

Meeting of  
Lanarkshire NHS Board

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**SUBJECT: APPLICATIONS TO PROVIDE NHS PHARMACEUTICAL SERVICES :  
REVIEW OF CONTROL OF ENTRY ARRANGEMENTS**

**1. PURPOSE**

The purpose of this report is to present the Board with;

- a proposed response from NHS Lanarkshire to the Scottish Government, Consultation on the NHS Pharmaceutical Services Control of Entry Arrangements
- an explanation of how this has been prepared
- feedback received from local stakeholders

**2. BACKGROUND**

The procedures for adjudicating on applications for new community pharmacy contracts are described within the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009. The Scottish Government is currently consulting upon these regulations and this provides NHS Lanarkshire with an opportunity to suggest amendments. Feedback is required by 11<sup>th</sup> June.

The full consultation document is available at

<http://www.scotland.gov.uk/Publications/2010/03/22110058/0>

The proposed response has been prepared following internal discussion between

Bill Sutherland, Pharmacy Practices Committee, Co-Chair  
Sandra Smith, Pharmacy Practices Committee, Co-Chair  
George Lindsay, Chief Pharmacist – Primary Care  
Gillian Forsyth, Primary Care Administration Manager  
Christine Gilmour, Chief Pharmacist, NHS Lanarkshire  
Alan Lawrie, Director, South Lanarkshire CHP.

These discussions clarified the key issues to comment on and so provided a framework for the response to the detailed questions within the consultation document.

The draft response was shared widely with the following broad range of local stakeholders

- Area Pharmaceutical Committee
- Area Pharmacy Contractors Committee
- Area Medical Advisory Committee
- Local Medical Committee
- Dr. Gregor Smith, Medical Director – Primary Care
- Leader, North Lanarkshire Council
- Leader, South Lanarkshire Council
- Members, NHS Lanarkshire Pharmacy Practices Committee
- Colin Sloey, Director North Lanarkshire CHP
- Josephine Donaghy, Patient Partnership Forum Co - ordinator

As well as providing the opportunity to influence the response from NHS Lanarkshire, each stakeholder was also encouraged to make their own response.

Feedback has been received from NHS Lanarkshire Area Pharmacy Contractors Committee and the Local Medical Committee both of whom are supportive of the proposed response.

### **3. KEY ISSUES**

As well as suggesting refinements to the detail of the Regulations the proposed response majors upon:

- Enhancing the status of Health Board prepared Pharmaceutical Care Services Plans (PCSPs) as the key standard against which to judge the need for a new contract. We believe that a properly developed PCSP which has been the subject of proper research and consultation and is publicly available is an essential tool to good decision making and that Pharmacy Practices Committee (PPC) and National Appeal Panel (NAP) decisions should be driven by that plan. Ultimately this will promote rational distribution of community pharmacy contracts with a good fit to the NHS Boards strategic development plans.
- Significantly revising the appeal procedure which has in effect become a rerun of the original application.

It is felt that the Health Board PPC has local knowledge and will be fully aware of the detail of the local PCSP and the philosophy underpinning it. This is therefore the best forum for decision making and the NAP should be restricted to making judgements on any procedural concerns which an appellant alleges and, if necessary, the NAP should refer the application back to the PPC for resolution.

- Agreeing with the concept of a preliminary hearing by the Chair of the PPC with the purpose of avoiding the time and expense of holding a full PPC hearing for applications which have no real chance of success because they are so similar to recent, failed applications.

#### **4. RECOMMENDATIONS**

The Board are asked to

- note this proposed submission
- advise on any alterations
- authorise submission of the response to the Scottish Government and be aware that the submission would be made available on their public website with the attribution to NHS Lanarkshire.

#### **5. FURTHER INFORMATION**

For further information or clarification of any issues in this paper please contact.

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