

FHSAU Pharmacy User Group

Thursday 10 May 2018

12.00pm

DAC Beachcroft, St Paul's House, 23 Park Square South, Leeds

Members		Job Title/Organisation
Lisa Hughes (LH)		Head of FHSAU
Jonathan Haley (JDH)		FHSAU Business Services Manager
Rachel Hawkins (RH)		FHSAU Case Manager
Phil Bratley (PB)		FHSAU Panel Member (Pharmacy)
Noel Wardle (NW)		Charles Russell Speechlys
Matt Cox (MC)		Lloyds Pharmacy
Emma Griffiths-Mbarek (EGM)		Well Pharmacy
Jo Severn (JS)		Boots UK Ltd
Gordon Hockey (GH)		PSNC
Sally-Anne Kayes (SAK)		NHS England
Marie Wharton (MW)		NHS England
In attendance		Job Title/Organisation
Emily Pailing (EP)		FHSAU Appeal Assistant/Case Manager
Angela Lydon (AL)		PCSE (to item 4 only)
Jonathan Gore (JG)		PCSE (to item 4 only)
Papers		
A	Draft minutes of last meeting	
B	Outstanding issues	
C	Customer Survey Report	
D	Factsheet	

Minutes

Item	Description	Action
1.	<u>Apologies for absence</u> JDH reported that there were no apologies.	
2.	<u>Draft minutes of last meeting</u> These were agreed without further amendment and would be published.	JDH
3.	<u>Outstanding issues</u> Items 32, 38, 39, 40, 43, 44, 45 were noted as closed.	

	<p><u>Item 32 – new website</u> JDH reported that the redevelopment was ongoing although he had been given a possible date of September. Those members who had previously indicated a desire to be part of testing would be contacted in due course.</p> <p><u>Item 35 – liaise with Chairs regarding skeleton arguments</u> JDH reported that new Rules had now been published which resolved this issue. Action can be closed.</p> <p><u>Item 41/42 – Pharmacy Manual</u> SAK reported that the amendments had been made and that this was currently in draft.</p>	
4.	<p><u>PCSE update</u> AL reported that the application tracker was in design stage. UAT team would include applicants and PCSE staff. In addition, there is a commitment to meet with stakeholders to discuss the tracker and any other functions provided by PCSE. MC enquired as to the timescale for the tracker; AL reported that this was likely to be in late Summer.</p>	
5.	<p><u>Customer Survey Report</u> JDH reported on the outcomes which showed 81% high level of satisfaction rating across the FHSAU's appellate functions; this was an increase on the previous year. JDH had drafted an action plan which includes a review of the on-line guidance for parties to reflect uncertainty (by respondents) about the factors which influence decisions to send cases to hearing and the role of the Oral Committee. The Guidance will also include an explanation as to why the Committee can consider new information at the appeal stage and will better explain the time it takes for cases to be determined.</p> <p>LH reported that she was considering further external training opportunities. MC asked for training on 'opening hours'. After some discussion, it was agreed that LH will explore producing some guidance on this issue</p> <p>JDH asked SAK if she could ask at the next Contract Manager's meeting whether there are any Area Teams that had missed the previous training events delivered to NHS England. JDH will supply SAK with a list of attendees from the sessions previously delivered.</p>	<p>LH</p> <p>JDH</p>
6.	<p><u>Factsheet 2017/18</u> JDH reported that the Factsheet had been prepared which</p>	

	<p>would be published in the Summer.</p> <p>SAK noted a high number of NHSE decision's quashed but was interested to learn what proportion of these actually resulted in a decision itself being overturned.</p> <p>MC suggested that the lower number of appeals was likely due to fewer applications. GH concurred and suggested that the funding cuts, clawback of monies and shortages in products was making community pharmacy difficult. Fewer applications was as a result of the Regulations being based on the needs assessment with the exception of Regulation 18 and 25 applications.</p> <p>GH was interested to know the number of hearings; JDH will supply separately</p>	JDH
7.	<p><u>Core Systems Review (CSR)</u></p> <p>LH reported that NHS Resolution was reviewing its case management systems.. This is a long term project which the FHS AU would be part of. This involved some horizon scanning as to what will be needed in the future and members were asked to give some thought to this in particular data collection for sharing learning. JDH reported that the case tracker suggested in the Customer Survey Report would be part of the CSR. Given this project is some way off an interim case tracker might be possible; JDH will explore with the Informatics Team.</p>	JDH
8.	<p><u>New service name</u></p> <p>LH reported that the FHS AU would be changing its name soon. Branding discussions were ongoing so the official announcement will be issued by email and published on line.</p>	
9.	<p><u>Any other business</u></p> <p><u>Update of Review of Pharmacy Regulations</u></p> <p>MC enquired as to whether the FHS AU had learnt anything regarding implementation. GH commented that there is interest from the profession to push forward with some recommendations. LH did not foresee anything happening soon.</p> <p><u>Overpayments</u></p> <p>LH reported that there were draft Directions under consideration in which the right of appeal against reclaiming overpayments (under regulation 94) would be to the FHS AU. NW asked if this included underpayments but LH reported that these would not be included and that Section 9 of the NHS Act (appeal to the Secretary of State) would</p>	

	<p>apply.</p> <p><u>Oral Hearings</u></p> <p>SAK reported that she had heard elsewhere that the FHSAU had raised concerns about delays in arranging oral hearings. JDH confirmed that these were specific to where the Local Office had gone through a venue booker. As a result, NHSE had provisionally agreed to give appeal hearings priority.</p> <p>SAK also reported that providing staff to support hearings was proving difficult. JDH agreed to review the FHSAU's letters to NHSE regarding oral hearings to ensure that it makes clear that support is not necessarily needed. LH suggested that in the FHSAU's experience, NHSE's efforts are better spent attending hearings to provide rationale for its decision.</p> <p><u>Site visits</u></p> <p>NW was concerned that there have been occasions when Committee has reported at the start of a hearing that whilst on its site visit, the taxi driver had volunteered information, which makes it difficult for him (and others) to dispute. He accepted that Committee is very open in this regard but that Committee would be best not to engage in conversations with the taxi driver. LH agreed to raise at the next Panel event.</p> <p>NW was also concerned about NHSE staff accompanying the Committee on its site visit. LH reported that this practice had ended some years ago.</p> <p><u>Venues</u></p> <p>PB enquired whether or not the provision of waiting areas for parties was being requested. LH reported that with some venues, this was simply not feasible. PB agreed and suggested we make it clear that separate waiting areas would not be provided which would then alert parties to the need to have confidential discussions beforehand. NW agreed. JDH will review the letters and amend.</p>	<p>JDH</p> <p>LH</p> <p>JDH</p>
10	<p><u>Date of next meeting</u></p> <p>To take place sometime in weeks 12 and 19 November 2018; JDH to contact all in May.</p>	JDH