

## **Statement by Professor Allyson Pollock and Peter Roderick on publication of the full version of the [NHS Bill 2018-19 \(Bill 250\)](#)**

**25<sup>th</sup> October 2018** - Following presentation of the long title of the NHS Bill by Eleanor Smith, Labour MP for Wolverhampton South West, [on 11<sup>th</sup> July 2018](#) we are very pleased to say that the full version of the Bill has [now been published](#) and is going forward with the support of the Labour leadership. It is scheduled for its second reading in the House of Commons tomorrow (26/10/18) but is highly unlikely to be debated then.

Eleanor has said *"I am very pleased to be able to present this Bill to put back the NHS as a proper public service and kick out the profit motive. It is going forward with the support of the Labour leadership and will make a crucial contribution to the forthcoming consultation on the party's health policy."*

The Bill represents a significant step towards fulfilling the aims and proposals of the NHS Reinstatement Bill campaign. It is a tribute to Eleanor's commitment and to the efforts of many other people over several years. This is the high point so far. But 'there's many a slip'. The party is due to hold a consultation on its health policy around now. So it will be important to ensure that the Bill is central and reflected in the outcome of the consultation.

### **How did we get to this point?**

Over the summer, three meetings took place with Lachlan Stuart who is responsible for domestic policy in the Leader of the Opposition's office (1 with ES, AP and PR; 1 with ES and PR; 1 with PR).

LS was mainly concerned about setting structures in stone at a time when the Party had not decided what to do about social care and public health. The first two meetings were long and not easy, but at the third meeting Lachlan said he was willing to agree to the version of the Bill [provided to Eleanor in June](#), with two changes.

The first change was to Clause 1(3). In the version sent in June, this read *"The Secretary of State shall exercise the functions referred to in subsection (1) with a view to integrating the provision of health services and of social care services in accordance with this Act."* Instead, Lachlan wanted *"(3) The Secretary of State shall exercise the functions referred to in subsection (1) with a view to promoting the integration of health services with care and support service provisions where such integration would - (a) promote the well-being of adults with needs for care and support and the well-being of carers; and (b) improve the quality of care and support for adults, and of support for carers, (including the outcomes that are achieved from such provision)."* He said this was more in line with [section 3 of the Care Act 2014](#).

The second change was to remove the reference to staff transfers and redundancies (Clause 16), as this was giving the wrong signal of what was intended.

We considered that these changes were not central to the Bill, and that we could support Eleanor's Bill with these changes. PR therefore agreed to assist in further drafting and provided ES with another version of the Bill on 14<sup>th</sup> September 2018, which reflected these changes. This is essentially the version that has now been published save for some technical changes made by the House of Commons Public Bill Office.

But this is not the end of the story by any means.

Integration of health and social services is a laudable aim, but the means of achieving it are complex and multifaceted and requires full primary legislation. It will not, for example, be achieved by NHS

England's proposals [to introduce Integrated Care Providers](#): see the response of AP and the other claimants in the judicial review against the policy [here](#). The best a Bill of this nature can do is to flag up the issue. It will be important to follow closely how the Party proposes to deal with integration, including the question of children's services, which are not now included in clause 1(3).

The clause on staff transfers and redundancies had originally been included because it will be technically necessary to address the issues, and to highlight concerns that in the past senior staff, particularly, whose job losses were technical rather than real, still received often large redundancy payments.

These issues will not go away, and it will be important to follow closely how the Party proposes to deal with them, along with other issues covered by the Bill such as ending PFI and keeping the NHS out of trade deals, as well as the Party's response to the forthcoming NHS 10 Year Plan and proposals for legislation which can be expected to further marketisation and privatisation.

### **What next?**

Labour's health spokesperson, Jon Ashworth MP, [said last June](#) that "It's my intention that the next Labour government should bring forward legislation to reinstate the NHS".

It's important now that during the Labour Party's consultation on health policy, and until the end of this session of Parliament in the summer of 2019, to get as many Labour MPs as possible behind Eleanor's Bill.

If you have a Labour MP, please ask them to do so and to sign up to the [#NHSTakeback pledge](#). 70 of them have signed up so far, including Jon Ashworth MP.

Allyson Pollock and Peter Roderick