



Department
of Health &
Social Care

From Edward Argar MP
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The Rt Hon Sir George Howarth MP
By email to: george.howarth.mp@parliament.uk

26.v.2022

Dear *George*,

Thank you for your correspondence of 10 January to the Prime Minister on behalf of a number of your constituents about the Health and Care Act 2022. Your correspondence has been forwarded to the Department of Health and Social Care. I apologise for the delay in replying.

I read the correspondence with care and I appreciate your constituents' concerns. I can assure them that the Government is committed to supporting the NHS and ensuring that patients have access to the services they need. The NHS's own proposals for legislation formed the basis of the Act, and I believe that it supports the reforms set out in the *NHS Long Term Plan*; it makes permanent some of the innovations that we have seen implemented during the COVID-19 pandemic. The Act has been designed to improve our health and care system, level up health outcomes across the country and enable people to live longer and healthier lives.

With regard to public money being 'diverted away' from care, we understand that the current competition and procurement rules are not suited to the way healthcare is arranged. As part of the Act's implementation, we are developing a new provider selection regime for the NHS and public health; a bespoke regime that will give the NHS and local government more discretion over how they arrange healthcare services. Open, transparent and robust decision-making will be vital; regulations and statutory guidance will set out rules to ensure transparency and scrutiny of decisions to award health care contracts.

Rather than resulting in reduction of access to medical services, the reforms will make it easier for the NHS to manage its resources more effectively, allowing patients to receive better, more integrated care. Many of the proposals in the Act are to enable greater integration of services and will not place any direct costs on health and care organisations purely by their enactment. The suggested reforms are based on the principle that reducing bureaucracy and increasing integration of services will lead to greater value for money for the taxpayer in the long term. For example, changes to procurement processes will remove barriers, giving commissioners more discretion over when to use a competitive process to arrange services. Savings will depend on how effectively NHS bodies and their partners can improve the arrangement of services. The Government has also given the NHS record funding.

Everyone should receive the care and support they need in the right place, at the right time, and these expectations will be clearly set out in guidance on hospital discharge. This will include requiring all patients to undergo a holistic welfare check before discharge, which will determine the level of support they need, and a home visit on the day of

discharge, if appropriate, to co-ordinate any support needed at home. The Act does not change the existing legal obligations on NHS bodies to meet health needs, and local authorities are still required to assess and meet people's needs for adult social care; the integrated approach of discharge to assess will allow staff to work across organisational boundaries to focus on individual people's needs.

The discharge to assess model has been implemented nationally since March 2020, and the provision in the Act is simply removing the existing legal requirement for all assessments to take place prior to discharge. The model is also increasingly recognised as the most effective way to support patient outcomes, enabling people to be discharged to recover in a familiar environment.

Regarding the deregulation of NHS professions, these powers will form part of a wider programme to create a more flexible and proportionate regulatory framework that is better able to protect patients and the public. This will make it easier to ensure that the professions protected in law are the right ones and that the level of regulatory oversight is proportionate to the risks to the public.

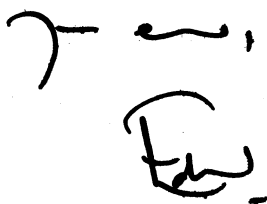
We appreciate the strain that the health system is under, as well as the extraordinarily hard work of its staff. The NHS will receive an additional £5.4 billion of funding from the Government, which will immediately go towards supporting the NHS to manage the immediate pressures of the pandemic, including helping to tackle the COVID-19 backlog. The Government is also committed to delivering the most significant hospital building programme in a generation with 40 new hospitals by 2030, backed by an initial £3.7 billion.

The NHS is grateful for our phenomenal health and care workers, which is why we are committing to recruiting 50,000 more nurses in the NHS by the end of this parliament. This funding provides welcome certainty for the NHS and seeks to ease the burdens they face; we will continue to support the NHS to build back better, and continuing to grow the workforce remains a top priority. On 21 November, we announced that we are merging Health Education England with NHS England to ensure greater integration of service, workforce and financial planning. This will put long-term planning and strategy for health care staff recruitment and retention at the top of the NHS' agenda.

As stated previously, the bulk of these reforms have been developed by the NHS itself. The Act will ensure that the health care system is more efficient, more integrated, less bureaucratic, and more accountable; it will not create an American style two-tier health system despite inaccurate and misleading claims by some. The Government believes in the fundamental principle that the NHS is free at the point of delivery and based on patient need and not ability to pay. Integrated care systems will actively bring together the NHS and local government to ensure that they are working collaboratively to deliver high-quality health and care services to their population.

I agree with your constituents that the NHS is a source of pride for the country, and the Government will ensure that it continues to deliver world-class healthcare services.

I hope this reply is helpful.



EDWARD ARGAR MP