

BREXIT AT A GLANCE...

Weekly news, views and insights from the Welsh NHS Confederation
Friday, 5th July



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

What Happened This Week...

This week was one of the busiest in recent weeks for Brexit questions and debates in Westminster. Topics this week ranged from EU law making procedures, to questions around the Shared Prosperity Fund, Settled Status and asylum seekers.

Our team has continued to keep an ear to the ground on the latest developments. We participated in an Institute for Government livestream which discussed if the UK could cope with a no deal Brexit, particularly in relation to trade deals, borders and information on goods. One of the main issues raised at the event was around Settled Status and the transfer of people and skills.

We also attended the Welsh Government Horizon 2020 annual event where representatives from universities, businesses and other sectors gathered for a series of presentations and a panel discussion regarding Wales' position within the current Horizon 2020 funding programme and what the future of EU funding might look like for Wales in a post Brexit environment. It was clear that research and innovation across sectors make up a significant part of Wales' identity and is strongly valued on the international stage.

If you have any questions about the Brexit process, please see our [FAQs](#) page for more details which have been updated this week to include written statements from the UK Government on medicine contingency supplies as well as Welsh Government updates. Please email any questions to brexitfaqs@welshconfed.org. Please visit [our website](#) for more information and resources on current developments.

Nesta Lloyd-Jones,
Interim Director, Welsh NHS Confederation

Welsh NHS Confed @WelshConfed · 2h

Interesting panel session at Horizon 2020 Annual Event. Discussing opportunities and challenges for research and innovation #horizon2020wales



Welsh Government News and Guidance

[Written Statement: Joint Ministerial Committee \(European Union Negotiations\), Manchester, 28 June 2019](#)

[Council General and Brexit Minister Jeremy Miles](#) attended a meeting of the Joint Ministerial Committee (EU Negotiations) on Friday 28 June in Manchester. The meeting focused on Negotiations, the Intergovernmental Relations Review and Common Frameworks.

[Is your business ready for no deal? If not, you're running out of time](#)

Welsh Government minister's have published important advice for businesses to consider in their preparations for a no-deal scenario. They have identified 5 simple, low-cost actions to help Welsh businesses prepare for a no deal Brexit:

- If you are an importer or exporter, you'll need an Economic Registration and Identification ([EORI](#)) number
- Do you use or transfer personal data into the UK? Make sure you continue to comply with GDPR regulations. Check the Information Commissioner's Office for [more information](#)

- Do you employ EU citizens? They will need to apply to remain in Wales through the EU Settled Status Scheme. [EU Settlement Scheme: employer toolkit](#) on GOV.UK
- If you are a manufacturer, check regulatory requirements for UK and EU markets for labelling, approvals and testing. [Regulations and standards after Brexit](#) on GOV.UK
- You can visit our [Business Wales Brexit Portal](#) to assess how prepared your business is and get detailed and expert advice

The First Ministers of Wales and Scotland [issued](#) a joint statement calling on the future Prime Minister to rule out a no-deal Brexit.

In his monthly press conference, First Minister (Mark Drakeford) [outlined](#) the topics of discussion during last week's British-Irish Council and reiterated calls to rule out a no-deal Brexit.

Brexit Minister (Jeremy Miles) [spoke](#) at the fifth Horizon 2020 conference about the impact of Brexit on research and development in Wales.

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

National Assembly Developments

[Brexit Update](#)

By Senedd Research on Friday 28 June 2019

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.

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[National Health Service \(Charges to Overseas Visitors\) \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2019](#) and [explanatory memorandum](#)

The Principal Regulations allow Local Health Boards (LHBs) in Wales to recover charges from overseas visitors who are not ordinarily resident in the United Kingdom (UK) for certain categories of healthcare provided to them in Wales, unless the overseas visitor, or the service they receive, falls within an exemption. The Regulations will correct references to EU law that will be inoperable after the UK leaves the EU and make provision on the chargeable status of EEA State and Swiss visitors using NHS services in Wales in the event of a No Deal EU Exit.

The amendments will ensure that specified categories of visitors from EU/EEA States and Switzerland remain exempt from charging for particular NHS care. The amendments are also required to maintain the current exemptions in the Principal Regulations following the making of the Social Security Coordination (Reciprocal Healthcare) (Amendment etc) (EU Exit) Regulations 2019 (SI 2019/776). The Regulations:

- **Preserve the existing right** for individuals who are ordinarily resident in an EEA State or Switzerland to receive NHS care without a charge in circumstances where they either held a UK-issued reciprocal healthcare document on exit day or would have been eligible to receive one had the pre-exit rules continued to apply.
- Provide an exemption from charges for needs arising treatment received by **frontier workers** when pursuing an activity as an employed or self-employed person in the United Kingdom.
- Provide an exemption from charging for **planned treatment** provided to EEA or Swiss visitors on or after Exit day which is part of a course of treatment which was authorised before Exit day.
- Provide an exemption from charges for overseas visitors for relevant services covered by a **reciprocal agreement** with an EEA State or Switzerland which comes into effect on or after Exit day.
- Remove EU references contained in the Principal Regulations that may no longer be operable or coherent after Exit day.

Tuesday 2 July

Plenary

The Welsh Government [urged](#) all businesses and organisation across Wales to make urgent preparations for a no-deal Brexit.

First Minister's Questions

Brexit Party leader Mark Reckless raises a recent Eluned Morgan statement that she encountered “incredulity” in Ireland that Wales voted Leave in 2016 and accuses the FM of teaming up with the SNP as if he leads a government that wants to leave the UK. He accuses the first minister of betraying voters. The FM says it is incumbent on those who talk about alternative arrangements for the Irish border to explain how they are to operate and says he wants the UK to be a success but says the FCO's action is a coup for Scottish nationalism - Scottish ministers were subject to similar restrictions.

News and Reports

UK 'running out of time' to eliminate no-deal Brexit disruption

In a recent Written Ministerial Statement, David Lidington, Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office has claimed that “While the Government believes that leaving the EU with a deal is the best outcome, leaving without a deal remains the legal default at the end of the extension period on 31 October 2019.”

Quoted in the article, Niall Dickson, chief executive of the NHS Confederation, said:

“It is good to see the government planning for the worst - but we are running out of time to eliminate the disruption of a no deal that could put patients at risk.

“Around three quarters of our medicines and over half our clinical consumables come from, or via, the European Union and so it is vital that the supply chain continues to work. Medicines also go from the UK to Europe.

“If there is no deal or agreement of any kind with the EU, patients in the UK and Europe would be placed at risk. To make sure they are protected we need an agreement with a transition period.

“We do recognise the enormous effort that has gone into making these plans as robust as possible. But the truth is that much of this is outside of the control of the NHS and our members; that is why we continue to advocate a negotiated deal which will provide maximum protection for patients.”

[EU Cross-border healthcare](#)

This [report from the European Court of Auditors](#) found that EU patients still face challenges in benefiting from the actions envisaged by the EU directive on cross-border healthcare. Only a minority of potential patients are aware of their rights to seek medical care abroad. At the same time, the auditors also found problems and delays in exchanging patient health data electronically between Member States. Moreover, actions to facilitate access to healthcare for rare disease patients need to be improved.

[US ambassador: 'Suppliers want fair access to NHS Wales'](#)

President Donald Trump would want US suppliers to have access to "a fair and balanced marketplace" in NHS Wales as part of any trade deal, the US Ambassador to the UK has said.

[Lorde Brooke: Protect our NHS in future trade deals](#)

The UK appears unprepared for trade talks and is vulnerable to US demands. Our next Prime Minister must set-out explicitly how our health service will feature in any trade deal plans, says Lord Brooke

[Brexit Party MEPs fear MPs will block a no-deal Brexit](#)

Wales' Brexit Party MEPs fear there will be another delay to Brexit.

[Brexit stockpiling warning: UK warehouses already 'full'](#)

UK warehouses are "full", raising doubts about the ability of UK firms to stockpile goods ahead of a potential no-deal Brexit on 31 October.

[Shortage Occupation List review a temporary solution to labour shortage](#)

A review of the Shortage Occupation List of in-demand professions in the UK has proposed a number of additions in the health and care sectors.

[Boris Johnson backed by Welsh Tory Senedd leader Paul Davies](#)

[Alun Cairns: Boris Johnson would set up 'union unit' as PM](#)

[Welsh FM scaremongering over the union post-Brexit, says Cairns](#)

[Boris Johnson: Westminster is 'an England-only parliament'](#)

Brexit Frequently Asked Questions

We have updated our Brexit FAQs again this week to include updated information from the recent letters from Dr Andrew Goodall, Director General of Health and Social Services and Chief Executive, following last weeks Written Statement on medicines supply contingency, and information from the National Assembly on guidance into Overseas Visitor Charging.

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

THE WELSH NHS CONFEDERATION
CONFFEDERASIWN GIG CYMRU



ADSS Cymru
Yn arwain Gwasanaethau
Cymdeithasol yng Nghymru
Leading Social Services in Wales



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

UK Government & NHS England Resources

Overview from Westminster

Monday 1 July

House of Commons

The Labour former Foreign Secretary, Dame Margaret Beckett, and the Conservative former Attorney General, Dominic Grieve, proposed amendments in during Estimates Day debates which would block the funding of key government departments: international development, education, work and pensions and housing, unless MPs agree a Brexit outcome (with the aim to make it impossible for the government to bypass Parliament and impose a no-deal exit from the EU, because if ministers did, the flow of cash to government services would stop). John Bercow blocked this attempt to prevent no deal Brexit.

House of Lords - Oral questions

Q: EU law-making process, in particular the roles and powers of the (1) European Commission, (2) COREPER, (3) the Council of Ministers, (4) the European Court of Justice, and (5) the European Parliament - [Lord Pearson of Rannoch \(United Kingdom Independence Party\)](#)

A: It was stated that the information on European law-making procedures are already in the public domain and that the UK Government has no plans publishing more advice. There was a discussion on how complicated these processes are, how important they are to know about, and how publishing more information could have strengthened the Governments position on Brexit. The new European Parliament will take their seats 2 July, and it is with this Parliament that future negotiations need to be conducted through and agreement would be needed. It was discussed that perhaps information on European law-making procedures should have been clearer when the UK first joined the EU, and that this complexity might have been a reason the majority of the country voted to leave the EU.

Tuesday 2 July

The UK's newly elected MEPs took their seats in Strasbourg, which was met with [controversy](#) as both the Brexit Party and the Liberal Democrats used the parliaments new term to promote political messages in relation to Brexit.

[House of Commons – Oral Questions](#)

[The Chancellor of the Exchequer answered oral questions](#) including the economic effect of leaving the EU for Scotland and what steps have been taken for creating a shared prosperity fund. The Home Secretary emphasised the importance of needing to deliver Brexit for the impact this would have on poverty (the Home Secretary emphasised that the current government has delivered the lowest poverty rate in the UK). Alison McGovern MP (Wirral South, Labour)

Q2. What discussions he has had with the Secretary of State for Scotland on the economic effect on Scotland of the UK leaving the EU. (911675). Patrick Grady MP (Glasgow North, Scottish National Party)

A: The Chancellor of the Exchequer clarifies that he has discussed this regularly with the Scottish Government and that he is committed to securing deal for entire UK which would be in the best interests of the country. He discussed that there is 'fiscal headroom' available which can be released for additional public spending or to reduce taxation once the UK leave the EU in a 'smooth exit'. He also noted that the promised Comprehensive Spending Review would now be in the hands of the incoming government and it would be for them to decide if this would be a 1- or 3-

year review. Finally, he agreed that the Scottish economy would be more adversely impacted by a breach of trading practices with the UK than with the EU.

Q3. What progress the Government has made on establishing a shared prosperity fund. (911676). Preet Kaur Gill MP (Birmingham, Edgbaston, Labour (Co-op))

A: The Chancellor of the Exchequer indicated that more details about the Shared Prosperity Fund will be released after the conclusion of the Comprehensive Spending Review and will be subject to a wide consultation later this year. He emphasized that funds from the current EU funding stream have been guaranteed until 2023 but emphasized that MPs need to pass the Withdrawal Agreement. Factors such as the range of indicators that will be used to determine which regions get the funds will be determined as part of the consultation. He noted that the Shared Prosperity Fund is only one activity to address inequalities across the UK, other activities include increased public investment on infrastructure.

House of Lords – Oral Questions

Q: Ensuring that appropriate consideration is being given by all departments to other policy areas alongside the preparations for the UK's departure from the EU. Baroness Massey of Darwen (Labour)

A: The civil service has the capacity to deliver policies that the Government prioritises and the insurance that they are backed (for example, the NHS Long term plan for NHS). The Baroness expressed frustration within and outside Parliament that many issues are being deferred (including domestic violence, mental health and the Social Care Green paper). It was noted that many bills have been put through this Parliament and passed that are not related to Brexit, and other issues have been given attention that do not require legislation (i.e. the NHS Long Term Plan). An estimate could not be provided about the number of civil servants already recruited as well as those that are still needed. The civil service has the ability to move people about and shift resources appropriately, and that once the new Prime Minister is in post 'choices will have to be made' in terms of funding of pledges.

House of Lords – Short debate

A question was raised in a short debate on [academic health science centres](#) on if the Government has undertaken any research into the possible implications of £30,000 threshold on universities, researchers, applied health sciences etc.

There was a short debate on whether the recent EU–Western Balkans summit in Sofia has strengthened Government support for EU enlargement now and after Brexit - [The Earl of Sandwich](#). The transcript can be found [here](#).

Wednesday 3 July

House of Commons

[The Brexit Committee discussed citizens' rights.](#)

The first panel focussed on the implementation of the Settled Status Scheme for EU citizens living in the UK and the implications of no deal (the Committee [published a report](#) on this issue last year). Themes raised included: the proportion of those applicants that were given settled versus pre-settled status, the type of statistics needed by the attendees from the Home Office, entitlement to benefits and the impact on vulnerable populations etc. The second panel looked at the situation for UK citizens living in EU countries after Brexit. You can read the transcript [here](#).

[The International Trade Committee talked to Dr Liam Fox MP](#), Secretary of State, on the work of the Department for International Trade. This session covered the work of the whole department and [discussed preparations for no deal](#) and post-Brexit planning. The Committee has just published [correspondence](#) from the Secretary of State updating them on the 'rolling over' of EU Free Trade Agreements.

House of Lords

[Committee examines legal implications of asylum cooperation after Brexit](#)

[EU Home Affairs Sub-Committee](#) heard from legal experts on what Brexit means for future cooperation with the EU on asylum and international protection issues.

The main event was the [passing](#) (by a majority of 146 votes) of a Labour-led motion calling for a Joint Committee of Lords and Commons be appointed to report, by 30 September, on the costs and implications for the UK of exiting the EU without a withdrawal agreement on 31 October 2019. The proposal will now go to the House of Commons.

Thursday 4 July

House of Lords

One of the main debates was on [protecting the NHS in future trade](#) deals entered into by the UK.

Guidance

[The government and The National Archives prepare for EU exit](#)

A Written Ministerial Statement has been made to allow members of the public to view all EU legislation relevant to the UK exiting the EU. The second strand of work

is the addition of EU legislation to legislation.gov.uk, all pieces of EU law were uploaded to the website including a timeline of the changes so far. The service makes it easy for people to find out how EU legislation is being changed by the UK.

[Instruments to be considered by the Committee on 16 July](#)

European Statutory Instruments Committee considers proposed negative instruments, including The European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals) (EU Exit) Regulations 2019.

Brexit page on [UK Government](#) providing information about EU Exit including the article 50 process, negotiations, and announcements about policy changes as a result of EU Exit, such as the [Prepare for EU Exit Campaign](#).

Settled Status

[EU Settlement Scheme: community leader toolkit](#)

The community leader toolkit equips local authorities and community groups with the right tools and information to support EU citizens and their families to apply to the EU Settlement Scheme. **Updated local authority introduction and added factsheet 3.**

[EU Settlement Scheme: Assisted Digital service](#)

Information for EU citizens and their families applying to the EU Settlement Scheme. **Assisted Digital locations (21 in Wales) and Assisted Digital home visits (5 areas in Wales) updated.**

[NHS England](#) Preparing for EU Exit page where you can find Guidance and correspondence, which includes [continuity of medicine supply frequently asked questions](#).



Looking Ahead

Several EU Exit regulations will be laid this week, including related to state aid, but no date has been set for them to be seen.

Monday 8 July

- [External Affairs and Additional Legislation Committee: Scrutiny session with the First Minister](#)

Wednesday 10 July

- [Plenary](#): Andrew Questions to the Counsel General and Brexit Minister (in respect of his [Brexit](#) Minister responsibilities)
 1. Alun Davies: Will the Counsel General make a statement on the development of the **UK common frameworks**?
 4. Andrew RT Davies: What meetings does the Counsel General have scheduled with the **UK Government** to discuss Brexit over summer recess?
 6. Paul Davies: What discussions is the Welsh Government having regarding **UK governance arrangements** post-Brexit?
 8. Llyr Gruffydd: When is the Counsel General expecting to receive **key information** from the UK Government which will allow the Welsh Government to complete its plans for Brexit?
 9. David Rees: What discussions has the Counsel General had with UK Ministers on the role that Wales will play in negotiations on the **future relationship** with the EU?
 10. Dawn Bowden: What assurances has the Counsel General received from the UK Government that plans for the **shared prosperity fund** will respect the devolution settlement?
 - [Oral Evidence Session, House of Commons](#): The progress of the UK's negotiations on EU withdrawal
Rt Hon David Lidington CBE MP, Chancellor of the Duchy of Lancaster
Sir Keir Starmer KCB QC MP, Shadow Secretary of State for Exiting the EU
 - [EU Home Affairs Sub-Committee - Oral Evidence Session, House of Commons](#)
[Brexit: future UK-EU cooperation on asylum and international protection](#)
Mr David Bolt, Independent Chief Inspector of Borders and Immigration
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