"The Government’s plans build on the reforms initiated by Ara Darzi’s review of the NHS which put quality centre stage in a way everyone could understand. The current Bill is a natural progression aimed at ensuring, that firstly, our understanding of quality is enshrined in law; secondly, clinical results become the currency of the NHS; thirdly, clinicians play a greater role in setting direction for the delivery of clinical services and are accountable for that freedom; and, above all, patients are given the opportunity to take greater control over how they receive their care."

Professor Sir Bruce Keogh, NHS Medical Director

Context
1. In his report of 2008, Lord Darzi set out that continuous improvement in care quality should be the organising principle of the NHS. This Bill builds on this approach.
2. At its best, the NHS leads the world in making the highest quality care available to all. In many cases, the NHS not only meets these expectations, but exceeds them.
3. However, there are important areas where NHS services fall behind those of other major European countries. For example, a recent OECD report found that if the NHS were to perform as efficiently as the best performing health systems, we could increase life expectancy in the UK by 3 years. In their February 2011 report on cancer, the Public Accounts Committee found that “Early diagnosis is still not happening often enough and this is reflected in poor one year survival rates for most cancers compared to other countries”.

Key legislative changes
4. The Government’s modernisation plans centre on achieving continuous quality improvement for patients, and making services fairer and more efficient. This will be achieved by the NHS frontline – not through central diktat. The Bill therefore is about liberating clinical teams to let them deliver high quality care - in four key ways:
   i. **Clinically-led commissioning.** The Bill puts clinicians in charge of shaping services. This will enable NHS funding to be spent more effectively. Previously clinicians in many areas were frustrated by negotiating with primary care trusts to get the right services for their patients. Supported by the NHS Commissioning Board, new clinical commissioning groups (CCGs) will now directly commission the majority of services for their local populations. In addition, clinical senates and networks will be able to provide additional expertise to improve the design and delivery of patient care.
   ii. **Enabling patients to choose the best services for them.** The Bill promotes patients choice of services, and for the first time enshrines in legislation a level playing field. This enables patients to choose between innovative new providers, such as social enterprises, that can better meet their needs.
   iii. **Outcomes framework and quality standards.** The Bill creates tools that will support continuous quality improvement. The Outcomes Framework defines the NHS’s accountability – and its inception was welcomed by the clinical community. NICE will provide evidence based quality standards, defining what high quality care looks like. Again, this is an innovation supported by clinicians and patients.
   iv. **New duties of quality.** The Bill places Lord Darzi’s quality domains – effectiveness, safety, experience - in legislation. The Secretary of State, the NHS Commissioning Board and CCGs will now have positive duties in relation to securing continuous improvement in the quality of services across these domains.

Factsheet C1 provides an overview of how the Health and Social Care Bill contributes to improving the quality of NHS care. It is part of a wide range of factsheets, all available at: Web: www.dh.gov.uk/healthandsocialcarebill Email: healthandsocialcarebill@dh.gsi.gov.uk
CLINICALLY LED QUALITY IMPROVEMENT – NICE QUALITY STANDARDS

- The Bill puts Quality Standards firmly at the heart of the NHS.
- Both the Secretary of State and the NHS Commissioning Board will have to have regard to Quality Standards, prepared by NICE, as they discharge their duty of quality.
- Clinical commissioning groups will have to have regard to commissioning guidance produced by the Commissioning Board, which will be based on NICE Quality Standards.
- NICE’s worldwide reputation for excellence and proven independence make them ideally placed to take on this role.
- For the first time, therefore, evidence based quality improvement will be central to the delivery of NHS funded care and its management. The Bill puts this firmly at the heart of the health system.
- Breast Cancer Campaign has said: “We support the Government proposal for NICE to develop quality standards”.
- The Royal College of Nursing (RCN) has said: “NICE does an important and sometimes unpopular job in difficult circumstances and remains widely respected within the UK and abroad.”

CLINICALLY LED QUALITY IMPROVEMENT – LEADING THE WORLD IN OUTCOMES MEASUREMENT

- The Bill enshrines a focus on outcomes.
- The first NHS outcomes framework sets out the outcomes and corresponding indicators that will be used to hold the NHS Commissioning Board to account for the outcomes it delivers through commissioning health services from 2012-13. The framework sets direction of travel in the journey towards improving outcomes, and offers an opportunity for the NHS to begin to understand what an NHS focussed on outcomes means for individuals, organisations and the NHS itself.
- The Bill (Cl. 20 inserts S 13 E 4 (b) into the 2006 Act) envisages the publication by the Secretary of State of an outcomes framework and makes it central to the delivery of care. When fulfilling its duty in relation to quality improvement, the Board must have regard to the outcomes in this framework.
- When the first NHS Outcomes Framework was published last year, the Organisation for Economic Co-operation and Development said it “...strongly applauded the decision by the Department of Health to move towards international benchmarking for outcomes.”
- And UCL partners said “...we do not know of a sizable health system internationally with such a comprehensive framework for outcomes”.

FURTHER INFORMATION

- NICE Quality Standards – Access published Quality Standards via the NICE website, as well as updates on plans to produce further Quality Standards in the near future.
- The NHS Outcomes Framework - The first NHS outcomes framework sets out the outcomes and corresponding indicators that will be used to hold the NHS Commissioning Board to account for the outcomes it delivers through commissioning health services from 2012/13. (Dec 2010)
- High Quality Care for All – Publication following the culmination of the Next Stage Review, led by Lord Darzi (June 2008).