

## Regulating healthcare in the UK: trends and prospects

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## Overview

- The origins of healthcare regulation in the UK
- The rise of healthcare regulation in the 1990s
- Devolution in the four countries of the UK, and divergence in regulatory arrangements
- The impact of healthcare regulation: some lessons
- Trends and prospects for healthcare regulation

## The origins of healthcare regulation in the UK

- The Health Advisory Service created in 1969 following scandals in long stay institutions
- The National External Quality Assurance Scheme created in 1970s to oversee and accredit laboratory services
- The Kings Fund Organisational Audit, Hospital Accreditation Programme and others created in 1980s to provide independent healthcare accreditation
- Nursing homes and private or independent healthcare providers overseen by health authorities

## Government embraces healthcare regulation in the 1990s

- Pressure for greater oversight resulting from a series of high profile scandals in health and social care
- Growing use of regulation of public services in other sectors and perceived success – eg OFSTED for school education
- Increasing autonomy and “arms length” management of public healthcare providers
- Increasing involvement of private (for profit or not for profit) entities in healthcare provision

## Regulating health and social care in England 1999 - 2009

- Commission for Health Improvement
- Social Services Inspectorate
- National Care Standards Commission
- Audit Commission
- Commission for Healthcare Audit and Inspection (known as the Healthcare Commission)
- Commission for Social Care Inspection
- Care Quality Commission
- Monitor – the regulator for NHS foundation trusts

## A boom for corporate identity designers



### Devolution and divergence in regulating health and social care in the UK

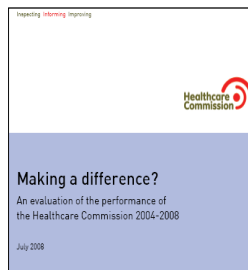
- England – Care Quality Commission and Monitor
- Wales – Health Inspectorate Wales and Care and Social Services Inspectorate Wales
- Scotland – Quality Improvement Scotland and the Care Commission
- Northern Ireland – Regulation and Quality Improvement Authority

### A decade of regulation: what impact?

- Regulators generally not keen on independent examination of the effectiveness or impact of their activities
- It is difficult to measure some important impacts, and difficult to attribute causality or assess the counterfactual
- Regulatory arrangements have changed rapidly and its difficult for evaluators (and others) to keep pace with and make sense of the regulatory regime

### A decade of regulation: what impact?

- Lots of evidence of process effects and mostly supportive views of its work
- Little or no data on actual measured impacts or on the costs of regulation
- Many examples of significant problems tackled – especially investigations and failing organisations



### Healthcare regulation: key trends

- Increasing independent powers and authority of the regulator – and a growing tug of war between Department of Health and regulators raising issues of regulatory governance
- Reduction in number of regulatory bodies, and widening scope of regulatory oversight – and effects on scale, complexity, heterogeneity of regulatory regime and nature of regulatory relationship
- Shift from reliance on universal inspection towards a more varied regulatory regime including self-assessment, performance monitoring, visits and inspections, and investigations
- Increasing focus on regulatory performance and instances of regulatory failure