



# Responsive Public Management

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## The UK's public healthcare system : putting the focus back on users

The British public healthcare system is in deep crisis. The Stafford Hospital scandal offers an opportunity to take stock of past reforms and to examine the thorough overhaul of the healthcare sector that began on 1 April 2013<sup>1</sup>.

The National Health Service is one of the flagship achievements of the British Welfare State, which was set up following the publication of the Beveridge Report of 1942. The NHS has, particularly in the past decade, served as a staging area for major public management reforms.

The government's July 2011 White Paper on Open Public Services underscores these many reforms<sup>2</sup>. They include the introduction of tariffs for treatment, specific review of management of end-of-life care and chronic illnesses, the ability to choose one's provider – a new concept in the UK – with help from the [NHS Choices](#) website, patients' remarks being taken into account thanks to the HealthWatch network and the Health and Wellbeing Boards that bring together patients and practitioners. Other reforms include the collection of indicators including waiting times, expansion of the public procurement process and audits of bodies, an incentive payment (the Health Premium) based on progress made in improving healthcare, decentralisation of functions through the constitution of trusts, reconfiguration of sites and services (concentration of specialised medical units, reducing local foundations and healthcare authorities by 50%), increased accountability for practitioners, and the creation of a series of agencies – the National Institute for Health and Clinical Excellence, NHS Estates (set up in 1991 to manage property), the NHS Pensions Agency (1992) and the NHS Purchasing and Supply Agency (2000).

### A scandal indicative of a deep crisis

Between 2005 and 2008, at Stafford Hospital, an institution managed by the Mid Staffordshire NHS Trust, between 400 and 1,200 patients are believed to have died from a flagrant neglect and lack of care (poor hygiene, lack of food and water). Receptionists were left to decide which patients to treat, inexperienced doctors were put in charge of critically ill patients and nurses were not trained to use vital equipment<sup>3</sup>. The oversight mechanisms failed dramatically, at regional level (the Strategic Health Authority (SHA) and the Local Primary Care Trust) as well as at the level of regulatory bodies, including the Healthcare Commission, which (belatedly) sounded the alarm in 2009, and which became the Patients Association and the Care Quality Commission. Finally, there was failure at the level of patient representative groups.

<sup>1</sup> On the impact of reforms carried out since 2005 and the organisation of the NHS in 2010, see the short guide issued by the National Audit Office: [http://www.nao.org.uk/wp-content/uploads/2010/07/short\\_guide\\_doh.pdf](http://www.nao.org.uk/wp-content/uploads/2010/07/short_guide_doh.pdf).

<sup>2</sup> <http://files.openpublicservices.cabinetoffice.gov.uk/OpenPublicServices-WhitePaper.pdf>.

<sup>3</sup> <http://www.bbc.co.uk/news/health-21244190>.

Several inquiries have pointed to cost-cutting measures and excessive focus on the bottom line as sources of the tragedy. A fifth inquiry, entrusted to the lawyer Robert Francis, focused on supervisory and regulatory errors between 2005 and 2009. The thick report<sup>4</sup> that resulted contains 290 recommendations, particularly with respect to minimum standards of care that are mandatory and easier to understand. The hospital's board was held responsible for putting cost-cutting above patient care, and for refusing to listen to complaints. However, neither GPs nor local MPs reacted in time. As a result, the Francis Report not only calls for structural reorganisation, but a fundamental change in culture across the NHS according to which patients come first<sup>5</sup>.

Another study showed that close to 20,000 deaths could have been avoided if authorities had paid more attention to figures indicating high mortality rates in hospitals<sup>6</sup>. Prime Minister David Cameron spoke of systemic failure<sup>7</sup>, and announced that five hospital trusts with persistently high death rates will be placed under investigation.

The government reacted to the Francis Report by announcing an overhaul of the NHS. The measures include obliging student nurses to spend up to a year working as health care assistants, and possible legal sanctions for negligent executives<sup>8</sup>. Furthermore, a new inquiry has recently been launched. It is led by an MP and former *Guardian* journalist whose husband died in hospital due to neglect. An e-mail address has been set up where the general public can submit eyewitness accounts.

This is the crisis-ridden context in which a new Act, which had been negotiated over the past few years, entered into force on 1 April 2013.

## The Health and Social Care Act (HSC Act)

In the wake of the 2010 publication of *Liberating the NHS*, a white paper on public healthcare reform – one immediate consequence of which was cuts to the high salary of NHS executives in September of the same year – at a time of deep cuts to local government budgets, the medical profession and part of the general public viewed the HSC Act as representing the death of the NHS<sup>9</sup>. A number of groups sprang to its defence<sup>10</sup>.

Under the new system<sup>11</sup>, some 160 local organisations that had managed the hospital system (and which had included public managers and patient representatives) would be eliminated and replaced by some 200 Clinical Commissioning Groups consisting of health and social care professionals<sup>12</sup>. The NHS Commissioning Board, which was set up in October 2012, will provide oversight for these Groups and the 10 Strategic Health Authorities (SHA) will disappear.

Efforts to combat unhealthy lifestyles (smoking, alcoholism, drug abuse<sup>13</sup>) and obesity will primarily be the responsibility of local government, as they were prior to 1974<sup>14</sup>. Local authorities will work with the new governmental agency National Health UK. For its part, Healthwatch and its local branches are expected to collect users' opinions. Specialised medical units and those providing life-saving treatments will be grouped together geographically; this will lead to the elimination of some departments in a number of hospitals and the corresponding introduction of local health services managed at local level<sup>15</sup>. Moreover, wages for NHS staff will be set nationally with performance-based bonuses determined locally<sup>16</sup>.

Shifting the status of hospitals to trusts continues throughout the UK, but several trusts are experiencing financial problems and have been placed under supervision, such as South London Healthcare. Privatisation efforts continue as well: for example, the Hinchinbrooke public hospital (Huntingdon) was entrusted to a private-sector firm in 2012<sup>17</sup> and Serco now runs Newmarket Hospital. Privatisation of the lion's share of the medical sector – including equipment purchased with public funds – is now a possibility. It will be facilitated by new NHS regulations on procurement, patient choice and competition.

<sup>4</sup> For the revelations and reactions on 6 February, the day the Francis Report was published, see:  
<sup>5</sup> <http://www.guardian.co.uk/society/blog/2013/feb/06/mid-staffordshire-nhs-trust-inquiry-report-published-live>  
<sup>6</sup> <http://www.bbc.co.uk/news/health-21357532>  
<sup>7</sup> [http://www.publicservice.co.uk/news\\_story.asp?id=22448&utm\\_source=MailingList&utm\\_medium=email&utm\\_campaign=PSWeekly270313](http://www.publicservice.co.uk/news_story.asp?id=22448&utm_source=MailingList&utm_medium=email&utm_campaign=PSWeekly270313)  
<sup>8</sup> <http://www.independent.co.uk/life-style/health-and-families/health-news/nhss-darkest-day-five-more-hospitals-under-investigation-for-neglect-as-report-blames-failings-at-every-level-for-1200-deaths-at-stafford-hospital-8482566.html?printService=print>  
<sup>9</sup> [http://www.publicservice.co.uk/feature\\_story.asp?id=22264&utm\\_source=MailingList&utm\\_medium=email&utm\\_campaign=PSWeekly270313](http://www.publicservice.co.uk/feature_story.asp?id=22264&utm_source=MailingList&utm_medium=email&utm_campaign=PSWeekly270313)  
<sup>10</sup> <http://www.opendemocracy.net/ournhs/marcus-chown/great-nhs-robbery>  
<sup>11</sup> See, for example: [www.ournhs.co.uk](http://www.ournhs.co.uk); [www.keepournhspublic.com](http://www.keepournhspublic.com); [www.opendemocracy.net/ournhs](http://www.opendemocracy.net/ournhs); [www.lookafterournhs.co.uk](http://www.lookafterournhs.co.uk)  
<sup>12</sup> See: [http://www.nao.org.uk/wp-content/uploads/2013/03/Departmental\\_Overview\\_DoH.pdf](http://www.nao.org.uk/wp-content/uploads/2013/03/Departmental_Overview_DoH.pdf)  
<sup>13</sup> <http://www.bbc.co.uk/news/health-21683476>  
<sup>14</sup> For more on these last two topics, see:  
<sup>15</sup> [http://www.local.gov.uk/c/document\\_library/get\\_file?uuid=ef73ac40-827e-4e7f-bb27-9b19fff157c0&groupId=10171](http://www.local.gov.uk/c/document_library/get_file?uuid=ef73ac40-827e-4e7f-bb27-9b19fff157c0&groupId=10171)  
<sup>16</sup> <http://www.bbc.co.uk/news/health-21593335>  
<sup>17</sup> <http://www.bbc.co.uk/news/health-21700166>  
<sup>18</sup> [http://www.publicservice.co.uk/news\\_story.asp?id=22290&utm\\_source=MailingList&utm\\_medium=email&utm\\_campaign=PSWeekly270313](http://www.publicservice.co.uk/news_story.asp?id=22290&utm_source=MailingList&utm_medium=email&utm_campaign=PSWeekly270313)  
See *Veille internationale en brèves*, N°24 - novembre 2011.

In addition, electronic patient records will be introduced by 2015, and the NHS is expected to be fully digital by 2018<sup>18</sup>. Dozens of apps for tablets and smart phones have been developed to help patients manage their health issues<sup>19</sup>. Internet use is expected to be a source of considerable savings<sup>20</sup>, particularly when it comes to meeting the challenges of an aging British population.

Just another structural reform or a real cultural revolution? The coming months will be decisive for the NHS and its 1.3 million employees, and they will have a real impact on wider changes to public management in the UK.

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<sup>18</sup> [http://www.publicservice.co.uk/news\\_story.asp?id=22395&utm\\_source=MailingList&utm\\_medium=email&utm\\_](http://www.publicservice.co.uk/news_story.asp?id=22395&utm_source=MailingList&utm_medium=email&utm_)  
<sup>19</sup> [http://www.publicservice.co.uk/news\\_story.asp?id=22415&utm\\_source=MailingList&utm\\_medium=email&utm\\_](http://www.publicservice.co.uk/news_story.asp?id=22415&utm_source=MailingList&utm_medium=email&utm_)  
<sup>20</sup> [http://www.publicservice.co.uk/news\\_story.asp?id=22418&utm\\_source=MailingList&utm\\_medium=email&utm\\_and](http://www.publicservice.co.uk/news_story.asp?id=22418&utm_source=MailingList&utm_medium=email&utm_and)  
[http://www.publicservice.co.uk/news\\_story.asp?id=22368&utm\\_source=MailingList&utm\\_medium=email&utm\\_campaign=EGov140313](http://www.publicservice.co.uk/news_story.asp?id=22368&utm_source=MailingList&utm_medium=email&utm_campaign=EGov140313)