

Vaughan Gethin AM

Minister for Health and Social Services

Welsh Government

2 July 2019

Dear Vaughan,

**The National Health Service (Welsh Language in Primary Care Services)  
(Miscellaneous Amendments) (Wales) Regulations 2019**

The Culture, Welsh Language and Communications Committee considered the above Regulations at its meeting on 6 June. During the meeting we heard from representative groups including independent primary health care providers, the office of the Welsh Language Commissioner and Cymdeithas yr Iaith Gymraeg. The report of this scrutiny was published on 13 June 2019.

Russell Goodway, Chief Executive of Community Pharmacy Wales, attended our meeting and spoke about the impact of the Regulations on members of his organisation. He has since written to me to comment on the Committee report, saying:

While we do not disagree with any of the recommendations in the report, Community Pharmacy Wales (CPW) continues to have reservations in terms of the way that the regulations have been framed. As we made clear in both our written and oral evidence, the requirements in the Regulations as drafted fall on a NHS pharmacist delivering 'pharmaceutical services'.

The Regulations state that the definition of pharmaceutical services is as stated in regulation 2(1) of the 2013 Regulations.

The 2013 Regulations are the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013. In these

Regulations it states that the definition of pharmaceutical services is 'pharmaceutical services that fall within section 80 of the 2006 Act and do not include directed services'.

CPW remains of the opinion, therefore, that the requirements of the Regulations may only apply to the dispensing of prescriptions and the supply of medicines. This is not an accurate reflection of the work of community pharmacies and we reiterate that the regulations will only produce meaningful change if they cover the supply of medicines together with the provision of both NHS Advanced and Enhanced Services.

Put simply yet again, the Regulations as drafted to cover only the dispensing of medicines and not the wide range of other services a community pharmacy undertakes, be that smoking cessation or other common place health advice, which can continue to be carried out without any reference to the use of the Welsh language. Bearing in mind the thrust of the rest of the Committee's report is directed toward maximising the use of the Welsh language in primary care settings, we are surprised and disappointed that our simple and practical point around re-framing the services to maximise Welsh language use has not been taken on board in any way.

I would be grateful if you could set out the reasons why you drafted the Regulations to include requirements on pharmacies relating only to their role in dispensing medicines and prescriptions, and excluded the advanced and enhanced services they also provide?


Please can you confirm whether Community Pharmacy Wales' concerns on this issue were considered as part of your work in preparing these Regulations, and if so, why they were not acted on?

As you know, the Committee was concerned about the timing and the content of the Regulations which came into force on 30 May. Our

stakeholders continue to stress the need for provision of primary care services to be in the patients' language of choice. I think Russell Goodway has raised a valid query about the way in which the Regulations have been drafted and his concern that they are in danger of not producing 'meaningful change' deserves a response.

I would be grateful if you could reply to these questions by 31 July 2019.

Yours sincerely,

A handwritten signature in cursive script that reads "Bethan Sayed".

Bethan Sayed

**Chair of the Committee**



Ein cyf/Our ref - MA-L/VG/0567/19

Bethan Sayed AM  
Chair, Culture, Welsh Language and Communications Committee  
National Assembly for Wales  
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24 July 2019

Dear Bethan,

Thank you for your letter of 2 July regarding the letter you received from Russell Goodway, Chief Executive of Community Pharmacy Wales about the application of the Welsh language duties set out in the National Health Service (Welsh Language in Primary Care Services) (Miscellaneous Amendments) (Wales) Regulations 2019 (“the 2019 Regulations”) to Pharmaceutical Services.

The 2019 Regulations define pharmaceutical services as the definition for pharmaceutical services in Regulation 2(1) of the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013 (“the 2013 Regulations”). The 2013 Regulations define pharmaceutical services as pharmaceutical services that fall within section 80 of the 2006 Act (arrangements for pharmaceutical services) and do not include directed services.

The 2013 regulations therefore refer to the essential services provided by community pharmacies only. The advanced and enhanced services provided by community pharmacies are set out in Directions –

- The Pharmaceutical Services (Advanced and Enhanced Services) (Wales) Directions 2005; and
- The Pharmaceutical Services (Advanced Services) (Appliances) (Wales) Directions 2010.

The intention is to make amendments to the above directions during the summer to ensure pharmacy contractors providing those advanced and enhanced services comply with the Welsh language duties.

I will advise you in due course on the detail of the amendment to the Directions and when they will come into force.

My officials will work with Community Pharmacy Wales and Health Boards to ensure that the provisions are met as far as possible in the interim.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, flowing style.

**Vaughan Gething AC/AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services