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STATUTORY INSTRUMENTS

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**2015 No. 1426**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The National Health Service (Revision of NHS  
Constitution Guiding Principles) Regulations 2015**

<i>Made</i>	- - - -	<i>23rd June 2015</i>
<i>Laid before Parliament</i>		<i>29th June 2015</i>
<i>Coming into force</i>	- -	<i>27th July 2015</i>

The Secretary of State makes these Regulations, in exercise of the powers conferred by section 4(4) of the Health Act 2009(1), and after undertaking the consultation required by section 4(2) and (3) of that Act(2).

**Citation, commencement and interpretation**

1. These Regulations may be cited as the National Health Service (Revision of NHS Constitution Guiding Principles) Regulations 2015 and come into force on 27th July 2015.

2. In these Regulations “guiding principle” means one of the guiding principles set out in the NHS Constitution, within the meaning of Part 1, Chapter 1 of the Health Act 2009(3).

**Revision of guiding principles**

3. The guiding principles are revised in accordance with regulations 4 and 5.

**Revision of first guiding principle**

4. For the first guiding principle substitute—

“1. The NHS provides a comprehensive service, available to all irrespective of gender, race, disability, age, sexual orientation, religion, belief, gender reassignment, pregnancy and

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(1) 2009 c.21.

(2) A consultation document entitled *A consultation on updating the NHS Constitution* was published by the Department of Health on 11th February 2015. It is available online at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/417637/Update\\_NHS\\_Constitution.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/417637/Update_NHS_Constitution.pdf); and in hard copy from: NHS Constitution Team, Department of Health, Richmond House, 79 Whitehall, London, SW1A 2NS.

(3) The version of the NHS Constitution in force on the date these Regulations were made was that published by the Department of Health on 26th March 2013. It applies only in relation to England. It is available online at: <https://www.gov.uk/government/publications/the-nhs-constitution-for-england>; and in hard copy from: NHS Constitution Team, Department of Health, Richmond House, 79 Whitehall, London, SW1A 2NS.

maternity, or marital or civil partnership status. The service is designed to improve, prevent, diagnose and treat both physical and mental health problems with equal regard. It has a duty to each and every individual that it serves and must respect their human rights. At the same time, it has a wider social duty to promote equality through the services it provides and to pay particular attention to groups or sections of society where improvements in health and life expectancy are not keeping pace with the rest of the population.”

#### **Revision of fourth guiding principle**

5. For the fourth guiding principle substitute—

“4. The patient will be at the heart of everything the NHS does. The NHS should support individuals to promote and manage their own health. NHS services must reflect, and should be coordinated around and tailored to, the needs and preferences of patients, their families and their carers. As part of this, the NHS will ensure that in line with the Armed Forces Covenant<sup>(4)</sup>, those in the armed forces, reservists, their families and veterans are not disadvantaged in accessing health services in the area they reside. Patients, with their families and carers, where appropriate, will be involved in and consulted on all decisions about their care and treatment. The NHS will actively encourage feedback from the public, patients and staff, welcome it and use it to improve its services.”

#### **Revocation**

6. Regulation 3 of the National Health Service (Revision of NHS Constitution—Principles) Regulations 2013<sup>(5)</sup> is revoked.

Signed by authority of the Secretary of State for Health.

23rd June 2015

*Ben Gummer*  
Parliamentary Under-Secretary of State  
Department of Health

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(4) Armed Forces Covenant (2013) published by the Ministry of Defence and available online at: [www.gov.uk/the-armed-forces-covenant](http://www.gov.uk/the-armed-forces-covenant); and in hard copy from: Armed Forces Covenant Team, Ministry of Defence, MOD, Main Building, Whitehall, London, SW1A 2HB.

(5) [S.I. 2013/317](#).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations revise guiding principles in the NHS Constitution, which was established in law by section 1 of the Health Act 2009. Section 4 of that Act provides that revisions may not be made to the guiding principles unless made by regulations. These Regulations substitute two of the guiding principles in the NHS Constitution. They also revoke a previous revision made to the first guiding principle by regulation 3 of the National Health Service (Revision of NHS Constitution—Principles) Regulations 2013.

The NHS Constitution applies only in relation to the health service in England (which is provided for mainly by the National Health Service Act 2006, as amended). The first version of the NHS Constitution was that published by the Department of Health on 21st January 2009. Revised versions were published in 2010, 2012 and 2013. It is the 2013 version which was in force when these Regulations were made. A revised version of the NHS Constitution will be published after these regulations come into force and will be available online at: <https://www.gov.uk/government/publications/the-nhs-constitution-for-england>; and in hard copy from: NHS Constitution Team, Department of Health, Richmond House, 79 Whitehall, London, SW1A 2NS.

A full Impact Assessment has not been produced for this instrument as no impact on the private sector or civil society organisations is foreseen.