

Health and Care Bill

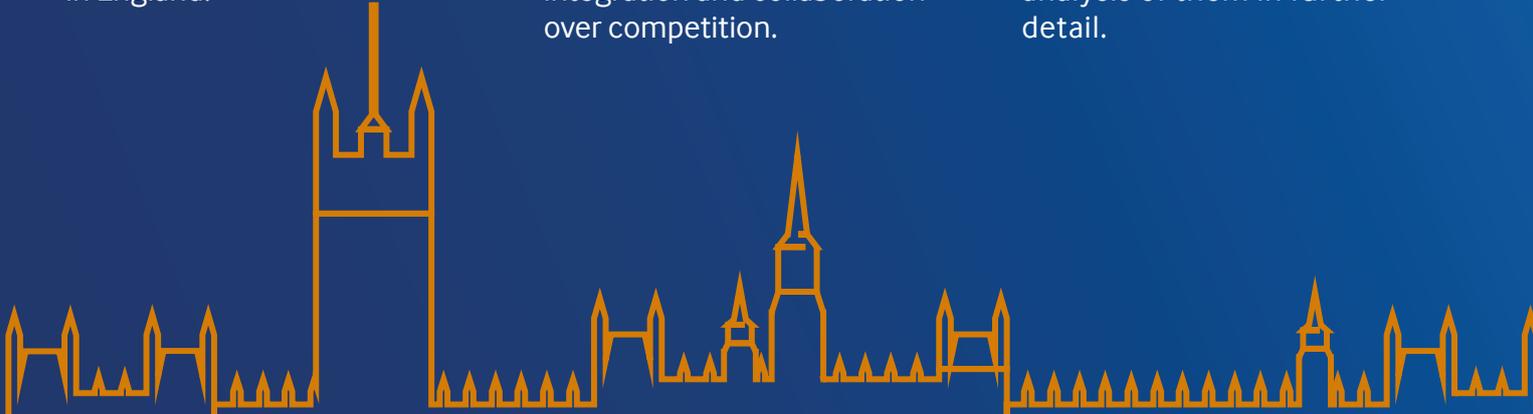
BMA member activism pack



The Government has introduced to the House of Commons a new [Health and Care Bill](#) that proposes major reforms to the way health and care services are organised in England.

The Government has stated that the Bill is intended to deliver on many of the proposals called for in the [NHS England's Long Term Plan](#), which focuses on improving integration and collaboration over competition.

An overview of the Bill, our opposition to it, and our key calls are set out in the following [video](#). Our [member briefing](#) outlines the Bill proposals and BMA's analysis of them in further detail.



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What the Bill will do

Significant reforms include:

- establishing [ICs \(Integrated Care Systems\)](#) as statutory bodies, formed of two elements:
 - **ICB** (Integrated Care Board) which will commission and oversee NHS services
 - **ICP** (Integrated Care Partnership) which will shape the ICS's strategy and focus on wider issues like public health and social care
- transfer duties, resources and (most) staff from CCGs to ICSSs
- repealing [Section 75 of the Health and Social Care Act 2012](#), ending mandatory competition
- requiring all health bodies to cooperatively pursue the triple aim of; better care for all patients; better health and wellbeing for everyone; and sustainable use of NHS resources
- expanding the powers of the Health Secretary, including increased power to direct NHSE, intervene in local service reconfiguration and amend or abolish Arm's Length Bodies (ALBs)
- a new duty for the Secretary of State to publish a report every five years on workforce planning, setting out who is responsible for workforce supply.



The BMA view

The BMA believes this is the wrong Bill at the wrong time and will be opposing it until major changes are made.

It is wrong to implement wholesale reform while the country is still fighting the COVID-19 pandemic, the NHS is facing a significant backlog of care, and doctors have had little time to scrutinise the details. Moreover, the Bill fails to address the significant pressures currently facing the NHS in terms of waiting lists, resources, and staff shortages.



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What the BMA is calling for

The BMA has been clear that we oppose the Bill as published and believe that without significant amendments it could do more harm than good. We have been lobbying for key changes, including:

- **Protecting the NHS from privatisation** – we want the NHS to be the 'default option' for the provision of NHS services, so that contracts are not simply handed to private providers
- **ICS Board Membership** – we want corporate healthcare providers to be prevented from sitting on ICBs and, thereby, from influencing commissioning decisions
- **Safe Staffing** – we want the Government to be accountable for ensuring safe staffing levels now and in the future. We will be calling for the Bill to include a specific requirement for the Secretary of State to produce regular workforce assessments to support this
- **Independent clinical Leadership, Representation and Engagement** – we do not believe the current provision for clinical representation on ICS Boards is sufficient and want to see greater clinical leadership and engagement throughout ICSs for primary care, secondary care and public health doctors
- **Secretary of State Powers** – believe the powers proposed in the Bill go too far, especially over service reconfiguration and Arm's Length Bodies and need greater safeguards.

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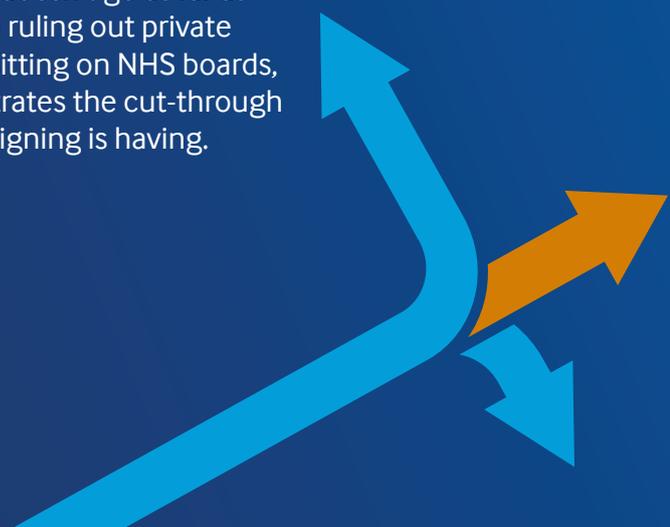
BMA action so far

The BMA has been actively lobbying policy makers through direct meetings, consultation responses, parliamentary briefings and media work to take action to ensure the Bill addresses our key calls. This work is all hosted on BMA's [dedicated webpage on the Health and Care Bill](#).

Our lobbying is already starting to have an impact. Notably, the Government has brought an amendment to require ICSs to rule out a person becoming a member of an ICB if their involvement in a private sector company could be seen to present a conflict of interest. Whilst this doesn't go as far as we want to ruling out private providers sitting on NHS boards, it demonstrates the cut-through our campaigning is having.

MP's have also been drawing heavily on our work during debates on the Bill and proposing amendments that would achieve many of our key calls on privatisation, safe staffing, and ensuring there are limits and safeguards over new powers for the Secretary of State.

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What you can do

BMA members across all branches of practices have a vital role to play in our campaigning around the Bill and in deciding the future direction of services in your area. We encourage you to engage with local decision-making structures in your area and to take the following action(s):

Hold meetings to brief members

- Arrange meetings of your respective group, or with a wider range of organisations, to discuss the Bill and its implications.
- Invite speakers from your local ICS and/or NHS England regional team.
- We can offer speakers and tailored presentations to support these meetings.
- [template slides](#)

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Lobby ICSs directly

- Although the Bill makes significant changes, ICSs will be left a lot of leeway to make their own decisions about how they work – including who sits on boards.
- As a result, it is important that you directly lobby your local ICSs, including inviting them to meet with you or raising key concerns in writing.
- To get support in finding the contact details of your local ICS and in writing to them, please contact your local Regional Coordinator – [you can find their details here.](#)



Share BMA graphics and key messages

- The BMA will be continuing to produce social media content on the Bill, to help inform our members about its progress and our key campaign messages.
- This includes graphics we've produced on our key calls for the Bill.
- To help raise awareness of the Bill and the amendments we are pursuing, please share these widely across your networks – as committees, councils, and individuals.
- Make sure to @TheBMA and use the hashtag #WrongBillWrongTime.
- You can also download and print-off our [poster](#) on the Bill to help spread the word locally and encourage people to take action.

Contact MPs and peers at key times

- We need your support in telling policy-makers the Health and Care Bill is the wrong bill at the wrong time and encouraging them to support the amendments the BMA is calling for at critical times.
- Visit the BMA's [Health and Care Bill](#) webpage for updates and the latest mailout action.

Contact local press and media

- You should also look to highlight the BMA's key messages around the Bill in local newspapers and other media.
- We have produced a template letter to newspapers to help you.
- [template letter link here](#)



Materials to support BMA members

The BMA has produced a wide range of materials to support members to engage with and better understand the Bill, as well as its implications for doctors. You can use these tools to help raise awareness locally and nationally of the Bill and the BMA's priorities:

- [Template presentation slides](#)

Infographics:

- [Wrong Bill Wrong Time](#)
- [Protect the NHS from privatisation](#)
- [Rule out private providers on NHS Boards](#)
- [Accountability for Safe staffing](#)
- [Empower clinical leadership](#)
- [Curb new political powers](#)

- [Poster](#)
- [Template letter to newspapers](#)

briefings and key documents below to inform meetings and any discussions with local ICSs and politicians, and keep track of our dedicated webpage for further updates.

- Parliamentary briefing – [Health and Care Bill, Second reading](#)
- Member briefing – [Health and Care Bill](#)
- Member briefing – [Implications of the Health and Care Bill for general practice](#)
- Member briefing – [Government health White Paper](#)
- Member briefing – [NHS England's Integrated Care Systems design framework](#)
- Consultation response – [NHS England's Provider Selection Regime \(replacing Section 75\)](#)
- Consultation response – [Integrating care: Next steps to building strong and effective integrated care systems across England \(NHS England's proposals for legislation\)](#)

NHS England and the Government have also published an array of papers and guidance documents which provide valuable detail on the proposals and the likely operation of statutory ICSs.

- [DHSC – White paper: Integration and innovation: working together to improve health and social care for all](#)
- [NHSE – Legislating for ICSs: five recommendations to Government and Parliament](#)
- [NHSE – Integrated Care Systems: design framework](#)
- [NHSE – ICS implementation guidance on effective clinical and care professional leadership](#)

Please use the BMA

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Key contacts

If you have any questions regarding the Bill, the BMA's work in this area, or would like support with local events, you can contact:

- your local Regional Coordinator — [you can find their details here](#)
- the BMA's Public Affairs team: publicaffairs@bma.org.uk
- the BMA's Policy team: info.phh@bma.org.uk

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