

The Queen's speech 2019

The second Queen's Speech of the 2017 Parliament sets the priorities for Boris Johnson's new government and the planned legislative agenda for the year ahead.

The Prime Minister said that the Queen's Speech "*delivers on my promise as Prime Minister to get this amazing country of ours moving again.*" He emphasised that people don't want to wait any longer "*for improvements in their hospitals*" and that he has been proud to "*be the midwife to the biggest hospital building programme in a generation, alongside the 20 urgent hospital upgrades I announced on my first day in the job.*"

However, the current political context has made this year's Queen's Speech more controversial than any in recent history, with questions hanging over how deliverable the speech will be given that Boris Johnson is leading a minority government, and with much depending on the nature and timing of the UK's exit from the EU.

This briefing contains an overview of key announcements relevant to health and social care, including the two health-related bills that have secured legislative time, along with a summary of other legislation of interest and draft bills.

Health and social care focused announcements

The Queen's Speech has introduced two bills directly related to health and social care (the Health Service Safety Investigations Bill and the Medicines and Medical Devices Bill), with the possibility of two more (on the NHS long term plan and on adult social care). The government has also committed to continuing to reform the current Mental Health Act.

Subject to political changes, the two confirmed bills will likely be introduced before Christmas. The draft legislation to implement the recommendations of the NHS Long Term Plan is currently expected to be published in January for pre-legislative scrutiny.

Health Service Safety Investigations Bill

“Legislation will be taken forward to establish the Health Service Safety Investigations Body. This will be the world’s first such body, charged with independence and powers to investigate incidents that occur during the provision of NHS services that have, or may have, implications for the safety of patients.”

Provisions of the Bill will include:

- Establishing a Health Service Safety Investigations Body as a new Executive Non-Departmental Public Body, with powers to conduct investigations into incidents that occur during the provision of NHS services and have, or may have, implications for the safety of patients.
- Prohibiting the disclosure of information held by that investigations body, except in limited circumstances. This will allow participants to be candid in the information they provide and ensure thorough investigations.
- Improving the quality and effectiveness of local investigations by developing standards and providing advice, guidance and training to organisations.
- Amending the Coroners and Justice Act 2009, giving English NHS bodies the power to appoint medical examiners and placing a duty on the Secretary of State to ensure that enough medical examiners are appointed in England.

The draft HSSIB Bill went through pre-legislative scrutiny. You can read NHS Providers’ submissions to this work, and the parliamentary and government reports as below:

- Full submission: <https://nhsproviders.org/resource-library/submissions/submission-to-the-joint-committee-on-the-draft-health-service-safety-investigations-bill>
- Follow up letter: <http://nhsproviders.org/media/495496/nhs-providers-letter-to-joint-committee-on-hssib-22-june-2018.pdf>
- Oral evidence: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/draft-health-service-safety-investigations-bill-committee/draft-health-service-safety-investigations-bill/oral/84918.html>
- Report by the Joint Committee on the Draft Health Service Safety Investigations Bill: <https://publications.parliament.uk/pa/jt201719/jtselect/jthssib/1064/106402.htm>
- Government response: <https://www.gov.uk/government/publications/government-response-to-health-service-safety-investigations-bill-report>

Medicines and Medical Devices Bill

“A Medicines and Medical Devices Bill will capitalise on opportunities to ensure that our NHS and patients can have faster access to innovative medicines, while supporting the growth of our domestic sector.”

Provisions of the Bill will include:

- Replicating powers over medicines and medical devices regulations contained in EU law.
- Making it simpler for NHS hospitals to manufacture and trial the most innovative medicines and diagnostic devices.
- Enabling the UK to be a world leader in the licensing and regulation of innovative medicines and devices, ensuring patients have access to the best possible treatments and supporting our domestic life sciences industry.
- Ensuring that the government can update legislation relating to medical devices, medicines, veterinary medicines, new innovative practices and clinical trials both in response to patient safety concerns and as it agrees the future global relationship of the UK in these areas.

NHS long term plan

“New laws will be taken forward to help implement the National Health Service’s Long Term Plan in England.”

The government has committed to implementing NHS England’s proposals for legislative change to support the delivery of the long term plan. Specifically, the government plans to:

- Consider NHS England and NHS Improvement’s recommendations for legislative changes thoroughly and bring forward detailed proposals shortly.
- In due course, publish draft legislation that will accelerate the long term plan for the NHS, transforming patient care and future-proofing our NHS.

NHS Providers has undertaken significant engagement with NHS England and NHS Improvement on the development of the proposals. You can see our recent on the day briefing summarising the proposals and key developments here: <https://nhsproviders.org/resource-library/briefings/on-the-day-briefing-legislative-proposals-for-an-nhs-bill>

Adult social care

“My Government will bring forward proposals to reform adult social care in England to ensure dignity in old age.”

The government plans to:

- Consult on a 2% precept that will enable councils to access a further £500m for adult social care. This funding will support local authorities to meet rising demand and will continue to stabilise the social care system.
- Bring forward substantive proposals to fix the crisis in social care to give everyone the dignity and security they deserve. This will include setting out legislative requirements.

Mental health reform

“My Ministers will continue work to reform the Mental Health Act to improve respect for, and care of, those receiving treatment.”

The government will:

- Publish a White Paper by the end of this year, setting out a response to the independent review of the Mental Health Act (commissioned in 2017). This will pave the way for reform to the Mental Health Act, and tackle issues addressed by the review.
- Ensure that people subject to the Act receive better care and have a much greater say in that care.
- Improve patient choice and autonomy, for example by enabling patients to set out their preferences around care and treatment in advance.
- Reform the process of detention, care and treatment while detained, including by providing patients with the ability to challenge detention.

Brexit-related bills of interest

The Queen’s Speech includes seven bills to support the delivery of Brexit: European Union (Withdrawal Agreement) Bill, Agriculture Bill, Fisheries Bill, Trade Bill, Immigration and Social Security Co-ordination (EU Withdrawal) Bill, Financial Services Bill and Private International Law (Implementation Agreements) Bill.

Based on the status of the negotiations, the government plans for parliament to vote on the European Union (Withdrawal Agreement) Bill on Saturday 19 October. The status of the other Brexit bills is less clear. Earlier in the Brexit process, the assumption had been that certain bills (including the majority of these Brexit related Bills), would have to be implemented before the UK left the EU. However, that view is no longer held by the government and it is therefore difficult to predict when and if these bills will be introduced.

European Union (Withdrawal Agreement) Bill

“We remain committed to securing a deal with the EU and negotiating an ambitious future relationship, based on free trade and friendly cooperation. The European Union (Withdrawal Agreement) Bill will ratify that deal once secured.”

Immigration and Social Security Co-ordination (EU Withdrawal) Bill

“An immigration bill, ending free movement, will lay the foundation for a fair, modern and global immigration system. My Government remains committed to ensuring that resident European citizens, who have built their lives in, and contributed so much to, the United Kingdom, have the right to remain. The bill will include measures that reinforce this commitment.”

This bill will:

- Bring an end to free movement in UK law, to ensure that the Government can deliver a new points-based immigration system from 2021.
- Make EU citizens arriving after January 2021 subject to the same UK immigration controls as non-EU citizens, to enable the Government to deliver a single global immigration system based on people's skills.
- Clarify the immigration status of Irish citizens once the free movement migration framework is repealed. This means Irish citizens will generally not require leave to enter or remain in the UK.
- Enable the Government to deliver future changes to social security co-ordination policy.

Trade Bill

"Legislation will be taken forward to capitalise on the opportunities that will come from our newly independent trade policy and deliver for UK businesses and customers."

The purpose of this bill will be to:

- Make the most of new opportunities that come from having an independent trade policy after Brexit, delivering for UK businesses and consumers by:
 - Rolling over trade agreements with third parties,
 - Ensuring access to procurement opportunities under the Government Procurement Agreement, and
 - Protecting them from unfair trade practices or unforeseen surges in imports.

Further bills of interest

In addition to health and social care and Brexit announcements, the Queen's Speech introduced further proposals that may be of interest.

Environment Bill

"My Ministers remain committed to protecting and improving the environment for future generations. For the first time, environmental principles will be enshrined in law. Measures will be introduced to improve air and water quality, tackle plastic pollution and restore habitats so plants and wildlife can thrive. Legislation will also create new legally-binding environmental improvement targets. A new, world-leading independent regulator will be established in statute to scrutinise environmental policy and law, investigate complaints and take enforcement action."

The proposed Environment Bill is wide ranging, but a key purpose of the Bill is to:

- Improve air quality by increasing local powers to address sources of air pollution, enabling local authorities to tackle emissions from burning coal and wood, and bringing forward powers for Government to mandate recalls of vehicles when they do not meet relevant legal emission standards.

Building safety standards legislation

“My Ministers will ... bring forward laws to implement new building safety standards.”

The proposed legislation is wide ranging, but a key purpose is to:

- Learn the lessons from the Grenfell Tower fire, and put in place new and modernised regulatory regimes for building safety and construction products, ensuring residents have a stronger voice in the system.

Serious Violence Bill

“A new duty will be placed on public sector bodies, ensuring they work together to address serious violence.”

The purpose of the Bill is to:

- Create a new duty on a range of specified agencies across different sectors, such as local government, education, social services, youth offending, and health and probation, to work collaboratively, share data and information, and put in place plans to prevent serious violence.
- Amend the Crime and Disorder Act 1998 to ensure that serious violence is an explicit priority for Community Safety Partnerships, which include local police, fire and probation services, as well as local authorities and wider public services.

NHS Providers view

We welcome the priority focus the government has placed on the NHS and social care within the Queen’s Speech today. We support a set of targeted changes to the law as proposed which are aimed at enabling the integration of services and avoid a substantial restructure of the NHS. We are pleased to have been fully engaged in working up these proposals and will continue to ensure that the provider sector’s needs and views continue to be heard.

We are also pleased to see the introduction of the Health Service Safety Investigations Bill, which promises to be a significant step forward in continually improving patient safety. This will help trusts and their staff adopt a systemic approach to investigating and learning from incidents to provide the safest and best care for patients.

The review of the Mental Health Act will help to ensure that this complex piece of legislation is used appropriately and consistently. However any impact on an already stretched mental health workforce, with limited resource and capacity, needs to be taken into account.

We remain concerned about proposed changes to the immigration system. The NHS relies on recruiting and attracting staff from across the world and it is vital that immigration policy supports the ability of the NHS and social care to recruit and retain skilled staff. The criteria of any immigration system will therefore need to recognise that low paid does not mean low skilled, and that it will be several years before domestic supply increases enough to help close the sizeable workforce gap.

Finally, the government's renewed commitment today to tackling the social care crisis is welcome but there is an urgent need for swift and concrete action. Pressures on social care are making it more difficult to support vulnerable or older people to live independently and closer to home, often contributing to a rise in admissions and long stays in hospital. Securing a sustainable, properly funded and fair social care system has to be a priority for the government if we are to meet demand for appropriate care in the right setting, now and in the future.

Useful links

The transcript of the Queen's Speech is available [here](#) and the accompanying briefing documents can be accessed [here](#).

Annex: full list of bills and proposals announced

Delivering Brexit

- European Union (Withdrawal Agreement) Bill
- Agriculture Bill
- Fisheries Bill
- Trade Bill
- Immigration and Social Security Co-ordination (EU Withdrawal) Bill
- Financial Services Bill
- Private International Law (Implementation of Agreements) Bill

Support the NHS

- NHS long term plan
- Health Service Safety Investigations Bill
- Medicines and Medical Devices Bill

- Adult social care
- Mental health reform

Tackling violent crime and strengthening the criminal justice system

- Sentencing Bill
- Foreign National Offenders Bill
- Victims
- Prisoners (Disclosure of Information About Victims) Bill
- Serious Violence Bill
- Police Protections Bill
- Extradition (Provisional Arrest) Bill
- Sentencing (Pre-consolidation Amendments) Bill

Ensuring fairness and protection for individuals and families

- Domestic Abuse Bill
- Divorce, Dissolution and Separation Bill
- Online harms
- Employment (Allocation of Tips) Bill
- Employment reform
- Pension Schemes Bill
- National security and investment legislation
- Windrush Compensation Scheme (Expenditure) Bill
- Building safety standards legislation

Levelling up opportunity through better infrastructure, education and science

- Education funding
- National infrastructure strategy
- Broadband
- Air Traffic Management and Unmanned Aircraft Bill
- Airline insolvency legislation
- Railway reform
- English devolution
- Science, space and infrastructure
- High Speed Rail 2 (West Midlands - Crewe) Bill

Protecting the environment and improving animal welfare

- Environment Bill
- Animal welfare

Other legislative measures

- Electoral integrity
- Birmingham Commonwealth Games Bill
- Historical Institutional Abuse (Northern Ireland) Bill

Other non-legislative measures

- Public finances
- The Union
- Northern Ireland governance
- The armed forces
- Foreign affairs