



Department
of Health &
Social Care

Freedom of Information Team
Department of Health and Social Care
39 Victoria Street
London SW1H 0EU

www.gov.uk/dhsc

Ms Amanda Hart

By email to: request-904536-5c51c632@whatdotheyknow.com

31 October 2022

Dear Ms Hart,

Freedom of Information Request Reference FOI-1420235

Thank you for your request dated 1 October to the Department of Health and Social Care (DHSC), a copy of which can be found in the accompanying annex.

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

DHSC holds information relevant to your request.

However, as the information held by DHSC is in the public domain we will, under section 21 of the FOIA (information accessible to the applicant by other means), refer you to the published sources.

DHSC published the following consultation responses:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216980/Liberating-the-NHS-No-decision-about-me-without-me-Government-response.pdf;

https://webarchive.nationalarchives.gov.uk/ukgwa/20130104230743/http://www.dh.gov.uk/en/Consultations/Closedconsultations/DH_119651;

<https://www.gov.uk/government/publications/liberating-the-nhs-developing-the-healthcare-workforce-a-summary-of-consultation-responses>; and

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216664/dh_129580.pdf.

DHSC also published the future forum response here:

<https://www.gov.uk/government/publications/nhs-future-forum-recommendations-to-government-on-nhs-modernisation>.

Turning to part one of your request, *Government wanting to remove the duty on the Secretary of State to provide healthcare for all - which is now the case as per the Act*, the Secretary of State for Health and Social Care has a duty to secure the provision of

healthcare.

Turning to part two of your request, *Government wanting to introduce insurance structures into the NHS like in the US which is now the case as per the Act*, DHSC neither wants nor has introduced insurance structures into the legislation.

Finally, turning to part three of your request, *Give Secretary of State the powers to create a market and allow providers to pick and choose which patients will get care and which patients won't get care - which is now the case as per the Act*, DHSC has not allowed providers to pick and choose which patients will get care – patients still have a right to a comprehensive health service.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be sent to freedomofinformation@dhsc.gov.uk or to the address at the top of this letter and be submitted within two months of the date of this letter.

Please remember to quote the reference number above in any future communication.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

Guidance on contacting the ICO can be found at <https://ico.org.uk/global/contact-us> and information about making a complaint can be found at <https://ico.org.uk/make-a-complaint>.

Yours sincerely,

Freedom of Information Team
FreedomOfInformation@dhsc.gov.uk

Annex

*From: Amanda Hart <request-904536-5c51c632@whatdotheyknow.com>
Sent: 01 October 2022 16:04
To: FreedomofInformation <freedomofinformation@dhsc.gov.uk>
Subject: Freedom of Information request - Public consultation(s) for the Health and Social Care Bill 2012*

Dear Department of Health and Social Care,

Please kindly provide a copy of the public consultation(s) for the Health and Social Care Bill 2012 and anonymised responses (before it became an Act).

We're particularly interested in what the public said in response to:

- 1. Government wanting to remove the duty on the Secretary of State to provide healthcare for all - which is now the case as per the Act.*
- 2. Government wanting to introduce insurance structures into the NHS like in the US which is now the case as per the Act.*
- 3. Give Secretary of State the powers to create a market and allow providers to pick and choose which patients will get care and which patients won't get care - which is now the case as per the Act.*

For public reference:

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.legislation.gov.uk%2Fukpga%2F2012%2F7%2Fcontents%2Fenacted&data=05%7C01%7Cdhmail%40dhsc.gov.uk%7C29fa7e5bb20b400d718f08daa52dff5e%7C61278c3091a84c318c1fef4de8973a1c%7C1%7C0%7C638003914211747060%7CUnknown%7CTWFPbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=GQ4BSilfWhrviVGrVT0VDeRfIJsyRfqEV0LUu63%2Fk6g%3D&reserved=0>

Yours faithfully,

*Amanda Hart
Stop UK lies and Corruption*

