
Interim Guidelines Consultation
Cooperation and Competition Panel
1 Horse Guards Road
London
SW1A 2HQ

8 April 2009

Dear Sir/Madam

Co-operation and Competition Panel

As you are aware NHS services are now increasingly provided by a wide range of organisations all competing within "the market". The proposed Co-operation and Competition Panel for NHS-funded services is to help deliver the supposed benefits of competition. It will investigate potential breaches of the Principles and Rules as defined by the Department of Health. It will also advise the Department of Health and the foundation trust regulator Monitor.

I believe that "The Co-operation and Competition Panel" is a misnomer as its remit is so heavily weighted in favour of promoting competition, whilst neglecting the considerable benefits of cooperation.

The benefits of competition in healthcare are unproven. The benefits of cooperation are absolutely obvious: more streamlined care for patients, sharing of information, sharing training, providing cross cover for staff with specialist skills, etc.

In 2003/04 Ashton, Leigh & Wigan PCT, my employer, were obliged by the SHA (in turn obliged by the DH) to guarantee 15% of the volume of hip replacement surgery to the recently opened Independent Sector Treatment Centre in Trafford. Not a single Board member (exec nor non-exec) supported this forced diversion of services from our local hospital Trust. We were instructed to give patients choice. We duly gave them choice, and nearly everyone chose Wrightington, the local provider which was one of the world leaders in the development of joint replacement surgery. The result we paid twice. Incentives were brought in to encourage patients to choose the Trafford Centre, e.g. offer of transport. So because of their competitive

advantage the "independent" sector now has a presence in our area. So it appears the proposed Co-operation and Competition Panel will prevent this sort of thing happening in the future. I wish I could have confidence that this would indeed be the case.

I request that the following questions are considered:

- Will the panel ensure that the alternative of a publicly led service is included in consultations about future tenders?
- Will the tendering process be fair and transparent, with no discrimination against NHS organisations in favour of the commercial for-profit sector?
- Will the public be consulted on an ongoing basis about local tenders e.g. via local involvement networks (LINKs)?
- Will the panel foster co-operation not only between commissioners and providers, but *between* providers?

Yours faithfully

Julie Hotchkiss SRN BSc(Hons) MPH FFPH