

Joint statement on the NHS Constitution consultation process

We have come together as a coalition of patient charities to highlight our concerns surrounding the consultation process for the 10-year review of the NHS Constitution, which opened on 30 April and will close on 25 June.

We welcomed the opportunity for the general public to have their say on the NHS Constitution, which sets out the principles, values, rights and pledges underpinning the NHS for the next ten years. This consultation could not be more timely, as according to [YouGov's](#) most recent figures (as of 27 May 2024), 45% of people polled consider health to be the most important issue facing the country, ranking only below the economy at 51%.

This should be one of the most important health consultations in the last decade, as it enshrines the rights of citizens in England to healthcare in England.

The recent General Election announcement will disrupt the consultation and people's ability to respond. In order to comply with rules and [regulations around the election](#), the Department of Health and Social Care will cease any planned promotion of the consultation, which up to this point had already been lacking. According to recent polling by [Healthwatch England](#), fewer than one in four people have ever heard of the NHS Constitution. With half of the 8-week consultation falling within the general election campaign period, **we are now calling for the process to be paused or extended beyond the election.**

We believe that such an important document should be shaped by the next government, following the general election, who will have a clear mandate for any proposed changes.

Furthermore, in this key moment, where it is vital for everyone to have their say, we have grave concerns that **the consultation process itself is inaccessible and therefore excludes a large proportion of the population.**

The ways in which the consultation response process falls short are:

- **It is only being conducted online**, with no plans for in-person or paper-based engagement. According to [Good Things Foundation](#), 8.5 million people lack basic digital skills, such as those required to complete the consultation. Additionally, many people are digitally

literate, but cannot afford online access - 1.5 million people don't have a smartphone, tablet or laptop. ([Good Things Foundation](#))

- **The language used in the consultation document is very technical**, estimated to require a reading age of 15-18 years, yet the [National Literacy Trust](#) says 7.1 million people in the UK can be described as having “very poor literacy skills”, well below this level. Furthermore, many people are unaccustomed to completing consultation responses, creating an additional barrier.
- **An Easy Read response was only published very recently, halfway through the consultation process.** The timing with the general election means there is an extremely limited opportunity to promote this. It is crucial that people who have a learning disability, and people who prefer to read materials in this format can respond to the consultation.
- **There is no support for British Sign Language (BSL) users.** This is not only deeply disappointing given that BSL became an officially recognised language in 2022, but further excludes Deaf people, who we know from [SignHealth](#) already face significant health inequalities.
- **There are no translated versions available.** According to [ONS](#), in England and Wales, 7.1% of the population in England and Wales were proficient in English but did not speak it as their main language, 1.5% of people could not speak English well, and 0.3% could not speak English at all. The content associated with the consultation response is likely to fall outside of regular conversational English, and as such, even those who are proficient in English may find it a challenge to engage with. Those who do not speak English well, or at all, are simply excluded from responding.

The NHS Constitution consultation aims to hear from patients, carers, NHS staff and the public. However, due to the reasons detailed above it cannot claim to be open to all and therefore is unable to achieve its aim. As much as a quarter of the population could be excluded because of these reasons.

Many of those individuals and groups excluded from responding to the consultation can be identified in the [Core20PLUS5 approach](#), and arguably this makes their response ever more important in the overall goal of tackling health inequalities.

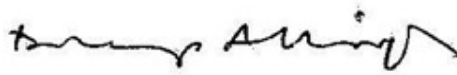
To fail to properly and appropriately engage the public in the 10-year review of the NHS Constitution, an overarching and vital document, and to run the

consultation during an election period which prevents publicity, leaves the next Government badly exposed to having a judicial review brought against them. The Department of Health and Social Care must therefore pause or extend this consultation as a matter of urgency, and the next Government with a proper mandate on the NHS should restart this vital conversation with the public; this time ensuring that nobody is excluded.

With kind regards,



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Group of Charities

With the support of 71 patient charities:

Adfam
ADHD Hub Gloucestershire
Age UK
Allergy UK
Arthritis Action
Aspergillosis Trust
Asthma + Lung UK
Behind the Smile
Better Living CIO
BHA For Equality
Borderline Support UK CIC
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Cauda Equina Champions Charity
Clinks
Compassion in Dying
Crohn's & Colitis UK
Culture, Health & Wellbeing Alliance
Diabetes UK
Disability Rights UK
Dystonia UK

Epilepsy Action
Equally Well UK
Fifth Sense
Forgotten Lives UK
Friends, Families & Travellers
GAIN (Guillain-Barré and Associated Inflammatory Neuropathies)
GIRES (Gender Identity Research & Education Society)
Hounslow Borough Respiratory Support Group
ICUsteps
Lipoedema UK
Long Covid Kids
Long Covid SOS
Macmillan Cancer Support
Macular Society
Men's Health Forum
Mind
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Stroke Association
SUDEP Action

SWAD (Sex With A Difference)
Taraki Wellbeing
The Neurological Alliance
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