

Report sponsor: Robyn Dewis, Director of Public Health

Report author: Alison Wynn, Assistant Director of Public Health

## **Update of the Pharmaceutical Needs Assessment**

### **Purpose**

- 1.1 To update the Health and Wellbeing Board (HWB) of the requirement to prepare and publish a revised Pharmaceutical Needs Assessment (PNA) by 1st October 2022.
- 1.2 To provide the HWB an overview of the approach to prepare the PNA and timelines for its delivery.

### **Recommendations**

- 2.1 The Board is asked to note its responsibility to develop a revised PNA by 1 October 2022.
- 2.2 The Board approves the production of a joint PNA covering both Derby and Derbyshire Health and Wellbeing Board areas.
- 2.3 The Board agrees to receive future updates and the final PNA for approval as set out in 1.9.

### **Reason**

- 3.1 To support the Health and Wellbeing Board in delivering its statutory responsibility to prepare and publish a revised PNA.

### **Supporting information**

- 4.1 The Health and Social Care Act 2012 amended the National Health Services Act 2006 and transferred the responsibility for developing and revising Pharmaceutical Needs Assessments (PNAs) from Primary Care Trusts (PCTs) to Health and Wellbeing Boards (HWBs). The production of a PNA became the responsibility of Derby Health and Wellbeing Board from 1 April 2013.

- 4.2 The pharmaceutical services to which each pharmaceutical needs assessment must relate are all the pharmaceutical services that may be provided under arrangements made by NHS England.
- 4.3 Responsibility for using PNAs as the basis for determining market entry to a pharmaceutical list transferred from PCTs to NHS England from 1 April 2013.
- 4.4 In accordance with regulations, each Health and Wellbeing Board must:
- Assess needs for pharmaceutical services in its area.
  - Publish a statement of its first assessment and of any revised assessment.
- 4.5 The development of a PNA is a separate duty to that of developing JSNA. PNAs are to inform commissioning decisions by local authorities (public health services from community pharmacies) and by NHS England and clinical commissioning groups (CCGs).
- 4.6 Schedule 1 Regulation 4(1) of The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 sets out the minimum information that must be contained in a PNA which in summary is:
- Necessary services: current provision.
  - Necessary services: gaps in provision.
  - Other relevant services: current provision.
  - Improvements and better access: gaps in provision.
  - Other NHS services.
  - How the assessment was carried out.
  - Map of provision.
- 4.7 The HWB produced its first assessment for 1 April 2015 and its second assessment for 1 April 2018. Due to the impact of COVID the requirement to publish an updated PNA was deferred. An updated PNA is now required to be prepared and published by 1 October 2022.
- 4.8 HWBs must consult the bodies set out in the NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013 at least once during the process of developing the PNA and ensure that:
- There is a minimum period of 60 days for consultation responses; and
  - Those being consulted will be directed to a website address containing the draft PNA but can, if they request, be sent an electronic or hard copy version.
- 4.9 A Derby and Derbyshire PNA Steering Group will ensure that the PNA meets, at least, all the minimum requirements both in terms of content and consultation.
- 4.10 It is intended that a cross-County PNA is produced which will include a discrete City component and will meet the minimum requirements of The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013.

- 4.11 It is intended that a draft revised Derby/ Derbyshire PNA is produced by June and will be formally consulted on over summer. The document will be amended to take account of the consultation responses with a final version in place by late August.
- 4.12 The Health and Wellbeing Board will receive an update on progress in July and the final document for approval to publish in September 2022.

### **Public/stakeholder engagement**

- 5.1 HWB members and wider stakeholders have been engaged in the development of the HWB through a number of development sessions.

### **Other options**

- 6.1 The production of two separate PNAs covering each of the HWB of Derby and Derbyshire was considered. This would require an unnecessary duplication of effort both in terms of those preparing the documents and those required to be involved and consulted on as part of the process. This option was therefore disregarded.

### **Financial and value for money issues**

- 7.1 None.

### **Legal implications**

- 8.1 The Health and Social Care Act 2012 amended the National Health Services Act 2006 and transferred the responsibility for developing and revising Pharmaceutical Needs Assessments (PNAs) from Primary Care Trusts (PCTs) to Health and Wellbeing Boards (HWBs). The production of a PNA became the responsibility of Derby Health and Wellbeing Board from 1 April 2013.

Schedule 1 Regulation 4(1) of The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 sets out the minimum information that must be contained in a PNA

### **Climate implications**

- 9.1 None.

### **Other significant implications**

- 10.1 None.

This report has been approved by the following officers:

Role	Name	Date of sign-off
Legal Finance Service Director(s) Report sponsor Other(s)	Robyn Dewis, Director of Public Health	09/03/2022

<b>Background papers:</b> <b>List of appendices:</b>	<p>Department of Health (2013) <i>Pharmaceutical needs assessments: Information Pack for local authority Health and Wellbeing Boards</i>. (Link: <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/197634/Pharmaceutical_Needs_Assessment_Information_Pack.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/197634/Pharmaceutical_Needs_Assessment_Information_Pack.pdf</a>)</p> <p>Department of Health (2013) <i>The NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013</i> (Link: <a href="http://www.legislation.gov.uk/uksi/2013/349/contents/made">http://www.legislation.gov.uk/uksi/2013/349/contents/made</a>)</p> <p>Department of Health and Social Care (2021) <i>Pharmaceutical needs assessments Information pack for local authority health and wellbeing boards</i>. (Link: <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1029805/pharmaceutical-needs-assessment-information-pack.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1029805/pharmaceutical-needs-assessment-information-pack.pdf</a>)</p>
---	---

<b>IMPLICATIONS</b>
---------------------

**Financial and Value for Money**

1.1 None.

**Legal**

2.1 The Health and Social Care Act 2012 amended the National Health Service Act 2006 transferring responsibility for preparing, revising and publishing PNAs to Health and Wellbeing Boards (statutory sub-committee of the local authority). The NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013 set out the legislative basis for developing and updating PNAs.

**Personnel**

3.1 None.

**IT**

4.1 None.

**Equalities Impact**

5.1 One of the key purposes of the PNA is to set out the local need for pharmaceutical services. This will include consideration of inequalities in health outcomes and access to pharmaceutical services. Relevant groups to be consulted as part of the preparation of a revised PNA.

**Health and Safety**

6.1 None.

**Environmental Sustainability**

7.1 None.

**Property and Asset Management**

8.1 None.

**Risk Management**

9.1 The timeframe for publication in April 2018 is tight especially given the consultation period. A working group will be in place, however, to ensure timely delivery but should there be any concerns about delivering to time the HWB will be alerted.

**Corporate objectives and priorities for change**

10.1 The production of a PNA will support the delivery of corporate objectives, particularly

those relating to health and wellbeing and support identification of priorities for change.

**The NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013: schedule 1 Regulation 4(1) - Information to be contained in pharmaceutical needs assessments**

**Necessary services: current provision**

1. A statement of the pharmaceutical services that the HWB has identified as services that are provided—
  - (a) in the area of the HWB and which are necessary to meet the need for pharmaceutical services in its area; and
  - (b) outside the area of the HWB but which nevertheless contribute towards meeting the need for pharmaceutical services in its area (if the HWB has identified such services).

**Necessary services: gaps in provision**

2. A statement of the pharmaceutical services that the HWB has identified (if it has) as services that are not provided in the area of the HWB but which the HWB is satisfied—
  - (a) need to be provided (whether or not they are located in the area of the HWB) in order to meet a current need for pharmaceutical services, or pharmaceutical services of a specified type, in its area;
  - (b) will, in specified future circumstances, need to be provided (whether or not they are located in the area of the HWB) in order to meet a future need for pharmaceutical services, or pharmaceutical services of a specified type, in its area.

**Other relevant services: current provision**

3. A statement of the pharmaceutical services that the HWB has identified (if it has) as services that are provided—
  - (a) in the area of the HWB and which, although they are not necessary to meet the need for pharmaceutical services in its area, nevertheless have secured improvements, or better access, to pharmaceutical services in its area;
  - (b) outside the area of the HWB and which, although they do not contribute towards meeting the need for pharmaceutical services in its area, nevertheless have secured improvements, or better access, to pharmaceutical services in its area;
  - (c) in or outside the area of the HWB and, whilst not being services of the types described in sub-paragraph (a) or (b), or paragraph 1, they nevertheless affect the assessment by the HWB of the need for pharmaceutical services in its area.

**Improvements and better access: gaps in provision**

4. A statement of the pharmaceutical services that the HWB has identified (if it has) as services that are not provided in the area of the HWB but which the HWB is satisfied—
  - (a) would, if they were provided (whether or not they were located in the area of the HWB), secure improvements, or better access, to pharmaceutical services, or pharmaceutical services of a specified type, in its area,
  - (b) would, if in specified future circumstances they were provided (whether or not they were located in the area of the HWB), secure future improvements, or better access, to pharmaceutical services, or pharmaceutical services of a specified type, in its area.

**Other NHS services**

5. A statement of any NHS services provided or arranged by a local authority, the NHSCB, a CCG, an NHS trust or an NHS foundation trust to which the HWB has had regard in its assessment, which affect—

- (a) the need for pharmaceutical services, or pharmaceutical services of a specified type, in its area; or
- (b) whether further provision of pharmaceutical services in its area would secure improvements, or better access, to pharmaceutical services, or pharmaceutical services of a specified type, in its area.

**How the assessment was carried out**

**6.** An explanation of how the assessment has been carried out, and in particular—

- (a) how it has determined what are the localities in its area;
- (b) how it has taken into account (where applicable)—
  - (i) the different needs of different localities in its area, and
  - (ii) the different needs of people in its area who share a protected characteristic; and
- (c) a report on the consultation that it has undertaken.

**Map of provision**

**7.** A map that identifies the premises at which pharmaceutical services are provided in the area of the HWB.

Source: [http://www.legislation.gov.uk/uksi/2013/349/pdfs/uksi\\_20130349\\_en.pdf](http://www.legislation.gov.uk/uksi/2013/349/pdfs/uksi_20130349_en.pdf)