

**DH/PSNC POSITION STATEMENT ON CORE CONTRACTUAL HOURS**  
**Gateway reference: 5366**

At a Primary Care Contracting feedback event held on 5 August, a number of Primary Care Trusts expressed uncertainty about the meaning of the NHS (Pharmaceutical Services) Regulations 2005 and the PSNC guidance on hours. In particular, the question was asked 'can a pharmacy contractor declare and be held to a commitment to open for more than 40 core hours?'

The Department of Health and PSNC confirm that as stated in the notes accompanying PSNC's template for declaring hours, HN1, the number of core hours declared should be 40. There are exceptions for pharmacies that have consent from the PCT to open for fewer hours, and for pharmacies that have opened under the control of entry exemption for pharmacies opening for at least 100 hours.

The effect of changes to the hours provisions, when taken with legal authorities, means that declared core hours of more than 40 are not enforceable, and therefore Primary Care Trusts should return for amendment any declarations in Column 1 of HN1 (or equivalent) which exceed 40 core hours (other than pharmacies that have opened under the control of entry exemption for pharmacies opening at least 100 hours per week). Any opening hours over the 40 core hours should be declared in Column 2 (except again for those opening at least 100 hours per week). Primary Care Trusts may wish to liaise with their Local Pharmaceutical Committees on this.

9 August 2005