Rt Hon Jeremy Hunt MP
Secretary of State for Health and Social Care
Department of Health and Social Care
39 Victoria Street
London
SW1H 0EU

15 January 2018

Dear Secretary of State,

I am writing to you regarding current proposals for the development of Accountable Care Organisations and the growing concerns within the medical profession as the plans develop.

The BMA agrees that there is a distinct need to better coordinate and integrate health services, and which will use NHS resources in an equitable and cost-efficient manner. Indeed, over a number of years we have called for greater integration and collaboration between different parts of the health and social care systems, and also across different parts of the medical profession.

We are deeply concerned, however, that the current proposals have far reaching consequences that have not had adequate awareness nor consultation with the public, parliamentarians and health professionals. It is vital that changes of such scale do not result in unnecessary structural reform that detracts from patient services, and does not have adverse or unintended consequences. We believe the current Department of Health and Social Care consultation on ACO regulations is occurring before the implications of ACOs have been properly considered, and we have expressed our concerns in the BMA response to the consultation. You will be aware these anxieties are shared more widely given that there are two proposed Judicial Reviews opposing the development of ACOs. To get away from accusations of secrecy and conspiracy, this process must be transparent; currently, doctors do not believe this is the case.

Our primary concern is that under current competition and procurement rules, the combining of multiple services into one ACO contract will be open to competitive tendering and provide the opportunity for commercial providers to take over the provision of services for an entire health economy. This could then potentially create further instability through these contracts being for a fixed term duration, together with the ability for the ACO contract holder to terminate the contract.

This highlights that current procurement regulations as defined in the Health and Social Care Act work directly against integration and collaboration, and we believe that it should be a priority for government to repeal this element of legislation. This would allow NHS resources in England to be used to support coordination of NHS services as opposed to fragmentation, and end vast sums of money being squandered away from patient care in the processes of tendering.
The BMA also believes there are better ways of enabling integration between different NHS services, without structural upheaval, while promoting efficient and equitable use of resources, and this year the BMA will be putting forward these ideas in consultation ourselves with various stakeholders. I would value an opportunity to meet with you to discuss in further detail the concerns of BMA members with the process as it currently stands, as well as our ideas on how best to develop an NHS based on collaboration.

Yours sincerely,

Dr Chaand Nagpaul CBE
BMA council chair