

# (HOW) IS COVID-19 REFRAMING THE RELATIONSHIP BETWEEN THE NHS AND PRIVATE HEALTHCARE IN THE UK?

Dr Mary Guy  
([m.guy2@lancaster.ac.uk](mailto:m.guy2@lancaster.ac.uk);  
@maryiguy)

European Health Policy Group,  
LSE, 18 September 2020

# OVERVIEW...

- I. Introduction: from “NHS privatisation” and “going private” to “crisis” and “continuity” responses...
- II. NHS – private healthcare interaction pre-COVID-19: the “four categories”...
- III. COVID-19 changes and the “four categories”...
- IV. Some (initial) concluding remarks..



Legal Studies 

Article Metrics

Volume 39, Issue 3 September 2019, pp. 479-498

**Between 'going private' and 'NHS privatisation': patient choice, competition reforms and the relationship between the NHS and private healthcare in England**

Mary Guy  <sup>[a1]</sup> 

# I. FROM “NHS PRIVATISATION” AND “GOING PRIVATE” ... TO “CRISIS” AND “CONTINUITY” RESPONSES...

## □ “NHS privatisation”...

- Expansion of private sector delivery of NHS services / private patient units?

## □ “going private”...

- Change in status from NHS patient to private patient...

---

## □ “crisis” responses...(Phase I)

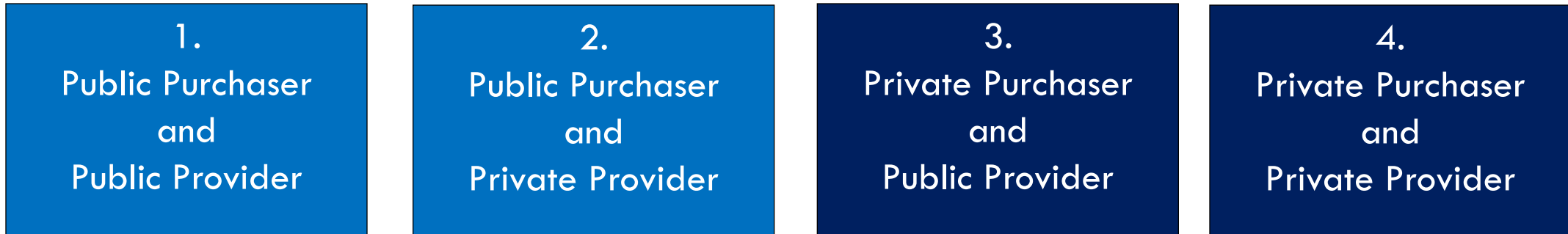
- e.g. logistical support for testing and access to PPE  
(BMA report)...

## □ “continuity” responses...

(Phase II)

- Delivery of core NHS and care services....(Health and Social Care Committee)...#longcovid?

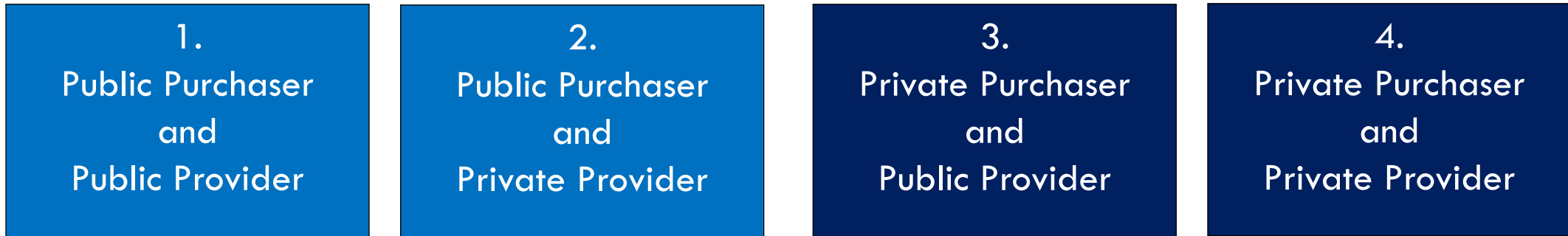
## II. NHS – PRIVATE HEALTHCARE INTERACTION PRE-COVID-19: THE “FOUR CATEGORIES” ...



*Relationship between the NHS and private healthcare sectors as demonstrated by the purchaser/provider separation. (Guy 2019)*

- ❑ Department of Health Guidance on NHS and private patients (2004; 2009).....NHS England guidance (2013)...
- ❑ NHS Constitution...Health and Social Care Act 2012...NHS (Procurement, Patient Choice and Competition) Regulations (No.2) 2013...2012 Standing Rules...
- ❑ NHS Long Term Plan 2019...

# III. COVID-19 CHANGES AND THE “FOUR CATEGORIES” ...



*Relationship between the NHS and private healthcare sectors as demonstrated by the purchaser/provider separation. (Guy 2019)*

❑ 2 x Collective Agreements between the NHS and Independent Healthcare Provider Network (IHPN)... “crisis” and “continuity” response?

❑ The Competition Act 1998 (Health Services for Patients in England/Wales) (Coronavirus) (Public Policy Exclusion) Orders 2020... “crisis” and “continuity” response?

## IV. SOME (INITIAL) CONCLUDING REMARKS...

- ❑ (Still) no single, unified healthcare sector: complex interaction between the NHS and private healthcare?
  
- ❑ 2020 Orders:
  - Reflect inconsistencies and unresolved tensions in the wider NHS – private healthcare relationship...
  - Reflect distinctions between countries of the UK...
  - Indicates a more coherent healthcare sector and longer-term change?
  
- ❑ April 2020: CMA in Circle/BUPA merger: “[COVID-19 responses] unlikely to affect the long-term competitive dynamics of the private healthcare industry”...
  
- ❑ Possibility of changing rhetoric re “NHS privatisation”?

# QUESTIONS / FEEDBACK...

▣ Thank you!

[m.guy2@lancaster.ac.uk](mailto:m.guy2@lancaster.ac.uk); @maryiguy