the Director of Public Health (“DPH”), or the DPH’s nominee, the decision as to whether a revision of the PNA is required
  - Delegating to the DPH, or the DPH’s nominee, the publication of Supplementary Statements to the PNA

## **3.0. Detail**

- 3.1. From April 2013, Health and Wellbeing Board have been responsible for producing, consulting on and publishing the PNA for their area. In Brent the HWB has delegated these responsibilities to the PNA Steering Group.
- 3.2. PNAs are used by the NHS to make decisions on which NHS funded services need to be provided by local community pharmacies. PNAs are also used in decisions as to whether new pharmacies are needed in response to applications by businesses.
- 3.3. The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (“the Regulations”) require PNAs must be revised within three years of its first publication and reviewed thereafter to take into account any significant events/changes that will impact on the need for pharmaceutical services in the Brent area. The Regulations stipulate the circumstances under which revision will be required earlier and the requirements for keeping the PNA up to date between revisions. Appendix one contains the relevant extract from the Regulations.
- 3.4. In summary, a revision of the PNA may be required should there be a significant change to the need for pharmaceutical services, for example, as a result of demographic change, or should the current provision of pharmaceutical services change, for example a pharmacy closes. However a full revision of the PNA is only required should this be a proportionate response to those changes.

- 3.5. Changes in pharmaceutical services may result from a pharmacy changing its opening hours, ownership or location. Such changes would be agreed by NHS England and should be notified to the HWB. Changes may also result from commissioning decisions by the CCG, the local authority or NHS England.
- 3.6 If a change in the provision of pharmaceutical services occurs which is not deemed to merit a full revision of the PNA, the HWB may publish a Supplementary Statement, pending the publication of statement of revised PNA
- 3.7 In order that the PNA is kept up to date the arrangements referred to in paragraphs 3.8 – 3.9 below will be put into place.
- 3.8 NHS England will provide information on a monthly basis on any changes to the pharmaceutical list for Brent. NHS England, Brent CCG and Brent Council public health provide information on any changes to their commissioning that may result in a change in the need for pharmaceutical services.
- 3.9 The DPH or the DPH's nominee will determine if a revision of the PNA should be considered or if the publication of a Supplementary Statement will suffice. If the former, the Brent PNA Steering Group will be reconvened with the revised Terms of Reference contained in Appendix Two. If the latter, the Supplementary Statement will be published on the Brent Council Website
- 3.10 The JSNA process will be used to determine if there is a significant change to the need for pharmaceutical services. In this event, Brent Council will reconvene the PNA Steering Group.

Director

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## Appendix One

### Extract from The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013

#### Part 2 Regulation 6: Subsequent assessments

6. (1) After it has published its first pharmaceutical needs assessment, each HWB must publish a statement of its revised assessment within 3 years of its previous publication of a pharmaceutical needs assessment.

(2) A HWB must make a revised assessment as soon as is reasonably practicable after identifying changes since the previous assessment, which are of a significant extent, to the need for pharmaceutical services in its area, having regard in particular to changes to

- (a) the number of people in its area who require pharmaceutical services;
- (b) the demography of its area; and
- (c) the risks to the health or well-being of people in its area,

unless it is satisfied that making a revised assessment would be a disproportionate response to those changes.

(3) Pending the publication of a statement of a revised assessment, a HWB may publish a supplementary statement explaining changes to the availability of pharmaceutical services since the publication of its or a Primary Care Trust's pharmaceutical needs assessment (and any such supplementary statement becomes part of that assessment), where

(a) the changes are relevant to the granting of applications referred to in section 129(2)(c)(i) or (ii) of the 2006 Act; and

(b) the HWB

(i) is satisfied that making its first or a revised assessment would be a disproportionate response to those changes, or

(ii) is in the course of making its first or a revised assessment and is satisfied that immediate modification of its pharmaceutical needs assessment is essential in order to prevent significant detriment to the provision of pharmaceutical services in its area.

## **Appendix Two**

### **Brent Pharmaceutical Needs Assessment Steering Group Terms of Reference**

#### Purpose

To provide advice to the DPH, or the DPH's nominee, on the need to revise the Brent Pharmaceutical Needs Assessment (PNA) in order to comply with The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, Part 2 Regulation 6: Subsequent assessments

#### Responsibilities

The Steering Group will consider the need to revise the PNA in advance of 2017/18 in the light of

- Changes in the provision of pharmaceutical services – as advised by NHS England
- And / or changes in the need for pharmaceutical services as a result of changes in the local population's demographics or health status or as a result of changes in the commissioning of health services

#### Membership

DPH or the DPH's nominee: Chair

Brent Council public health analyst

LPC nominee

CCG nominee

Healthwatch representative

NHS E representative

#### Meeting frequency

Brent Council public health will be responsible for determining when consideration of a revision of the PNA requires the Steering Group to convene. The Group may conduct its business through the exchange of email at the decision of the Chair