

Health and Care Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Marshalled List]

Amendment
No.

Schedule 2

LORD YOUNG OF NORWOOD GREEN

34A★

Page 137, line 10, at end insert –

- “(3) The constitution must ensure that the remuneration of the chief executive is set at £150,000 per annum subject to a review of the following key performance indicators (“KPIs”) –
- (a) adoption of best practice;
 - (b) quality of patient care and safety;
 - (c) use of innovation to improve performance; and
 - (d) diversity commitment to ensuring that this is evident in senior management grades.
- (4) The constitution may provide that a bonus is to be awarded if the integrated care board assess that reasonable progress has been made in achieving the KPIs.”

LORD MAWSON
BARONESS CUMBERLEGE
LORD CLEMENT-JONES
LORD CRISP

41A★

Page 137, line 30, at end insert –

- “(d) one voting member nominated by place-based partnerships to represent their collective views in delivering their strategy.”

Schedule 3

LORD LOW OF DALSTON
BARONESS HOLLINS

56A★

Page 151, line 16, at end insert –

“116C Primary ophthalmic services for people with learning disabilities

Schedule 3 - continued

NHS England must make arrangements for the assessment of the need for primary ophthalmic services by people with learning disabilities, including access to sight tests, and ensure primary ophthalmic services are commissioned to meet those needs.”

Member’s explanatory statement

Under Schedule 3 of the Bill, NHS England retains its powers to make arrangements for the provision of primary ophthalmic services itself or direct Integrated Care Boards for such provision. This seeks to improve eye care for people with learning disabilities.

Clause 20

BARONESS BENNETT OF MANOR CASTLE

103A★ Page 19, line 15, at end insert –

“(2A) The integrated care board must consult on youth health prevention and treatment provision through an advisory board consisting of people aged 25 and under.”

Clause 22

LORD MAWSON
BARONESS CUMBERLEGE
LORD CLEMENT-JONES
LORD CRISP

159A★ Page 32, line 29, at end insert –

“223CZA Financial duties of NHS England: the principle of subsidiarity

- (1) NHS England must exercise its functions in accordance with the principle of subsidiarity, and must promote the principle throughout the integrated care system in particular by ensuring that integrated care boards observe the principle.
- (2) The principle of subsidiarity is that responsibility for deciding how and where to use resources is as far as possible to be delegated to local areas in order to meet local needs and to promote local groups working collaboratively.
- (3) In doing so, the process and timing of procurement should take account of the benefits of long-term relationships and stable partnerships in delivering sustainable integrated solutions to local health issues.”

Clause 70

LORD MAWSON
BARONESS CUMBERLEGE
LORD CLEMENT-JONES
LORD CRISP

210A★ Page 64, line 6, at end insert –

“(3A) The regulations must ensure that procurement of services from local providers, in particular local community organisations, are prioritised, in order to develop coherent place-based approaches which address the social determinants of health.

(3B) The regulations must ensure that innovative approaches are prioritised to achieve this objective.”

Schedule 17

LORD MOYLAN

249A★ Page 235, line 26, at end insert –

“(8) The Secretary of State must, by or on the implementation date, consult such persons as the Secretary of State deems appropriate and publish criteria by which the effectiveness of the restrictions contained in this section will be measured at the time of a review to be conducted by the Secretary of State five years after the implementation of the restrictions.

(9) If the criteria so published are not met, this section expires at the end of the period of six months after the review.”

Member’s explanatory statement

This amendment and others to Schedule 17 in the name of Lord Moylan are probing amendments that require the Government to define and consult on how they will measure the success of the advertising restrictions at combating childhood obesity well ahead of a five-year review period. They also impose a “sunset clause” should the measures not be deemed to have been effective at the end of a five-year review period.

250A★ Page 235, line 36, at end insert –

“(2A) A brand may continue to advertise, or provide sponsorship as a brand, if the advertisement or expression of sponsorship does not include an identifiable less healthy food and drink product.”

Member’s explanatory statement

This amendment and the amendment at Schedule 17, page 237, line 7, in the name of Lord Moylan write the brand advertising exemption intended by the Government into the legislation, providing legal certainty to businesses.

252A★ Page 236, line 24, at end insert –

“(9) The Secretary of State must, by or on the implementation date, consult such persons as the Secretary of State deems appropriate and publish criteria by which the effectiveness of the restrictions contained in this section will be measured at the time of a review to be conducted by the Secretary of State five years after the implementation of the restrictions.

Schedule 17 - continued

- (10) If the criteria so published are not met, this section expires at the end of the period of six months after the review.”

Member’s explanatory statement

This amendment and others to Schedule 17 in the name of Lord Moylan are probing amendments that require the Government to define and consult on how they will measure the success of the advertising restrictions at combating childhood obesity well ahead of a five-year review period. They also impose a “sunset clause” should the measures not be deemed to have been effective at the end of a five-year review period.

253A★ Page 237, line 7, at end insert—

- “(3A) A brand may continue to advertise, or provide sponsorship as a brand, if the advertisement or expression of sponsorship does not include an identifiable less healthy food and drink product.”

Member’s explanatory statement

This amendment and the amendment at Schedule 17, page 235, line 36 in the name of Lord Moylan write the brand advertising exemption intended by the Government into the legislation, providing legal certainty to businesses.

257A★ Page 238, line 11, at end insert—

- “(12) The Secretary of State must, by or on the implementation date, consult such persons as the Secretary of State deems appropriate and publish criteria by which the effectiveness of the restrictions contained in this Part will be measured at the time of a review to be conducted by the Secretary of State five years after the implementation of the restrictions.
- (13) If the criteria so published are not met, this Part expires at the end of the period of six months after the review.”

Member’s explanatory statement

This amendment and others to Schedule 17 in the name of Lord Moylan are probing amendments that require the Government to define and consult on how they will measure the success of the advertising restrictions at combating childhood obesity well ahead of a five-year review period. They also impose a “sunset clause” should the measures not be deemed to have been effective at the end of a five-year review period.

After Clause 148

BARONESS HODGSON OF ABINGER

297A★ Insert the following new Clause—

“Named GPs for over-65s

Within 12 months of the passing of this Act, the Secretary of State must ensure that every patient over the age of 65 is assigned a general practitioner responsible for the patient's healthcare who is identified by name—

- (a) to see the patient when requested by the patient or by the patient's family or, where the general practitioner is unavailable, to maintain overall responsibility for care and communication,

After Clause 148 - continued

- (b) to communicate with the patient or the patient's family where appropriate,
- (c) to be responsible for the patient's overall care, and
- (d) to ensure that the patient's health care needs are met.”

Member's explanatory statement

This amendment is to ensure that named GPs see and have some knowledge of each patient that they are responsible for and will communicate with them and the family.

BARONESS BOYCOTT

297B★ Insert the following new Clause—

“Impact of free school meals and holiday meal provision on children’s health

The Secretary of State must lay before Parliament a report on the impact of universal free school meals and school holiday meal provision on children’s health.”

LORD MOYNIHAN
BARONESS MORRIS OF YARDLEY
LORD WILLIS OF KNARESBOROUGH
BARONESS GREY-THOMPSON

297C★ Insert the following new Clause—

“Office for Health Promotion

- (1) The Office for Health Improvement and Disparities is to be re-established on a statutory footing, as the Office for Health Promotion (“the Office”).
- (2) The Office is an independent advisory board to the Department for Health and Social Care.
- (3) As part of its duties, the Office must publish a National Plan for Sport, Health and Wellbeing.
- (4) The aim of the National Plan for Sport, Health and Wellbeing is to—
 - (a) tackle preventable factors causing death and ill health in the UK;
 - (b) demonstrate ways in which sports can help to strengthen social ties;
 - (c) direct funding for sport;
 - (d) include measures to promote physical access to the countryside;
 - (e) identify ways in which schools and colleges are to be encouraged to develop closer links with local sports clubs;
 - (f) include a fully costed National Facilities Plan and specific efforts to tackle discrimination and ensure there is a safe environment for all participants;
 - (g) instil a life-long habit of sport and physical activity throughout the education system;
 - (h) include a comprehensive approach to welfare, care and safeguarding including reports on enforcement of welfare, care and safeguarding standards in sports governing bodies;
 - (i) lead national efforts to improve people’s health by tackling obesity, improving mental health and promoting physical activity;

After Clause 148 - *continued*

- (j) establish a Physical Activity Observatory to act as a centre for independent research and analysis of physical activity data to input into the design of the National Plan for Sport, Health and Wellbeing;
- (k) promote, encourage and raise awareness of the benefits of participation in sport for health, longevity, fitness, social interaction and wellbeing, and the other health benefits of exercise for all individuals, with the aim of preventing the onset of avoidable physical and mental illness and protecting people's health; and
- (l) promote clean athletes and the integrity of sport.”

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10 January 2022
