



HEALTHWATCH & PUBLIC INVOLVEMENT ASSOCIATION

David Bennett,
Chief Executive,
Monitor,
Wellington House
133-155 Waterloo Road
SE1 8UG

April 4th 2015

Dear David,

You will recall that following the 'Choice and Competition – Delivering Real Choice' report in June 2011 that it was agreed that competition should be employed where it serves the interests of citizens and the choices they wish to make, and that it should operate within a framework that ensures integration, and safeguards choice, quality and patient safety.

At that time you agreed with Keith Holden from NHSE to working in partnership to develop a 'one-stop' web-based resource to help commissioners, providers and patients understand and use choice and competition in the health care system.

You will recall that the objectives of this resource were intended to help commissioners and providers deliver improved outcomes for patients, by helping them to understand the role of choice and competition. You particularly acknowledged that there was a need for clarity in relation to:

1. The evidence base about the circumstances in which choice and competition can be an effective means for delivering higher quality and more efficient services for patients;
2. Producing effective guidance materials, case studies and tools to help commissioners make their commissioning and procurement decisions;
3. The rules and requirements that should guide commissioners;
4. Best practice in implementing those rules and requirements, and about how they will be enforced.

You promised in March 2013 that for the first time key materials that can have a bearing on choice and competition in the NHS would be made available on a website and that you would provide the following reassurances on that website:

- that patients clinical needs would always come first and that no decisions made by Monitor would require any decision to be made that conflicts with this priority;
- confirmation that it is for commissioners to decide if and when to introduce choice and competition, where this is clearly in the interests of patients, and that this approach will go beyond the rights set out in the NHS Constitution;
- that there will be access to sets of guidance that the NHSE and Monitor are respectively developing in consultation with commissioners and providers, setting out best practice in commissioning and procurement and guidance on how to comply with the Regulations;

I cannot find evidence of the existence of this website or the materials that were to be put on the site. If it exists can please let me know how to find it. If it does not exist can you let me know why and where can I find the relevant materials?

Could you also please let me know how you are dealing with the following issues?

- 1) How are commissioners upholding patients' rights to choice in acute and primary care?
- 2) What framework are commissioners using to make decisions if and when to introduce choice or use a competitive procurement processes in the interests of patients?
- 3) How are you helping commissioners and providers to develop a better understanding of where choice and competition may be appropriate?
- 4) What are you doing to ensure that choice and competition are helping to improve patient outcomes and what evidence do you have on the positive and negative outcomes?
- 5) How are NHSE and Monitor working together to strengthen the evidence base, so that commissioners can decide if and when choice and competition are appropriate for the services they would like to commission for their local communities?
- 6) Where services are underperforming, what action are commissioners taking to bring about improvement, in relation to choice and competition and the integration of services?
- 7) What guidance have you produced to demonstrate how choice and competition can operate for the benefit of patients, and in delivering more integrated care and support?

- 8) Can you let me know what changes have been made to the commissioning and procurement of clinical services by Monitor and NHSE following responses to the Fair Playing Field Review recommendations?

I look forward to receiving your comments on these issues.

Yours sincerely



Malcolm Alexander
Chair

Copy to Keith Holden