

Advocacy Toolkit:

The NHS Constitution – what are my rights?

What is the NHS Constitution?

The National Health Service (NHS) provides free healthcare for all UK citizens based on their clinical need, rather than their ability to pay for it.

Everybody who is cared for by the NHS has formal rights as an NHS patient. The NHS Constitution is a single document which sets out these rights (to which patients, public and staff are entitled) and pledges (which the NHS is committed to achieve).

Rights and Pledges

The NHS constitution sets out the ‘rights’ and ‘pledges’ to which patients, public and staff are entitled. The ‘rights’ outlined in the Constitution are legal rights to which patients, public and staff are entitled. Pledges go above and beyond legal rights. Although pledges are not legally binding, they are commitments by the NHS as part of their aim to deliver a high quality service. All NHS bodies (and third parties delivering NHS services) are required by law to take account of the NHS Constitution in their decisions and actions.

Key rights of patient care set out in the NHS Constitution include being involved in and consulted on decisions about treatment and care; being given information about the test and treatment options available to you; and being treated with dignity and respect.

Your rights and pledges are detailed in ‘Section 3a’ of the NHS constitution – ‘Patients and the public: your rights and the NHS pledges to you’ (pages 6-10).

They cover the following areas:

1. Access to health services
2. Quality of care and environment
3. Nationally approved treatments, drugs and programmes
4. Respect, consent and confidentiality
5. Informed choice
6. Involvement in your healthcare and the NHS
7. Complaint and redress

The Handbook to the constitution explains each of the rights and pledges in more detail in ‘Part III: Patients and the public’ (from pages 21-92).

Did you know...?

You have the right to be given information about the test and treatment options available to you, what they involve and their risks and benefits.

Did you know...?

You have the right to be seen by a cancer specialist within a maximum of two weeks from GP referral for urgent referrals where cancer is suspected.

Did you know...?

You have the right to drugs and treatments that have been recommended by NICE for use in the NHS, if your doctor says they are clinically appropriate for you.

Where to find out more

A copy of the NHS constitution (16 pages) is available at:

www.gov.uk/government/publications/the-nhs-constitution-for-england

The Handbook to the Constitution (146 pages) further explains the detail of the NHS constitution, a copy is available at:

www.gov.uk/government/publications/supplements-to-the-nhs-constitution-for-england

Further Questions

If you have any further questions about the NHS constitution, want to find out more about what you are entitled to or need support if something has gone wrong then contact our Campaigns and Advocacy team.

They are available Monday to Friday from 9:00am – 5:30pm. If you would like to speak to them, you can:



Call our office line on 01905 755977



Send them an email at advocacy@leukaemiacare.org.uk

You can also call the 24-hour CARE Line, free of charge on 08088 010 444. The team will pass your enquiry onto the Campaigns and Advocacy team.

Please note that our Campaigns and Advocacy team are unable to provide:

- Detailed medical advice or recommendations
- Legal advice

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