Lincolnshire COUNTY COUNCIL Working for a better future		THE HEALTH SCRUTINY COMMITTEE FOR LINCOLNSHIRE	
Boston Borough Council	East Lindsey District Council	City of Lincoln Council	Lincolnshire County Council
North Kesteven District Council	South Holland District Council	South Kesteven District Council	West Lindsey District Council

Implementing the NHS Long Term Plan
Proposals for Possible Changes to Legislation

Responses to Questions in Call for Views

1. Promoting Collaboration

Do you agree with our proposals to remove the Competition and Markets Authority's functions to review mergers involving NHS foundation trusts?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Do you agree with our proposals to remove NHS Improvement's powers to enforce competition?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Do you agree with our proposals to remove the need for contested national tariff provisions or licence conditions to be referred to the Competition and Markets Authority?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Comments:

The Health Scrutiny Committee for Lincolnshire accepts the rationale for the three proposals set out in paragraphs 1-7 of the engagement document. The Committee would also like to add that local health and care systems should be empowered to deliver services, with only the minimal involvement of regional or central entities.

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2. Getting Better Value for the NHS

Do you agree with our proposals to free up procurement rules including revoking section 75 of the Health and Social Care Act 2012 and giving NHS commissioners more freedom to determine when a procurement process is needed, subject to a new best value test?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
		✓		

Comments:

The Health scrutiny Committee for Lincolnshire would like to see more information on the details of the proposed 'best value' test before it can make a judgement.

3. Increasing the Flexibility of National Payment Systems

Do you agree with our proposals to increase the flexibility of the national NHS payments system?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
		✓		

Comments:

The Health Scrutiny Committee for Lincolnshire is attracted to the concept of greater flexibility in the national tariff arrangements. However, the Committee emphasises that an important consideration should be to ensure that any revisions to the tariff arrangements do not disadvantage the provision of health services in rural counties such as Lincolnshire.

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4. Integrating Care Provision

Do you agree that it should be possible to establish new NHS trusts to deliver integrated care?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Comments:

The Health Scrutiny Committee for Lincolnshire believes that the Secretary of State should be able to set up new NHS Trusts, as the Committee understands that these would operate under a single contract to further aid integration. The Committee would also like to add that local health and care systems should be empowered to deliver services, with only the minimal involvement of regional or central entities.

5. Managing the NHS's Resources Better

Do you agree that there should be targeted powers to direct mergers or acquisitions involving NHS foundation trusts in specific circumstances where there is clear patient benefit?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Do you agree that it should be possible to set annual capital spending limits for NHS foundation trusts?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Comments:

The Health Scrutiny Committee for Lincolnshire supports an approach to annual capital spending limits, which is equitable for both NHS trusts and NHS foundation trusts. The Committee accepts NHS England's arguments that capital resources should be targeted throughout the health system on the basis of need, rather than on the basis of the nature of the provider organisation.

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6. Every Part of the NHS Working Together

Do you agree that CCGs and NHS providers be able to create joint decision-making committees to support integrated care systems (ICSs)?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Do you agree that the nurse and secondary care doctor on CCG governing bodies be able to come from local providers?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Do you agree that there should be greater flexibility for CCGs and NHS providers to make joint appointments?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Comments:

The Health Scrutiny Committee for Lincolnshire supports proposals that would enable local NHS entities to work collaboratively together to improve the delivery of health care to residents. In Lincolnshire, where there are four CCGs, as a first step it is important for closer working between CCGs themselves, as they further develop their own joint appointments. It is accepted that a merger between the four CCGs is the ultimate aim in the medium to long term.

The Health Scrutiny Committee would like to see an acknowledgement of the existing role of health and wellbeing boards, whose statutory roles include the development of a joint strategic needs assessment and a joint health and wellbeing strategy.

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7. Shared responsibility for the NHS

Do you agree that NHS commissioners and providers should have a shared duty to promote the 'triple aim' of better health for everyone, better care for all patients and to use NHS resources efficiently?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Detailed Comments:

The Health Scrutiny Committee for Lincolnshire supports the 'triple aim' of better health for everyone; better care for all patients; and the efficient use of NHS resources.

The Committee is pleased to see that in this instance the role of health and wellbeing boards has been recognised (paragraph 60 of the engagement document).

8. Planning Our Services Together

Do you agree that it should be easier for NHS England and CCGs to work together to commission care?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Comments:

Paragraphs 63-73 of the engagement document refer to several limitations in the existing legislation, which it would be sensible to remove. Clearly, it would be difficult to argue against these proposals. The Health Scrutiny Committee for Lincolnshire repeats its view that local NHS entities should be empowered to be able to make decisions enabling improvements to the delivery of care for patients. The importance of closer working between CCGs themselves is again emphasised.

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9. Joined-up National Leadership

Which of these options to join up national leadership do you prefer?

a) Combine NHS England and NHS Improvement	✓
b) Provide flexibility for NHS England and NHS Improvement to work more closely together	
c) Neither of the above	

Do you agree that the Secretary of State should have power to transfer, or require delegation of, arm's length body functions to other arm's length bodies, and create new functions of arm's length bodies, with appropriate safeguards?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
			✓	

Comments:

The Health Scrutiny Committee for Lincolnshire would like to see the existing closer working and single management structure for NHS England and NHS Improvement progress to a formal merger.

Beyond what you've outlined above, are there any aspects of this engagement document you feel have an impact on equality considerations?

The Health Scrutiny Committee for Lincolnshire has not identified any direct equality considerations, other than wishing to highlight the challenges of delivering health and care services in rural areas, where travel and transport can be a challenge.

Other Comments?

The Health Scrutiny Committee for Lincolnshire notes that the proposals for legislative changes are derived from the *NHS Long Term Plan*. A key question is whether Parliament will have time to consider and pass any required primary legislation in the short to medium term.

If the NHS is committed to its *Long Term Plan*, it cannot rely on, nor wait for legislative change, as it could take at least one year for primary legislation to be passed and enacted.

The Health Scrutiny Committee would also like to emphasise that focusing on organisational changes should not be at the expense of patient care.

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