
Health Scrutiny Committee

6th October 2008

Report of the Head of Civic, Legal and Democratic Services

Consultation on the NHS Constitution

Summary

1. The purpose of this report is to ask Members whether they wish to take part in the national consultation on the NHS Constitution. A copy of the letter inviting Members to comment is attached at Annex 1; a copy of the consultation document is attached at Annex 2 and a copy of the constitution at Annex 3. Further information on the consultation process and additional documentation is available at www.dh.gov.uk/consultations.

Background

2. The draft NHS Constitution now records in one place what the NHS does, what it stands for and what it should live up to. It sets out principles to guide how all parts of the NHS should act and make decisions.
3. The draft Constitution renews the commitment to the enduring principles of the NHS. It confirms commitment to a service that is for everyone, paid for out of taxes, based on clinical need rather than an individual's ability to pay, and without discrimination of any kind.
4. The NHS Constitution sets out seven core principles, which aim to empower patients, make decision-making criteria clearer and safeguard the future of the service. The draft Constitution proposes a new law to ensure that it is reviewed every ten years with its values reaffirmed every three years.

Consultation

5. A national consultation on the NHS Constitution is now underway. Locally NHS organisations are being encouraged to ensure there is wide input from the public, stakeholders, patients and staff before the NHS Constitution is taken through Parliament, as part of the Health and Social Care Act early in 2009.
6. The consultation runs until 17th October 2008.

Options

7. Members are presented with the following two options:

- i. Take part in the consultation process
- ii. Do not take part in the consultation process

Analysis

8. The NHS wishes to consult as widely as possible on the constitution and welcomes views from Local Authorities. The Government wishes to engage everyone in the debate.
9. The Department of Health will bring together the comments received both nationally and locally to produce a formal government response to the consultation process.
10. If Members choose to take part in the consultation they will need to consider the time constraints for submitting their comments. Members may wish to consider adding an item to the work plan to discuss the consultation documentation at the meeting scheduled for Monday 6th October 2008.

Corporate Strategy 2007-2011

11. This relates to the following Priority for Improvement as set out in the Corporate Strategy 2007-2011
 - Improve the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest.

Implications

12. **Financial** – There are no known financial implications associated with this report.
13. **Human Resources** – There are no known Human Resources implications associated with this report.
14. There are no Equalities, Legal, Crime & Disorder, Information Technology, Property or other implications associated with this report.

Risk Management

15. In compliance with the Council's risk management strategy there are no known risks associated with the recommendations of this report.

Recommendations

16. Members are asked to decide whether they wish to take part in the consultation process and if so to authorise the Chair and the Scrutiny Officer to collate the comments for submission in accordance with the deadlines.

Reason: In order to give the Local Authority a voice in the consultation process

Contact Details

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Report Approved

Date 26.09.2008

Specialist Implications Officer(s)

None

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Background documentation and additional information can be found at www.dh.gov.uk/consultations

Annexes

- Annex 1** Letter inviting Members to comment on the Constitution
- Annex 2** The Consultation Document
- Annex 3** The Constitution