

## Primary Care Appeals - Pharmacy User Group

Thursday 28 November 2019

12.00pm

4<sup>th</sup> Floor, Arena Point, Merrion Way, Leeds, LS2 8PA

Members		Job Title/Organisation
Lisa Hughes (LH)		Head of Primary Care Appeals
Jonathan Haley (JDH) - Chair		Business Services Manager
Rachel Hawkins (RH)		Case Manager
Phil Bratley (PB)		Panel Member (Pharmacy)
Matt Cox (MC)		Lloyds Pharmacy
Jo Severn (JS)		Boots UK Ltd
Noel Wardle (NW)		Charles Russell Speechlys
Sally-Anne Kayes (SAK)		NHS England
Gill Sealey (GS) for Marie Wharton		NHS England
In attendance		Job Title/Organisation
Fiona Richardson (FR)		Case Administrator
Susy Ellis (SE) – up to item 4		Pharmacy Engagement Lead, PCSE
Sanjay Sekhri (SS)		Deputy Director of Practitioner Performance Advice
Papers		
A	Minutes of last meeting	
B	Outstanding issues	
C-E	Guidance Notes	

### DRAFT Minutes

Item	Description	Action
1.	<u>Apologies for absence</u> JDH reported that Gordon Hockey, Emma Griffiths-Mbarek and Marie Wharton had provided apologies.	
2.	<u>Minutes of last meeting</u> These had been approved off-line and published.	
3.	<u>Outstanding issues</u> The Group received an update that all outstanding actions had been completed as below: <ul style="list-style-type: none"> <li>Panel members had been asked to avoid soliciting opinions of the taxi driver whilst on site visits.</li> <li>May 2018 minutes had been published</li> <li>JDH had consulted the Digital team regarding publication of decisions summary</li> <li>JDH had circulated link to archived nhlsa.com</li> </ul>	

	website	
4.	<p><u>PCSE update</u> SE reported that PCSE had developed an online portal for Market Entry applications. Phase 1 of roll-out on 20 November was for body corporates albeit only for certain application types. So far, PCSE had not received any applications.</p> <p>MC reported that there were some issues with logging into the online portal. SE confirmed they are working on resolving some issues.</p> <p>JDH asked if the way in which the Appeals team request and receive paperwork from PCSE will be the same. SE confirmed there would be no change to this.</p> <p>Following questions from NW, SE confirmed that paper application forms can still be submitted and will not be migrated to an online format. SE also confirmed that the on-line application questions are identical to the paper version. SE will look into access (to the portal) for representatives.</p>	
5.	<p><u>Appeals team restructure</u> SS reported that LH will be leaving Primary Care Appeals after 27 years with the service. SS provided an update on the restructuring of the Appeals team: Vicky Voller, currently Director of Practitioner Performance Advice will assume overall leadership meaning that the Appeals service will have executive director representation at Board level. JDH to take on new role of Head of Operations with management and oversight of the Appeals service. There will be new roles within the team; Technical Case Manager, Case Manager in charge of training and external stakeholder engagement and Case Manager in charge of general office administration. A new scheme of delegation has been approved by the Board. The implementation of operational change will be on 16 December 2019.</p> <p>Members were content with the update and had no questions.</p>	
6.	<p><u>New guidance notes</u> LH reported that three new guidance notes had been produced - Regulation 17, Hearing Appeals Together, and Breach and Remedial Notices. SAK commented positively on this information which was endorsed by other members. SAK reported that different areas teams may have differing needs and requirements for guidance but this would help. JDH requested that any comments on these notes be provided to him by 31 December prior to publishing in late January. SAK agreed to circulate guidance to area teams by email.</p>	All

7.	<p><u>External training programme 20-21</u>            JDH explained that Primary Care Appeals had completed its external training programme for 2019-20 which had consisted of two events for NHS England staff. He asked SAK whether she could ask Contract Managers whether there was any appetite for training in 2020-21 and if so, in what subject areas. SAK and GS to meet and discuss with colleagues within NHS England in December and report back to JDH.</p> <p>JDH also asked the non-NHS England members of the Group to consider any training requirements and report back. MC reported that the guidance on opening hours cases had been useful albeit transferring that to a training event would be difficult.</p>	SAK
8.	<p><u>Terms of Reference and future direction</u>            JDH advised that following the update at section 5, the Terms of Reference would be amended and the amendments were explained. The updated version will be ratified at the next meeting.</p> <p>In light of volume of market entry appeals, JDH asked members to consider how they would like the Group to operate in future. Members will feedback to JDH off line.</p>	JDH
9.	<p><u>Any other business</u></p> <p><u>Oral Hearing venues</u>            PB reported that Panel Members are experiencing some challenges with oral hearing venues. The Group discussed that there is irregularity and inconsistency amongst NHS England teams perhaps due to budgets. SAK reported that there will be continuing challenges with finding staff to support Oral Hearings due to staff shortages. JDH to discuss this at Panel event on 5 December.</p> <p><u>Panel event 2019</u>            JDH reported that this was taking place on 5 December and should anyone wish him to raise any issues to contact him separately.</p> <p><u>Annual report/Appeals factsheet</u>            NW commented favourably on the NHS Resolution annual report and factsheet but asked if for 2019-20 it could include the percentage of cases sent to oral hearing. JDH agreed.</p> <p><u>Hearings – 14 day requirement</u>            NW raised concerns about meeting this requirement when the representative is on leave during that period. LH reported that an extension will be allowed to parties for submissions if there is a reasonable explanation.</p>	<p>JDH</p> <p>JDH</p>

	<p><u>Preliminary matters</u>          NW reported that at a recent Oral Hearing, the Committee had heard both preliminary and substantive matters. When the decision was issued, the application had failed on the preliminary matter. NW asked if there was a more efficient way of dealing with preliminary matters rather than at a full hearing. LH was not familiar with the case but would look into.</p> <p><u>NHS England restructuring</u>          GS reported that restructuring in NHS England will soon be coming to an end. Her team is now covering North East and Yorkshire and the office in Leeds is in the process of moving to Quarry House.</p> <p>SAK reported that the restructure has not changed boundaries in London, and that the market entry team will be staying as it is. There will be less staff in teams.</p> <p>MC questioned if the NHS England restructure will be published and circulated. All agreed that this would be helpful for all stakeholders.</p> <p><u>Head of Appeals</u>          LH thanked all members for the amicable working relationship established with the Appeals service and for their support to the Group.</p>	<p>LH</p>
<p>10</p>	<p><u>Date of next meeting</u>          To take place sometime in weeks 8 or 15 June 2020</p>	<p>JDH</p>