

Introduction

The NHS is founded on a common set of principles and values that bind together the communities and people it serves – patients and public – and the staff who work for it.

This Constitution establishes the principles and values of the NHS in England.

It sets out rights to which patients, public and staff are entitled, and pledges which the NHS is committed to achieve, together with responsibilities which the public, patients and staff owe to one another to ensure that the NHS operates fairly and effectively.

All NHS bodies and private and third sector providers supplying NHS services are required by law to take account of this Constitution in their decisions and actions.

The Constitution will be renewed every 10 years, with the involvement of the public, patients and staff.

Making it available to Patients

The text of the Constitution on the following pages will be incorporated into the Practice Website www.yorkmedicalgroup.nhs.uk.

How York Medical Group implements the NHS Constitution

Principles

The Practice:

- Provides a comprehensive service, available to all irrespective of gender, race, disability, age, sexual orientation, religion, belief, gender reassignment, pregnancy and maternity or marital or civil partnership status, and has a duty to respect their human rights.
- Promotes equality through the services it provides, paying particular attention to groups or sections of society where improvements in health and life expectancy are not keeping pace with the rest of the population.
- Provides access to services based on clinical need, not on an individual's ability to pay.
- Aspires to the highest standards of excellence and professionalism, providing safe, secure and effective high-quality care focused on patient experience.
- Ensures that it is effectively led and managed, and that staff receive necessary education, training and development.
- Ensures that in line with the Armed Forces Covenant, those in the armed forces, reservists, their families and veterans are not disadvantaged in accessing health services in the area they reside.
- Ensures its services reflect the needs and preferences of patients, their families and carers, who will be involved in and consulted on all decisions about their care and treatment.
- Ensures that it works across organisational boundaries and in partnership with other organisations in the interest of patients, local communities and the wider population.
- Is accountable to the public, communities and patients that it serves.
- Implements a system of responsibility and accountability for taking decisions that is transparent and clear to the public, patients and staff.

Patient Rights

Patients have the right:

- To receive NHS services free of charge, apart from certain limited exceptions sanctioned by Parliament.
- To access NHS services and not be refused access on unreasonable grounds.
- To receive care and treatment that is appropriate to them, meets their needs and reflects their preferences.
- To expect the Practice to assess the health requirements of the local community and to commission and put in place the services to meet those needs as considered necessary.
- In certain circumstances to go to other European Economic Area countries or Switzerland for treatment which would be available through the NHS.
- Not to be unlawfully discriminated against in the provision of NHS services, including on grounds of gender, race, disability, age, sexual orientation, religion, belief, gender reassignment, pregnancy and maternity or marital or civil partnership status.
- To access services within maximum waiting times, or to be offered a range of alternative providers if this is not possible.
- To be treated with a professional standard of care, by appropriately qualified and experienced staff, in a properly approved or registered organisation that meets required levels of safety and quality.
- To be cared for in a clean, safe, secure and suitable environment.
- To be treated with dignity and respect, in accordance with their human rights.
- To be protected from abuse and neglect, and care and treatment that is degrading.

- To accept or refuse treatment that is offered, and not to be given any physical examination or treatment unless valid consent has been given.
- To be given information about their proposed treatment in advance, including any significant risks and any alternative treatments which may be available, and the risks involved in doing nothing.
- To access their own health records and to have any factual inaccuracies corrected.
- To privacy and confidentiality and to expect the Practice to keep their confidential information safe and secure.
- To be informed about how their information is used.
- To request that their confidential information is not used beyond their own care and treatment, and to have their objections considered, and where their wishes cannot be followed, to be told the reasons including the legal basis.
- To choose their GP practice, and to be accepted by that Practice unless there are reasonable grounds to refuse, in which case they will be informed of those reasons.
- To express a preference for using a particular doctor within their GP practice, and for the practice to try to comply.
- To transparent, accessible and comparable data on the quality of local healthcare providers, and on outcomes, as compared to others nationally.
- To make choices about their NHS care and to information to support these choices.
- To be involved in discussions and decisions about their healthcare, and to be given information to enable them to do this.
- To an open and transparent relationship with the organisation providing their care.
- To be involved, directly or through representatives, in the planning of healthcare services, the development and consideration of proposals for changes in the way those services are provided, and in decisions to be made affecting the operation of those services.
- To have any complaint they make about NHS services dealt with efficiently, to have it properly investigated, know the outcome and escalate the complaint to the independent Parliamentary and Health Service Ombudsman or Local Government Ombudsman.
- To discuss the manner in which any complaint is to be handled.
- To be kept informed of progress and to know the outcome of any investigation into a complaint.
- To make a claim for judicial review if they think they have been directly affected by an unlawful act or decision of an NHS body.
- To compensation where they have been harmed by negligent treatment.

Patient Responsibilities

- To make a significant contribution to their own, and their family's, good health and well-being, and take some personal responsibility for it.
- To treat NHS staff and other patients with respect and recognise that causing a nuisance or disturbance on NHS premises could result in prosecution.
- To provide accurate information about their health, condition and status.
- To keep appointments, or cancel within reasonable time.
- To follow the course of treatment which they have agreed, and talk to their clinician if they find this difficult.
- To participate in important public health programmes such as vaccination.
- To ensure that those closest to them are aware of their wishes about organ donation.
- Patients are encouraged to give feedback – both positive and negative – about the treatment and care they have received, including any adverse reactions they may have had.

Practice Staff Rights

Practice Staff have the right:

- To a good working environment with flexible working opportunities, consistent with the needs of patients and with the way that people live their lives.
- To have a fair pay and contract framework.
- To be involved and represented in the workplace.
- To have healthy and safe working conditions and an environment free from harassment, bullying or violence.
- To be treated fairly, equally and free from discrimination.
- To in certain circumstances take a complaint about their employer to an Employment Tribunal.
- To raise any concern with their employer, whether it is about safety, malpractice or other risk, in the public interest.

NHS Pledge to Staff Members

The NHS Commits:

- To provide a positive working environment for staff and to promote supportive, open cultures that help staff do their job to the best of their ability.
- To provide all staff with clear roles and responsibilities and rewarding jobs for teams and individuals that make a difference to patients, their families and carers and communities.
- To provide all staff with personal development, access to appropriate training for their jobs and line management support to fulfil their potential.
- To provide support and opportunities for staff to maintain their health, well-being and safety.
- To engage staff in decisions that affect them and the services they provide, individually, through representative organisations and through local partnership working arrangements. All staff will be empowered to put forward ways to deliver better and safer services for patients and their families.
- To have a process for staff to raise an internal grievance.
- To encourage and support all staff in raising concerns at the earliest reasonable opportunity about safety, malpractice or wrongdoing at work, responding to and, where necessary, investigating the concerns raised and acting consistently with the Employment Rights Act 1996.

Practice Staff Responsibilities

Practice Staff have the duty:

- To accept professional accountability and maintain the standards of professional practice as set by the appropriate regulatory body applicable to their profession or role.
- To take reasonable care of health and safety at work for themselves, their team and others, and to co-operate with employers to ensure compliance with health and safety requirements.
- To act in accordance with the express and implied terms of their contract of employment.
- Not to discriminate against patients or staff and to adhere to equal opportunities and equality and human rights legislation.
- To protect the confidentiality of personal information that they hold unless to do so would put anyone at risk of significant harm.
- To be honest and truthful in applying for a job and in carrying out that job.

Source:

The NHS Constitution (July 2015):

<https://www.gov.uk/government/publications/the-nhs-constitution-for-england>

This link contains the following documents;

- The NHS Constitution for England
- Handbook to the NHS Constitution
- Public Health Supplements to the NHS Constitution
- NHS Constitution for England (Easy Read Version)
- NHS Constitution (Easy Read Poster)
- NHS Complaints Guidance
- NHS Complaints Guidance (Leaflet)