**New LPC Constitution**

**Outline of the main changes**

**Your LPC is here to ensure that you, as a local contractor, are represented equitably and effectively. Your LPC negotiates on your behalf with local Government and the NHS, and champions community pharmacy and the great service you provide.**

**Review Steering Group (RSG) proposals that were supported by an overwhelming majority of community pharmacy contractors in a national vote in June 2022, PSNC and LPCs now need to take forward the changes, with the goal that contractors have a better relationship with, and more oversight of, stronger and more appropriately resourced national and local representatives.**

**To enable some of the changes, we need to make sure that the rules under which we work for you are up to date and fit for purpose. We now need to we need to update those rules - the LPC constitution- to make sure that you have the best structure, governance arrangements and team to work on your behalf.**

**We need your support to make sure we can continue to represent you. Please say ‘Yes’ to the changes your LPC is proposing**

PSNC has drafted a new model constitution for LPCs which your LPC recommends to you. A copy of the existing LPC constitution and the proposed amended constitution can be [downloaded from here](https://devonlpc.org/about-us/your-lpc/transforming-pharmacy-representation-tapr-programme/). ([https://devonlpc.org/about-us/your-lpc/transforming-pharmacy-representation-tapr-programme/)](https://devonlpc.org/about-us/your-lpc/transforming-pharmacy-representation-tapr-programme/)%20)

Set out below is an outline of the main changes:

1. The changes are those mandated by the Review Steering Group (RSG) recommendations that were approved by contractors in England, as well as changes suggested by LPCs and PSNC.
2. These changes are made to support the LPC elections in 2023, such as to recognise changes to the NHS structures since the last constitution in 2014.

Locally this means the following for the constitution:

* Devon LPC
* Our size and boundary as representative of the pharmacy contractors in the area(s) of the following Integrated Care Boards and Health and Wellbeing Boards:
  + Devon Integrated Care Board (NHS Devon)
  + Devon Health & Wellbeing Board
  + Plymouth Health & Wellbeing Board
  + Torbay Health & Wellbeing Board

In parallel to these constitutional updates, there are other local changes that we are proposing and these are described in detail in the table on the next page.

**Local changes in detail**

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| **Local Changes in response to the RSG recommendations for LPCs** | **Current Status** | **LPC proposal and justification** |
| **LPC Name**  Rebrand all LPCs to be known as Community Pharmacy (CPL). | Devon LPC | **Rebrand to “Community Pharmacy Devon”** |
| **LPC boundary and size (number of contractors represented)**  LPCs to more closely align with NHS Integrated Care Systems (ICS) and to reconsider their size (in terms of numbers of contractors represented) in line with the Wright Review recommendation that LPCs with a minimum of 200 contractors provide better value | Aligned to Devon ICB | **No change** |
| **LPC committee members**  Reduce LPC committee sizes to a range of 10-12 members whilst maintaining local proportional representation | 11 Committee members | **No change** |
| **Meeting the future PSNC levy demand to LPCs:**  Increase the contributions that LPCs make to PSNC, on a trajectory of an additional £1.5m pa by the levy year beginning April 2024.  which incorporates the PSNC Levy.  LPCs to drive efficiencies with the aim of being able to meet increased contributions to PSNC, without having to increase contractor levies | Our current average levy per contractor is £1269.00 | No change |
| **Adopting the model constitution**  LPCs to adopt a new model constitution that focuses levy-funded activities on a core scope of activities and is in line with the new cross-sector governance framework | Existing constitution is the model constitution adopted in 2022 to allow for a 5 year committee term. This is the constituton written by PSNC | **Adopting the new 2023 PSNC model constitution** |

**Other changes to the LPC Model Constitution**

Detailed changes to the model constitution, applying to all LPCs in England are listed here, and copies of the proposed and existing constitutions [are available online click here](https://devonlpc.org/about-us/your-lpc/transforming-pharmacy-representation-tapr-programme/) (<https://devonlpc.org/about-us/your-lpc/transforming-pharmacy-representation-tapr-programme/)>

1. Approved Governance – see below on later wider changes to LPC/PSNC governance changes (preparing for RSG recommendation 3, which applies to LPCs and PSNC)
2. Meanings added for Community Pharmacy England and Integrated Care Boards to update
3. References to NHS England to include Integrated Care Boards, to include the duties NHS England has delegated to Integrated Care Boards
4. Rules – which now include some provisions that were in the Constitution
5. Refence to the name by which the LPC will be known – Community Pharmacy XX (from 1 April 2023, PSNC will be known as Community Pharmacy England) (RSG recommendation 32)
6. References to guidance for LPCs published by PSNC
7. ‘as appropriate’ added so that reporting relevant complaints to contractors is determined by the LPC
8. LPCs with provider companies to assist the contractors of those without them (RSG recommendation 37)
9. LPCs to more closely align with NHS Integrated Care Systems and consider their size (RSG recommendation 36)
10. The number of LPC members for each LPC to be between 10 and 12, provided that this properly represents contractors (RSG recommendation 33)
11. Appointments should represent Integrated Care Systems and Health and Wellbeing Board areas where possible but also where proportionate to the number of relevant contracts
12. Word ‘contractors’ added to confirm that CCA and AIMp nominate LPC members for representation of local contractors
13. All terms of office staring in 2023 to end in 2027 - added so that if LPCs take a few extra months to organize RSG related changes to size and boundaries, the next LPC terms all end at the same time
14. 12 year term of office provided for (RSG recommendation 2, applied to LPCs and PSNC)
15. Pandemic provision – added by one LPC during the COVID pandemic and now applied to all LPCs
16. References to electronic voting added
17. Rules and Approved Governance to be amended by the LPC, except that Rule 3 on the election process may only be changed by contractors – similar to usual constitution changes
18. LPC payments to PSNC to be automatic and visible to contractors (RSG recommendation 12)
19. Provision for the existing Committee to continue its term
20. Provision for transitional arrangements - for further RSG related changes to the Constitution to be made by the LPC
21. Rules – general provision to include any relevant sanction affecting fitness to be an LPC member
22. Rules – Time for ineligibility following removal from the LPC for a relevant sanction revised
23. Rules – for breach of governance – period of ineligibility following removal for the current term or 12 months whichever is the greater to ensure removals close to the end of a term of office have a relevant sanction
24. Minor typographical corrections

**The later wider LPC/PSNC governance changes**

1. There will be later changes to LPC and PSNC governance, to be introduced through practices and procedures called Approved Governance.
2. The Approved Governance will be added in 2023 and PSNC and LPCs will work together to establish this.

**Provision to avoid a second contractor vote for RSG changes to the constitution**

1. There is a transitional provision in the draft constitution for any further changes by the LPC to its Constitution as part of the RSG process.

**The Association of Independent Multiples**

1. Contractor members of the Association of Independent Multiples (AIMp) and their NHS pharmacy premises are one cohort for the purposes of representation on LPCs – reference to AIMp have been returned to their pre-September 2022 position.

**LPC Model Constitution and Rules**

1. The LPC Model Constitution and Rules effective 25 November 2022 can be downloaded from the LPC website, [click here](https://devonlpc.org/about-us/your-lpc/transforming-pharmacy-representation-tapr-programme/). (<https://devonlpc.org/about-us/your-lpc/transforming-pharmacy-representation-tapr-programme/)>