

Expert Advisory Group on the NHS Constitution

**Minutes of the meeting held on Wednesday 15 May 2013
Richmond House, 78 Whitehall, London, SW1A 2NS**

Member attendees

Norman Lamb, Minister of State for Care and Support (Chair)
Anna Bradley
Howard Catton
Jane Cummings
Steve Field
Jenny Harries
Brenda Hennessy
Hamish Meldrum
Ash Soni
Jason Stamp
Jeremy Taylor
Stephen Thornton
Paula Vasco-Knight

Department of Health, NHS Constitution

Caron Connolly
Peter Howitt
Meenara Islam
Helen McKenna
Stephen Robinson
Kylie Stephen

Department of Health, Communications

Susannah Cannon

Department of Health – other policy officials

Chris Bostock, Complaints
Freya Lock, Healthwatch
Angie Walsh, Workforce

NHS England

Keith Holden
Elliot Ward

I. Welcome from Norman Lamb, Minister of State for Care and Support

1. The Minister welcomed Expert Group members and thanked them for their valuable contributions to the revised NHS Constitution, which was published on 26 March 2013.
2. It was agreed that the focus of the Expert Group should now be on strengthening the impact of the NHS Constitution. Work on this is now underway and the ideas generated by Expert Group members at the previous meeting have been developed into five options (see point 5 for further detail).

I. Comments from Peter Howitt, Deputy Director, NHS Constitution & Legislation

3. The public consultation received many responses from stakeholder organisations and the public. These responses informed and affirmed the proposed revisions to the NHS Constitution and a Statutory Instrument revising the Principles of the NHS Constitution was laid on 16 February 2013.
4. The inaccurate media coverage following the March publication was discussed. Members agreed that they had in fact accepted the recommendation made by the Mid Staffordshire Inquiry to make clear that the overriding value should be that patients are put first; in response to this recommendation, changes were made to the recently revised NHS Constitution - the values were re-ordered so that they now start with 'Patients come first in everything we do', and the values themselves were brought forward in the document so that they now appear at the start of the NHS Constitution, alongside the Principles. With regard to the other recommendations made by Francis, given the legal requirement the Department is under to publicly consult on changes to the NHS Constitution, the Department was only able to implement two of his nine recommendations in the March version, as the public consultation had closed by the time the Inquiry's recommendations were published. As set out in the Government's response document to the public consultation, the Group will now consider how best to reflect the remaining seven recommendations.

II. Forward Plan of NHS Constitution work – Helen McKenna and Meenara Islam, NHS Constitution team

5. The forward plan for the Department's work on increasing the impact of the Constitution was presented to members. Five options have been developed, using previous feedback from Expert Group members, consultation respondents and key stakeholder organisations:

- Complaints handling and the role of Patient Advice and Liaison Services (PALS);
- Developing metrics for some NHS Constitution rights;
- The role of Healthwatch England in promoting the NHS Constitution;
- Staff recognition; and
- Embedding the NHS Constitution into recruitment and appraisal processes.

6. **Action for NHS Constitution team:** It was agreed that more could be done in between meetings of the Expert Group to make use of time. In future the team will circulate a note of each Expert Group meeting to members and make greater use of emails to keep members updated between meetings.

III. Discussion

7. It was agreed that the priority of the Group should now be on embedding and promoting the Constitution.
8. Expert Group members are asked for further suggestions of good practice as examples for the NHS Constitution team to consider in relation to increasing impact of the NHS Constitution.
9. It was suggested that in order to increase impact of the NHS Constitution it would be important to develop a communications strategy for promoting the Constitution among the public.
10. The idea of an 'NHS Constitution Week' was suggested as a useful tool to raise awareness and embed the Constitution into the public's consciousness.
11. The importance of referencing the Constitution in all areas relating to the NHS was raised: for example, Monitor referenced the Constitution in its consultation on choice and competition.
12. The role of employers in embedding the NHS Constitution was discussed, and ideas such as including it in recruitment and appraisal processes were discussed.
13. **Actions for NHS Constitution team:** Review timelines and consider timing of promotion and awareness work by:
 - discussing a communications strategy with Health Education England and NHS England

- working with stakeholders to develop further the options to increase the impact of the NHS Constitution; and
- encouraging other national organisations to promote the NHS Constitution in their publications/public-facing materials.

14. **Actions for the Expert Group:** Expert Group members are asked to let us know of further ideas in relation to the five options discussed at the meeting. Members are also invited to contact Peter Howitt (peter.howitt@dh.gsi.gov.uk) if they would like to work with the team on any particular option in more detail

IV. Complaints review update– Chris Bostock, Complaints and Insight team

15. Chris Bostock provided an overview of the complaints review, which is expected to publish its recommendations in July 2013:

- The review team are currently looking at complaints handling in 'good performing' hospitals to help to identify good practice.. Five hospitals have already been visited with another 3 planned and more visits may be undertaken;
- Patient experience of NHS complaints is a major focus and issues around barriers to complaining are being explored in a series of seminars. How concerns are handled is also going to be investigated;
- Expert Group members wishing to submit responses to the review should send them to ComplaintsReview@dh.gsi.gov.uk.

V. Breakout sessions

16. Members split into two workshops groups to discuss the impact options. Group 1 discussed recognition and appraisals/recruitment processes, and Group 2 worked on the options around Healthwatch England and developing metrics for some Constitution rights and pledges.

17. Expert Group members are invited to send the NHS Constitution team, any further comments on the options discussed, including those options that members did not have the opportunity to discuss at the meeting on 15 May. The NHS Constitution team can be contacted by email NHSConstitution@dh.gsi.gov.uk.

VI. Date of Next meeting

18. The next meeting is scheduled for 12:30 - 14:30 on Tuesday, 9 July 2013 at Richmond House. Robert Francis, QC, has been invited to attend to meet members of the Expert Group.

