

# Reportage

1 May 2008



## Introduction

The NHS European Office, which is part of the NHS Confederation and funded by the Strategic Health Authorities, was established in September to represent NHS organisations in England to EU decision makers, through monitoring and engaging with EU policy and legislative developments which have an impact on the NHS as a provider and commissioner of services, as an employer and as a business.

## EU policy and legislation – monitoring and engagement

The European Office has informed NHS organisations of key EU developments which have taken place in the last few months and has started engaging with the European institutions in view of influencing them in the interest of the NHS. The main activities carried out are outlined below:

### Cross border care

These proposals, which are expected in June, will clarify the rights of patients to travel to other member states of the EU to receive medical treatment, and the responsibilities of health systems to facilitate and fund this. Given the potential large implications of these proposals on the NHS, we have started carrying out an impact assessment (on the basis of a draft text seen by the Office) working with representatives of PCTs, Acute Trusts, Foundations Trusts, Ambulance Trusts, SHAs, and the DH. Main concerns identified include the need to maintain the financial planning capacity for PCTs, retain the right to agree that the care the patient wishes to seek abroad is clinically necessary, avoid exacerbating health inequalities and avoid significant additional administrative burden. We have also held informal discussions with key officials in the European Commission to inform them of possible concerns to the NHS and made contact with like-minded organisations with a view to establishing alliances.

### Climate change

In January, the European Commission proposed an unprecedented package of measures to tackle climate change. As part of this, it is proposing a revision of the European Emissions Trading Scheme (ETS) which will have implications for about 80 NHS trusts across the UK. The European Office has made contact with each of the Trusts involved to inform them of the proposals and ask for their help in shaping an NHS response. The main concern expressed is that the cost and administrative burden of including the NHS in this scheme far outweigh any energy efficiency which might be achieved. With this in mind, the exemption for small emitters proposed by the European Commission does not go far enough. Large acute trusts, which have significant standby capacity in order

to ensure continuity of service in case of power failure, would indeed not be covered by the exemption because of their potential for emissions even if their real emissions are relatively low. The Office is now considering which changes we may want to propose to the Commission's proposal.

### Public procurement

The European Commission has recently proposed EU legislation requiring public authorities to take account of mandatory environmental criteria when purchasing or leasing vehicles. The idea is that the public sector has an important role to play in developing a market for clean and energy efficient vehicles, which in turn will lead to important benefits for the environment and public health. The proposals could have a considerable impact on NHS procurement policies and may involve substantial additional upfront costs to Trusts (or the operators under contract to them) for the purchase or leasing of vehicles. There could also be implications for the NHS car lease scheme possibly requiring changes to how it operates. The Office has briefed NHS organisations on these proposals and is working with them to assess the impact on the NHS and identify changes to be proposed, as required.

### Organ donation and transplantation

In view of the EU proposals to harmonise safety and quality standards for organ donation, expected by the end of the year, the European Office met with NHS Blood and Transplant and the Department of Health to identify possible concerns. The Office has started raising these issues with Members of the European Parliament on the occasion of their discussion of a European Parliament report on organ donation and transplantation.

### Information to patients on medicinal products

The Office has responded to the consultation on information to patients on prescription-only medicinal products launched by the European Commission. The consultation will lead to a legal proposal later this year, which will seek to harmonise the way in which information on medicines is made available to patients. We do not expect the proposal to allow for direct to consumer advertising, but it may advocate 'pushed' information on medicinal products through the media with implications for the NHS in terms of patient demand for access to certain medicines.

### Rare diseases

The European Office has submitted a response to the EU consultation on rare diseases, following liaison with the NHS National Commissioning Group, the Department of Health and the wider NHS membership. This consultation will feed into EU proposals in this area to be released at a later stage.

## Communication and NHS engagement

A communication strategy has been drafted by the European Office to define the way it will communicate and engage with NHS bodies. The strategy aims to build NHS intelligence on EU affairs, foster interest amongst NHS organisations, and encourage their involvement in the activities of the European Office.

We have started implementing the strategy through a series of meetings with the NHS Confederation's networks and fora to establish contact, discuss methods of disseminating EU information, and identify EU leads who can act as liaisons between their sector and our Office.

The Office has also actively undertaken to identify experts in areas of policy and legislation relevant to its work plan.

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