

## ***The Implications of Reforming the NHS***

**Janet Goddard**

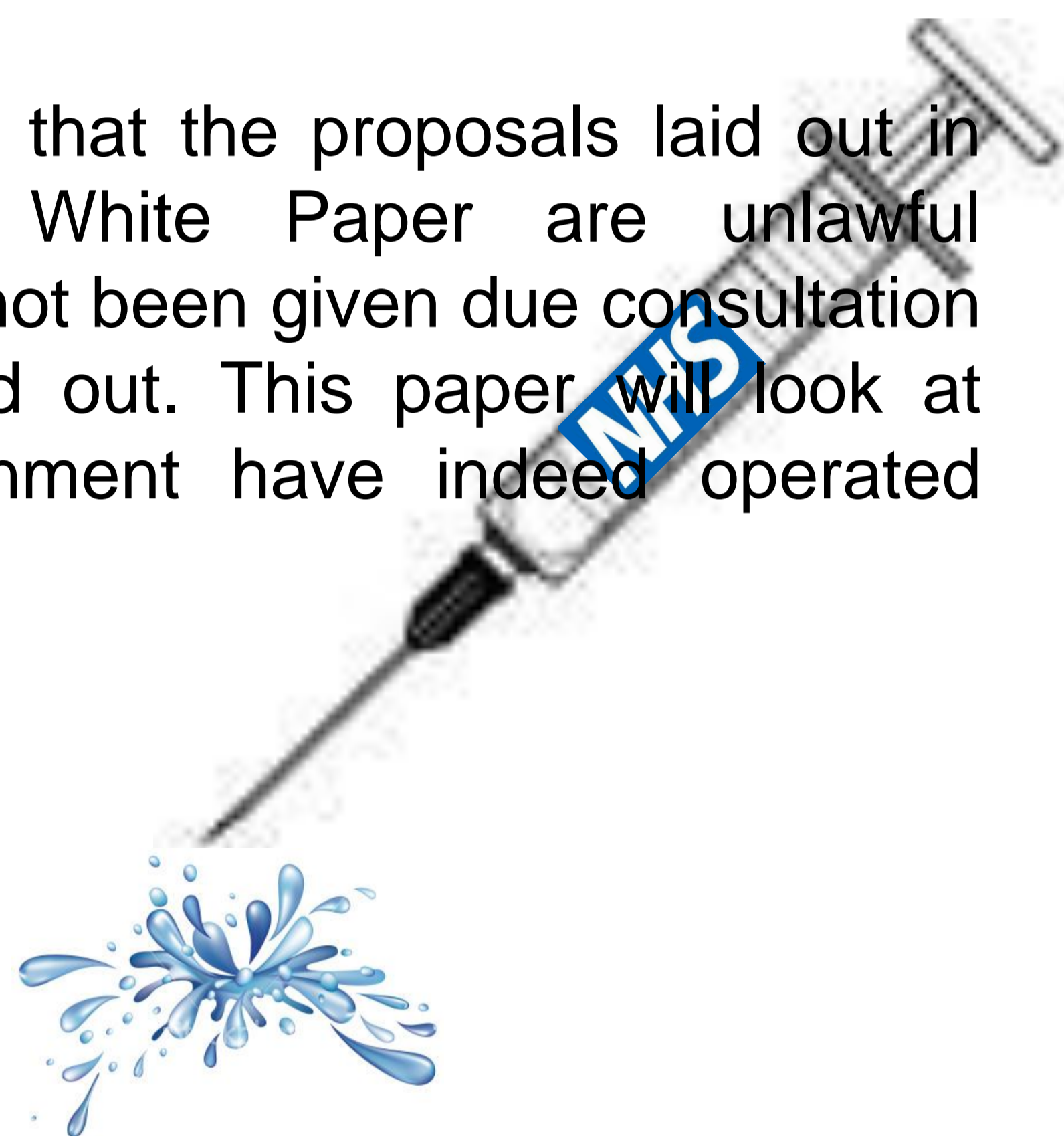
### **Context and aims**

Will the national health system of the UK suffer disproportionately from compliance with the government's reforms aimed at the NHS.

This study aims to investigate the impact of government reform on the NHS and its subsequent performance when funds move to the control of GPs.

The plans have proved controversial because they pave the way for private firms to get involved in providing community NHS services.

Unison has claimed that the proposals laid out in Andrew Lansley's White Paper are unlawful because they have not been given due consultation before being carried out. This paper will look at whether the government have indeed operated unlawfully.



### **Methods**

To look at the fear that these reforms will lead to privatisation and/or fragmentation of services. To consider commissioning of healthcare to GP commissioning consortia and whether it goes beyond their ability and competence and whether it leaves them with a conflict of interest, for example, they will need to build up an understanding of the construction of contracts, how they can be used openly to realise a required result and how to direct them to guarantee delivery of care to the requisite standard. It will further consider the use of independent sector support for commissioning which will imply the privatisation of commissioning. It will consider the responsibility for decision making and address fears of insufficient democracy within the new system and look at the decision making process which could be subject to judicial review and claims under the Human Rights Act if illegal or irrational. Decisions regarding prioritisation and resource allocation will oblige consortiums to follow a structured approach to reduce the possibility of legal challenge.

### **Analysis and Discussion**

The majority of medical professionals are not wholly in agreement with the changes being sought by the government.

There is a lack of business and strategic skills amongst GPs that has the potential to make their consortia operate effectively.

Nurse leaders are taking legal action against the government over plans to reform NHS community services. 99% of nurses voted no confidence in Andrew Lansley forcing him to apologise for his lack of communication over the proposed changes.

The Health Select Committee has announced it is to carry out an investigation into the proposals, which include stripping local health bodies known as primary care trusts, of much of their role in providing services. The government has suggested that there will be a requirement for a body to oversee proceedings. Their role will effectively mimic the that of the PCTs.

### **Implications and Impact**

The Government has described the reforms as being more difficult than any past reorganisation. Approximately 90,000 staff will be directly affected, the reforms have implications for all staff employed in the NHS. Despite the government claiming there is absolutely no possibility, there is a fear that the changes will be the first of many on the road to privatisation of the NHS. Ed Miliband suggests that the reforms are potentially dangerous and vows to kill off the Bill.

Medical professionals/GPs need to widen their expertise, acquiring competencies such as business management. These proposed changes will have far reaching legal implications that have the potential to impact on the proposed timescales set out in the White Paper, and raise issues about the liability of GPs and the need for them to have an appreciation of areas of law that do not currently apply to them.

