

The Devolution Bill

The Devolution Bill, slowly making its way through Parliament, feels like a background presence in conversations about the future of the NHS. With just five months left to fill huge provider deficits, by any means necessary, and with the near certainty of junior doctors going on strike, worries about constitutional tinkering seem almost frivolous.

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The healthcare devolution plans emerging from Manchester don’t immediately seem to take us into the unknown. In one light, the new NHS-led regional structure, with its emphasis on settling disputes and coordinating plans, looks not so very different to a good old regional health authority.

But the Devolution Bill lays the foundations for far more ambitious changes: a complete reconstruction of the English state, from which the NHS is not exempted.

New powers

At the heart of the Bill is a new power for the government, through relatively lightly scrutinised secondary legislation, to transfer the functions and property of **any** “public authority” to a county council or a combined authority. Public authorities include NHS England, CCGs, regulators, and trusts including foundation trusts

The functions to be transferred could include not just the commissioning, but also the provision of every area of NHS care. Once the Bill becomes law, a one-way process for future devolution will be in place for years, and decades, of further transfers of power.