



HOUSE OF COMMONS

LONDON SW1A 0AA

The Rt Hon Steve Barclay MP
Secretary of State for Health and Social Care
Ministerial Correspondence and Public Enquiries Unit
39 Victoria Street
London
SW1H 0EU

Our reference: BS28189

20 September 2023

Dear Stephen,

I write in response to the Government's consultation on Minimum Services Levels in hospitals, in response to the recent and ongoing doctors' strikes and their impact on patient care.

The NHS holds a special place in our society. Most of us were born in NHS hospitals, supported through illnesses by NHS doctors and nurses, many of us saw our own children delivered by NHS midwives, and we look to the NHS for support and reassurance as we and our loved ones get older. Ensuring NHS services are protected is therefore not just a matter of policy, it is personal for each and every one of us who has relied on these services.

As a former doctor, and with family still working in the NHS, I know there are real challenges that we need to resolve. I welcome the Government's efforts to tackle issues of recruitment, retention and workforce planning. But I also appreciate the frustrations of many who have worked through the many challenges we've faced in recent years.

I cannot understand why the British Medical Association (BMA), who purport to represent all doctors, have chosen to tackle these challenges through actions which harm patient care, limit access to essential services, increase waiting lists and damage the NHS. I personally could not have countenanced striking during the junior doctors strikes of 2016, as I knew the impact this would have on patients. As a junior doctor I covered shifts to ensure patient care.

Patient care is the core function of the NHS, the reason for its existence. And it must be prioritised. This should be central to every decision and debate in the NHS. I do not believe that the actions of the BMA to adopt tactics aimed to cause maximum disruption, knowing the harm that will cause patients who will have diagnosis or treatment delayed as a result, are consistent with the commitments I made as a doctor. And I am sure there are many doctors who also have grave reservations and concerns over the BMA's tactics.

While people do have the right to strike, this must be qualified where it is clear that it will result in significant harm. I therefore fully support bringing hospital medical care into the scope of the Minimum Service Level regulations. I believe there may also be an argument we should go further, and debate whether there is a case to prevent staff working in the NHS from striking, as is the case with other essential services such as the police and the army.

As highlighted above, having worked myself in the NHS for 12 years, I do have a great deal of sympathy with the concerns that junior doctors and consultants have raised around terms and conditions of service and retention.

I believe that there are two further interventions that the Government could consider to help to solve the dispute and improve conditions for doctors:

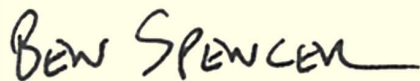
- Scrapping national contracts for doctors and devolving them to ICSs for local negotiations, allowing tailored remuneration and terms of service to meet local need.
- Provide reimbursement of medical school tuition fees following completion of years of service of work in the NHS.

I believe that these would both improve employment conditions for doctors and support ongoing retention of our domestically trained workforce, while providing value for the taxpayer. Devolved contracts would have the added benefit of tackling regional recruitment challenges due to the cost of living and housing, such as in my constituency.

I would welcome the opportunity to meet with you and your team to discuss these issues further.

I declare that I have an interest in this area, I am a now non-practicing doctor and my wife is an NHS doctor.

Yours ever,

A handwritten signature in black ink that reads "Ben Spencer". The signature is written in a cursive, slightly slanted style.

Dr Ben Spencer MP
Runnymede and Weybridge