

# **Southampton Pharmaceutical Needs Assessment (PNA):**

**Process for dealing with changes in the  
need for, or the availability of,  
pharmaceutical services**

*Last Updated July 2022*

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## 1. Purpose of this document

This document describes the legal responsibilities for Southampton's Health and Wellbeing Board (HWB) when there is a change to the need for, or the availability of, pharmaceutical services during the lifetime of the Pharmaceutical Needs Assessment (PNA).

The document then details the process that will be followed in Southampton to allow the HWB to fulfil these on-going PNA regulatory requirements.

## 2. The legal context

Section 128A of the [National Health Service Act 2006](#) (NHS Act 2006) requires every HWB to assess the need for pharmaceutical services in its area and to publish a statement of its assessment (a PNA). HWBs will then be required to publish their next PNA within three years. However, significant changes to the need for, or availability of, pharmaceutical services in the area may result in occasions where a HWB board will need to publish its next PNA sooner or publish a 'supplementary statement' (a statement of fact describing significant changes to the availability of pharmaceutical services). The circumstances for this are set out in the 2013 regulations which can be found on the [legislation.gov.uk](http://legislation.gov.uk) website.

The 2013 regulations state that a HWB must produce a new PNA if it identifies changes to the need for pharmaceutical services, which are of a significant extent. This could be due to changes in:

- the number of people in the area who require pharmaceutical services
- the demography of the area
- risks to the health or wellbeing of people in the area (both residents and visitors)

The only exception to this requirement is where the HWB is satisfied that producing a new PNA would be a disproportionate response to the changes.

A supplementary statement is published to explain significant changes to the availability of pharmaceutical services where:

- the changes are relevant to the granting of a future application(s) for inclusion in the pharmaceutical list for the HWB area
- the HWB is satisfied that producing a new PNA would be a disproportionate response to those changes (or it is already producing its next PNA but is satisfied that it needs to immediately modify the existing document in order to prevent significant detriment to the provision of pharmaceutical services).

Supplementary statements are statements of fact only; they do not make any assessment of the impact the change may have on the need for pharmaceutical services. Effectively, they are an update of what the PNA says about the availability of pharmaceutical services. They are not a vehicle for updating what the PNA says about the need for pharmaceutical services.

Since 5 December 2016 pharmacies have been able to apply to NHS England (NHSE) to consolidate the provision of pharmaceutical services at two pharmacies onto one site. NHSE is directed to refuse a consolidation application if it satisfied that to grant it would create a gap in pharmaceutical services provision that could be met by an application offering to:

- meet a current or future need for pharmaceutical services, or
- secure improvements or better access to pharmaceutical services

HWBs will be notified of consolidation applications and must make representations in writing which indicate whether or not granting the application would create such a gap. They will have 45 days to submit such representations and will receive a number of reminders of this statutory duty if they do not respond within the 45 days.

If one of the pharmacies closes and the HWB is of the opinion that the closing does not create a gap then it must issue a supplementary statement. This statement remains in place and provides regulatory protection for the continuing pharmacy against an application offering to meet a need for, or secure improvements or better access to, pharmaceutical services for the remaining lifetime of the PNA.

If a consolidation application is refused, the owner of the site that was to be closed can still give notice to NHSE that they intend to close the pharmacy. The HWB would then need to consider whether it will need to provide a supplementary statement following this closure. If the refusal was because NHSE was satisfied that to grant the consolidation would create a gap in pharmaceutical services provision, then a supplementary statement would be required following the closure of the premises.

A PNA must include a map that identifies the premises at which pharmaceutical services are provided within the area of the HWB. This map must be kept up-to-date but this does not necessarily mean there is a need to republish the whole PNA or even a supplementary statement.

The services that pharmacies provide are subject to national negotiation, and it is therefore possible that during the lifetime of the PNA new essential or advanced services will be rolled out. It is not possible for the HWB to foresee what new advanced services may be launched (any new essential services would have to be provided by all pharmacies), so this would be something to consider as part of the ongoing duties regarding producing new PNA and/or publishing supplementary statements.

### 3. Process for dealing with changes

Changes in the need for pharmaceutical services will be identified via Southampton Joint Strategic Needs Assessment (JSNA). At each JSNA Steering Group meeting there will be a standing item on the agenda for members to raise any significant changes in the following:

- the number of people in the area who require pharmaceutical services
- the demography of the area
- risks to the health or wellbeing of people in the area (both residents and visitors)

The changes will then be reported to the named Public Health Consultant leading on the PNA who will be responsible for briefing the HWB, or delegated sub-committee, of the change. The HWB (or sub-committee) will decide whether producing a new PNA would be a disproportionate response to the changes identified.

Primary Care Support England (PCSE) are responsible for notifying all interested parties, including the HWB, when:

- a pharmacy or dispensing appliance contractor opens new premises or relocates to new premises
- a change of ownership application takes place
- Consolidations of two pharmacies

NHSE is responsible for notifying all interested parties, including the HWB when:

- core and/or supplementary opening hours change
- pharmacy or dispensing appliance contractor premises close permanently
- when a dispensing practice ceases to dispense either to a particular area or completely

NHSE provides a quarterly update to all interested parties, including the HWB, on all of these points (including those under the remit of the PCSE).

To ensure this information is acted upon, NHSE have been advised to include the following generic email address in their quarterly notifications of changes to pharmaceutical services in the city (even though other named individuals are also automatically notified – including the Director of Public Health):

[strategic.analysis@southampton.gov.uk](mailto:strategic.analysis@southampton.gov.uk)

This generic email address is checked regularly (at least weekly) by the Data, Intelligence and Insight Team.

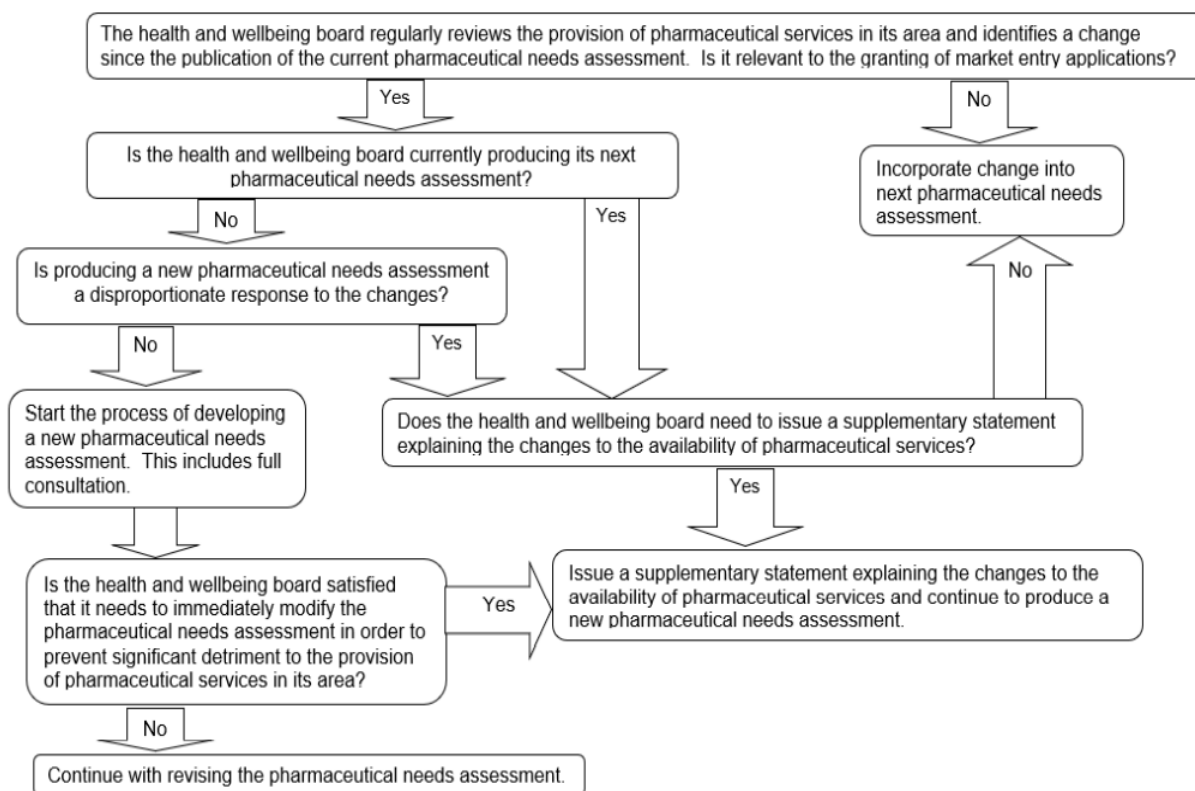
The Data, Intelligence and Insight Team will make the first check of the notified change to see if any further action is required. The legislation states that an up-to-date map showing the location of pharmaceutical services within the HWB area must be maintained. Therefore, the Data, Intelligence and Insight Team will publish a map on the PNA pages of the Data Observatory website and update it, as appropriate, when changes are received from NHSE.

If further action is required, or if there is any uncertainty, the change will be escalated to the named Public Health Consultant leading on the PNA who will be responsible for briefing the HWB of the change.

The HWB, or delegated sub-committee, will then make the decision on whether a new PNA or supplementary statement is needed.

A decision-making flowchart from [national guidance](#) is shown in Figure 1; this will be used by the Southampton HWB, or delegated sub-committee, to decide if a new PNA or supplementary statement is needed.<sup>1</sup>

Figure 1: Decision-making flowchart



Source: [Pharmaceutical needs assessments: Information pack for local authority health and \(publishing.service.gov.uk\)](#)

If a supplementary statement is needed, the HWB will use the templates published in the national guidance (Appendix 1).

<sup>1</sup> [Pharmaceutical needs assessments: Information pack for local authority health and \(publishing.service.gov.uk\)](#) accessed 07/06/2022

## Appendix 1: Templates for supplementary statements

### Template for opening of a new pharmacy

Health and wellbeing board logo and address

Supplementary statement to the [insert name] pharmaceutical needs assessment

Date pharmaceutical needs assessment published –

Date supplementary statement issued –

The pharmaceutical needs assessment for the area of [insert name] Health and Wellbeing Board identified in section/chapter [X] a need for the following:

- [insert details of need(s) identified and the service(s) required to meet that need for the particular locality]

[NHS England and NHS Improvement/NHS Resolution] granted an application by [insert name of contractor] to open a pharmacy at [insert address] to provide the following pharmaceutical services:

- [insert all pharmaceutical services that the applicant is to provide]

These services will be provided at the following times:

- [insert core and supplementary hours as detailed in the application]

The pharmacy opened on [insert date of opening].

Supplementary statement issued by: *(This should be the name of the person or panel/committee who has been authorised to issue supplementary statements).*

Post:

Date:

## Template for closing of a pharmacy

Health and wellbeing board logo and address

Supplementary statement to the [insert name] pharmaceutical needs assessment

Date pharmaceutical needs assessment published –

Date supplementary statement issued –

The following pharmacy has closed:

- [insert name and address of pharmacy]

The pharmacy provided the following pharmaceutical services:

- [insert all pharmaceutical services that the pharmacy provided]

These services were provided at the following times:

- [insert core and supplementary hours]

The pharmacy closed on [insert date of opening].

Supplementary statement issued by: *(This should be the name of the person or panel/committee who has been authorised to issue supplementary statements)*

Post:

Date:



## Template for consolidation of two pharmacies

Health and wellbeing board logo and address

Supplementary statement to the [insert name] pharmaceutical needs assessment

Date pharmaceutical needs assessment published –

Date supplementary statement issued –

This should be the name of the person or panel/committee who has been authorised to issue supplementary statements.

The following pharmacy has closed as a result of a successful consolidation application:

- [insert name and address of pharmacy]

The pharmacy provided the following pharmaceutical services:

- [insert all pharmaceutical services that the pharmacy provided]

These services were provided at the following times:

- [insert core and supplementary hours]

The pharmacy closed on [insert date of opening].

It is the opinion of [insert name] Health and Wellbeing board that the removal of this pharmacy from the pharmaceutical list does not create a gap in pharmaceutical services provision that could be met by a routine application:

- to meet a current or future need for pharmaceutical services, or
- to secure improvements, or better access, to pharmaceutical services

Supplementary statement issued by: *(This should be the name of the person or panel/committee who has been authorised to issue supplementary statements).*

Post:

Date: