



**Summary Outcome report for
the Pharmacy Access Scheme
National Review Panel**

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Description	This document sets out: <ul style="list-style-type: none">- Background and context of the PhAS and review process- Process for undertaking reviews- Success criteria- Number, locations and outcomes of applications
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Summary Outcome report for the Pharmacy Access Scheme

National Review Panel

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1 Background

On 1 December 2016, the Department of Health amended the Drug Tariff for community pharmacy contractors to reflect the set of contractual changes that the DH had been discussing with the pharmacy sector for almost a year. The changes to the Drug Tariff, made by the Department of Health, brought into operation a range of changes for the Community Pharmacy Contractual Framework.

The package announced by the minister is made up of five principal items:

- i. Single activity fee
- ii. Reduced establishment fee
- iii. **Pharmacy Access Scheme, payment and opportunity for review** (the subject of this report.) This refers to the list of pharmacies eligible for a 'relief' payment under the Pharmacy Access Scheme (PhAS), and the Department indicated that appeals - or requests for a review - against this list were able to be made to NHS England from 1st November 2016.
- iv. The urgent medicines supply service. Registration and mobilisation started from 1st December 2016.
- v. The Quality Scheme, which came into force from 1 April 2017.

The PhAS is - in essence - a relief payment to offer some financial protection to pharmacies that are not situated close to another pharmacy. Its main objective is to protect access to community pharmacies for patients. The [list of those pharmacies eligible to receive the PhAS¹](#) was set out in a list published by the Department of Health on 3 November 2016. Please note that (at the time of publishing) this list does not include pharmacies added following the review process.

When the pharmacy reform package was announced, it included the possibility for a pharmacy to request a review of their particulars or circumstances in the event that any of the circumstances set out in Section 2 of this report existed.

The PhAS was designed as a 'rules-based' approach (with eligibility criteria to determine the receipt of a PhAS payment or not). NHS England administered the review process and established a National Review Panel so that each request made for a review could be considered with a strong underpinning governance process.

An operational policy ensured that applications for a review were treated in the same consistent and reasoned manner – in line with the DH policy intent.

1

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565518/PhAS_list_03_11_16.pdf

2 What determined the success of an application for review?

There were three possible routes for an application to be considered by the National Review Panel (the "Panel") and to succeed in securing the PhAS payment through the review process; either they could demonstrate an inaccuracy in the information used to determine their eligibility to receive the payment, the impact of a physical feature that produces an unreasonable outcome when the distance rule is applied (a 'physical feature anomaly) – or they could claim to be a 'near miss'. These are explained in turn.

In the case of an inaccuracy, the applicant pharmacy could seek to demonstrate that the data held about their pharmacy or the next nearest was somehow incorrect.

In the case of a physical feature that produces an unreasonable outcome when the distance rule is applied, the majority of the applications seen referred to a physical feature such as a hill that impedes patient access. Applicants were expected to provide evidence of the level of difficulty of access due to the physical feature AND to demonstrate that the applicant pharmacy is critical for patient access.

In the case of a 'near miss' the applicant pharmacy would be between 0.8 and 1.0 miles from the next nearest pharmacy AND in decile 1 or 2 of the index of multiple deprivation AND critical for patient access.

Supported first by the objective criteria, the role of the Panel was to then apply judgement to the issues of whether, on the balance of probability, the normal 1 mile rule produced an unreasonable outcome in the case presented and whether the applicant pharmacy was critical for patient access.

3 Meetings

3.1 Process

Once received, each applicant was given a unique identifier - a PhAS number. This was associated with the 'F' code of the pharmacy and enabled the PhAS review team to properly track applications, supporting information and decisions reached.

The Panel was chaired by the Director of Primary Care Contracts. There were three other Panel members, two of whom were lay people recruited specifically for their previous professional and lived experiences².

18 meetings were held between January and July 2017.

² While the intention (as stated in the Operational Policy) was to have one lay member on the panel, two lay members were ultimately recruited as NHS England felt that the process would benefit from the varied experience and contribution of both of the successful applicants

Recommendations of the Panel were presented to a National Director with delegated authority from the Board of NHS England to make a final decision.

The Panel conducted a short moderation exercise to assure that consideration had been consistent throughout the time that the Panel had been meeting. This focused on different points in time that recommendations had been made (using randomly selected applications), cases that were close to the distance thresholds and specific cases that challenged the distance measurement.

3.2 Outcomes

In order to be eligible for consideration by the Panel, cases had to meet the eligibility criteria.

When applications were received, they were firstly 'screened' to ensure they met the criteria that meant they could be considered by the Panel. Where applicants were not referred to the Panel following this 'screening', they were advised of this (in line with the operational policy).

Occasionally, some applicants did not accept the outcome of the 'screening' process and asked for their case to be considered, nevertheless, by the Panel.

All applicants received notification of the outcome of their application by the end of June 2017.

4 Outcomes

1. 372 applications for review were received.
2. 1 application was voluntarily withdrawn by the applicant and 9 of those received were already eligible for the PhAS.
3. 154 of the applications received were “screened” because they had not met the gateway criteria to be considered for review. Of these, 39 challenged the decision and were referred to the Panel.
4. 37 applications were on the basis of **inaccuracy** only. Of these, 11 were approved and 1 was already eligible for the PhAS.
5. 79 applications were on the basis of **physical feature anomaly** only. Of these, 21 were approved and 1 was already eligible for PhAS.
6. 99 applications were on the basis of a ‘**near miss**’ in a deprived area only. Of these, 18 were approved and 1 was already eligible for PhAS.
7. 47 of the applications were on the basis of **inaccuracy and near miss**. Of these, 3 were approved (all on the ‘near miss’ basis).
8. 23 applications were on the basis of **inaccuracy and physical feature anomaly**. Of these, 6 were approved, 5 on the basis of a physical feature anomaly and one on the basis of an inaccuracy.
9. 49 pharmacies applied on the basis of a **physical feature anomaly and a near miss** in a deprived area. Of these, 8 were approved (1 on the near miss basis, 4 on the basis of a physical feature anomaly, 2 on the basis of both a near miss and a physical feature, and 1 that had been excluded in error).
10. 10 pharmacies applied under **all 3 criteria**. Of these, 1 was approved on both the near miss and physical feature anomaly basis.
11. 28 pharmacies **did not specify** a reason for applying. Of these, 2 were approved and 7 were already eligible for PhAS.

PhAS Number	'Screened'	Did not accept screening	Basis of application			Final decision		Other
			Inaccuracy	Physical Feature Anomaly	Near Miss	Rejected	Approved as: Inaccuracy, Physical Feature Anomaly (PFA) or Near Miss (NM)	
001								Withdrawn
002								
003							PFA	
004							Inaccuracy	
005								
006								
007								
008								
009								
010								
011								
012								
013								
014								
015								
016								
017								
018			Not specified					
019								
020							PFA	
021								
022								
023								
024							PFA	
025							PFA	
026								
027								
028								
029							PFA	
030								
031								
032							PFA	
033							Relocation	
034								
035								
036								
037								
038								
039								
040								
041								
042			Not specified					
043							Inaccuracy	
044							Near miss	
045								
046								
047								

PhAS Number	'Screened'	Did not accept screening	Basis of application			Final decision		Other
			Inaccuracy	Physical Feature Anomaly	Near Miss	Rejected	Approved as: Inaccuracy, Physical Feature Anomaly (PFA) or Near Miss (NM)	
048								
049								
050								
051								
052								
053								
054								
055								
056							Near miss	
057								
058								
059								
060								
061								
062								
063								
064								
065								
066								
067							Near miss	
068								
069								
070								
071								
072								
073								
074								
075								
076								
077								
078								
079								
080								
081								
082								
083								
084								
085								
086								
087							Near miss	
088								
089								
090								
091								
092							Near miss	
093								
094								
095								

PhAS Number	'Screened'	Did not accept screening	Basis of application			Final decision		Other
			Inaccuracy	Physical Feature Anomaly	Near Miss	Rejected	Approved as: Inaccuracy, Physical Feature Anomaly (PFA) or Near Miss (NM)	
096							PFA	
097								
098								
099								
100								
101								
102								
103								
104								
105								
106								
107								
108								
109								
110								
111							Relocation	
112							PFA	
113								
114								
115								
116								
117								
118							Inaccuracy	
119								
120								
121								
122								
123								
124								
125								
126								
127								
128								
129								
130								
131							Inaccuracy	
132								
133								
134							LPS	
135								
136							Relocation	
137								
138								
139								
140								
141							PFA	
142								
143								

PhAS Number	'Screened'	Did not accept screening	Basis of application			Final decision		Other
			Inaccuracy	Physical Feature Anomaly	Near Miss	Rejected	Approved as: Inaccuracy, Physical Feature Anomaly (PFA) or Near Miss (NM)	
144							Near miss	
145							Near miss	
146								
147								
148								
149								
150							Near miss	
151								
152								
153								
154								
155				Not specified				
156				Not specified				
157				Not specified				
158				Not specified				Already PhAS
159				Not specified				
160				Not specified				
161				Not specified				Already PhAS
162				Not specified				
163				Not specified				
164				Not specified				Already PhAS
165				Not specified				Already PhAS
166				Not specified				
167				Not specified				
168				Not specified				
169				Not specified				
170				Not specified				Already PhAS
171				Not specified				
172				Not specified				
173								
174								
175								
176				Not specified				
177								
178								
179							PFA	
180				Not specified				
181								
182								
183								
184								
185							Near miss	
186								

PhAS Number	'Screened'	Did not accept screening	Basis of application			Final decision		Other
			Inaccuracy	Physical Feature Anomaly	Near Miss	Rejected	Approved as: Inaccuracy, Physical Feature Anomaly (PFA) or Near Miss (NM)	
187								
188								
189								
190								
191								
192								Already PhAS
193							0.999 miles	
194								
195								
196								
197							Inaccuracy	
198								
199								
200							Near miss	
201							Near miss	
202								
203								
204								
205								
206								
207							0.999 miles	
208								
209								
210								
211								
212							Near miss	
213							0.999 miles	
214								
215							Near miss	
216							PFA	
217								
218								
219								
220								
221							PFA	
222								
223							Inaccuracy	
224								
225							Inaccuracy	
226							PFA & NM	
227							Near miss	
228							LPS	
229								
230								
231								
232								
233							PFA	

PhAS Number	'Screened'	Did not accept screening	Basis of application			Final decision		Other
			Inaccuracy	Physical Feature Anomaly	Near Miss	Rejected	Approved as: Inaccuracy, Physical Feature Anomaly (PFA) or Near Miss (NM)	
234								
235								
236								
237								
238								
239								
240								
241							PFA	
242								
243								
244								
245								
246								
247								
248								
249								
250								
251								
252								
253								
254								
255			Not specified					
256							PFA	
257							0.999 miles	
258								
259								
260								Already PhAS
261								
262								
263								
264								
265							PFA & NM	
266			Not specified					Already PhAS
267								
268								
269								
270								
271								
272							PFA & NM	
273			Not specified				LPS	
274			Not specified					Already PhAS
275								
276								
277							LPS	
278								

PhAS Number	'Screened'	Did not accept screening	Basis of application			Final decision		Other
			Inaccuracy	Physical Feature Anomaly	Near Miss	Rejected	Approved as: Inaccuracy, Physical Feature Anomaly (PFA) or Near Miss (NM)	
279								
280								
281								
282							LPS	
283								
284								
285								
286								
287								
288							PFA	
289								
290							PFA	
291								
292								
293							PFA	
294								
295								
296								
297								
298								
299								
300							Near miss	
301								
302								
303								
304								
305								
306								
307			Not specified					
308								
309								
310							Near miss	
311								
312								
313								
314							Near miss	
315								
316								
317								
318								
319								
320								
321								
322								
323								
324								
325								
326							Near miss	

PhAS Number	'Screened'	Did not accept screening	Basis of application			Final decision		Other
			Inaccuracy	Physical Feature Anomaly	Near Miss	Rejected	Approved as: Inaccuracy, Physical Feature Anomaly (PFA) or Near Miss (NM)	
327								
328								
329			Not specified					
330								
331								
332							Near miss	
333								
334								
335								
336								
337								
338							Inaccuracy	
339								
340								
341								
342								
343							PFA	
344								
345							PFA	
346								
347								
348							PFA	
349								
350							PFA	
351								
352							PFA	
353								
354							Inaccuracy	
355								
356								
357							Inaccuracy	
358							PFA	
359								
360								
361								
362								
363								
364								
365								
366								
367								
368							PFA	
369								
370								
371								
372								

5 Map of applications received

Please note that this only shows applications for review, and not pharmacies included in the scheme, as originally determined by DH)

