

Right to choose



Kent and Medway

It is for the GP to decide what is clinically appropriate when offering eligible patients their legal rights to choose. Note: the service provider must hold an NHS contract for the specific intervention(s) the patient is requesting access to. Consideration needs to be given to clinical appropriateness where a patient has complex mental health needs and requires an integrated package of health and social care to avoid their care being fragmented. When discussing clinically appropriate choices with patients, using the information available at the point of referral, GPs should consider:

Involving patients in decision making

- Discussing the patient's expectations of referral - can signposting to self help tools support the patient as an alternative?
- Discussing the patient's personal circumstances.
- Discussing the patient's continuity of care, for example any co-morbidities and existing care and treatment the patient is receiving or needs to receive.
- Discussing the patient's rights to choose the provider and team at the points at which the choice is meaningful.
- Discussing whether the patient would benefit from accessing an advocacy service.
- Discussing whether the patient would benefit from receiving further information in a more accessible format.

Provider services and outcomes

- **The provider must hold an NHS contract with an ICB and produce evidence of same to KMICB**
- **The referral must be made in line with ICB policies and commissioned pathway; therefore, the provider must provide a service in line with what is commissioned locally**
- Whether the provider offers evidence-based and effective interventions for the patient's condition/presenting needs.
- The quality and clinical outcome indicators for the providers' services.
- Patient and user feedback for the providers' services.

Clinical considerations

- Whether there is risk of fragmenting care through the choice that a patient wishes to make, for example where a patient requires a high level of integrated health and social care.
- Any implications patient choice of provider has for the delivery of crisis care should it be required during their episode of care.
- Whether the patient has been recently discharged and the potential clinical benefits of continuity of care.

Practical implications

- Appropriate arrangements for continuing care should be agreed by the GP, the patient, the provider and the commissioner.
- Discussing how the patient would be able to travel to and from the provider if the patient lives outside the area served by the provider.
- Any local provision for patient transport to and from their chosen provider.
- Ongoing provision of care (for example monitoring and medication (Shared Care))

Reference: NHS England: Choice in Mental Health Care: Publication Gateway Number 07661. April 2021.

Adapted for use in NHS Kent and Medway January 2024