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## DIRECTIONS

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# THE NATIONAL HEALTH SERVICE ACT 2006

## The Pharmaceutical Services (Advanced and Enhanced Services and Emergency Declaration) Directions 2020

The Secretary of State gives the following Directions in exercise of the powers conferred by sections 127, 128, 168A, 272(7) and (8) and 273(1) of the National Health Service Act 2006(a).

### Citation, commencement, application and interpretation

1.—(1) These Directions may be cited as the Pharmaceutical Services (Advanced and Enhanced Services and Emergency Declaration) Directions 2020.

(2) These Directions come into force immediately after they are signed.

(3) These Directions apply in relation to England.

(4) In these Directions, “the 2013 Directions” means the Pharmaceutical Services (Advanced and Enhanced Services) (England) Directions 2013(b).

### Declaration of emergency requiring the flexible provision of pharmaceutical services

2. As a result of the threatened and actual serious damage to human welfare caused by the Covid 19 pandemic, the NHSCB must until 1st July 2020 exercise, or where a discretion is conferred consider exercising, their functions under regulation 29(2) and 61 of, and paragraph 27 of Schedule 4, paragraph 17 of Schedule 5 and paragraph 26(3) of Schedule 7 to, the Pharmaceutical Services Regulations.

### New direction 5A of the 2013 Directions

3. After direction 5 of the 2013 Directions (MUR services: ongoing conditions of arrangements) insert—

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- (a) 2006 c. 41. Section 127 has been amended by the Health and Social Care Act 2012 (c. 7) (“the 2012 Act”), Schedule 4, paragraph 64. Section 128 has been amended by the 2012 Act, Schedule 4, paragraph 65. Section 168A was inserted by the 2012 Act, section 49(4).
- (b) Signed on 12th March 2013, and amended by: the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) Directions 2013, signed on 16th September 2013; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) (No. 2) Directions 2013, signed on 6th December 2013, which also revoked the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) Directions 2013; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) Directions 2014, signed on 12th March 2014; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) (No. 2) Directions 2014, signed on 5th December 2014; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) Directions 2015, signed on 15th September 2015; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) Directions 2016, signed on 30th August 2016; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) (No. 2) Directions 2016, signed on 30th November 2016; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) Directions 2017, signed on 29th August 2017; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) Directions 2018, signed on 8th March 2018; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) (No. 2) Directions 2018, signed on 31st August 2018; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) Directions 2019, signed on 13th March 2019; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) (No. 2) Directions 2019, signed on 22nd August 2019; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) (No. 3) Directions 2019, signed on 11th September 2019; the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) (No. 4) Directions 2019, signed on 25th October 2019; and the Pharmaceutical Services (Advanced and Enhanced Services) (England) (Amendment) Directions 2020, signed on 6th March 2020.

**Home delivery service during a pandemic etc.**

**5A.**—(1) The NHSCB must make arrangements for the provision of a home delivery service with any pharmacy contractor (P) who—

- (a) is to make a delivery of a prescription item as mentioned in paragraph 22A(3)(a) or (b) of Schedule 4 to the Pharmaceutical Services Regulations; and
- (b) is required, in accordance with paragraph 22A(6) of that Schedule, by virtue of arrangements being in place as part of a directed service, to deliver the prescription item as part of that service.

(2) The NHSCB is directed to ensure that there is in place a service specification for that home delivery service, which is to provide the basis on which the home delivery service is to be provided.

(3) Notwithstanding paragraph (2), if there is no service specification in place, there are no arrangements in place as mentioned in paragraph 22A(6).

(4) The service specification must include (amongst the matters that it includes) arrangements that provide, in terms—

- (a) that only eligible patients, as mentioned in paragraph 22A of Schedule 4 to the Pharmaceutical Services Regulations, may receive the service;
- (b) that P has a clinical responsibility to ensure that items are delivered within the timescale that clinical need demands (that being the “reasonable timescale” for the purposes of paragraph 22A(5));
- (c) for what is appropriate in terms of outsourcing delivery; and
- (d) for what is appropriate in terms of social distancing.

(5) P must comply, and must ensure that their pharmacy staff including locums comply, with the requirements of that service specification.”.

Signed by authority of the Secretary of State for Health and Social Care



27th March 2020

*Jeannette Howe*  
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Department of Health and Social Care