

Report to: **East Sussex Health Overview and Scrutiny Committee (HOSC)**

Date: **16th September 2010**

By: **Director of Governance and Community Services**

Title of report: **NHS White Paper Consultation**

Purpose of report: **To agree how HOSC will put together a response to the government's consultation on aspects of the NHS White Paper.**

RECOMMENDATIONS

HOSC is recommended to:

- 1. Highlight any key messages the Committee wishes to include in its response.**
 - 2. Agree that a draft response, focused on the 'Increasing Democratic Legitimacy' consultation, be circulated to the Committee for comment, with final agreement by the Chairman and Vice-Chairman on the Committee's behalf.**
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1. The NHS White Paper

1.1 On 12th July 2010 the Government published '*Equity and Excellence: Liberating the NHS*', a White Paper setting out the future shape of the health service in England. The proposals within the paper are far-reaching and represent a radical restructuring of the NHS. There is also a challenging timetable for implementation over the next few years. The White Paper is available from the Department of Health website www.dh.gov.uk.

1.2 The proposals in the White Paper would change the way NHS care is commissioned, transferring the majority of the NHS budget, approximately £80billion, to consortia of GPs who would take on responsibility for planning, designing and performance managing the majority of local health services. A national commissioning board would be created to oversee the work of GP consortia and to commission more specialist services.

1.3 New roles are envisaged for local authorities, with lead responsibilities for public health and health promotion passing from the NHS to top tier local authorities, and an enhanced role in promoting integration of health and social care, joint commissioning and leading the joint strategic needs assessment. Local authorities will also have an increased role in supporting patients' voice and choice, and will have responsibility for commissioning local 'Healthwatch' services which will build on the current role of Local Involvement Networks.

1.4 The changes would see the phasing out of Primary Care Trusts and Strategic Health Authorities by 2013 as their current roles are taken on by the new structures.

2. Consultation process

2.1 The Government has invited any comments on the main White Paper document by 5th October, particularly the proposals requiring primary legislation. Four more detailed supplementary documents have also been published. These include more specific consultation questions on aspects of the proposals and responses to these questions are invited by 11th October 2010.

2.2 The documents (also available from www.dh.gov.uk) are:

- a) Increasing democratic legitimacy in health:** a joint publication between the Department of Health and the Department for Communities and Local Government. It builds on the

proposals in the White Paper to increase local democratic legitimacy in health, to be achieved through local authorities: i) being given a stronger role in supporting patient choice and ensuring effective local voice; ii) taking on local public health improvement functions; and iii) promoting more effective NHS, social care and public health commissioning arrangements. This links closely to the consultation on commissioning for patients, and taken together, these two documents set out the strategy for commissioning of health, care and wellbeing. They set out how the new system will work together to provide improved outcomes for patients, users and the public.

- b) **Commissioning for patients:** a consultation document on the proposals to put local consortia of GP practices in charge of commissioning services, supported by an independent NHS Commissioning Board. It provides more detail on proposed arrangements and seeks views on a number of areas including:
- How GP consortia and the NHS Commissioning Board can best involve patients in improving the quality of health services.
 - How GP consortia can work closely with secondary care, community partners and other health and care professionals to design joined-up services that are responsive to patients and the public.
 - How the NHS Commissioning Board and GP consortia can best work together to make effective and efficient commissioning decisions.
 - How the NHS Commissioning Board can best support consortia and ensure they achieve improvements in outcomes within NHS resources.
- c) **Transparency in outcomes – a framework for the NHS:** focuses on how the NHS Outcomes Framework should be developed and explains and asks for views on:
- the principles that should underpin the NHS Outcomes Framework;
 - a proposed structure and approach that could be used to develop the framework;
 - the potential outcome indicators (existing and future) that could be presented in the framework, including the proposed rationales for selection;
 - how the proposed NHS Outcomes Framework can support equality across all groups and can help reduce health inequalities; and
 - how the framework can support the necessary partnership working between public health and social care services needed to deliver the best outcomes for patients.
- d) **Regulating healthcare providers:** outlines proposals on foundation trusts and establishment of Monitor as an independent economic regulator for health and adult social care.

3. HOSC's response

3.1 HOSC has had opportunities for initial discussion on the implications of the White Paper with local NHS and local authority representatives at recent Committee seminars. The Committee will now wish to consider how to respond to the consultation process.

3.2 Given the very wide scope of the various consultations, it is recommended that HOSC focuses on the 'Increasing Democratic Legitimacy in Health' consultation paper. This paper contains the detailed proposals on the role of local authorities (including local councillors), future arrangements for scrutiny of health and arrangements for the establishment of local Healthwatch. HOSC is invited to highlight any key points the Committee wishes to include in a response on these issues, and any other general comments on the White Paper proposals.

3.3 Given the tight timescale for response, it is proposed that a draft response is circulated to the Committee for comment, with final approval by the HOSC Chairman and Vice-Chairman.

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Background papers: *'Equity and Excellence'* and supplementary papers, DH, July 2010