

 <p>Brent</p> 	<p align="center">Health and Wellbeing Board 14 June 2017</p> <p align="center">Report from the Director of Public Health</p>
<p align="right">Wards affected: ALL</p> <p>For decision</p>	
<p>Revision of the Brent Pharmaceutical Needs Assessment</p>	

1.0 Summary

- 1.1 S128A National Health Service Act 2006, amended by s206 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. The Brent Health and Wellbeing Board published its first PNA by April 2015 in accordance with the NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013 (the Regulations). The Regulations stipulate that HWBs will need to publish a revised assessment within three years, which is by 01 April 2018.

This paper proposes how this responsibility should be discharged.

2.0 Recommendations

- 2.1 The Board is asked to
- Agree the establishment of a task and finish PNA Steering Group
 - Agree the terms of reference for this PNA Steering Group which form appendix 1 to this report.
 - Delegate to the PNA Steering Group the task of overseeing the conduct, consultation and publication of the revised Brent PNA.

3.0 Detail

- 3.1 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.
- 3.2 The responsibility for producing, consulting on and publishing PNAs previously rested with PCTs. The Health and Social Care Act 2012 transferred this responsibility to Health and Wellbeing Boards
- 3.3 NHS England has the responsibility to commission pharmaceutical services. The responsibility for using PNAs as the basis for making decisions about applications to provide pharmaceutical services transferred from PCTs to NHS England under the Health and Social Care Act 2012.
- 3.4 The development and updating of PNAs is subject to the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013: <http://www.dh.gov.uk/health/2013/02/pharmaceutical-services-regulations/> ("the Regulations").
- 3.5 The existing PNA for Brent (available on the Council website <https://www.brent.gov.uk/media/16402268/brent-pna-pharmaceutical-needs-assessment-2015.pdf>) was produced by the HWB in 2015. This has been updated by the publication of supplementary statements as changes have been made to pharmacies within Brent. The Regulations require that the Health and Wellbeing Board publish a revision within three years of publication of a PNA.
- 3.6 Section 8 of the Regulations requires consultation with specific organisations and groups allowing them a minimum of 60 days for making their response to the consultation.
- 3.7 In order to revise the PNA and publish the same, it is recommended that a Steering Group is established which will oversee the production, consultation and subsequent publication of the PNA. The proposed terms of reference are appended to this paper.

4.0 Financial Implications

- 4.1 There are no specific strategic financial implications from this report.

5.0 Legal Implications

- 5.1 The Health and Social Care Act 2012 established HWBs. The Act also amends s128 National Health Service Act 2006 transferring responsibility to develop and update PNAs from PCTs to HWBs.

- (1) Each Health and Well-being Board must in accordance with regulations--
 - (a) assess needs for pharmaceutical services in its area, and
 - (b) publish a statement of its first assessment and of any revised assessment.

- (2) The regulations must make provision--
 - (a) as to information which must be contained in a statement;
 - (b) as to the extent to which an assessment must take account of likely future needs;
 - (c) specifying the date by which a Health and Well-being Board must publish the statement of its first assessment;
 - (d) as to the circumstances in which a Health and Well-being Board must make a new assessment.

- (3) The regulations may in particular make provision--
 - (a) as to the pharmaceutical services to which an assessment must relate;
 - (b) requiring a Health and Well-being Board to consult specified persons about specified matters when making an assessment;
 - (c) as to the manner in which an assessment is to be made;
 - (d) as to matters to which a Health and Well-being Board must have regard when making an assessment.

5.2 Regulations 3-9 and Schedule 1 of the NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013 set out the requirements for PNAs.

5.3 Specifically Regulations 5 and 6 cover the date by which the HWB's first PNA must be published and the arrangements for revising the PNA. The local authority must ensure the PNA Steering Group and those it reports to are aware of and adhere to the requirements.

6.0 Equality Implications

6.1 The Council is required under section 149 of the Equality Act 2010 when exercising its functions, to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and to foster good relations between those who have a protected characteristic and those who do not share that protected characteristic. This is the Public Sector Equality Duty (PSED). The protected characteristics covered under the Act are age, disability, gender, gender reassignment, marriage and civil partnership (only in respect of eliminating unlawful discrimination) pregnancy, maternity, race (this includes ethnic or national origins), religion or belief (this includes lack of

belief) and sexual orientation. Due regard means giving relevant and proportionate consideration to the duty, in that whenever significant decisions are being made or policies developed consideration must be given to the impact/affect that implementing a particular policy or decision will have in relation to equality before making that decision.

- 6.2 Brent is one of the most diverse boroughs in London and in the UK. Evidence suggest that there is strong correlation between health inequalities and the levels of diversity in the population. For example, certain ethnic minority communities are exposed to a range of health challenges, from low birth weight and infant mortality through to higher incidence of long-term limiting illnesses such as diabetes and cardio vascular disease. Brent pharmaceutical services need to reflect the needs of the borough's diverse communities while providing a broad range of services to the entire population.
- 6.3 When conducting the Pharmaceutical Needs Assesment (PNA) review, the PNA Steering Group must pay due regard to the PSED and all relevant protected characteristics, including socio-economic groups.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 See paragraph 3.7 for details

Background Papers (if any)

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