

BREXIT AT A GLANCE...

Weekly news, views and insights from the Welsh NHS Confederation
Friday, 14 February

***Please cascade information where appropriate
to your workforce and care providers***

What Happened This Week...

While the UK left the EU a fortnight ago, the work is not done. The UK and the EU can now start negotiating what their new relationship could look like, with just 11 months on the clock to do so.

Back in Wales, the EU withdrawal process continued to be a main theme across the health and care sector. At our Annual Conference held at the Cardiff Hilton last week, both the incoming Chair Lord Victor Adebowale and Niall Dickson the Chief Executive of the NHS Confederation mentioned the importance of the next phase of negotiations.

Based on more clarity of information, we were able to update the [Preparing for Settled Status – Managers Toolkit](#) to reflect what line managers should be aware of now that we have entered the transition period, for example the need for staff to update their passport information with the Home Office. You can also watch [NHS Employers' EU Settlement Scheme webinar](#) which provides more information on the current political context and background of the scheme, tips on how to support staff to apply and a Q&A session.

The next eleven months will be challenging, and we need to make sure that health continues to be a priority in the negotiations. The Brexit Health Alliance released an [updated briefing](#) lobbying on four broad fronts - patient safety; access to medicines and medical devices; patient rights to treatment and continued co-operation on medical research. These concerns were mentioned in briefing done by Senedd Research in relation to concerns around cooperation with the European Centre for Disease Prevention and Control and the European Medicines Agency.

If you have any questions about the Brexit process, please see our [FAQs](#) page for more details which have been updated today to include information such as service entitlements for EA/EEA citizens, or email any questions to brexitfaqs@welshconfed.org. Please visit [our website](#) for more information and resources on current developments.

Nesta Lloyd-Jones,
Assistant Director, Welsh NHS Confederation



Jeremy Miles @wg_CounselGen · Feb 4

If you're an EU citizen living in Wales, you don't need to pay to apply for Settled Status.

We've also funded a package of FREE support & advice to help you apply, so you can continue to live & work here.

This is your home and we want you to stay 🏠

eusswales.com/en/index.html



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Welsh Government News and Guidance

[Brexit update: 31 January 2020 - Service entitlement letter for EU, EEA and Swiss nationals](#)

In this letter, Dr Andrew Goodall, Desmond Clifford and Albert Heany set out the services to which EU, EEA and Swiss nationals living in Wales are entitled up until 1 January 2021. It highlights the services available to EU/EEA/ Swiss nationals depending on the date which they arrived in the UK (i.e. before or after 31 January 2020), the EU Settlement Scheme, and the EU Citizens' Right Project.

[More support for hard-to-reach EU citizens living in Wales](#)

As the latest figures on applications to the UK government's EU Settlement Scheme (EUSS) are published, Counsel General Jeremy Miles today announced more new funding for councils in Wales to boost numbers of applications from their area.

Brexit and EU funded projects

- Under the terms of the Withdrawal Agreement, the UK will continue to participate in EU programmes funded through the current 2014-2020 Multiannual Financial Framework and includes all European Structural and Investment Funds (ESIFs).
- Therefore, regardless of the length of the implementation period, there will be no change in the existing arrangements for beneficiaries of current EU-funded projects until closure of the Programmes in 2023. Welsh organisations can also continue to bid for new funding under the current EU programmes.

Jeremy Miles **issued a written statement on the latest JMC (EN)** meeting which took place in Cardiff on 28 January and focused on the role of the devolved governments in trade negotiations.

- The Council General stressed the Welsh Government wants to engage with the UK Government but in order to do so they need to see the underlying information being considered by them. They regretted that papers shared ahead of JMC (EN) had not been proposed jointly and didn't address the outstanding issues comprehensively.
- The Council General also noted that the Welsh Government has been clear in our policy document, **The Future UK/EU Relationship: Negotiating Priorities for Wales** that we believed priority should be given to the future relationship with the EU and that we wanted to see continued participation in European programmes.

- The First Minister acknowledged the UK Government's comments to their continued commitment to the Sewel convention and pressed them to extend this principle to the forthcoming UK-EU negotiations, and that a clear commitment to involving the Devolved Governments would strengthen the UK's hand in the negotiations. While some proposals had been made as to a structure for the negotiations, this needed further work and the principle of not normally proceeding without the agreement of the Devolved Governments in relation to devolved matters needed to be agreed urgently by the UK Government.

Jeremy Miles [criticised](#) Boris Johnson's speech outlining the UK's opening position on its future relationship with the EU by departing from the approach signalled in the political declaration. The main points for his speech were:

- The Prime Minister's approach would appear to move decisively away from the Political Declaration. In particular, it emphasises an unwillingness to contemplate a broad, inclusive framework covering all aspects of our future relations in favour of a set of separate agreements as well as an absolute rejection of making 'level playing field' commitments and of allowing any role for the Court of Justice of the European Union.
- This appears to prioritise the political goal of the UK's complete separation from the EU. As such, it risks causing deep damage to Wales' essential trade with Europe that would have a real impact on people's jobs and businesses.
- The UK initial position is clearly at odds with the priorities in [The Future UK/EU Relationship: Negotiating Priorities for Wales](#) White Paper which emphasised that the future economic relationship with the EU will be based on a Free Trade Agreement but continue to believe that, given the significance of EU markets to businesses, the UK must seek the

fullest access to the EU's market, eliminating tariffs, and minimising non-tariff barriers.

- The coming weeks will be critical for the development of the UK's detailed negotiating positions. Whilst waiting for the UK Government's substantive response to the proposals for engagement, the First Minister and the Counsel General will continue to press the UK Government to work with all governments of the UK to agree a mandate that protects the interests of all parts of the Union.

For further information, please see the [Preparing Wales](#) website and [click here](#) for more information on Health and Social Care sector planning for a no-deal Brexit.

National Assembly for Wales

[UK-EU Future Relationship: What could be agreed over the next 11 months?](#)

This is a series of infographics setting out the timeline for, and details of, what the UK and EU have committed to agree in the negotiations on their future relationship.

Tuesday 4 February

[Legislation, Justice and Constitution Committee](#)

Papers to notes:

- Letter from the First Minister: EU Exit SI Programme. Available to read [here](#).

[Publications](#)

[Negotiations on the UK-EU Future Relationship: What are the key elements for Wales?](#) (The **Welsh NHS Confederation** were mentioned in relation to concerns around cooperation with the European Centre for Disease Prevention and Control and the European Medicines Agency.)

Monday 10 February

External Affairs and Additional Legislation Committee

Papers to note:

- Correspondence from the Counsel General and Brexit Minister to the Chair regarding the Committee's report - Common policy frameworks: Assembly Scrutiny, is available to read [here](#).
- Correspondence from the Parliamentary Under Secretary of State for Exiting the European Union to the Chair regarding the Withdrawal Agreement Bill - 29 January 2020, is available to read [here](#).
- Response from the Welsh Government to the Committee's report on UK international agreements after Brexit, is available to read [here](#).

Legislation, Justice and Constitution Committee

SL(5)496 - The European Union (Withdrawal Agreement) Act 2020 (Disapplication of the Deferral of Subordinate Legislation) (Wales) (EU Exit) Regulations 2020. This gives legal application to the transition period.

- The Report is available to read [here](#), along with the [Regulations](#).

- The Letter from the First Minister, 30 January 2020, is available [here](#).

Wednesday 12 February

Finance Committee

Scrutiny of Welsh Government Second Supplementary Budget 2019-20

Brexit Support

Siân Gwenllian asked if there have been any developments to ensure Wales receives the same amount of funding it received from the EU. The Minister said that while she has received repeated assurances from the UK Government that Wales will not receive a ‘penny less’ as a result of Brexit, there has been no confirmation over how that money will be spent and who will get to spend it. She said it remains the Welsh Government’s opinion that the devolved governments should have control over any replacement European funding.

Brexit Update

Senedd Research publishes a fortnightly Brexit update, for the Assembly’s External Affairs and Additional Legislation Committee, on the latest government, parliament, EU and other relevant announcements and reports on Brexit. Read the latest update [here](#).

Managing Brexit / EU withdrawal in health and social care in Wales: Frequently asked questions

Brexit Frequently Asked Questions

We have updated our Brexit FAQs again this week to include a letter from Dr Andrew Goodall, Albert Heany and Desmond Clifford of service entitlements for EU/EEA nationals over the transition period, updated EU Settlement Scheme ID scanner locations and guidance, and information on the Shared Prosperity Fund.

Visit the [FAQs page](#) to get the latest version as it's updated and send in any questions to BrexitFAQs@welshconfed.org

UK Government & NHS England Resources

EUSS guidance – update from the Cavendish Coalition

The Home Office has re-launched their comprehensive suite of resources for employers, local authorities and individuals in relation to the EU settlement scheme.

This short summary highlights the suite of available resources, their purpose and recommended use. The guidance outlines statutory responsibilities in relation to the scheme and emphasises the use of networks, unions, grant

funded organisations and engagement to raise awareness and encourage applications, particularly in relation to our most vulnerable groups in society.

- **Employers** – no legal obligation to communicate the scheme, however, may wish to direct employees to the information that the government is providing.
- **Local authorities** – responsible for making applications to the EU Settlement Scheme on behalf of looked after children, children in care and care leavers.
- **Community groups** – can help vulnerable or at-risk EU citizens within communities, from raising awareness and providing information, through to supporting them with their application.

The [Template letter](#), [Presentation](#) material, [Factsheet](#), [Leaflet](#) and [Poster](#) can be used by employers, local authority and community groups.

Reminder - The deadline for the application to the EU settlement scheme is 30 June 2021 and there are no changes to right to work checks until 1 January 2021.

[More than 3 million applications to the EU Settlement Scheme](#)

This news comes as a new wave of advertising begins to encourage those who have not yet applied to do so. It builds on the £3.75 million campaign which supported the full scheme launch in March 2019. Adverts will appear on catch-up TV, radio, online and social media, with some also in Polish, Romanian, Italian, Lithuanian and Portuguese newspapers.

[December 2019 official statistics](#) show that:

- As of 31 December 2019, over 2.7 million (2,756,130) applications had been received, with 92% received in England, 5% in Scotland, 2% in Northern Ireland and **2% in Wales**.

- Polish and Romanian nationals were consistently among the highest application numbers within each constituent country.
- 2,450,220 applications had been concluded up to 31 December 2019. **58% (1,430,820) were granted settled status, 41% (1,003,160) were granted presettled status and 1% had other outcomes.**
- Concluded outcomes granted settled status were higher for Northern Ireland, Wales and Scotland (67%, **64%**, 63% respectively), compared to England (58%). **Wales and Scotland were more likely to be granted settled status.**
- Most applications were received from England (2,522,370; 92%) with an additional 135,810 from Scotland (5%), 44,680 from Northern Ireland (2%) and **44,110 from Wales (2%)**.

Overview from Westminster

Monday 3 February 2020

- Boris Johnson gave a [speech](#) saying there is 'no need' for the UK to follow Brussels rules and outlining his desire for a Canada-style trade agreement (no import tariffs on most goods, but customs checks and VAT checks) with the EU, saying the UK would return to the Withdrawal Agreement if such a deal was not reached.
- The EU published its [draft negotiating mandate](#) outlining economic and security partnership and institutional framework for governing future relations. In return for zero tariffs and quotes, the EU would expect the UK to uphold high standards and maintain a level playing field. The EU is also committed to maintain cooperation in Horizon 2020 and Erasmus, but the scope will depend on decision about the 2021-27 multiannual framework. The European Parliament's plenary [voted in support](#) of the mandate, while European ministers are supposed to approve it on February 25. Once approved, the EU will seek to hold than 10 parallel negotiations on different policy areas in order to keep the Dec. 31, 2020

deadline.

Tuesday 4 February 2020

Over in the Lords, the [EU Justice sub-committee](#) asked three experts how the EU Settlement Scheme is working for vulnerable people. Many vulnerable groups – including children in care, domestic abuse survivors and people who are homeless – are unlikely to have access to the documents they need to prove their identity and residency. They may also not have access to the internet or a smart phone, or even be aware that they need to apply.

Wednesday 5 February 2020

Peers debated '[Replacing European Structural Funds currently administered by the Welsh Government](#)'. Wales was eligible to receive around £2.1bn in [European Structural Funding](#) during the 2014-20 cycle. When the UK leaves the EU, it will no longer be eligible for future funding. The Government has indicated that it will set up a UK Shared Prosperity Fund to ensure UK citizens do not lose out from the removal of EU funding. However, it remains unclear how this fund will be allocated. The main points discussed include: the importance of improving Wales and its outcomes based on tackling regional inequalities, the need for clear governance arrangements on how the programme will be administered and managed, and clarity on whether the fund will be based on additionality or match funding. The transcript of the debate is available [here](#).

Guidance

Our [Guidance](#) was updated to reflect access to healthcare for UK nationals living across the EU as well as updated Settlement Scheme guidance.

News and Reports

Prioritising health in our future relationship with the EU: a Brexit Health Alliance briefing

The Brexit Health Alliance is concerned that the safety and health of patients and citizens could be overlooked during the negotiations over the next 11 months and has produced a [briefing](#) and [summary](#) to highlight why time is of the essence and health must be a priority in the future relationship negotiations.

Why Brexit means Wales must strive harder than ever to sustain its place in the world

Jill Evans, MEP for Wales 1999-2020

Yes, Wales is leaving the European Union, as currently part of a smaller, and fast diminishing British union. As Plaid's leader Adam Price put it in his keynote speech on Brexit: "Not all of us were leavers but we are all leaving now. That's not a statement of belief, it's a statement of fact."

The EU invested billions in Wales – will Westminster match that after Brexit?

Underpinning this investment was the principle of "additionality". This meant that any funding from the EU could not replace existing public funding but must be additional to it. It was this principle of 'additionality' which largely explains why Wales became a net beneficiary of EU funding over the years and why European funding featured so heavily in the Referendum debate on Britain's membership of the EU. In that debate and since, Welsh voters were repeatedly assured that Wales would not lose a penny if we left the EU.

Now that we have left the EU, it is only reasonable that Westminster delivers on its promises to Wales and delivers a comparable needs-based replacement to EU Structural Funds. Not only should this guarantee £2.5 billion for Wales on a pre-allocated basis over the period 2021-2027 but it should be administered and delivered in Wales. This would honour Westminster's pledge to match EU

funding and ensure that Wales' voice is heard, its rights respected, and investment strategically targeted using local input to build a better future for Wales.

The UK as a global centre for health and health science – a go-to place for all aspects of health

The UK is already a leader in health and the related sciences. It has world class universities and research, is a global leader in health policy and international development, has strong life sciences and bio-medical and bio-tech industries, and a vibrant and diverse not-for-profit sector. The new report from the APPG on Global Health that the UK should give this role even greater priority and that further planning, collaboration and targeted investment will enable the UK to become a truly global centre for health and health science.

Looking Ahead

Both the UK Parliament and the National Assembly for Wales are in recess, returning on Monday 24 February.

Wednesday 19 February 2020

- [Conflict, peace and Brexit on the Island of Ireland](#)

Monday 24 February 2020

- [External Affairs and Additional Legislation Committee](#)

Wednesday 26 February 2020

- National Assembly: Plenary – Oral Questions – Brexit



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Our mailing address is:

Welsh NHS Confederation

8

Cathedral Road

Cardiff, Wales CF11 9JL

United Kingdom

[Add us to your address book](#)