

October 2008

The Academy of Medical Sciences is pleased to respond to the Department of Health's consultation on the draft NHS Constitution. The Academy's core mission is to promote advances in medical science and to ensure these are translated as quickly as possible into benefits for society. The Academy's Fellowship includes over 900 leading medical scientists from hospitals and general practice, academia, industry and public service.

We strongly support the draft Constitution's inclusion of research in one of the seven key principles that guide the NHS, i.e. the principle that 'the NHS aspires to high standards of excellence and professionalism'. However, we believe the Constitution should go further in acknowledging that research is fundamental to high quality healthcare. In particular we believe that research and education should be explicitly included amongst the rights and responsibilities of patients and the pledges of NHS staff.

We recommend including the following statement in section '2a. Patients and the public – your rights and NHS pledges to you':

- 'The NHS will strive to inform you of approved research in which you may wish to participate.'

We recommend including the following statement in section '2b. Patients and the public – your responsibilities':

- 'You should consider participating in approved research, if invited to do so.'

We suggest including the following statement in section '3b. Staff – your responsibilities':

- 'You should strive to promote and facilitate research and education to improve current and future healthcare.'

We support measures included in the draft Handbook to the NHS Constitution that will establish an expectation amongst patients that their health records will be used, in confidence, by a health or research professional to identify whether they are suitable to participate in approved research. This will help to overcome the considerable difficulties currently experienced by researchers seeking to identify patients for valuable research studies and clinical trials.

However, we believe patients should also be informed of how their information may be used for records-based epidemiological research. We note that many difficulties around the use of health information for research still remain (see the Academy of Medical Sciences 2006 report '*Personal data for public good: using health information in medical*

*research*¹). We will continue to work with the Department of Health, NHS Research Capability Programme and others to ensure research can be pursued effectively whilst patients' interests are protected.

The NHS Constitution provides an important opportunity to communicate the crucial roles that research and education play in the health service – roles in which health professionals, NHS managers, researchers and patients are all involved. It is important that the position of research as one of the guiding principles in the NHS is explicitly translated into the expectations and actions of NHS staff and patients.

The Academy looks forward to assisting further in the development and implementation of the NHS Constitution.

The Academy of Medical Sciences

The Academy of Medical Sciences promotes advances in medical science and campaigns to ensure these are converted into healthcare benefits for society. Our Fellows are the UK's leading medical scientists from hospitals and general practice, academia, industry and the public service.

The Academy seeks to play a pivotal role in determining the future of medical science in the UK, and the benefits that society will enjoy in years to come. We champion the UK's strengths in medical science, promote careers and capacity building, encourage the implementation of new ideas and solutions – often through novel partnerships – and help to remove barriers to progress.

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¹ See: <http://www.acmedsci.ac.uk/p99puid62.html>