

NHS Ayrshire & Arran



Meeting: Ayrshire and Arran NHS Board

Meeting date: Monday 17 August 2020

Title: Pharmacy Practices Committee Annual Report

Responsible Director: Mr Eddie Fraser, Director of East Ayrshire HSCP

Report Author: Mrs Carolyn Dickson, Assistant Primary Care Manager
Pharmacy & Optometry

1. Purpose

This is presented to the Board for: Awareness

This paper relates to:

- Legal requirement
- Local policy

This aligns to the following NHSScotland quality ambition(s): Safe, Effective and Person Centred.

2. Report summary

2.1 Situation

The Pharmacy Practices Committee (PPC) is a devolved decision making Committee of the Health Board. This Committee decides on applications received for proposed new Community Pharmacies in the area. The PPC provides an assurance report annually which sets out the activities of the Committee over the past year in discharging its remit.

2.2 Background

The Pharmacy Practices Committee (PPC) is required to provide an annual report to the Board to provide assurance that the Committee has discharged its remit as set out in the agreed Terms of Reference.

The PPC annual reports are part of the overall assurance mechanism for the NHS Board to provide assurance that the Committee has fulfilled their remit.

2.3 Assessment

This report details the membership of the Pharmacy Practices Committee and provides information on the activities of the Committee in the past year.

Key Messages

- Changes to the current Pharmacy Practices Committee membership
- Activities undertaken by the Committee during the year 2019-2020

2.3.1 Quality/patient care

Ensuring good governance in monitoring the Pharmacy Practices Committee has successfully delivered its remit supports the effective delivery of quality, patient-centred services.

2.3.2 Workforce

This assurance report has no workforce implications for the organisation and highlights joint working across the NHS Board, independent contractors and lay members of the Committee.

2.3.3 Financial

There are no financial implications.

2.3.4 Risk assessment/management

The annual report process ensures assessment of the committee against the agreed Terms of Reference. This mitigates against the risk of any gaps in assurance and supports the NHS Board's annual assurance statement.

2.3.5 Equality and diversity, including health inequalities

An impact assessment has not been completed because this is an annual assurance reporting paper.

2.3.6 Other impacts

- Best value – reporting ensures sound governance and accountability
- Compliance with legal requirements and corporate objectives. Providing this assurance report supports compliance with objectives on quality, safety and person centred.

2.3.7 Communication, involvement, engagement and consultation

This paper requires no engagement with external stakeholders.

2.3.8 Route to the meeting

This paper has not been previously considered by any other groups as part of its development as the PPC is a directly devolved decision making Committee of the Board.

2.4 Recommendation

For awareness. Board Members are asked to receive the report and note the progress of the Pharmacy Practices Committee 2019-2020.

3. List of appendices

Appendix 1 - Pharmacy Practices Committee Annual Report.

NHS Ayrshire & Arran Pharmacies Practices Committee

Annual Report - April 2019-2020

1. Introduction

- 1.1 The report sets out the activities of the Pharmacies Practices Committee during 2019 and 2020 and how it has fulfilled its remit.

2. Remit

- 2.1 The Committee's Terms of Reference are detailed at Appendix 1 to this report.

3. Membership

- 3.1 The membership of the Committee is defined in The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009 as amended and detailed in the attached terms of reference of the Committee.

At the end of March 2019 the Chair of the Committee, Mr Alistair McKie reached the end of his term as a NHS Board member and a new chair Ms Linda Semple was appointed for the Pharmacy Practices Committee on 1 April 2019.

The currently pharmacy contractor and non-contractor representatives on the Committee are:

Wallace Stevenson
Diane Lamprell
Janice Gallagher
Joyce Mitchell
Allan Wilson
John Connelly
Faiza Yousaf
Stuart Burns
David Noon
Andrew McMurdo
Mo Ameen

The current lay members on the Committee are:

Canon Matt McManus
Pauline Hamilton
Joy Chamberlain
Donald Osborne
Margaret Clark
John Hunter

Representatives from other Health Board areas continue to be co-opted to NHS Ayrshire and Arran to ensure, should there be a need to rehear a hearing and there is a shortage of

available members, that these can continue to be heard by an independent panel and consist of :

Yvonne Williams (Pharmacy Contractor Member - Lanarkshire)
 Catherine Stitt (Pharmacy Contractor Member - Lanarkshire)
 Kenneth Irvine (Pharmacy Contractor Member – Greater Glasgow and Clyde)
 Scott Bryson (Pharmacy Non Contractor Member – Greater Glasgow and Clyde)
 John Woods (Lay Member – Greater Glasgow and Clyde)
 Stewart Daniels (Lay Member – Greater Glasgow and Clyde)

During 2019-2020 the following Pharmacy Practice Committee members chose not to renew their membership upon renewal and the Committee would like to express their gratitude for their support and commitment over the previous years:

Morag McConnell
 Richard Devenish
 Craig Murdoch
 Hakim Dim
 Ian Mouat

4. Meetings

4.1 The Committee met virtually on two occasions over the past year to consider two minor pharmacy relocations on : -

- Between 9 July and 10 July 2019
- Between 27 August and 3 September 2019

4.2 The attendance record of each member is shown below (✓ indicates attended).

Members	Virtual Minor Relocation Hearing 9 July – 10 July 2019	Virtual Minor Relocation Hearing 27 August – 3 September 2019
Linda Semple - Chair	✓	✓
Lisa Tennant – Vice Chair		
Diane Lamprell	✓	✓
Joyce Mitchell		
Wallace Stevenson		
Morag McConnell		
Janice Gallagher		
Craig Murdoch		
Richard Devenish	✓	✓
Scott Bryson		
Catherine Stitt		
John Connelly		
Kenneth Irvine		
Allan Wilson		
Andrew McMurdo		
Mohammed Ameen		
David Noon		
Stuart Burns		
Canon Matt. McManus	✓	

Pauline Hamilton	√	√
Joy Chamberlain		
Donald Osborne		√
Margaret Clarke		
John Hunter		
Stewart Daniels		
John Woods		
Hakim Din		

5. Committee Activities

- 5.1 The Committee met on two occasions virtually during the year to hear two minor pharmacy relocations as follows:-

Between 9 July and 10 July 2019

The Committee considered the application by Central Pharmacies (U.K.) Ltd (t/a Kilmaurs Pharmacy) to relocate their pharmacy from 13 Main Street, Kilmaurs to 5 Main Street, Kilmaurs. The Committee agreed that there was no requirement to visit the site as a map had been produced which marked the proposed changes. The Committee in accordance with the Regulations took into account the views of the Area Pharmaceutical Professional Committee and the Interim Director of Pharmacy who had advised that the application met the definition of a minor relocation.

The Committee agreed that the relocation was a minor relocation as there would be:

- a. no significant change in the neighbourhood population in respect of which pharmaceutical services were provided by the applicant; and
- b. no appreciable effect on the pharmaceutical services provided by the applicant or any other person whose name was included on the Pharmaceutical List.

The application by Central Pharmacies (U.K.) Ltd (t/a Kilmaurs Pharmacy) to relocate their pharmacy from 13 Main Street, Kilmaurs to 5 Main Street, Kilmaurs was therefore approved by the Committee as it met all requirements as defined in the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009

Between 27 August and 3 September 2019

The Committee considered the application by from M & D Dispensing Chemist, t/a Bellfield Pharmacy to relocate from 89 Whatriggs Road, Kilmarnock to 79 Whatriggs Road, Kilmarnock. The Committee agreed that there was no requirement to visit the site as a map had been produced which marked the proposed changes. The Committee in accordance with the Regulations, took into account the views of the Area Pharmaceutical Professional Committee and the Interim Director of Pharmacy who had advised that the application met the definition of a minor relocation.

The Committee agreed that the relocation was a minor relocation as there would be:

- a. no significant change in the neighbourhood population in respect of which pharmaceutical services were provided by the applicant; and
- b. no appreciable effect on the pharmaceutical services provided by the applicant or any other person whose name was included on the Pharmaceutical List.

The application by M & D Dispensing Chemist, t/a Bellfield Pharmacy to relocate their pharmacy from 89 Whattriggs Road, Kilmarnock to 79 Whattriggs Road, Kilmarnock was approved by the Committee as it met all requirements as defined in the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009

6. Priorities for 2020/2021

- 6.1 The priority of the Committee for next year is to ensure that any guidance received from the Scottish Government regarding social distancing in light of COVID-19 is adhered to with regards to maintaining public safety when organising and during Pharmacy Practices Committee hearings.

7. Chairs Comments

- 7.1 The Committee has met virtually two times this year to consider minor applications as detailed above. There have been no requests for applications for proposed Community Pharmacies during this period.

Our lay members give generously of their personal time to both engaging with and developing a robust understanding of the complex Control of Entry Regulations. Further, in discharging their role as Lay Members of the Pharmacy Practices Committee, they each engage fully with the applications that have been received, as well as the detailed supporting evidence, to contribute to the robust and rational decision-making processes that have underpinned the current provision of Pharmaceutical Services in Ayrshire and Arran.

The Vice Chair concludes that the Pharmacy Practices Committee has fulfilled its remit as a Board Committee

PHARMACY PRACTICES COMMITTEE

Terms of Reference

1. Introduction

The Board shall in accordance with regulation 7 of the Health Boards (membership and Procedure)(Scotland) Regulations 2001(a) and the provisions of Schedule 4 (The National Health Service (Pharmaceutical Services)(Scotland) Regulations 2009, as amended) establish a committee (to be known as “the Pharmacy Practices Committee.)

2. Membership (Para 3 of Schedule 4)

The Pharmacy Practices Committee shall consist of seven members:

Chair

“one shall be the chair appointed as such by the Board; the chair shall be a member of the Board but shall not be an officer of the Board nor shall the chair be, nor previously have been, a doctor, dentist, ophthalmic optician or pharmacist or the employee of a person who is a doctor, dentist, ophthalmic optician or pharmacist;”

Pharmacist Members

“one shall be a pharmacist whose name is not included in any pharmaceutical list and who is not the employee of a person whose name is so listed; and such pharmacist shall be appointed by the Board from persons nominated by the Area Pharmaceutical Committee; “

“two shall be pharmacists each of whom is included in a pharmaceutical list or is an employee of a person whose name is so listed; and each shall be appointed by the Board from persons nominated by the Area Pharmaceutical Committee; “

Lay Members

“three shall be persons appointed by the Board otherwise than from the members of the Board but none shall be nor previously have been a doctor, dentist, ophthalmic optician or a pharmacist, or an employee of a person who is a doctor, dentist, ophthalmic optician or pharmacist.”

Where the premises that are the subject of the application are located in the same neighbourhood as premises from which a dispensing doctor dispenses then the PPC shall have an additional member appointed by the Board from persons nominated by the Area Medical Committee – A GP Representative.

Deputy PPC Members

“Persons to act as deputies for, and corresponding in number to, each of those categories of person appointed shall, provided they satisfy the criteria specified in that sub-paragraph, be appointed by the Board and in the absence of any of those persons a deputy from the appropriate category shall be entitled to act in the absent person’s place.

Term of office – three years

3. Reporting Arrangements

The Pharmacy Practices Committee shall within ten working days of taking its decision give written notification of it to the Board with reasons for that decision. **The Chief Executive, on behalf of the Board, accepts the notification of the PPC decision.**

The Board shall, within five working days of having been notified, by the PPC, intimate to the applicant and the other persons the decision on the application, the reasons for it, and any right of appeal applicable.

4. Role and Function

The Pharmacy Practices Committee shall on behalf of the Board exercise the functions of the Board in terms of regulation 5(10) and paragraph 3 of Schedule 3 (2009 Pharmacy Regulations as amended).

Consider a New Pharmacy contract, having regard to:

- Pharmaceutical services already provided in the neighbourhood of the premises named in the application by persons whose names are included in a pharmaceutical list;
- Pharmaceutical services to be provided in the neighbourhood at these premises by any person whose name is included in the provisional pharmaceutical list;
- Any representations received by the Board under paragraph 1: The Board shall within 10 working days of receiving an application to which regulation 5 (10) applies, given written notice of the application to;
 - (a) the Area Pharmaceutical Committee;
 - (b) the Area Medical Committee;
 - (c) any person whose name is included in the pharmaceutical list or the provisional pharmaceutical list and whose interests may, in the opinion of the Board, be significantly affected if the application were granted;
 - (d) any Board whose boundary is within two kilometres of the proposed premises, and any person or body so notified may, within 30 days from the date on which the notification was sent to such person or body, make written representations about the application to the Board.
- Any information available to the Board which, in its opinion, is relevant to the consideration of the application
- Any responses received following consultation in accordance with paragraph 2: Any Board which is notified under sub-paragraph (1)(d) above shall, within ten working days, give written notice of the application to –
 - (a) its Area Pharmaceutical Committee
 - (b) its Area Medical Committee
 - (c) any person whose name is included in its pharmaceutical list or the provisional pharmaceutical list and whose interests may, in the opinion of the said Board be significantly affected if the application were granted, and any person so notified may, within 30 days from the date on which the notification was sent to the said Board make written representations to the Board to whom the application was made.

5. Objectives

The Pharmacy Practices Committee shall on behalf of the Board exercise the functions of the Board in terms of regulation 5(10); An application made in any case other than one to which paragraph (3) or(4) applies shall be granted by the Board, after the procedures set out in Schedule 3 have been followed, only if it is satisfied that the provision of pharmaceutical services at the premises named in the application is necessary or desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the premises are located by persons whose names are included in the pharmaceutical list, and paragraph 3 of Schedule 3; Determination of Applications, as above.

6. Agendas and Papers

Agenda and Papers are prepared in accordance with the structure of the Pharmacy Practices Committee and are provided to the Committee, the applicant and any other interested party in advance of the hearing.

7. Quorum

The Committee will be quorate with 5 members present.

- The chair, or person acting as chair
- One Non-Contractor Pharmacist
- One Contractor Pharmacist
- Two Lay Members

8. Voting

Every application considered by the PPC shall be considered by all members present, but shall be determined only by a majority of votes of the members present who are entitled to vote. Only those appointed under paragraph 3(1)(c) (Lay Members) are entitled to vote. The Chair shall not be entitled to vote except where there is an equality of votes of the other persons present, in which case the chair shall have the casting vote.

9. Frequency of Meetings

The Committee will meet as required on receipt of a competent application for a new pharmacy contract.

10. Support

Support will be provided from the Primary Care Management Team.

11. Review

The Terms of Reference will be reviewed on an annual basis, or as required by new Regulations coming into force.

Author	Designation	Published	Review
Anne Shaw	Primary Care Manager – Pharmacy	February 2012	February 2013
Review 1			
Anne Shaw	Primary Care Manager – Pharmacy	-	April 2014
Review 2			
Anne Shaw	Primary Care Manager – Pharmacy		April 2015
Review 3			
Anne Shaw	Primary Care Manager – Pharmacy		April 2016
Review 4			
Anne Shaw	Primary Care Manager – Pharmacy		April 2017
Review 5			
Anne Shaw	Primary Care Manager – Pharmacy		April 2018

Review 6			
Anne Shaw	Primary Care Manager – Pharmacy		April 2019
Review 7			
Anne Shaw	Primary Care Manager – Pharmacy		April 2020