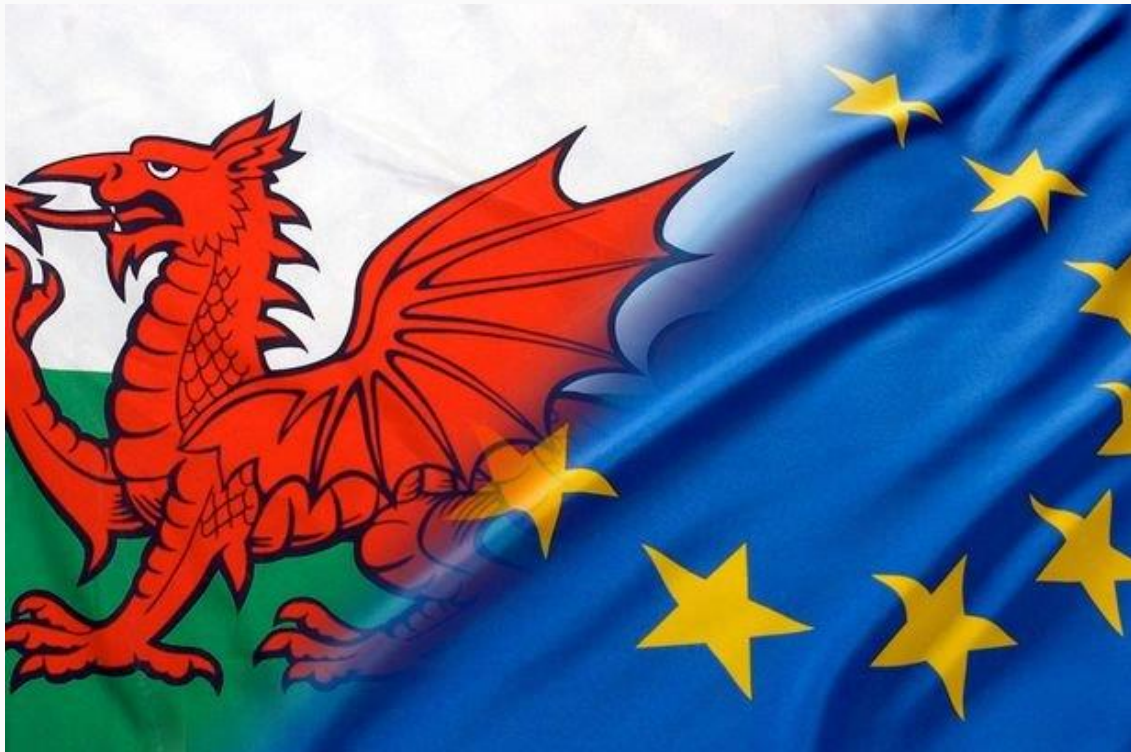


THE WELSH NHS CONFEDERATION
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BREXIT AT A GLANCE...

Weekly news, views and insights from the Welsh NHS
Confederation
Friday, 16 August



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

What Happened This Week...

The last two weeks has been very busy with the UK Government updating over 30 pieces of no-deal planning guidance for health and social care and

Public Health Wales and Welsh Government organising a very successful event to discuss the long term impact of Brexit for Wales.

The Secretary for Health and Social Services has written to the health and social care sectors in England to provide an overview of no-deal preparations. The updated guidance covers a variety of topics including:

- Overall no-deal planning and preparedness;
- Medicines, medical devices, bloods/tissues/organs and clinical trials;
- Reciprocal healthcare rights (which sparked several news stories around the charging EU nationals following a no deal Brexit which arrive after the 31st of October);
- EU funding;
- Social care;
- Public sector procurement;
- Data; and
- Settled Status.

In light of all these changes, we have made significant updates to our [FAQs](#) and our [supporting annex](#) to our Toolkit. We've gotten very positive feedback following the publication of our [Brexit Preparedness Toolkit](#), and we will ensure it is updated with the newest information as it comes out.

This week we attended and took part in a panel discussion during the *Health, well-being and care post Brexit* event hosted by Public Health Wales and Welsh Government. This was an excellent event and enabled participants from across health and care to focus on what Wales's long-term strategy post Brexit world should be. I sat on a discussion panel with Samina Azam (Public Health Wales), Alex Howells (Health Education and Improvement Wales) and Sue Evans (Social Care Wales) where we answered topical questions on how we feel our sectors will be impacted in the medium and

longer term, and how we can come together to ensure Wales makes its own destiny.

The [latest monthly EU Settlement Scheme data](#) was released this week. It showed that 1,040,600 EU citizens and their families from across the UK have applied to the EU Settlement Scheme. Wales received an additional 2,000 applications in July 2019, bringing the total to 15,600 applications, representing approximately 19.5% of the 80,000 EU nationals living in Wales. Managers can refer to our [Preparing for Settled Status – Toolkit](#) for more information on how to support our valued EU staff or if you require specialist support for complex cases please refer people to [Newfields Law](#). A more detailed quarterly statistical report on the EU Settlement Scheme will be published on the 22nd of August 2019, alongside the Home Office quarterly Immigration Statistics.

There is no doubt that in the coming weeks and months there will be daily developments on how we can better plan and be prepared for what happens on 31 October. We will continue to send you key updates and information.

If you have any questions about the Brexit process, see our [FAQs](#) page for more details or 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 Government News and Guidance

[“We will no longer tolerate a ‘get what you’re given’ approach to devolution” - Jeremy Miles](#)

Speaking at the National Eisteddfod in Conwy, the Brexit Minister warned that a hard or no deal Brexit is certainly capable of dismantling the Union. He called for the UK Government to recognise the need for radical change in the UK’s constitutional arrangements to make it fit for the 21st century whether we leave the EU or not, whilst saying that Wales is best placed as part of a reformed union.

[Concerns Welsh students will miss out on popular Erasmus + international exchange programme](#)

The Welsh and Scottish Governments have raised serious concerns about

the impact of a 'no-deal' Brexit on the popular Europe-wide international student exchange programme Erasmus+.

[Newtown medical manufacturing firm benefitting from part of £2.5million approved to help Welsh businesses cope with Brexit challenges](#)

Almost £2.5million has been approved to help Welsh businesses adjust to the challenges of Brexit since the Welsh Government's Brexit Business Resilience Programme was launched last year, Economy Minister Ken Skates has announced.

[No-deal Brexit cash 'will not compensate for devastation'](#)

On Wednesday 31 July, the Welsh Government cabinet's Brexit sub-committee discussed how individual ministers should use the summer break to contact external organisations relevant to their departments - the farming unions, teaching unions, the NHS Confederation, and so on

Minutes: [Welsh Government, board meeting, May 17](#)

Item 3: EU Transition

3.1 Des Clifford advised that the exit date had been extended to 31 October, he explained that there were three possible options in going forward:

1. Leave with a 'No Deal' on 31 October
2. Stay longer in the EU before leaving
3. The UK remain in the EU permanently

3.2 The Board noted that all three options will have associated issues and Des Clifford highlighted that remaining longer before leaving the EU would have an impact on the common agricultural policy. Welsh Government would have to triple run work to ensure it continued to implement the current EU system, prepare for a new Welsh Government system and prepare for the next financial round of the EU system.

3.3 Des Clifford further explained that the extension had given us an opportunity to reflect on the work that had been done to date and to take forward a lessons learnt exercise. He also advised that this gave us some time to recalibrate and allow progress of decelerated work due to Brexit to ensure we deliver on the First Minister's priorities.

3.4 The Board noted the risk of a No Deal was still a possibility and Welsh Government had to remain prepared.

Minutes: [Cabinet meeting, June 24](#)

Item 3: Brexit update

3.1 The Counsel General and Brexit Minister informed Cabinet that the Government had been firming up its position on a second referendum in light of the further threat of leaving the EU without a deal.

3.2 Ministers would need to redouble their effort to persuade the public and Parliament that there was no mandate for a 'no deal' exit and an incoming Prime Minister should not be allowed to take the country out of the EU on that basis without a fresh mandate. There would also be a need to give some thought on how to campaign for a second referendum and to reflect the Welsh Government's position that the UK should remain within the EU.

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.

UK Government News

[EU Settlement Scheme Statistics – as of July 2019](#)

For the month of July 2019, the number of applications received in July 2019 was 131,300. The number of applications concluded was 146,100. Of these, 56% were granted settled status and 42% were granted pre-settled status. Wales received an additional 2,000 applications last month.

In total, as of 31 July 2019, over one million (1,040,600) EU citizens and their families from across the UK have applied to the EU Settlement Scheme. Overall, the total number of applications that have been concluded was 951,700. Of these, 64% were granted settled status and 36% were granted pre-settled status. In total the majority of applications were received from England (958,000), with an additional 51,600 from Scotland, 15,600 from Wales and 12,900 from Northern Ireland.

A more detailed quarterly statistical report on the EU Settlement Scheme will be published on 22 August 2019, alongside the Home Office quarterly Immigration Statistics.

Guidance

Overall no-deal planning

[Letter to the health and care sector: preparations for a potential no-deal Brexit](#)

The Secretary of State for Health and Social Care has written to health and care providers about the Government's preparations for a potential no-deal Brexit.

[Health and social care staff: Brexit preparations update](#)

Letter from the Secretary of State for Health and Social Care to health and social care staff updating them on Brexit preparations.

[Guidance note on new assessment routes in a no-deal Brexit](#)

Further information on the new assessment routes including targeted assessment, accelerated assessment and a rolling review.

[Brexit operational readiness guidance for the health and care system in England](#)

Actions that providers and commissioners of health and social care services should take to prepare for, and manage, the risks of a no-deal Brexit.

[Planning for a no-deal Brexit: information for the health and care sector](#)

Guidance for industry and organisations involved in health and care about plans for a no-deal Brexit. Added 'Businesses supplying medicines and medical devices – what to expect on day one of a 'no deal' scenario' and link

to sign-up to receive Brexit email updates.

[The European Union \(Withdrawal\) Act 2018 \(Consequential Modifications and Repeals\) \(EU Exit\) Regulations 2019](#)

The purpose of this instrument is to ensure that the UK statute book works coherently and effectively following the UK's withdrawal from the EU. It clarifies how certain terms, including EU-related definitions, should be interpreted in domestic legislation on or after exit day. This instrument also clarifies how non-ambulatory cross-references to EU legislation should be read where such references relate to a time before exit day. The Secondary Legislation Scrutiny Committee agreed with the government that this statutory instrument does not have to have a debate in parliament, though one may still occur. However, the European Statutory Instrument Committee disagreed with the government and recommended that this statutory instrument needs to be debated in parliament.

Medicines, Medical Devices, Bloods/Tissues/Organs, Clinical Trails

[Further guidance note on the regulation of medicines, medical devices and clinical trials in a no-deal Brexit](#)

Information for stakeholders so you can make informed plans and preparations in the event of leaving the EU with no deal. **Removed some outdated information, reflecting the publication of more specific guidance in some areas and removed some background information.**

[Regulating medical devices in the event of a no-deal Brexit](#)

What you need to know about the regulation of medical devices in the UK if we leave the EU with no deal. **Removed some background information and added a call to action to subscribe for updates.**

[Guidance on qualified person responsible for pharmacovigilance \(QPPV\) including pharmacovigilance system master files \(PSMF\) in a no-deal Brexit](#)

Pharmacovigilance system requirements if there is a no-deal Brexit. **Removed some outdated background information and made changes to emphasise the actions Marketing Authorisation holders will need to take.**

[Guidance on substantial amendments to a clinical trial if the UK leaves the EU with no deal](#)

This guidance covers significant amendments to a clinical trial including changes to the trial sponsor/legal representative, Investigational medicinal product (IMP) certification and importation and amendments to the Research Ethics Committee (REC). **Removed some outdated background information and re-worded some content to focus on the actions clinical trial sponsors will need to take.**

[Trading in drug precursors if there's no Brexit deal](#)

How trading in drug precursor chemicals would be affected if the UK leaves the EU with no deal. **Guidance updated.**

[List of approved countries for authorised human medicines if there is a no deal Brexit](#)

Approved countries for batch testing and importation of medicines if there is a no deal Brexit. **Following the EU now recognising batch testing from the USA, section 3.3. has been edited to reflect which classes of medicines remain excluded and removed some outdated background information.**

[Licensing of biological products: biosimilars, ATMPs and PMFs in a no-deal Brexit](#)

This guidance sets out the procedures that the MHRA will introduce to regulate biological medicines in the event of no-deal Brexit. **Updated information to make action to take clearer and removed some outdated background information.**

[Quality and safety of human blood and blood products if there's a no-deal Brexit](#)

What blood establishments, blood banks and manufacturers of blood products need to do to ensure the safety and quality of blood and blood products. **Format updates have been made to highlight actions that people need to take. A link has also been added that allows people to sign up for email alerts to get the latest information about Brexit.**

[Quality and safety of human organs, tissues and cells if there's a no-deal Brexit](#)

Guidance for hospitals, stem cell laboratories, tissue banks and fertility clinics for ensuring the quality and safety of human organs, tissues and cells (including reproductive cells). **Format updates have been made to highlight actions that people need to take, in particular relating to import and export licences. A link has also been added that allows people to sign up for email alerts to get the latest information about Brexit.**

[Completed Paediatric Studies - submission, processing and assessment in the event of a no deal scenario](#)

This document provides guidance on the submission, processing and assessment of all completed paediatric studies sponsored by Marketing Authorisation Holders (MAHs) in the event of a no deal scenario. **Removed some outdated background content.**

[Guidance on handling of Decentralised and Mutual Recognition Procedures in a no-deal Brexit](#)

This guidance describes the approach the MHRA intends to take for products approved or pending in decentralised procedure (DCP) or mutual recognition procedures (MRP) if there is no-deal Brexit. **Restructured**

content to emphasise the actions applicants need to take at different stages, and removed some outdated background information.

Reciprocal healthcare rights

[Healthcare after Brexit: citizens of the EU, Norway, Iceland, Liechtenstein and Switzerland living in the UK](#)

Information on healthcare for citizens of EU countries, Norway, Iceland, Liechtenstein and Switzerland living in the UK after the UK leaves the EU. **Increased visibility of calls to action. Highlighted the different guidance for living in England, Scotland, Wales and Northern Ireland if there is a no-deal Brexit. Highlighted guidance for EU and EFTA (Iceland, Liechtenstein, Norway, and Switzerland) citizens about agreements with EFTA states and studying in the UK.**

[Healthcare after Brexit: citizens of the EU, Norway, Iceland, Liechtenstein and Switzerland visiting the UK](#)

Information on access to NHS healthcare for residents of EU countries, Norway, Iceland, Liechtenstein and Switzerland visiting the UK after the UK leaves the EU. Increased visibility of calls to action. **Highlighted the different guidance for visiting England, Scotland, Wales and Northern Ireland if there is a no-deal Brexit. Highlighted guidance for EU and EFTA (Iceland, Liechtenstein, Norway, and Switzerland) citizens about agreements with EFTA states and studying in the UK.**

[Living in the EU: prepare for Brexit](#)

Information on the rights and status of UK nationals living in the European Union, European Economic Area (EEA) and European Free Trade Area (EFTA), and Switzerland. **Updated the 'UK nationals in the EU after Brexit' section**

[Overseas visitor charging: no-deal Brexit guidance for NHS service providers](#)

How changes to charging rules will affect how you recover costs from overseas visitors and migrants if there is a no-deal Brexit. **Added the option to sign-up for Brexit email updates. Updated with clearer calls to action.** *'To be eligible for free NHS care, citizens who move to the UK after exit day must: meet the ordinarily resident test and comply with relevant immigration requirements, once freedom of movement ends'.*

EU Funding

[The government's guarantee for EU-funded programmes if there's no Brexit deal](#)

How UK organisations such as charities, businesses and universities who receive EU funding would be affected if the UK leaves the EU with 'no deal'. **Updated with email alert link.**

[EU Third Health Programme funding if there's a no-deal Brexit](#)

Information for organisations receiving funding, or that are bidding for funding, setting out what will happen if there's a no-deal Brexit. **Added the option to sign-up for Brexit email updates. The guidance has been restructured to highlight existing information for UK organisations, universities and businesses about the government's funding guarantee, and the extension to the guarantee, that will apply to EU Third Health Programme projects if there's a no-deal Brexit.**

[Horizon 2020 funding after Brexit](#)

How Horizon 2020 funding will be affected if there's a no-deal Brexit.

Social Care

[Commissioners and providers of social care: Brexit planning update](#)

Letters to commissioners and providers of adult social care giving an update on actions to consider to prepare for Brexit. **Updated the summary text. Added the Brexit sign-up box.**

[Actions for adult social care providers to prepare for Brexit](#)

What adult social care providers and local authorities need to do to prepare for a no-deal Brexit.

Public sector procurement

[Public-sector procurement under the EU Withdrawal Agreement](#)

Information for public authorities, businesses and other organisations on the outcome for public procurement policy in an EU exit deal scenario. **Further hyperlinks added.**

[Public-sector procurement after a no-deal Brexit](#)

Information for public authorities, businesses and other organisations on the outcome for public procurement policy in a no-deal Brexit scenario. **"First section removed and linked to another page with same information added (<https://www.gov.uk/guidance/public-sector-procurement-under-the-eu-withdrawal-agreement>.)Call to action box added. Contracting authorities call to action moved to top of page,"**

Data

[Accessing data from the European Economic Area under no-deal Brexit](#)

Guidance for local authorities on accessing data from the European Economic Area (EEA) under no-deal Brexit. **Added email alert sign up link.**

Settled Status

[EU Settlement Scheme caseworker guidance](#)

Guidance for caseworkers considering applications under the EU Settlement Scheme. **Added guidance on persons with a Zambrano right to reside.**

[EU Settlement Scheme: ID document scanner locations](#)

Locations where you can go to get your biometric ID document scanned if you do not have an Android device with near field communication (NFC).

High Wycombe and Walsall removed from the list of ID document scanning locations.

[EU Settlement Scheme: community support for vulnerable citizens](#)

Organisations funded to provide support to vulnerable and at risk EU citizens applying to the EU Settlement Scheme. **Added biographical information**

for each organisation. Organisations in Wales include: Rights of Women, Tros Gynnal Plant, Newport Mind Association

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

UK Government News and Other Reports

[One million granted status under the EU Settlement Scheme](#)

New statistics up to the end of July show more than 950,000 applications from England, 50,000 from Scotland, 15,000 from Wales and 12,000 from Northern Ireland.

[New service to deliver urgent medicines and medical products into UK](#)

The Department of Health and Social Care is setting up a service to deliver urgent medicines and medical products into the UK within 1 to 4 days as part of Brexit preparations with a £25 million contract to set up an [express freight service](#) to deliver medicines and medical products into the country. The

department is leading a procurement exercise This money includes £434 million to help ensure continuity of vital medicines and medical products through freight capacity, warehousing and stockpiling.

The new service will support existing plans already in place, including:

- building buffer stocks of medicines and medical products;
- changing or clarifying regulatory requirements so that companies can continue to sell their products in the UK if we have no deal;
- strengthening the process and resources used to deal with shortages;
- procuring additional warehouse capacity;
- supporting companies to improve the readiness of their logistics and supply chains to meet the new customs and border requirements for both import and export.

Brexit Frequently Asked Questions

We have updated our Brexit FAQs again this week to new and updated guidance for no-deal contingency planning. 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
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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**

News and Reports

[Government says EU citizens living in UK will not have to pay for NHS care](#)

The UK Government has said more than two million EU citizens living in the UK will continue being eligible for free NHS healthcare under a no-deal Brexit. The Department of Health disputed earlier reports alleging some EU citizens living in the UK would have to pay for non-urgent care. EU citizens currently need to prove they live in the UK to access free routine [NHS](#) services, by providing bank statements or other documents. This will not change under a no-deal [Brexit](#), regardless of whether those affected have applied for the EU settlement scheme. If EU citizens cannot prove they are residents they will have to pay for non-urgent care, as they do currently.

[EU citizens in UK must prove right to free health care after no-deal Brexit](#)

People who move to or visit the UK after Brexit could immediately face charges.

Some NHS organizations welcomed the clarity from the government. “We have consistently argued that a no-deal scenario is undesirable, but we recognize that everyone needs to be clear about what to do if this situation arises. This latest guidance therefore clarifies the situation and will help NHS staff and providers plan ahead for this eventuality,” said Layla McCay, director of international relations at the **NHS Confederation**.

[Plans for importing medical isotopes changed after Government review of no-deal Brexit proposals](#)

The NHS Confederation said original plans to commission daily flights between the UK and EU countries were found to be “not an incredibly efficient way of doing it”.

[Prioritising Growth: The Future of Immigration Policy](#)

The Centre for Social Justice issued this report, and one of its conclusions is to increase ‘the minimum salary threshold should increase to 35 per cent above the median, a level commensurate to the status of skilled, at £36,700 (in 2019/20 prices)’. However, it also states that ‘*Certificates of Sponsorship can be awarded in cases where the occupation is of strategic importance (if it is not already on the Shortage Occupation List). The Home Office should consider constructing a list of occupations considered strategically important or in high demand, for instance NHS workers. This would ensure nurses or other public sector workers (who do not command a salary above £36,700) could continue to migrate to the UK to work*’.

[Immigration rules may be eased to protect care workers](#)

The government is looking at plans to exempt the social care sector from new immigration rules, amid fears that a no-deal Brexit could lead to the system collapsing by Christmas.

[No-deal Brexit could deepen Europe's shortage of medicines – experts](#)

As the Oct. 31 deadline for Britain to leave the European Union approaches, health professionals are warning that shortages of some medicines could worsen in Europe in the event of a no-deal Brexit.

[NHS Wales: what one sector's fate after Brexit might mean for whole country](#)

One of the biggest Brexit worries is what will happen to the NHS when the UK leaves the EU. Among the many uncertainties is whether the NHS might be involved in a US trade deal. Although international trade secretary Liz Truss has said that it “will not be put up for sale”, nothing has been agreed yet. Likewise, the Welsh government has clearly stated that NHS Wales would not be part of any US-UK trade deal either. Wales’s minister for international relations Eluned Morgan has said there is “absolutely no prospect whatsoever” of the Welsh NHS being used as a bargaining chip. But despite the strong stances, uncertainty surrounds the legal and political

weight of these claims.

Looking Ahead

**Summer Recess for the National Assembly: Monday 22 July 2019 –
Sunday 15 September 2019**

**Summer Recess for the UK Parliament: Friday 29 July 2019 –
Tuesday 3 September 2019**

Thursday 22 August

- Office for National Statistics releases the next [Migration Statistics Quarterly Report](#).



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