



House of Commons

Thursday 7 July 2011

PUBLIC BILL COMMITTEE PROCEEDINGS

HEALTH AND SOCIAL CARE (RE-COMMITTED) BILL

[SEVENTH AND EIGHTH SITTINGS]

The Bill is re-committed in respect of the following Clauses and Schedules:

Clauses 1 to 6, 9 to 11, 19 to 24, 28 and 29, Schedules 1 to 3, Clauses 55 and 56, 58 and 59, 63 to 75, 100 and 101, 112 to 117, 147, Schedules 8 and 9, Clauses 149, 156, 165 and 166, 176, 178 to 180, 189 to 193, Schedule 15, Clauses 242, 265, 285 and 286, 295, 297 and 298.

Liz Kendall
Emily Thornberry
Owen Smith

Page 74, line 29, leave out Clause 55.

Not selected 11

Clause agreed to on division.

Schedule 8 agreed to.

Mr Simon Burns

Clause 56, page 74, line 37, leave out from 'services' to end of line 2 on page 75 and insert 'by promoting provision of health care services which—

Agreed to 148

- (a) is economic, efficient and effective, and
- (b) maintains or improves the quality of the services.'

Liz Kendall
Emily Thornberry
Owen Smith

Clause 56, page 75, line 1, leave out paragraphs (a) and (b) and insert 'by promoting collaboration and integration within health services in England'.

Negated on division 40

Health and Social Care (Re-committed) Bill, *continued*

Mr Simon Burns

Agreed to 149

Clause 56, page 75, line 4, at end insert—

- (2A) Monitor must exercise its functions with a view to preventing anti-competitive behaviour in the provision of health care services for the purposes of the NHS which is against the interests of people who use such services.
- (2B) Monitor must exercise its functions with a view to enabling health care services provided for the purposes of the NHS to be provided in an integrated way where it considers that this would—
 - (a) improve the quality of those services (including the outcomes that are achieved from their provision) or the efficiency of their provision,
 - (b) reduce inequalities between persons with respect to their ability to access those services, or
 - (c) reduce inequalities between persons with respect to the outcomes achieved for them by the provision of those services.
- (2C) Monitor must exercise its functions with a view to enabling the provision of health care services provided for the purposes of the NHS to be integrated with the provision of health-related services or social care services where it considers that this would—
 - (a) improve the quality of those health care services (including the outcomes that are achieved from their provision) or the efficiency of their provision,
 - (b) reduce inequalities between persons with respect to their ability to access those health care services, or
 - (c) reduce inequalities between persons with respect to the outcomes achieved for them by the provision of those health care services.
- (2D) Monitor must, in carrying out its duties under subsections (2B) and (2C), have regard to the way in which—
 - (a) the National Health Service Commissioning Board carries out its duties under section 13J of the National Health Service Act 2006, and
 - (b) commissioning consortia carry out their duties under section 14OC of that Act.’

Mr Simon Burns

Agreed to 150

Clause 56, page 75, line 4, at end insert—

- () Monitor must secure that people who use health care services, and other members of the public, are involved to an appropriate degree in decisions that Monitor makes about the exercise of its functions (other than decisions it makes about the exercise of its functions in a particular case).’

Mr Simon Burns

Agreed to 151

Clause 56, page 75, line 5, leave out subsection (3).

Mr Simon Burns

Agreed to 152

Clause 56, page 75, line 6, at end insert—

- () Monitor must obtain advice appropriate for enabling it effectively to discharge its functions from persons who (taken together) have a broad range of professional expertise in—
 - (a) the prevention, diagnosis or treatment of illness (within the meaning of the National Health Service Act 2006), and

Health and Social Care (Re-committed) Bill, continued

- (b) the protection or improvement of public health.’

Mr Simon Burns

Agreed to 153

Clause 56, page 75, line 9, at end insert—

- ‘() Monitor must not exercise its functions for the purpose of causing a variation in the proportion of health care services provided for the purposes of the NHS that is provided by persons of a particular description if that description is by reference to—
- (a) whether the persons in question are in the public or (as the case may be) private sector, or
- (b) some other aspect of their status.’

Mr Simon Burns

Agreed to 154

Clause 56, page 75, line 9, at end insert—

- ‘() In this section—
- “health-related services” means services that may have an effect on people’s health but are not health care services or social care services;
- “social care services” means services that are provided in pursuance of the social services functions of local authorities (within the meaning of the Local Authority Social Services Act 1970).’

Mr Simon Burns

Agreed to 155

Clause 56, page 75, line 10, leave out subsections (5) to (8).

Liz Kendall
Emily Thornberry
Owen Smith

Not selected 12

Page 74, line 35, leave out Clause 56.

Clause, as amended, agreed to on division.

Mr Simon Burns

Agreed to 156

Clause 58, page 76, line 11, at end insert—

- ‘() the desirability of persons who provide health care services for the purposes of the NHS co-operating with each other in order to improve the quality of health care services provided for those purposes.’

Liz Kendall
Emily Thornberry
Owen Smith

Not selected 13

Page 75, line 38, leave out Clause 58.

Health and Social Care (Re-committed) Bill, *continued*

Clause, as amended, agreed to.

Liz Kendall
Emily Thornberry
Owen Smith

Not selected 14

Page 76, line 29, leave out Clause 59.

Clause agreed to.

Mr Simon Burns

Agreed to 157

Clause 63, page 79, line 29, leave out 'a function' and insert 'any function of Monitor's'.

Liz Kendall
Emily Thornberry
Owen Smith

Not selected 15

Page 79, line 27, leave out Clause 63.

Clause, as amended, agreed to.

[Adjourned until Tuesday 12 July at 10.30 am]