



Department of Health & Social Care

*From the Rt Hon Victoria Atkins MP
Secretary of State for Health and Social Care*

Steve Brine MP
Chair, Health and Social Care Select Committee
House of Commons
SW1A 0AA
By email only

29 April 2024

Dear Steve,

NHS Constitution for England

The NHS Constitution sets out rights to which patients, staff and the public in England are entitled; the pledges which the NHS is committed to achieve; and all of our responsibilities. The NHS Constitution is renewed at least every 10 years to ensure that the principles and values which underpin the NHS are fit for the next decade and beyond.

Tomorrow, I am launching a consultation to update the NHS Constitution, to embed the privacy, dignity, and safety of all patients in how the NHS operates. This review is crucial to ensuring the principles underpinning our NHS are delivering a healthcare system that is faster, simpler, and fairer for everyone.

In the proposed changes to the [NHS Constitution for England](#), patients will be empowered to request that intimate care is carried out by someone of the same biological sex. Similarly, it will make clear that you should be accommodated on wards with people of the same biological sex – including the legitimate and proportionate basis on which transgender patients may be provided with separate accommodation in accordance with the Equality Act 2010. Changes to delivery guidance on single-sex accommodation will follow.

The Constitution proposals make clear what patients can expect from NHS services in meeting their needs, including the different biological needs of the sexes. Illnesses and conditions that we know impact men and women differently should be communicated in a clear and accurate way.

We are embedding the commitment for patients and their family members to initiate a rapid review of their care from outside their initial care team, where the patient's condition is deteriorating. This builds on work to roll out Martha's Rule, following the tragic death of Martha Mills. Not only will this improve patient safety, but it also puts patients at the heart of their own care.

We are ensuring the health system uses the best data available to understand the range of healthcare needs within local communities, including rural and coastal areas, to reduce

disparities in access, experience and outcomes. We are also strengthening responsibilities on patients to cancel or reschedule appointments when they cannot attend. In turn, we are making clear that the NHS should be communicating appointment information clearly.

Finally, we are making clear that patients should always expect that their physical and mental health care is person-centred, coordinated, and tailored to their needs.

The government will consider responses from patients, the public, staff, and NHS organisations, before publishing a response and a new NHS Constitution. The consultation will run for eight weeks.

Yours ever,

A handwritten signature in blue ink, reading 'Victoria Atkins'. The signature is fluid and cursive, with the first name 'Victoria' and the surname 'Atkins' clearly distinguishable.

RT HON VICTORIA ATKINS MP
SECRETARY OF STATE FOR HEALTH AND SOCIAL CARE