

TO: 2gether NHS Foundation Trust Board

FROM: David McGrath, Director of Corporate Affairs / Trust Secretary

DATE: 27 February 2009

SUBJECT: NHS Constitution

PURPOSE

- This paper informs the Board of the publication of the NHS Constitution and asks the Board to consider its adoption.

SUMMARY OF KEY POINTS

- The NHS Constitution has been published
- The Constitution sets out the purpose, principles and values of the NHS and brings together a number of rights, pledges and responsibilities for staff and service users
- Subject to parliamentary approval the Trust Board will be required to take account of the NHS Constitution when carrying out its business

RECOMMENDATIONS

It is recommended that:

- the Board has regard to the NHS Constitution in all future business
- the Trust's governance policies and associated documents are updated to take account of the NHS Constitution.

WHICH TRUST KEY STRATEGIC OBJECTIVES DOES THIS PAPER PROGRESS OR CHALLENGE?

Supporting clinical care		Skilled workforce	
Getting the basics right	P	Using better information	
Social inclusion		Financial efficiency	
Seeking involvement		Legislation	P

WHICH TRUST VALUES DOES THIS PAPER PROGRESS OR CHALLENGE?

Seeing from a service user perspective			
Excelling and improving		Inclusive open and honest	
Responsive		Can do	
Valuing and respectful		Efficient	

1. CONTEXT

- 1.1 The NHS Constitution (Annex A) was published on 21 January 2009. It was one of a number of recommendations in Lord Darzi's report 'High Quality Care for All'. The NHS Constitution brings together in one place what staff, service users, carers and the public can expect from the NHS. As well as capturing the purpose, principles and values of the NHS, the Constitution brings together a number of rights, pledges and responsibilities for staff and service users. These rights and responsibilities have been developed as the result of extensive discussions and consultations with staff, service users and the public and are intended to reflect what matters to them.
- 1.2 Subject to Parliamentary approval, all NHS bodies and other suppliers of NHS services in England will be required by law to take account of the Constitution in their decisions and actions. The core purpose and values of the NHS will be reinforced by placing a duty on providers and commissioners of NHS services to have regard to the NHS Constitution. This legal duty is contained within the Health Bill, which was introduced into Parliament on 15 January 2009. The Health Bill also sets out the procedure for reviewing and amending the NHS Constitution and handbook. The Government will have a legal duty to renew the Constitution every 10 years.
- 1.3 The Board is asked to review the constitution and agree its adoption. The Trust's governance policies and associated documents will be updated to take account of the NHS Constitution as they are reviewed.