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Chief Executives of Health Boards
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Dear colleagues,

UK EXIT FROM THE EU: UK GOVERNMENT PLANS TO SECURE SUPPLIES OF HEALTH PRODUCTS

I am writing to you to make you aware that the UK Government has today announced plans that have the aim of securing supplies of medicines, medical devices and clinical consumables in the event that the United Kingdom leaves the EU on 29 March 2019 without having reached an agreement with the EU about a future relationship between the UK and the EU.

In these circumstances it is understood that the “implementation period”, which would otherwise have commenced on 29 March 2019 and continued until 31 December 2020 and would have involved existing EU rules and arrangements continuing to apply between the UK and the EU, will not apply.

In this circumstance there is a risk that entry of health products and other goods into the UK may be delayed, at the UK Border and also upon embarkation from EU countries, on the assumption that the UK would cease to be a member of both the Customs Union and the Single Market. We understand that the UK Government has developed plans on an assumption that there could be disruption at the UK border and in particular at significant ports of entry for a period of six weeks from 29 March.

The UK Government announcement can be found on the “gov.uk” website.

The Scottish Government remains opposed to EU Exit, and is of the view that Scotland’s best interests are served now by the UK remaining a member of the EU. However we have a duty, as a responsible Government, to do what we can to mitigate the potential impact of a “no deal” EU Exit on Scotland.

The Department of Health and Social Care (DHSC) has provided the Scottish Government with certain details connected to their contingency plans, and officials will be in contact with relevant persons and organisations across NHS Scotland health and social care providers to consider whether the arrangements being implemented can be regarded as acceptable for Scotland. Officials will, of course, continue to relay concerns and proposals for any adjustments considered necessary to counterparts in DHSC.

In relation to **medicines**, It is understood that the UK Government will contact medicine manufacturers to invite them to increase their stock piles of medicines which it is considered may be impacted by delays at the UK border, with the aim of ensuring that the UK has an additional six weeks of supplies on top of normal stocks. It is further understood that the scheme also includes arrangements for the air freight of medicines with short shelf-lives, such as medical radioisotopes.

The UK Government has also announced today that if the UK leaves the EU without a deal next March then for the time being the UK will continue to accept products that have been batch tested and released in accordance with EU rules. This means that there would be no requirement for any further manufacturer-led batch testing and release of medicines in the UK.

In relation to **medical devices and clinical consumables**, the UK Government has announced that it plans to increase NHS centralised supplies. The UK Government plans to contact suppliers during September to start discussing their contingency plans and, where necessary, the need for an increase in the production and supply of medical devices and clinical consumables. This will be set out in a letter to suppliers to be sent by DHSC today and also published on gov.uk. The UK Government has also noted that it will undertake these actions in concert with the NHS in the devolved administrations, and NHS National Procurement will represent NHS Scotland's interests in these discussions.

In addition, the UK Government has announced that arrangements will be put in place to facilitate the continued movement of medical devices and clinical consumables that are routinely supplied from other EU countries directly to NHS organisations. Suppliers operating these supply models will also be contacted by DHSC during September, to provide details of the contingency measures and the processes for accessing these arrangements.

Today's medical supplies announcement covers medicines, medical devices and clinical consumables only. It is understood that blood and plasma, organs, tissues and cells will be covered by separate contingency plans.

The Scottish Government is keeping the overall position under review, and will continue to press DHSC to cooperate and engage fully, including with respect to the timely provision of information about developments relevant to all preparations connected to EU Exit. We will continue to consider whether the items that the UK Government proposes be stockpiled meet Scottish requirements and we will assess as far as is possible whether the level of participation from pharmaceutical and other companies allows for confidence that the overall level of supply will be sufficient. We will also seek to confirm that the arrangements for the continued movement of medicines, medical devices and clinical consumables accommodate the requirements of rural and island communities as well urban centres. And we will further seek from the UK Government reassurance that the planning assumption of a period of six weeks of delay remains valid.

I hope that this information is helpful. Further information will be provided when it becomes available. If you do have any questions about the issues covered in this letter, please contact James How in the EU Withdrawal team (james.how@gov.scot).

Yours sincerely,



Shirley Rogers

Director of Health Workforce, Leadership & Service Transformation