



Response to
Welsh Government
Consultation
on
Health and Social Care (Quality and Engagement Wales) Bill

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National Pharmacy Association

The National Pharmacy Association (NPA) is the trade body which represents the vast majority of independent community pharmacy owners in the UK, including across Wales. In addition to being a representative voice, we provide members with a range of commercial and professional services to help them maintain and improve the health of the communities they serve.

The NPA welcomes the opportunity to respond to this consultation on the Health and Social Care (Quality and Engagement Wales) Bill.

We would be happy to discuss the points raised in this response with Welsh Government in more detail.

General remarks

Community pharmacy is an integral part of NHS Wales, a vital local service and an essential community facility which is perfectly placed to meet the evolving needs of patients and alleviate pressure on the health and care system. Furthermore, the community pharmacy network is a unique exception to the inverse care law which states that those with the highest need for medical care are least likely to receive it. Community pharmacies are often the first port of call for advice and treatment and offer an increasing range of NHS Wales services designed to take pressure off GPs and hospitals. This demonstrates the critical role of community pharmacies in tackling health inequalities and improving the health and wellbeing of deprived communities.

We are pleased to see the Bill proposals to introduce changes that will place quality considerations at the heart of all that primary care provides. We also support the placement of a duty of candour on all NHS Wales bodies, and strengthen the governance arrangements for NHS Trusts. The NPA applauds the proposals that strengthen the voice of citizens across health and social services, which will further connect people with the organisations that provide them with services.

Pharmacies provide a range of NHS Wales services that support the “A Healthier Wales” strategy, these include but not limited to Medicines Use Reviews, Discharge Medicines Reviews, Smoking Cessation, Emergency Contraception and the Common Ailments services.

The Proposed Changes

There are three aspects of the Bill that will impact on the operational aspect within the independent community pharmacy:

1. A Duty of Quality
2. A Duty of Candour
3. A new Citizen's Voice Body

1. A Duty of Quality

The NPA is supportive of the focus on improving quality as highlighted in the Welsh Government's plan *A Healthier Wales: our plan for Health and Social Care*, and welcomes the Bill's proposals to achieve a system wide approach to quality in the health service, and shift the focus away from the narrower interpretation of quality which has a particular focus on quality assurance.

The NPA supports the proposal that this duty will only apply to Welsh ministers, LHBs, NHS Trusts and SHAs that operate on a Wales only basis, and not to community pharmacies. This is the correct decision as the NPA feels that the Community Pharmacy Contractual Framework is a well-established and effective mechanism that is already delivering quality improvement.

The NPA provides a number of tools and resources to support its members in meeting their contractual obligations within the quality improvement elements of the Community Pharmacy Contractual Framework.

In addition, all pharmacies report relevant concerns through the *National Reporting and Learning System* so that continuous improvement in quality is built into all community pharmacy processes.

2. A Duty of Candour

The NPA supports and encourages its members to be open and transparent at all times and we recognise that candour is an essential duty for all professionals.

The NPA is broadly supportive of the Bill's proposals that a Duty of Candour will apply to all community pharmacy contractors that provide healthcare services on behalf of NHS Wales, and the principle that regardless of where the person receives care, they can be assured that should something go wrong with their care or treatment they will be dealt with in an open and honest way. However, the NPA has some concerns about how the duty is designed to be applied in practice, particularly in regard to the independent community pharmacy contractor.

Pharmacy is a regulated profession, regulated through the General Pharmaceutical Council, who in association with the General Medical Council and others has recently signed up to a Joint Health Regulator statement on openness and honesty- the professional duty of candour.

Most, if not all community pharmacy contractors have internal processes to investigate and apply lessons following adverse outcomes to patients following a service provided. In addition, a number of the NPA members would also take out indemnity arrangements, in most cases through the NPA subsidiary NPA Insurance Limited (NPAI).

NPAI provides a complete package of professional indemnity, public liability, product liability and legal expense insurance cover for all its members and customers including, the staff they employ or engage to work in their community pharmacy business. Other requirements that may be imposed on NPA contractors should not detract from the integrity of their internal processes nor create any unintended consequences that may impact on any future claim settlements.

Record-Keeping

The NPA notes the Bill's proposal for candour reports to be produced at least annually by NHS Bodies and primary care providers including community pharmacies. The average community pharmacy is reliant on a small number of individuals where any additional administrative tasks could impact adversely on the pharmacy service provision.

The NPA also recognises Welsh specific processes such as *Putting Things Right* which require all community pharmacies to follow, that already include defined processes for the reporting of concerns when things go wrong in addition to its own requirements for record keeping. We suggest that in the instances of community pharmacy this framework be used as part of the Duty of Candour obligations within the Bill.

Public awareness campaign

The NPA supports and encourages public engagement in community pharmacy service provision and is broadly supportive of the proposed public awareness campaign. However, we caution against administrative processes that may lead to additional workforce pressures on its members.

Awareness training

One of the services that the NPA provides to its members is in the learning and development arena in order to support the NPA member and the development of their team through the offering of a range of accredited and non-accredited mandatory qualifications, business skills and pharmacy practice courses, helping meet Principle 2 of the standards for registered pharmacies.

“Principle 2: Staff are empowered and competent to safeguard the health, safety and wellbeing of patients and the public”

The NPA is supportive of the Bill’s proposal that identifies the need for awareness training in support of the new Duty of Candour and would be happy to work with Welsh Government to design and deliver this training to independent pharmacies in Wales. The NPA notes the cost associated with this training are included in the impact assessment. Any costs incurred to pharmacies in order to undertake this mandatory training should be reimbursed appropriately.

3. A New Citizen’s Voice Body

The NPA welcomes the creation of a strategic body operating at a national level as the new Citizen’s Voice body, and asks for further clarification as to whether this body may also have powers of inspection as part of their responsibility.