


Health and Wellbeing Board 9 th December 2014	
Report of the London Borough of Tower Hamlets	Classification: unrestricted
Pharmaceutical Needs Assessment-progress note and permission to go to consultation	

Lead Officer	Somen Banerjee , Director of Public Health
Contact Officers	
Executive Key Decision?	No

Executive Summary

There is a statutory requirement to produce, on behalf of the Board, a Pharmaceutical Needs Assessment (PNA) by March 2015. The PNA involves looking at the distribution of pharmacies across the Borough and the services they provide as well as assessing the population health needs for those services, before recommending any changes in service provision. Also factored in are public views on current services.

This report sets out the work in hand and proposes to bring the full Consultation report to the Board for discussion in January 2015 and the final recommendations in March 2015.

The timetable is tight due to the need for a 60 day consultation on the emerging proposals, and the consultation report needs to go out in the next few weeks.

Recommendations:

The Health and Wellbeing Board is invited to:

1. Note the activities in progress in the report
2. Agree the information to be brought to the next meetings of the Board
3. Authorise the Director of Public Health to prepare the consultation draft of the pharmaceutical needs assessment and to commence the consultation.

1. REASONS FOR THE DECISIONS

- 1.1 There is a statutory requirement to produce the Pharmaceutical Needs Assessment by March 2015, including a 60 day consultation period. The timetable set out is necessary to achieve this deadline.

2. ALTERNATIVE OPTIONS

- 2.1 The timetable in paragraph 4 of the report is the only one to deliver the PNA by the end of March 2015

3. DETAILS OF REPORT

- 3.1 See Appendix

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The costs of the consultation will be met from the Public Health grant allocation.

5. LEGAL COMMENTS

- 5.1 The NHS Act 2006, as amended by the Health and Social Care Act 2012, requires the Health and Wellbeing Board (“HWB”) to develop and publish a pharmaceutical needs assessment (“PNA”) for Tower Hamlets. The NHS (Pharmaceutical Services and Local Pharmaceutical Services Regulations 2013) (“the 2013 Regulations”) have been made under the Act, which set out a more detailed legislative framework for developing and updating PNAs.
- 5.2 Under the 2013 Regulations, a person who wishes to provide NHS pharmaceutical services must generally apply to NHS England to be included on a relevant list by proving they are able to meet a pharmaceutical need as set out in the relevant PNA. There are exceptions to this, such as applications for needs not foreseen in the PNA or to provide pharmaceutical services on a distance-selling (internet or mail order only) basis.
- 5.3 The Local Government and Public Involvement in Health Act 2007 requires the preparation of a Joint Strategic Needs Assessment (“JSNA”) for Tower Hamlets. The aim of the JSNA is to improve the health and wellbeing of the local community and reduce inequalities for all ages. It involves a continuous process of strategic assessment for the health and wellbeing needs of the local population. The JSNA is used to determine what actions local

authorities, the NHS and other partners need to take to meet health and social care needs and to improve health outcomes and address health inequalities.

- 5.4 The 2013 Regulations require the HWB to do the following when developing the PNA:
- Assess needs for all pharmaceutical services in Tower Hamlets.
 - Include as a minimum the information set out in Schedule 4 to the Regulations, including a map of relevant pharmaceutical sites in Tower Hamlets.
 - Consult for a minimum period of 60 days with specified local health bodies, persons on the pharmaceutical lists and any dispensing doctors list for Tower Hamlets, the Local Healthwatch organisation and any neighbouring HWB. Consultees must be served with a draft of the proposed of the PNA for the purposes of consultation.
 - Have regard to the following matters: the demography of Tower Hamlets; whether there is sufficient choice in Tower Hamlets for obtaining pharmaceutical services; any different needs of different localities in Tower Hamlets; the services provided in neighbouring boroughs and other NHS services in or out of Tower Hamlets which affect the need for pharmaceutical services in Tower Hamlets or whether further provision would secure better access or access to services of a specified type.
- 5.5 Any consultation carried out should comply with the following criteria: (1) it should be at a time when proposals are still at a formative stage; (2) the Council must give sufficient reasons for any proposal to permit intelligent consideration and response; (3) adequate time must be given for consideration and response; and (4) the product of consultation must be conscientiously taken into account. The duty to act fairly applies and this may require a greater deal of specificity when consulting people who are economically disadvantaged. It may require inviting and considering views about possible alternatives.
- 5.6 The preparation and consultation on the PNA should take account of the JSNA and other relevant strategies, such as children and young people's plan, the local housing plan and the crime and disorder reduction strategy in order to prevent duplication of work and multiple consultations with health groups, patients and the public. The development of the PNA is, however, a separate duty to that of developing the JSNA. The PNA cannot be subsumed as part of these other documents but can be annexed to them.
- 5.7 The HWB is required to publish the PNA by April 2015 and a revised assessment must be published within 3 years or as soon as reasonably practicable after identifying significant changes to the availability of pharmaceutical services unless it is satisfied that making a revised assessment would be a disproportionate response to those changes. The HWB must ensure that the National Health Service Commission Board has access to the PNA.

5.8 In developing the PNA, the HWB must have due regard to the public sector equality duty under the Equalities Act 2010. The duty is set out at section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination (both direct and indirect discrimination), harassment and victimization and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic.

5.9 An equalities analysis should be carried out to consider in detail what impact the proposals could have on the protected characteristics (age, disability, gender re-assignment, pregnancy, maternity, race, religion or belief, gender and sexual orientation) of people in Tower Hamlets and action that will be taken to mitigate the risk of disproportionate impacts upon protected characteristics. That analysis should take into account the results of consultation.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1. The gathering of information for the Report has specifically brought together evidence across the Borough services by ethnicity, age, gender, sexual orientation and different geographical locations to inform the decisions.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 Not applicable

8. RISK MANAGEMENT IMPLICATIONS

If the report is not finalised by March 2015 then the Council will be criticised for failing to deliver

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

9.1 Not applicable

10. EFFICIENCY STATEMENT

10.1 Not applicable at this stage of the PNA

Appendices and Background Documents

Appendices

- **None**

Background Documents

If your report is a decision making report, please list any background documents not already in the public domain including officer contact information.

- State NONE if none.

Appendix-Report

Pharmaceutical Needs Assessment

Paper for the Health and Wellbeing Board-November 2014

Purpose

1. This paper sets out the work in hand for the current Pharmaceutical Needs Assessment (PNA) and invites the H&WB Board to
 1. Note the activities in progress
 2. Agree the information to be brought to the next meetings of the Board
 3. Authorise the Director of Public Health to prepare the consultation draft of the pharmaceutical needs assessment and to commence the consultation.

Background

2. There is a statutory requirement to produce, on behalf of the Board, a Pharmaceutical Needs Assessment (PNA) by March 2015. The PNA involves looking at the distribution of pharmacies across the Borough and the services they provide as well as assessing the population health needs for those services, before recommending any changes in service provision. Also factored in are public views on current services.
3. The Public Health team is working with the Commissioning Support Unit to bring together current evidence, and is undertaking a number of focus groups to gather views of services from different population groups. The JSNA Reference Group has been advising on the process and a Stakeholder Group has been established consisting of NHS England, the Local Pharmaceutical Committee and Local Medical Committee, Healthwatch and the voluntary sector, which is advising on the production of the consultation report.
4. The timetable is tight for completing this work as there is a statutory 60 day minimum period for consulting on the consultation document. Key activities are as follows:
 1. Bringing together evidence on public health and current pharmacy services
 2. Information gathering on views of current services.
 3. Agreeing emerging issues and recommendations
 4. Drafting the consultation report
 5. Publishing the consultation document in December 2014
 6. Two Month Consultation on report (January /February 2015)

7. Final Recommendations to the Health and Wellbeing Board(March 2015)

5. As part of this timetable the proposal is that the H&WB Board will
1. In January 2015 have an opportunity to discuss the consultation document and its recommendations
 2. In March 2015 sign off the final recommendations which will take into account the consultation process.

In addition, in order to meet this plan, the H&WB Board is invited to give delegated authority to Somen Banerjee as Director of Public Health, to issue the consultation report on its behalf.

6. The Health and Wellbeing Board is invited to agree the points in paragraph 1 above and the process in paragraph 5.