

Contractor Voting Process: A Working Plan from the RSG

Introduction/Background

The Pharmacy Review Steering Group (RSG) is working to bring about change so that NHS community pharmacy owners in England have stronger representation, better and more consistent support, and a more unified voice to Government and the NHS. This will in turn help contractors to continue to serve their communities, being fully supported to offer a range of innovative services. The RSG's work, documented on the website <https://pharmacy-review.org>, is seeking to address the issues identified in Professor Wright's review of PSNC and LPCs (published in June 2020).

Since its launch, the RSG has been undertaking a programme of work and engagement to help define options for how national and local representation and support (currently offered by PSNC and the LPCs) could operate in the future – looking at both structure and function. Options are still being developed and contractors and other stakeholders are now once again being invited to input into that via a [series of focus groups](#), but whatever the preferred proposal eventually looks like, the final decision on whether to implement the proposed changes will be for contractors only to decide.

Contractors will have the chance to shape the options for the future, and following that consultation process a preferred proposal will be put to a contractor vote in early 2022. This document details the RSG's thinking about that voting process.

The RSG: Reminder of Purpose and Principles

The RSG is working for the benefit of all community pharmacy contractors in England. We want to work collaboratively and inclusively to come up with proposals for the future that will result in all contractors receiving better services from their local and national representatives. In part this will be achieved by making the systems that provide their support and representation work more effectively together, and in part it will be through changes to those systems e.g. to improve governance and performance monitoring.

The RSG considers that NHS Integrated Care Systems (ICS) are going to fast become a critical part of the local healthcare landscape for community pharmacy. Using this significant development and the evidence base in the Wright Review, we hope to come up with proposals for future models of representation and support that will provide stronger and more cohesive leadership and forward direction for the sector. This will give contractors better and more consistent support, helping them to deliver innovative and high value patient services as a core part of the NHS.

The RSG will continue to try and build consensus, and after hearing from all parts of the sector, put forward workable solutions to address the issues identified by Professor Wright. To achieve this we will need to find common ground and focus on what works for the vast majority of contractors. In this paper, as in all our work, we have kept this purpose and these principles very much in focus. We recognise that our plans cannot be in line with the views we have heard from every single individual, but we have sought to find solutions that compromise between the different views we have heard. Throughout the process, we have sought to find balanced answers which recognise the different segments of the sector without reinforcing divisions.

History and Purpose of the Contractor Vote

The RSG's terms of reference require it to design a contractor decision-making process, and indeed one of the RSG's programme design principles (which were explored with the sector and with contractors in May/June 2021) states:

“Contractors will be asked to vote on key programme decisions, delegating authority to the steering group/other bodies to make the more detailed, operational decisions.”

This once-in-a-professional lifetime vote will be a crucial step towards making positive changes to contractor representation and support: it will allow all contractors to have the final say, with a clear result in favour of the proposals giving a strong and legitimate mandate to prepare the path for change.

The Contractor Vote: RSG Principles

In line with our core function and principles as outlined above and expanded upon in our [Programme Design Principles](#), the RSG has considered options for how to hold a contractor vote. We have taken into account the questions and input received on this topic, as well working through various options at a workshop led by the Berkeley Partnership.

Our aim throughout this process has been to keep this vote as inclusive as possible: we want as many contractors as possible to vote. In the weeks leading up to the vote, we want to ensure that all contractors understand the purpose of the vote and the probable consequences as a result of it. The vote is just one way in which they can engage in this process – before the vote, we hope as many contractors and pharmacy organisations as possible will continue to engage with us to help shape the proposals. Finally, we want to ensure that any vote should produce a clear mandate for positive change.

The Contractor Vote: Logistics

The RSG intends to hold a single vote

Contractors will be asked in a single vote to approve (or not) the proposals for future contractor representation and support at both a national and local level: this is likely to include a proposed operating model for the local and national organisations. The vote will not be held until there has been a significant amount of discussion with the sector to shape the proposals. An affirmative result will set out a sectoral mandate for the overall path to change. LPCs and PSNC will need to respond to the outcome of the vote and consider how to implement the will of contractors. This may involve holding contractor votes in the future to approve changes to their governing structures where appropriate, to enable implementation of new ways of working.

All contractors will be eligible to vote

One vote will be permitted per contract owned (i.e. one vote per ODS code), and all votes will be equally weighted.

Contractors will be given time to engage with and reflect on the proposals

It is important that contractors have enough time and opportunity to understand the final proposal as well as helping to shape its development. Over the course of the autumn there will be numerous opportunities for contractors and key stakeholders to feed into this work – including through our



latest round of focus groups - and to tell us what they think the future structure should look like. This will help to ensure we end up with a proposal that has broad support. During that time we will share updates and details of the proposed changes as the work evolves while we collaborate on it. Once a formal proposal has been created for the vote, this will be communicated to contractors at least a month in advance of the vote, giving time for contractors to review and understand the proposed changes on which their vote is being sought.

The vote will be held in early 2022

Once there is a preferred proposal for the future operating model for NHS community pharmacy representation and support, the vote can take place. Following contractors' feedback about timings, we are aiming for the voting period to be in early 2022, avoiding Christmas and any key holiday periods to help maximise voter turnout.

Contractors will have a two-week period in which to vote online

We want to encourage as many contractors as possible to vote and we will issue lots of communications via different channels (including our website, and our emails which are being opened by around 5,000 people) about the vote. Contractors will then have a two-week voting window during which they can cast their vote, via an online voting system (full instructions on how to use this will be provided).

The Contractor Vote: The Proposal

All contractors will be asked to help shape the proposal for the future

The RSG wants to put forward a preferred proposal that addresses the issues raised through the Wright Review, sees contractors receive equitable value for their levy, and which will have consensus across the sector. The proposal will be developed using feedback from contractors and then voted on by contractors, so it's crucial that we hear from the pharmacy sector as a whole so that we can provide the best representation of their views. We will continue to engage with the trade associations on a regular basis, and there will be lots of chances to feed in as we develop the proposals, with a range of times and engagement methods to suit as many people's preferences and schedules as possible. In the first instance, we have announced some engagement events on key questions about the proposals and principles for representation in October.

Contractors will then be asked to vote on a binary question

The vote will pose a binary question with a response to accept or reject the proposal. We will not ask contractors to choose between a number of options as it is crucial that the outcome is a clear decision to either proceed or not. As above, the RSG will ensure there are lots of opportunities through the development of the proposal for contractors to provide their input and feedback, and to help shape the future model and have their voices heard.

The Contractor Vote: Voting System and Results

There has been considerable discussion about what will be considered as a “pass” rate for the vote. The RSG has debated the options in depth, balancing the need for a strong mandate from as many contractors as possible with the importance of each group within the sector being fully engaged, and recognising the reality that even the most effective awareness campaign will not result in all contractors submitting a vote.

The RSG held a workshop in summer 2021 in which it worked through a number of possible scenarios, models and suggestions, and through that detailed analysis it has aligned on the following principles:

- 1. The result will be measured on the percentage of all votes cast**
- 2. A two-thirds majority of all those casting a vote is required to approve the vote**
- 3. The target voter turnout will be 66% of the contractor base (two thirds)**

The RSG believes that this sets a challenging, but with the right engagement, achievable threshold on which to measure the vote. It means that we need a significant majority of contractors to vote, and a significant majority to vote in the same way, to approve the vote. As mentioned above, a strong mandate is required to support the implementation of the proposed changes.

The target 66% turnout can only be achieved with good turnout of contractors both large and small, and it is in line with existing precedents both within pharmacy and beyond: by way of comparison, General Elections usually have a turnout out of around two thirds; in 2019 turnout was reported as being 67.3%. We will work towards an even higher turnout, but setting the turnout bar too high would introduce the risk of the outcome being driven by those choosing not to participate in the process (i.e. an invalid result due only to poor turnout), as opposed to the wishes of the majority.

These aims also treat the pharmacy sector as a whole – this is important to the RSG, as we do not want to perpetuate divisions across the sector. Our ambition is to develop proposals collaboratively with the sector so that they have consensus across a wide spectrum of contractors. We do not believe that dividing the sector up for a vote would be a good starting point from which to launch change, the very purpose of which is to unify and strengthen the sector’s voice.

After the Contractor Vote

Alongside working on the proposals for the future, the RSG will spend the autumn working up details of what will happen after the contractor vote. This will be communicated to contractors ahead of the vote. Broadly, in the event of a vote in favour of the proposed changes, then the next steps will need to be to set up a programme of implementation, to support LPCs and PSNC on the change journey and to ensure oversight and governance to fulfil its objectives. In the event of a vote to reject the proposals, the RSG will need to very rapidly re-engage with the sector to determine what changes would be more acceptable.

In any event, it is understood from the discussions with the sector hitherto, that the significance of the changes to the NHS structures, as well as the issues identified in the Wright Review which prevail, mean that “doing nothing” is not an option for the sector.



Next Steps

Ahead of the vote, the RSG is aiming, through its extensive consultation work, to reach a proposal that has broad consensus across the sector.

A series of engagement events are being held with contractors through October. Contractors and others can sign up [here](#).

Alongside this work, considerable organisation and administration needs to take place in order to facilitate the contractor vote. The RSG will work with relevant experts within PSNC to put in place the practical requirements. This will include obtaining the data needed to calculate the latest number of contractors; the appointment of a returning officer; the deployment of a secure electronic voting system; governance of the process and decisions on what appropriate independent oversight is needed.

The RSG hopes that by sharing this document and being transparent about how the voting process has been developed, it will increase confidence in the process. If you have any feedback on the above topics, or the wider programme, or if you wish to join the Contractor Forum to discuss this plan further, please email review@pharmacy-review.org.