

The King's Speech, July 2024

In the first King's Speech of the new parliament, King Charles outlined the government's priorities for the coming legislative year. The King advised that his government will govern in service to the country, with a legislative programme that is mission led, based in fairness, opportunity and stability for all.

The King reiterated his government's commitment to the National Health Service: "My Government will improve the National Health Service as a service for all, providing care on the basis of need regardless of the ability to pay. It will seek to reduce the waiting times, focus on prevention and improve mental health provision for young people."

The full text of the King's Speech can be found [here](#), and full background briefing notes, [here](#).

This briefing contains an overview of key announcements relevant to health and social care, along with a summary of other legislation and policies of interest. Key health announcements included:

- 1 Mental Health Bill
- 2 Tobacco and Vapes Bill
- 3 Draft Conversion Practices Bill
- 4 Employment Rights Bill
- 5 Draft Equality (Race and Disability) Bill
- 6 Cyber Security and Resilience Bill

Please contact public affairs manager, David Evans (publicaffairs@nhsproviders.org), if you have any queries.

Health and social care focused announcements

Mental Health Bill

The Mental Health Bill takes forward the vast majority of the [Independent Review of the Mental Health Act](#) recommendations for legislative reform and includes a wide range of changes to shift the balance of power to patients, putting service users at the centre of decisions about their own care. The bill will amend the Mental Health Act 1983 to give people detained greater choice and autonomy,

enhanced rights and support, and ensure everyone is treated with dignity and respect throughout treatment by:

- Ensuring that detention and treatment under the Mental Health Act takes place only when necessary, by revising the detention criteria to ensure that people can only be detained if they pose a risk of serious harm either to themselves or to others, and where there is a reasonable prospect that treatment would have a therapeutic benefit. It will also revise and shorten the period that a patient may be kept in detention for treatment and provide faster, more frequent reviews and appeals of both detentions and treatment.
- Further limiting the extent to which people with a learning disability and/or autistic people can be detained and treated under the Mental Health Act and supporting such individuals to live fulfilling lives in their community. It will do this by introducing duties on commissioners to improve understanding of the risk of crisis amongst people with a learning disability and/or autistic people in their local area and also ensure an adequate supply of community services to prevent inappropriate detentions.
- Strengthening the voice of patients by adding statutory weight to patients' rights to be involved with planning for their care, and to make choices and refusals regarding the treatment they receive.
- Strengthening and improving the statutory roles which protect and support those who are detained by introducing a new statutory role – the nominated person – who is chosen by the patient, to replace the nearest relative and extend access to Independent Mental Health Advocates to informal patients and introduce an opt-out system for formal patients.
- Removing police stations and prisons as places of safety under the Mental Health Act to ensure people experiencing a mental health crisis or with severe mental health needs are supported in the most appropriate setting.
- Supporting offenders with severe mental health problems to access the care they need as quickly and early as possible and improve the management of those patients subject to a restriction order (for the purposes of public protection).

These reforms will take a number of years to implement, as more clinical and judicial staff will need to be recruited. The government plans to introduce these reforms in phases as resources allow and will not commence new powers unless sufficient staff are in place, and it is safe to do so.

Tobacco and Vapes Bill

The Tobacco and Vapes Bill is part of the governments mission to improve healthy life expectancy and reduce the number of lives lost to the biggest killers, including cancer and cardiovascular

diseases. It delivers on the manifesto commitment to introduce a progressive smoking ban, making sure the next generation can never legally be sold cigarettes, paving the way for a smoke-free UK.

The bill will stop vapes and other consumer nicotine products (such as nicotine pouches) from being deliberately branded and advertised to appeal to children. The bill will:

- Introduce a progressive smoking ban to gradually end the sale of tobacco products across the country (including herbal smoking products and cigarette papers). Children born on or after 1 January 2009 will never be able to legally be sold cigarettes, preventing the next generation from becoming hooked on nicotine.
- Stop vapes and other consumer nicotine products (such as nicotine pouches) from being deliberately branded and advertised to appeal to children meaning they are only available as a tool to help smokers quit. The Bill will provide Ministers with powers to regulate the flavours, packaging, and display of vapes and other nicotine products. These steps will help stop the next generation from becoming hooked on nicotine.
- Strengthen enforcement activity, allowing Trading Standards to take swifter action to enforce the law and closing loopholes. It will prevent underage sales of tobacco and vapes by providing enforcement authorities in England and Wales with the power to issue Fixed Penalty Notices for the underage sale of tobacco and vaping products.

Draft Conversion Practices Bill

The draft Conversion Practices Bill will propose new offences to target acts of conversion practices that are not captured by existing legislation. The Government wants to ensure that the criminal law offers protection from these practices, while also preserving the freedom for people, and those supporting them, to explore their sexual orientation and gender identity. This will mean those providing medical care and support are in no way impacted by this Bill.

Employment Rights Bill

The Employment Rights Bill, to be introduced within the government's first one hundred days, is a step towards delivering its ambition to create a new partnership between business, trade unions and working people and represents the biggest upgrade to workers' rights in a generation. The bill will deliver a 'genuine living wage' that accounts for the cost of living and will remove the age bands to ensure every adult worker benefits. The Government is committed to delivering its [New Deal for Working People](#) in full, which includes the following commitments:

- Establishing a fair pay agreement in the adult social care sector and, following review, assess how and to what extent such agreements could benefit other sectors.
- Banning zero-hour contracts, ensuring workers have a right to a contract that reflects the number of hours they regularly work and that all workers get reasonable notice of any changes in shift with proportionate compensation for any shifts cancelled or curtailed.
- Making parental leave, sick pay and protection from unfair dismissal available from day 1 on the job for all workers but ensuring employers can operate probationary periods to assess new hires.
- Strengthening statutory sick pay by removing the lower earnings limit to make it available to all workers as well as the waiting period.
- Making flexible working the default from day-one for all workers, with employers required to accommodate this as far as is reasonable, to reflect the modern workplace.
- Strengthening protections for new mothers by making it unlawful to dismiss a woman who has had a baby for six months after her return to work, except in specific circumstances.
- Establishing a new Single Enforcement Body, also known as a Fair Work Agency, to strengthen enforcement of workplace rights.
- Updating trade union legislation so it is fit for a modern economy, removing restrictions on trade union activity – including the previous Government’s approach to minimum service levels – and ensuring industrial relations are based around good faith negotiation and bargaining.
- Simplifying the process of statutory recognition and introduce a regulated route to ensure workers and union members have a reasonable right to access a union within workplaces.

Draft Equality (Race and Disability) Bill

The draft bill will tackle inequality for ethnic minority and disabled people by:

- Enshrining in law the full right to equal pay for ethnic minorities and disabled people, making it much easier for them to bring unequal pay claims. Enshrining in law the full right to equal pay for ethnic minorities as well as disabled people will make it easier for them to bring forward equal pay claims where they have been underpaid.
- Introducing mandatory ethnicity and disability pay reporting for larger employers (those with 250+ employees) to help close the ethnicity and disability pay gaps. Surfacing pay gaps will enable companies to constructively consider why they exist and how to tackle them.

Cyber Security and Resilience Bill

The Bill will ensure that more essential digital services than ever before are protected by expanding the remit of the existing regulation, putting regulators on a stronger footing, and increasing reporting

requirements to build a better picture in government of cyber threats. The Bill will make crucial updates to the existing regulatory framework by:

- Expanding the remit of the regulation to protect more digital services and supply chains. These are an increasingly attractive threat vector for attackers. This Bill will fill an immediate gap in our defences and prevent similar attacks experienced by critical public services in the UK, such as the recent ransomware attack impacting London hospitals.
- Putting regulators on a strong footing to ensure essential cyber safety measures are being implemented. This would include potential cost recovery mechanisms to provide resources to regulators and providing powers to proactively investigate potential vulnerabilities.
- Mandating increased incident reporting to give government better data on cyber-attacks, including where a company has been held to ransom – this will improve our understanding of the threats and alert us to potential attacks by expanding the type and nature of incidents that regulated entities must report.

Other bills of interest

Planning and Infrastructure Bill

The Bill will make improvements to the planning system at a local level, modernising planning committees and increasing local planning authorities' capacity to deliver an improved service. The bill will:

- Improve local planning decision making by modernising planning committees.
- Increase local planning authorities' capacity, to improve performance and decision making, providing a more predictable service to developers and investors.
- Streamline the delivery process for critical infrastructure.

English Devolution Bill

The English Devolution Bill will establish a new framework for English devolution, moving power out of Westminster and back to those who know their areas best. It will give local leaders the tools they need to drive growth by:

- Putting a more ambitious standardised devolution framework into legislation to give local leaders greater powers over the levers of local growth. This will include enhanced powers over strategic

planning, local transport networks, skills, and employment support, enabling them to create jobs and improve living standards

- Making devolution the default setting, meaning places will be granted powers without the need to negotiate agreements where they meet the governance conditions. Local leaders will be able to formally request additional powers according to the framework and the Government will be required to consider the request and either devolve them or publicly explain their reasons for not doing so.
- Improving and unblocking local decision making through more effective governance arrangements, ensuring mayors and Combined Authorities can get on and deliver for their areas.
- Empowering local communities with a strong new 'right to buy' for valued community assets, such as empty shops, pubs and community spaces. This will help to revamp high streets and end the blight of empty premises.

Digital Information and Smart Data Bill

The Government seeks to ensure data is harnessed for economic growth, to support a modern digital government, and to improve people's lives. The Bill will enable new innovative uses of data to be safely developed and deployed and will improve people's lives by making public services work better by reforming data sharing and standards; help scientists and researchers make more life enhancing discoveries by improving our data laws; and ensure your data is well protected by giving the regulator (the ICO) new, stronger powers and a more modern structure.

- The Bill will enable more and better digital public services by making changes to the Digital Economy Act. The government will move to an electronic system for the registration of births and deaths and will apply information standards to IT suppliers in the health and social care system.
- The Bill will help scientists make better use of data for world-class research by reflecting the realities of modern interdisciplinary science research in data laws. Scientists will be able to ask for broad consent for areas of scientific research and allow legitimate researchers doing scientific research in commercial settings to make equal use of our data regime.
- The Bill will ensure your data is well protected. We are modernising and strengthening the ICO.
- The Bill will establish a data preservation process that coroners can initiate when they decide it is necessary and appropriate to support their investigations into a child's death. This will help coroners get access to online information they need when investigating a child's death.

Skills England Bill

The Bill will transfer functions from the Institute For Apprenticeships and Technical Education to Skills England, which will sit at the heart of a system that provides learners with the skills required to thrive in life, businesses with the trained workforce they need to succeed, and local areas with access to the right skills to spur economic growth. Skills provision ranges from the essential skills people need to participate in the labour market, to the highly technical skills required to drive productivity and economic growth.

Hillsborough Law

The Bill will be the catalyst for a changed culture in the public sector by improving transparency and accountability where failure in the provision and delivery of public services is the subject of public investigation and scrutiny. It seeks to reduce the culture of defensiveness in the public sector and help ensure that lack of candour uncovered in recent reports is not repeated, such as in the case of the Hillsborough and Infected Blood Inquiries.

NHS Providers press statement

Mental health action in King's Speech welcome

Government plans to make the Mental Health Act 'fit for the 21st century' have been welcomed by NHS trust leaders.

Sir Julian Hartley, chief executive, NHS Providers, said:

"Trust leaders welcomed a Labour manifesto promise to make mental health services a priority. Now the government has pledged to modernise mental health legislation, improve mental health provision for young people and ensure that mental health gets the same attention and focus as physical health – plus a welcome focus on race and disability to ensure everyone is treated with dignity and respect.

"Trust leaders welcome too plans to improve the NHS, to seek to reduce waiting times and focus on prevention. Revived plans to prevent young people taking up smoking and vaping are a welcome public health boost.

"An NHS fit for the future will rely on national and cross-government support to nurture a thriving workforce to provide safe, high-quality care, boost productivity and cut waiting lists. Resolving disputes with junior doctors and GPs, funding overdue pay awards for NHS staff and full

implementation of the Long Term Workforce Plan to tackle severe staff shortages will be crucial first steps.

“Also, an underfunded, overstretched social care sector needs more resource and urgent reform to give people the care they need and to help ease mounting pressure across the NHS.

“The NHS is vital to the nation's health, wealth and wellbeing. Trusts are ready and willing to work with the government and help to set the agenda for the 'next generation' health service.”

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