

# **Integrated Community Pharmacy Services Agreement**

## *National Annual Agreement Review: Terms of Reference*

### **Introduction**

The Integrated Community Pharmacy Services Agreement provides that, each year, there will be a national review of the nationally-consistent parts and service schedules of the Agreement (as well as any Service Schedules in Schedule 3B that the Participants agree to consider as part of the review).

The Agreement:

- provides that District Health Boards (DHBs), Providers, and Provider representatives will participate in the review;
- sets out the matters that may be considered as part of each review, which includes possible changes to the Agreement; and
- sets out some of the ways in which matters may be put forward for consideration.

The function of the review is to consider the matters described in the Agreement, and to provide recommendations to the DHBs as required.

These terms of reference provide guidance (in addition to the matters provided for in the Agreement), as to how the review will proceed. They are intended to assist Participants in the review to carry out the review as described in the Agreement.

### **Participation in annual review**

1. The Participants in the review will consist of:
  - a. DHB representatives;
  - b. Providers and/or representatives of Providers;
  - c. Ministry of Health representatives;

#### *Independent Chair*

2. Review meetings will be chaired by a Chair who is independent of, and acceptable to, the Participants in the review.
3. If the Chair is unable to attend a particular meeting for any reason, an alternative Chair may be agreed to by the Participants at the meeting.
4. The responsibilities of the Chair include:
  - a) ensuring that meetings are run efficiently and effectively, including by providing a summary of agreed action points and recommendations at the end of each meeting; and
  - b) facilitating discussions and ensuring that adequate input has been received from all Participants and that, if possible, recommendations have been arrived at by consensus.

#### *DHB representatives*

5. DHB representatives participating in the review will represent the views of all 20 DHBs.

### *Providers and Provider representatives*

6. Any Provider may participate in a review, either by attending meetings in person (or through electronic means, where available) or through a representative appointed by that Provider.
7. Persons appointed as Provider representatives must inform the secretariat about the number of Providers that they represent prior to the commencement of each annual review.
8. There is no restriction as to the number of Providers and Provider representatives that may attend a meeting. Meetings will be conducted in such a way that balances the need for all Providers to have an opportunity to contribute, with the need to ensure that Provider representatives have an opportunity to contribute that acknowledges who they represent.
9. However, for discussions focused specifically on the terms of potential changes to the Agreement, it is expected that Provider representatives will appoint, from among themselves, a team (with the objective that it consist of up to 6 people) to lead participation on behalf of Providers.

### *Other attendees*

10. It is anticipated that other relevant bodies (for example, PHARMAC, the Pharmacy Council, and the Pharmaceutical Society) will be invited to attend meetings from time to time, as appropriate.

### **Timeframe and process for annual review**

11. DHBs will initiate the annual review in the final quarter of each calendar year, with the objective of ensuring that the review is completed by July of the following year. That is to enable any variations to the Agreement resulting from the review to be processed in time to take effect on the anniversary date of the Agreement of 1 October.
12. The Participants will suggest topics to be considered in the review. Topics suggested by the Expert Advisory Group and any other relevant fora will also be considered by the Participants for inclusion in the review. It is expected that each proposal will be supported by appropriate documentation and rationale.
13. The Participants will discuss the proposals received, including whether they should be considered as part of the review and the priority that should be given to each proposal accepted for consideration. They will also discuss arrangements for the review, including for meetings that should be scheduled to enable the review to be completed by July of the following year. The objective will be for Participants to reach consensus on these matters.

### **Meetings**

#### *General requirements for meetings*

14. Meetings will be scheduled having regard to the availability of Participants, so that as many Participants as reasonably practicable can attend.
15. Agendas for the meetings, meeting papers and other documentation will be circulated by the secretariat a reasonable time before a meeting.
16. Participants in the review will advise the secretariat as to who will attend a meeting a reasonable time in advance of the relevant meeting.
17. Minutes of each meeting will be prepared by the secretariat, including a record of any agreed action points or decisions. The secretariat will circulate the minutes to Participants at a meeting as soon as

practicable after that meeting. The secretariat will also publish the minutes on the TAS website as soon as practicable after a meeting, excluding any part of the minutes containing confidential information, as referred to in paragraph 25.

#### *Meeting attendances*

18. It is intended that the Providers and Provider representatives who attend each meeting will be broadly representative of all Providers.
19. If for whatever reason, Providers and Provider representatives at a meeting are not broadly representative of all Providers, the meeting may proceed. The minutes of the meeting will record the attendees and the extent to which all Providers were represented.

#### **Outcome of annual review**

20. The recommendations resulting from each review, including recommended amendments to the Agreement, will be submitted to the DHB Chief Executives.
21. The objective of each review is for the Participants to arrive at recommendations by consensus.
22. If the Participants are unable to reach a consensus after having made all reasonable efforts to do within the review schedule, the Participants (including any combination of Participants) may make separate recommendations to the DHB Chief Executives. Any such separate recommendation will record the Participants on behalf of whom it is made.

#### **Meetings outside of annual review cycle**

23. Participants will meet outside the annual review cycle whenever required to consider issues that may arise and require attention outside of that cycle. In that case, these terms of reference apply to that process (with any necessary amendments) as if it were part of the annual review cycle.

#### **Resourcing**

24. TAS will provide secretariat and administrative services to support the review. This will be done in accordance with the instructions of the Chair, including ensuring that an accurate record of recommendations and actions are documented and kept.

#### **Confidentiality and public statements**

25. Participants and attendees at meetings may inform persons they represent, other members of their organisation and any professional advisers about the progress and outcomes of the review. However, from time to time certain information may not be able to be disclosed in this way. Participants and attendees at meetings will keep the relevant information confidential to themselves only. Minutes of meetings containing reference to such information will not be published.
26. If it is desirable to make public statements about a review while it is in progress, the statement will be agreed by the Participants at the relevant meeting.

#### **Changes to these terms of reference**

27. Any change to these terms of reference will be discussed as part of a National Annual Agreement Review.