

Report to:	Humber & North Yorkshire Integrated Care Board
Date of Meeting:	10 May 2023
Subject:	Pharmaceutical Services Regulations Committee (Committees in Common)
Director Sponsor:	Amanda Bloor, Deputy Chief Executive / Chief Operating Officer
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STATUS OF THE REPORT:

Approve Discuss Assurance Information A Regulatory Requirement

SUMMARY OF REPORT:

The purpose of this report is to provide an update to the Humber and North Yorkshire Integrated Care Board (HNY ICB) on the following areas:

1. Establishment of a Pharmaceutical Services Regulations Committee (PSRC) – See Appendix A for the Terms of Reference and Appendix B for the Urgent Decision Form.
2. Note that the operating arrangements will be further reviewed with a view to these being agreed and implemented by the end of June 2023. This could include the establishment of a joint PSRC between the three ICBs.

RECOMMENDATIONS:

Members are asked to:

- i) Note that an urgent decision was required to be made regarding the establishment of the PSRC, which was made following the processes set out within the Constitution and Standing Orders of the ICB.
- ii) Ratify the urgent decision made to establish the PSRC and approve its terms of reference.
- iii) Note that the Governance Structure and Handbook of the ICB will need to be updated to reflect the new committee.

ICB STRATEGIC OBJECTIVE

Realising our vision	<input checked="" type="checkbox"/>
Improving outcomes in population health and healthcare	<input checked="" type="checkbox"/>
Supporting broader social and economic development	<input checked="" type="checkbox"/>
Tackling inequalities in outcomes experience and access	<input checked="" type="checkbox"/>
Delivering our operational plan 2022/23	<input checked="" type="checkbox"/>
Developing our ICS	<input checked="" type="checkbox"/>

IMPLICATIONS	
Finance	No financial implications are identified; however, any financial delegations will be updated within the ICB Operational Scheme of Delegation as appropriate once the future model has been determined.
Quality	No quality implications are identified in relation; however, it is hoped that in considering the future operating model and changes will add benefit to areas relating to quality.
HR	No HR implications are identified in relation to this paper.
Legal / Regulatory	No legal/regulatory implications are identified in relation to this paper. However, moving forward, any changes made to the operating model will have due regard to any legal and regulatory implications.
Data Protection / IG	There are no immediate implications, however as progress is made data protection/IG principles and legislation will need to be considered and reported on.
Health inequality / equality	Each Place is developing priorities to improve health inequalities and work across the system collectively.
Conflict of Interest	No conflicts of interest have been identified prior to this meeting.
Sustainability	No immediate sustainability implications have been identified.

ASSESSED RISK:

The ICB has a statutory and regulatory obligation to ensure that systems of control are in place to minimise the impact of all types of risk. Due diligence work is being undertaken to reduce risk where possible in the transfer of services.

MONITORING AND ASSURANCE:

The ICB Board will be kept up to date on developments which may impact upon the delivery of any agreed plans.

ENGAGEMENT:

N/A

REPORT EXEMPT FROM PUBLIC DISCLOSURE

No Yes

If yes, please detail the specific grounds for exemption

Primary Care Governance

1.0 Introduction

The purpose of this report is to provide an update to the Humber and North Yorkshire Integrated Care Board (HNY ICB) on the following areas:

1. Establishment of a Pharmaceutical Services Regulations Committee (PSRC).
2. Note that the operating arrangements will be further reviewed with a view to these being agreed and implemented by the end of June 2023. This could include the establishment of a joint PSRC between the three ICBs.

2.0 Establishment of a Pharmaceutical Services Regulations Committee

NHS England has delegated its direct commissioning functions for pharmaceutical services and local pharmaceutical services functions to Integrated Care Boards from 1 April 2023 and the three ICBs in Yorkshire and the Humber have updated their governance in anticipation of these delegations.

In addition to the general governance preparations already completed, the Pharmacy Manual reissued at the end of February 2023 to local specialist teams confirmed that in accordance with the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, as amended ('the Regulations'), ICBs need to establish a Pharmaceutical Services Regulations Committee (PSRC), that are equivalent to the previous NHS England PSRCs.

This is a highly specialist committee which makes decisions in relation to matters under the Regulations listed in Chapter 3 of the Pharmacy Manual, where the decision maker is listed as 'the committee'. The establishment of the committee also enables designated NHS England officers (subsequently ICB officers from July 2023 onwards) to take specified delegated decisions on behalf of the committee.

In late March 2023, the three ICBs across Yorkshire and the Humber agreed to collaborate in their approach to the committee's establishment and operation given its highly specialist and technical function and the expert advice it requires.

In collaboration with the governance leads across the ICBs, several options were considered for the working arrangements of the committee and the preferred option in the short term is to meet as committees in common, given that this is the simplest and quickest means to establish the committee by 1 April 2023.

The Committees in Common approach allows each ICB to establish their own committee. They will each have the same terms of reference (see Appendix A) and all meet concurrently with a common agenda. This approach maximises the ability to achieve joint working objectives whilst retaining individual autonomy. Each committee will also adopt the same membership.

The committees retain responsibility for their own functions and remain accountable to their own ICB. The committee will provide a report setting out a summary of its activity, decisions taken and outcomes of any appeals against those decisions at least every six months within each ICB.

As such, due to time constraints, HNY ICB was required to make an Urgent Decision to establish the PSRC and approve its terms of reference prior to 1 April 2023, which was before the Board was next due to meet in public on 10 May 2023.

In line with the HNY ICB Constitution and Standing Orders, the Chief Executive, Chair and Deputy Chief Executive made the Urgent Decision (Appendix B) to approve the establishment of the PSRC and the terms of reference (Appendix A) on 23 March 2023.

An Urgent Decisions Form was completed and can be found at Appendix B.

3.0 Recommendations

HNY ICB Board Members are asked to:

- Note that an urgent decision was required to be made regarding the establishment of the PSRC, which was made following the processes set out within the Constitution and Standing Orders of the ICB.
- Ratify the urgent decision made to establish the PSRC and approve its terms of reference.
- Note that the Governance Structure and Handbook of the ICB will need to be updated to reflect the new committee.