

HEALTH AND WELLBEING BOARD		AGENDA ITEM No. 8(a)
6 JUNE 2013		PUBLIC REPORT
Contact Officer(s):	Sue Mitchell, Interim Director of Public Health	Tel. 01733 207175

Pharmaceutical Needs Assessment (PNA)

R E C O M M E N D A T I O N S	
FROM : Sue Mitchell	Deadline date :
<p>In order to meet its statutory requirements the Health and Wellbeing Board is required to</p> <ol style="list-style-type: none"> 1. Review the current PNA and identify any changes to the need for pharmaceutical services in its area and assess whether any changes are significant. 2. Decide whether producing a new PNA is a disproportionate response, or not. 3. Publish a fully revised PNA by 1st April 2015. 	

1. ORIGIN OF REPORT

This report is to update the Board on its statutory responsibility to maintain and publish a Pharmaceutical Needs Assessment (PNA).

2. PURPOSE AND REASON FOR REPORT

2.1 From April 1st 2013 the Health and Wellbeing Board has statutory responsibility for the PNA for its area.

2.2 The NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 effective from 1st April 2013 requires each Health and Wellbeing Board (HWB) to:

1. Make a revised assessment as soon as is reasonably practical after identifying changes to the need for pharmaceutical services which are of a significant extent and
2. Publish its first PNA by April 2015.

2.3 NHS Peterborough published the current PNA in early 2011.

3. HEALTH AND WELLBEING BOARD

3.1 PNAs are used by the NHS to make decisions on which NHS funded services need to be provided by local community pharmacies. These services are part of local health care and public health and affect NHS budgets.

3.2 PNAs are also the basis for deciding if new pharmacies are needed, in response to applications by businesses, including independent owners and large pharmacy companies (market entry). Applications are keenly contested by applicants and existing NHS contractors and can be subject to legal challenge if not handled properly. The responsibility for managing "market entry" applications rests with NHS England

- 3.3 HWBs have a legal duty to check the suitability of existing PNAs, compiled by primary care trusts (PCTs), and publish supplementary statements explaining any changes. For example, changes might be needed if the boundaries of the PCT and HWB are not the same.
- 3.4 HWBs need to ensure that NHS England Area Teams have access to their PNAs.
- 3.5 Each HWB needs to publish its own revised PNA for its area by 1st April 2015. This requires board-level sign-off and a minimum of 60 days public consultation beforehand.
- 3.6 Failure to produce a robust PNA could lead to legal challenges because of the PNA's relevance to decisions about commissioning services and new pharmacy openings. The risk of challenge is significant and the HWB should add the PNA to their risk register.
- 3.7 The HWB is required by regulations to publish a revised assessment where it identifies changes to the need for pharmaceutical services "which are of a significant extent". The only exception is where the HWB is satisfied that making a revised assessment would be a disproportionate response. The HWB will therefore need to put in place systems that allow them to:
1. Identify changes to the need for pharmaceutical services within their area;
 2. Assess whether these changes are significant; and
 3. Decide whether producing a new PNA is a disproportionate response.

4. CONSULTATION

During the process of developing a PNA the HWB must consult organisations identified in regulations at least once. There is a minimum period of 60 days for consultation responses.

5. ANTICIPATED OUTCOMES

Assessment of whether current PNA is up to date and meets requirements.
Development and publication of fully revised PNA by 1st April 2015

6. REASONS FOR RECOMMENDATIONS

Statutory requirement

7. ALTERNATIVE OPTIONS CONSIDERED

There are no alternative options.

8. IMPLICATIONS

Resource to assess current PNA and to and publish new PNA by 1st April 2015. Based on previous experience, and national guidance, it can take up to 12 months to develop a PNA that meets the regulatory requirements.

9. BACKGROUND DOCUMENTS

Pharmaceutical Needs Assessments – Information pack for local authority health & wellbeing boards (DH)

<https://www.gov.uk/government/publications/pharmaceutical-needs-assessments-information-pack>

NHS Peterborough PNA (2011)

http://www.lpc-online.org.uk/bkpage/files/46/nhs_peterborough_pna_final_board_approved.pdf