

To: Pharmacy Contractors
South West Region

NHS England South West
Sanger House
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Email: england@pharmacysouthwest@nhs.net

04 July 2022

Dear Colleague

Re: Community Pharmacy Winter Planning Requirements for Christmas and New Year 2022/2023

I am writing regarding the community pharmacy contractual opening hours requirements for Christmas and New Year 2022/2023. This letter confirms the process for agreeing opening hours for the winter bank holiday period.

As you will be aware, current regulation states that community pharmacies are not required to open on Public Holidays or Bank Holidays.

For winter 2022/2023 the relevant dates are: -

- Sunday 25 December 2022 Christmas Day - bank holiday
- Monday 26 December 2022 Boxing Day - bank holiday
- Tuesday 27 December 2022 Christmas substitute bank holiday
- Monday 02 January 2023 New Year's substitute bank holiday

Therefore, where a pharmacy would ordinarily be open on the above days of the week that the bank holiday's fall on, the usual opening hours for each day will count towards the total opening hours for that week. The Pharmacy will not be asked to work additional hours to make up lost hours for closing on these bank holiday dates.

Expression of Interest for Voluntary opening hours on bank holidays

As in previous years, NHS England wishes to collate detail of the service level provision across all Primary Care services, including community pharmacy, for the holiday period and communicate it to the public, NHS 111, the Out of Hours services and our ICS Primary Care lead colleagues. Contractual rota services are already in place for the Bank Holidays in some areas. However, we are aware that some pharmacies open voluntarily on these days, in addition to those opening for an agreed rota duty.

Whilst we are aware this is not a mandatory requirement, we would be grateful if you would let us know if you are planning to open your pharmacy for full dispensing services, and at what times, on: -

- Sunday 25 December 2022 Christmas Day - bank holiday
- Monday 26 December 2022 Boxing Day - bank holiday
- Tuesday 27 December 2022 Christmas substitute bank holiday
- Monday 02 January 2023 New Year's substitute bank holiday

Please let us know by completing the EOI MS Form online using the following link:

- [EOI MS Form to be completed](#)
- Deadline for completion - **Friday 29 July 2022.**

Saturday 24 December 2022 and Saturday 31 December 2022

Please note that NHS England will consider requests to close early on Christmas Eve Saturday 24 December 2022 and New Year's Eve Saturday 31 December 2022 where exceptional circumstances for reducing core / supplementary hours are demonstrated. You may wish to provide information to demonstrate the exceptionality of your request.

Sunday 1 January 2023

This year, New Year's Day is on Sunday 01 January 2023 with Monday 02 January 2023 designated as the official substitute bank holiday.

As Sunday 01 January 2023 is not designated as a bank holiday, please be aware community pharmacies are expected to **open** for the usual contractually agreed opening hours on these days. Please refer to the government website at [Bank Holidays 2022/23](#) for confirmation of days declared as bank holidays this year.

Pharmacies will be entitled to close on Monday 26 December 2022, Tuesday 27 December 2022, and Monday 02 January 2023: the substitute bank holidays. With regards to changes for Sunday 01 January 2023, as you are aware, contractors are entitled to apply to NHS England to amend Core Hours.

Application process to change Core and Supplementary Hours

Applications to change / reduce core hours must be made giving 90 days' notice.

Notification to reduce Supplementary Hours must be made giving 90 days' notice.

Please note that applications received after the 90-days' notice deadlines will not be accepted.

Please use the appropriate following links:

- [Application to amend Core Hours Form](#)
- [Application to amend Supplementary Hours Form](#)

Deadline for applications are as follows: -

- Christmas Eve Saturday 24 December 2022 – Sunday 25 September 2022
- New Year's Eve – Saturday 31 December 2022 – Sunday 02 October 2022
- New Year's Day – Sunday 01 January 2023 – Monday 03 October 2022

When submitting any application in respect of reduced Core Hours, please ensure you provide information on the expected changes to the needs of people in the area for pharmaceutical services, to support your application.

Please be aware where amendments to core contractual hours are granted NHS England may require the pharmacy to open for the same required number of core contractual hours during that week. So, applying to close on one day or to close early may necessitate an increase in core hours on another day that week.

If NHS England declines the application to reduce Core Hours, you will have a right of appeal against the decision. When submitting your application, you should allow time for this possibility.

Further information

1. The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 – Pharmacy Opening Hours: general

Schedule 4 Part 3 Para 23(7)(b) P must not change: -

(i) the days on which or the times at which pharmaceutical services are to be provided at those premises during core opening hours which are neither additional opening hours nor in total less than 40 (if those core opening hours are additional opening hours, or are in total less than 40, regulation 65(5) to (7) and paragraphs 25 and 26 apply),

(ii) the total number of any supplementary opening hours (regulation 65(5) to (7) and paragraphs 25 and 26 apply to changes to the total number of core opening hours),

(iii) the days on which or the times at which pharmaceutical services are to be provided at those premises during supplementary opening hours, or

(iv) the pharmaceutical services which P is ordinarily to provide at those premises, for a period of at least 3 months after that notification was received by the NHSCB (or, before the appointed day, a Primary Care Trust), unless the NHSCB agrees otherwise.

2. Further information and guidance on opening hour's regulation can be found at [PSNC-Briefing-01821-Pharmacy-opening-hours-in-2022-LRv2-1-TRACKED-CHANGES-VERSION-2.pdf](#)
3. Your Local Pharmaceutical Committee will also be able to advise you. Or, if you have any further queries please contact your area team via: - england.pharmacysouthwest@nhs.net

Community Pharmacy is becoming increasingly important to the stability of your local health system. Services delivered from community pharmacy are being extended and you are working more closely with your local practices, to support the needs of your patients. The information we provide systems with (following your response to this letter), regarding community pharmacy opening times over this holiday period, will be a critical part of the systems winter planning process. Providing accurate information about your opening plans will also increase the confidence of systems and your local health partners, that patients can access your services at the times you are expected to be open.

Thank you for your continued support to our winter planning arrangements.

Yours sincerely

Nikki Holmes

Head of Primary Care, NHS England South West