



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board



Meeting Date	7th October 2021	Agenda Item	2.3
Report Title	Community Pharmacy: Pharmaceutical Needs Assessment (PNA)		
Report Author	Lowri Lowe, Primary Care Manager Sharon Miller Associate Services Director Primary, Community and Therapies Service Group		
Report Sponsor	Brian Owens, Service Group Director, Primary, Community & Therapies Service Group		
Presented by	Janet Williams, Interim Chief Operating Officer		
Freedom of Information	Open		
Purpose of the Report	The purpose of this paper is to present the first Pharmaceutical Needs Assessment (PNA) which was published on 1 st October 2021 to meet the statutory deadline.		
Key Issues	The legislative requirement is to have a Pharmaceutical Needs Assessment (PNA) in place and published by the October 1 st 2021.		
Specific Action Required (please choose one only)	Information	Discussion	Assurance
			X
Recommendations	Members are asked to: <ul style="list-style-type: none"> • Note the board responsibility for the production and publication of the PNA by the 1st October 2021. • Note that following Management Board approval the PNA has been published on the health board website to meet the statutory deadline of the 1st October 2021. • Ratify as recommended by Management Board the SBUHB PNA (Appendix 1) 		

Community Pharmacy: Pharmaceutical Needs Assessment

EXECUTIVE SUMMARY

Health Boards in Wales have been required to undertake a pharmaceutical needs assessment which is required to be published by the 1st October 2021. This is a new and significant statutory duty under the Public Health Wales Act that requires board level support.

The PNA is an extensive assessment of whether pharmaceutical services meet current and future (next five years) patient needs. This work has been undertaken, examining in detail provision for the Health Board as a whole and on an individual locality basis across the 8 primary care clusters.

The assessments have concluded that the Health Board is well served in the current provision of services and that there are no gaps in service provision for SBUHB in terms of essential, advanced or enhanced pharmaceutical services.

The full PNA including an executive summary is attached as an Appendix. This sets out extensively and comprehensively the data and work undertaken to support the conclusions.

A statutory consultation has taken place on the PNA and no concerns or issues have been raised.

The Primary Community and Therapy Group therefore present for approval the first SBUHB PNA and in line with statutory requirements.

The PNA will be in effect for five years – however it may be changed if there are sufficiency changes to local need that necessitate an earlier review.

The PNA will direct decisions to be made by Health Board on applications for new pharmacy contractors or appliance contractors. It will also inform commissioning of enhanced services and applications to vary core opening hours.

1. INTRODUCTION

The Public Health (Wales) Act 2017, given Royal Assent on 3 July 2017, places an obligation upon health boards to undertake a pharmaceutical need assessment (PNA).

The under-pinning rationale for introducing PNA is to ensure the full range of community pharmacy services are taken into account and aligned with general primary care services, and that decisions on the level and extent of community pharmacy services are grounded in addressing the identified pharmaceutical needs of the local population.

The new PNA regulations will change fundamentally how the community pharmacy Control of Entry decisions are made - by shifting from a system that is driven by the contractors and focused heavily on dispensing - to a system led by the NHS that responds to the wider pharmaceutical needs of local communities. This approach, in time, should improve access to care, widen the enhanced services provided by community pharmacies and support the inverse care principles of targeting health care provision where there is the greatest need.

If a person (pharmacy or dispensing appliance contractor) wants to provide pharmaceutical services, they are required to apply to the Health Board in whose area the premises are to be located, to be included in its pharmaceutical list. The application from 1st October 2021 must offer to meet a need set out in the Health Board's PNA. There are some exceptions such as change of ownership. In addition to identifying if there is a need for additional premises, the PNA will also identify whether there is a need for additional services.

Consideration of applications will be in the context of the published PNA.

2. BACKGROUND

There are currently 93 community pharmacies providing a range of pharmaceutical services within the Health Board area.

The PNA covers the **full range of essential, advanced and enhanced services provided as pharmaceutical services**. This enables health boards to consider the level and extent of pharmaceutical services required to meet the needs of their population; and to do that in the context of their plans and priorities for primary care services.

Essential Services include: dispensing of prescriptions, dispensing of repeat prescriptions, signposting, public health campaigns, support for self-care.

Advanced Services include: medicine use reviews and discharge medication review service

Enhanced Services include: emergency contraception, emergency medicines supplies, common ailment service, needle and syringe programme, rota services, stop smoking services, supervised administration services, and flu vaccination services.

In Swansea Bay UHB a steering group to oversee the production and publication of the PNA was established in April 2021. The membership of the steering group comprises of those with knowledge of the commissioning of pharmaceutical services: this includes senior representation from the primary care, medicines management and public health teams and representatives from the Local Medical Committee (LMC), Community Pharmacy Wales (CPW) and the Community Health Council (CHC). The group has met on several occasions to oversee the development of the first PNA and a statutory consultation process.

This is a new legal requirement in Wales and the first PNA produced by Swansea Bay UHB. The timescales have been challenging, particularly in light of the pandemic. It has been a significant undertaking that has been led Primary, Community & Therapies Group and supported by the Local Public Health Team. Particular acknowledgement should be given to Hywel Dda Health Board who also produced their PNA in house and who provided support and advice, the local public health team who undertook the health assessments contained within chapters 2 and 3, NWIS who supplied all the maps, and the editorial team who wrote the PNA consisting of Paola Browne, Lowri Lowe, Sharon Miller, Tony Kluge and Amy David.

In addition to secure additional expertise a single tender action was approved for BRR consulting to provide advice and guidance on the PNA. It should be noted for completeness BRR consulting have not written the PNA nor do they hold responsibility for the publishing of the PNA. The team have however worked closely with BRR Consulting to undertake the assessments that are being made regarding the availability of pharmaceutical services.

The service group is pleased following a statutory consultation exercise to present the final pharmaceutical needs assessment for approval in order for it to be published in accordance with the statutory timescales.

3. ASSESSMENTS UNDERTAKEN

A comprehensive and thorough review of pharmaceutical provision within the Health Board has been undertaken. This has included a review of the location, opening hours, drive times, advanced and enhanced service level provision across the Health Board and within each of the 8 primary care cluster areas, and consideration of local health needs as contained in chapters 2, 3 and 4.

The assessments included in the PNA have been made using a range of data, which has included:

- Local health and well-being plans;
- The needs of different patient groups;
- The demography of the UHB area;
- The different needs of each of the primary care clusters;
- The effect of pharmaceutical services provided under arrangements with neighbouring HBs;
- The effect of dispensing services or other NHS services provided in or outside its area;
- Likely future needs, including the consideration of future housing set out in local development plans
- Community pharmacy service data from the All Wales Pharmacy Database (AWPD) including questionnaire to all contractors on their current and future service provision.

The following assessments have been undertaken to ensure a robust PNA is produced that accurately reflects the pharmaceutical needs of SBUHB, the full assessments are included within the PNA.

Pharmaceutical Services: Availability of Essential Services:

Number of pharmacies per 10,000 population

The number of pharmacies per 10,000 populations have been assessed on a locality level and HB wide, both within its current environment and within the context of the new housing developments outlined within the Local Development Plans (LDPs) The number is 2.38 per 10,000 which is understood to be the second highest in Wales.

The assessment has concluded that there are no gaps in the number of pharmacies per 10,000 population.

The location of community pharmacies, their opening hours and weekend provision:

This has been assessed and features within chapters 5, 8 & conclusions, below is a summary of the opening hours that indicate that there is good access to pharmaceutical provision across the Swansea Bay UHB footprint.

The assessment has concluded that there are no gaps in the location of community pharmacies, their opening hours or weekend provision.

Pharmaceutical Services: The availability of Advanced and Enhanced Services

Swansea Bay UHB commission an extensive range of national and local enhanced services from community pharmacies.

Each of the advanced and enhanced pharmaceutical services have been assessed for their availability across the Health Board, the assessments have concluded that there are no gaps in availability of advanced or enhanced services

In summary it is concluded that there is currently sufficient provision of pharmaceutical services to meet the needs of residents in the Health Board UHB area. The assessments have formed the conclusions detailed within the PNA chapters.

Statutory Consultation

As part of the pharmaceutical needs assessment process the health board was required to undertake a consultation of at least 60 days with certain organisations. The purpose of the consultation was to establish if the pharmaceutical providers and services supporting the population of the health board's area are accurately reflected in the final pharmaceutical needs assessment document.

In order to complete this process, the health board has consulted with those parties identified under regulation 7 of the NHS (Pharmaceutical Services) (Wales) Regulations 2020, to establish if the draft pharmaceutical needs assessment addresses issues that they considered relevant to the provision of pharmaceutical services:

- The Local Pharmaceutical Committee for Wales
- Morgannwg Local Medical Committee
- Contractors included in its pharmaceutical list
- GPs included in its dispensing doctor list
- GP practices
- Swansea Bay Community Health Council
- West Glamorgan Regional Partnership Board
- Swansea City Council and Neath Port Talbot Council
- Hywel Dda University Health Board, Cwm Taf Morgannwg University Health Board, Powys Teaching Health Board

[All parties received an email directing them to an electronic link to access the draft PNA]

Consultees were given the opportunity to respond by completing a set of questions and/or submitting additional comments. This was undertaken by completing the questions online.

The questions derived were to assess the current provision of pharmaceutical services, have regard to any specified future circumstance where the current position may materially change and identify any current and future gaps in pharmaceutical services.

The consultation ran from [29th June 2021 – 28th August 2021].

The online consultation received [six] responses, which identified themselves as the following:

Answer options	Response percent	Response count
On behalf of a pharmacy/dispensing appliance contractor/dispensing practice	50%	3
On behalf of an organisation	33%	2
A personal response	17%	1
<i>Answered question</i>		6

The overall response to the consultation has been positive. No concerns have been raised regarding non-compliance with the regulatory requirements, no pharmaceutical services provision has been missed and the main conclusions are agreed with.

The assessments undertaken have indicated that there is sufficient access to pharmaceutical services across the health board footprint, this has been confirmed within the statutory

consultation and supported by the PNA Steering Group and the Primary Community Therapies Service Group. In particular the Community Health Council have been very complementary through membership of the steering group on the comprehensiveness and standard of the PNA.

4. GOVERNANCE AND RISK ISSUES

There are no specific sanctions within the 2020 Regulations should the health board not publish its first PNA by 1 October 2021. However, the operation of the other provisions of the 2020 Regulations essentially provide the incentive to the health board to comply with regulation 5, for the following reasons;

1. All of the 2013 provisions are switched off on the 1 October 2021, meaning that the health board would be operating in a vacuum as the 2020 Regulations' operation are predicated on the content of PNAs.
2. Whilst no PNA is in existence, no prospective pharmacy applications can be made under the 2020 Regulations as there is nothing against which any application may be assessed.
3. The health board would be non-compliant with a legislative duty leaving ourselves open to challenge, possible intervention by the Welsh Ministers and most likely negative publicity.

Further to point 3, the two most likely possible routes of challenge would be by Judicial Review and Breach of Statutory Duty (which is a claim in negligence and can attract damages in certain instances). Only Judicial Review is likely to be able to be taken by the Welsh Ministers whilst either action could be commenced by those affected by the failure to act by the health board. (i.e. pharmacy businesses/local residents).

Aside from challenging the failure to publish a PNA by Judicial Review, the Welsh Ministers also have intervention powers within the NHS (Wales) Act 2006. In the first instance, using section 12 of the 2006 Act, the Welsh Ministers could direct the health board to comply with their duty under regulation 5. Secondly, the Welsh Ministers could consider using intervention powers under the Act, if there is a subsequent failure to comply with the Directions.

Section 26 of the Act sets out the power of the Welsh Ministers to make an 'intervention order' where the Welsh Ministers consider that the health board is not performing one or more of its functions adequately or at all.

Section 28 of the Act sets out the power of the Welsh Ministers to hold an inquiry and, if an NHS body has failed to comply with any regulations relating to any functions conferred on it under or by the Act, make an order declaring that NHS body is in default.

As above there is considerable scope for significant consequences were a health board not to publish its PNA in accordance with regulation 5.

Welsh Government have confirmed that they have already extended the deadline for completing PNAs and **have no intention of a further extension beyond 1 October 2021.**

4. FINANCIAL IMPLICATIONS

There are no financial implications of supporting the recommendations within the PNA that there are no gaps in pharmaceutical provision.

5. RECOMMENDATION

Members are asked to:

- **Note** the board responsibility for the production and publication of the PNA by the 1st October 2021.
- **Note** that following Management Board approval the PNA has been published on the health board website to meet the statutory deadline of the 1st October 2021, in anticipation of board approval later in October.
- **Ratify** as recommended by Management Board the SBUHB PNA (Appendix 1)

Governance and Assurance		
Link to Enabling Objectives (please choose)	Supporting better health and wellbeing by actively promoting and empowering people to live well in resilient communities	
	Partnerships for Improving Health and Wellbeing	<input checked="" type="checkbox"/>
	Co-Production and Health Literacy	<input type="checkbox"/>
	Digitally Enabled Health and Wellbeing	<input type="checkbox"/>
	Deliver better care through excellent health and care services achieving the outcomes that matter most to people	
	Best Value Outcomes and High Quality Care	<input checked="" type="checkbox"/>
	Partnerships for Care	<input checked="" type="checkbox"/>
	Excellent Staff	<input type="checkbox"/>
	Digitally Enabled Care	<input type="checkbox"/>
	Outstanding Research, Innovation, Education and Learning	<input type="checkbox"/>
Health and Care Standards		
(please choose)	Staying Healthy	<input checked="" type="checkbox"/>
	Safe Care	<input checked="" type="checkbox"/>
	Effective Care	<input checked="" type="checkbox"/>
	Dignified Care	<input checked="" type="checkbox"/>
	Timely Care	<input checked="" type="checkbox"/>
	Individual Care	<input type="checkbox"/>
	Staff and Resources	<input type="checkbox"/>
Quality, Safety and Patient Experience		
The PNA will support future decision making on pharmaceutical services. There are 93 community pharmacies providing essential, advanced and enhanced services to the SBUHB population. The assessment undertaken have demonstrated that SBUHB is well served for pharmaceutical services and there is capacity to meet current and future needs.		
Financial Implications		
The undertaking of the PNA was supported with external expertise totalling £25k. There are no explicit financial implications however the published PNA will guide the future commissioning of services.		
Legal Implications (including equality and diversity assessment)		
SBUHB is required under Section 82a of the Public Health (Wales) Act and enacted by the National Health Service (Pharmaceutical Services) (Wales) Regulations 2020 to publish a Pharmaceutical Needs Assessment by the 1 st October 2021.		
Staffing Implications		
The undertaking of the PNA in house has required extensive input from primary care, public health, medicines management, and the Welsh Translation team.		
Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)		
The PNA supports the effective delivery of accessible community pharmacy		

<p>services across the Health Board area. Community Pharmacies make an important contribution to meeting health needs including but not limited to the provision of essential medicine needs. In addition community pharmacies also support a wider range of health needs.</p>	
Report History	The requirement to carry out the PNA has been reported to the management board and included in reports to the board.
Appendices	<p>The full PNA with executive summary and all appendices is included for management board approval.</p> <div data-bbox="501 396 552 454" data-label="Image"> </div> <p>SBUHB PNA Final 0.2.pdf</p>