

Health and Care Bill granted Royal Assent in milestone for healthcare recovery and reform

- The Health and Care Bill has today received Royal Assent, marking a milestone in the recovery and reform of how health and care services work together
- It will ensure the NHS can rebuild from the pandemic and tackle the Covid backlog, harness the best ways of working and ensure people are benefitting from more joined-up care
- Long-term plans for recovery and reform are backed by £36 billion over the next three years through the Health and Care Levy

The Health and Care Bill has today received Royal Assent by Her Majesty The Queen, enacting the most significant health legislation in a decade into law.

The Act introduces measures to tackle the Covid backlogs and rebuild health and social care services from the pandemic, backed by £36 billion over the next three years through the Health and Care Levy. It will also contain measures to tackle health disparities and create safer, more joined-up services that will put the health and care system on a more sustainable footing.

The Health and Care Act builds on the proposals for legislative change set out by NHS England in its Long Term Plan, while also incorporating valuable lessons learnt from the pandemic to benefit both staff and patients.

It marks an important step in the government's ambitious health and care agenda, setting up systems and structures to reform how health and adult social care work together, tackle long waiting lists built up during the pandemic, and address some of the long-term challenges faced by the country including a growing and ageing population, chronic conditions and inequalities in health outcomes.

The Integration White Paper published in February will build on the Act to ensure people receive the right care for them in the right place at the right time. It follows the People at the Heart of Care White Paper which set out a ten year vision for social care funded through the Health and Care Levy, and the Covid Backlog Recovery Plan outlining NHS targets to tackle waiting lists. Dedicated plans to tackle health disparities are set to be published in due course.

Health and Social Care Secretary Sajid Javid said:

The Health and Care Act is the most significant change to the healthcare system in a decade and will put it in the strongest possible position to rebuild from the pandemic, backed by our record funding.

These measures have broad support and will harness the best ways of working to ensure people are receiving high quality, joined up care.

As part of the measures to deliver more joined up care, every part of England will be covered by an Integrated Care System (ICS) bringing together NHS, local government and wider system partners to put collaboration and partnership at the heart of healthcare planning.

For example, the existing non-statutory Somerset Integrated Care System is already rolling out innovations such as a 24/7 helpline that directs people looking for mental health support to services across the voluntary sector, social care and NHS. The scheme brings together doctors, nurses, psychologists, and charities such as Age UK, Citizen's Advice, Rethink Mental Illness and others through a shared system for recovery and care planning, so all professionals involved in the person's care are able to communicate with each other. This means that patients are directed to the right service they need first and reduces any time spent speaking to various services until they find the right one.

Elsewhere, South Warwickshire Foundation Trust rolled out a 'discharge to assess' model to improve the process for patients being discharged from hospital. This included outpatient emergency care, an integrated community health and social care team, frailty services and early supported discharge. Joint working between Warwickshire County Council (WCC) and local NHS partners has made sure patients leave hospital as soon as they are ready, freed up hospital beds and ensured people got the right care in the right place. As a result the hospital now has zero bed-related elective care cancellations, and is well ahead of the Covid Backlog Recovery Plan trajectories.

Amanda Pritchard, NHS chief executive said:

The Covid pandemic has shown what can be achieved when we work together across NHS teams, organisations and systems with our partners in the care sector and beyond, and these reforms will help us to deliver for patients and their families. As the NHS works flat out to recover services and address the Covid-19 backlogs that have inevitably built up during the pandemic, these reforms will accelerate the changes set out in the NHS Long Term Plan that are already giving people greater choice, better support and more joined up care when they need it.

The Act also introduces measures that will:

- Level up health disparities in oral health and obesity through making it simpler to fluoride to water in more areas across England, and regulating unhealthy food and drink advertising;
- Make services safer by establishing the Health Services Safety Investigations Body, an independent public body which will investigate

incidents that have implications for patient safety and help improve systems and practices;

- Crack down on the use of goods and services in the NHS tainted by modern slavery and human trafficking with a view to ensuring that the NHS is not buying or using goods or services produced by or involving any kind of slave labour;
- Ensure our health and social care workforce have the right skills and knowledge to provide informed care to autistic people and people with a learning disability by making specialised training (the Oliver McGowan Mandatory Training) mandatory by law;
- Support victims of abuse and respond to recent child safeguarding tragedies by committing to looking at information sharing in relation to the safeguarding of children, and requiring Integrated Care Boards to set out any proposed steps to address the particular needs of victims of abuse;
- Safeguarding women and girls by banning the harmful practices of virginity testing and hymenoplasty;
- Introduce regulation of non-surgical cosmetic procedures and improve the way we regulate medical professions;
- Address the barriers to joined up working, by supporting data sharing between health and social care and removing barriers in the hospital discharge process, reducing unnecessary delays for patients;
- Remove needless bureaucracy in the system, allowing staff to get on with their jobs providing the best possible treatment and care for their local populations. It also ensures that the NHS is fully accountable to parliament and the public, while maintaining the NHS's clinical and day-to-day operational independence;
- Explicitly set out the parity of mental health and physical health and ensure transparency around the spending allocated to mental health support; and
- Support the government's ambitious adult social care reforms, by creating the right framework for assuring, funding and sharing data on social care, to enable individuals to maintain their independence for longer.

Matthew Taylor, chief executive of the NHS Confederation said:

Our members – leaders across the NHS – have been clear that collaboration and partnership working at the local level must be the future of health and care. This legislation will help to facilitate that.

We are pleased that government has heeded our calls to put safeguards on the new powers the legislation gives the Secretary of State for Health and Social Care over local service reconfigurations, which will let local leaders lead.

We welcome the extent of engagement we and our members have had with the Department over the course of the Bill process.

Our members working across Integrated Care Systems look forward to

fulfilling their statutory responsibilities from July 1st, working to deliver the best possible care for the local communities they serve.

Louise Ansari, National Director at Healthwatch England said:

Today marks an important milestone in creating an NHS that makes it easier for everyone to get the care they need.

Integrated care is an ideal incentive for health and social care services, councils and the voluntary sector to work together to design services that work better and reflect the way people use them. The new structures will work best if people, and in particular those from seldom heard groups, get truly involved and have a say in planning our health and care. By integrating services across communities, we have a chance to address delays and gaps in care.

As a statutory champion for patients' rights, we look forward to playing our part, supporting the NHS to hear and act on the issues that people face so that professionals and the public can work together to overcome the current challenges and build a better NHS for generations to come.

Kathy McLean, ICB Chair Designate Nottingham said:

The Health and Care Bill is a key moment for health and social care services across the country. In Nottingham and Nottinghamshire we are proud to be part of one of the biggest and most exciting changes the NHS has seen in recent times that firmly puts collaboration at the heart of delivering joined up care.

We welcome the bill which supports our focus to tackle health inequalities and ensure better ways for people to access health and care services. By building on lessons learnt during the pandemic we will support our staff to make the impactful changes needed set out in the Long Term Plan. This Bill ensures we can work together as a system to rebuild from the pandemic and tackle backlogs all while supporting each other for the benefit of our public.

Cllr James Jamieson, Local Government Association Chairman, said:

The LGA supports the clear focus on improving community health and wellbeing through greater integration between the NHS and local government in the Health and Care Act. The flexible and enabling nature of the legislation is positive recognition that systems are best placed to make their own arrangements for joining up services

and setting their own strategies for improving community health, are we are glad to see this bill supporting local areas making their own decisions.

The LGA has worked closely with the Government to ensure that local decision making and a strong role for local authorities are key features of this legislation. We are also pleased that the Government has listened to and acted on the LGA proposals that the Secretary of State's increased powers must be used in consultation with local government and relevant, local NHS organisations.

Rob Webster, ICB CEO Designate West Yorkshire and Harrogate:

We are well prepared for the implementation of this act, which rightly focuses on inequality, collaboration and joining up care around the needs of people. This is essential in the health and care system dealing with the issues arising from the Covid pandemic, in particular waiting times and the disproportionate impact on people with disabilities and living in areas of deprivation. It will also be a relief for our hard working teams, removing uncertainty about their future after the short delay.

Richard Murray, Chief Executive of The King's Fund, said:

The main thrust of this Act is a welcome shift away from the focus on competition between health care organisations towards a new model of collaboration, partnership and integrated care. The legislation gives the NHS and its partners greater flexibility to deliver joined-up care to the increasing numbers of people who rely on multiple different services. Now the hard work of implementation begins. Local health and care leaders will need support, endurance and commitment to turn the opportunity of this Act into a reality for local communities.

The government will continue to build on these strong foundations to ensure services have the long-term resource needed to provide world-class care. At the heart of this agenda are three key aims for reform; a focus on prevention, a commitment to delivering more personalised care and continuing to improve healthcare performance.