



T: 0300 244 4000
E: scottish.ministers@gov.scot

Lewis Macdonald MSP
Convenor
Health and Sport Committee
T3.60
The Scottish Parliament
Edinburgh
EH99 1SP

27 September 2018

Thank you for your letter dated the 10th of September requesting an update on a number of EU withdrawal issues. Earlier this year, my predecessor as Cabinet Secretary for Health and Sport made a commitment to keep the Health and Sport Committee updated on this crucial issue, writing to you most recently on the 19th of June. I will be happy to continue honouring that commitment.

Over the summer, negotiations between the UK and EU have continued, heading towards expected decisions either at the October European Council and/or an Extraordinary European Council in November. The UK Government has also stepped up its preparations for a possible 'no deal' scenario, with the publication of Technical Notices to citizens and businesses on the 23rd of August and 13th and 24th of September. A number of these Notices touch on health issues, including setting out arrangements for the handling of blood quality and safety and tobacco regulation. The UK Government is also proceeding with making legislative arrangements for a possible 'no deal', through the exercise of powers under the European Union (Withdrawal) Act 2018. The Minister for Public Health, Sport and Wellbeing wrote to you on the 13th of September about the first such UK Government Statutory Instrument in our area, concerning tobacco and nicotine inhaling products. That letter was one of the first in a series of such notifications that I and Ministerial colleagues will be sending to Parliamentary Committees over the coming weeks.

You asked in particular for an update in relation to proposals and plans relating to the safeguarding of the supply of medicines and medical devices post-EU withdrawal. As the Committee will be aware, on the 23rd of August the UK Government announced plans that have the aim of securing supplies of medicines, medical devices and clinical consumables in the event of a 'no deal' situation. As part of this work, the UK Government has confirmed to

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

us that they have contacted medicine manufacturers to invite them to increase their stockpiles of medicines which 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.

Since the UK Government's plans for medicines were announced, the Scottish Government has entered into discussions with NHS Scotland around the details. We have had only a very limited opportunity so far to consider the practicality of the plans, and in particular their suitability for Scottish requirements, but that work and those discussions will continue over the coming weeks. Many of the practical issues connected to medicine supply are outside the control of the Scottish Government including, in particular, entry and custom controls at the UK Border. There are also, of course, certain medicines which have a short shelf life, such as medical radioisotopes, which are sourced from the EU and which cannot be stockpiled. These may have to be air freighted.

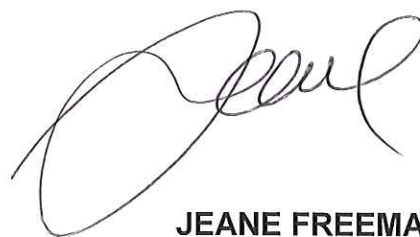
In addition, we are aware that numerous medical device suppliers have been contacted by the UK Government, and some planning has been undertaken in respect of different supply routes and stockpiling. Health Boards are considering their planning arrangements, and NHS National Services Scotland are considering devices that are under national contract. Supplies associated with insulin pumps (i.e. clinical consumables and pharmaceuticals), as well as the specific device, are good examples of the complex interactions and arrangements that require to be put in place.

I am afraid that there are a wide range of risks inherent in the UK Government's contemplation of a 'no deal' exit from the EU. As a result, and in view of the critical importance of these issues and the limited time before the end of next March, the Scottish Government is keeping the overall position under review. Both I and my officials will continue to press the Department of Health and Social Care to cooperate and engage fully with us, including with respect to the timely provision of information about developments relevant to all preparations connected to EU Exit.

Finally, I would like to assure you that we are in ongoing discussions with NHS Scotland to ensure that Brexit preparedness and scenario planning are priorities for health boards over the coming weeks and months, notwithstanding the limits I have set out above.

In relation to the supplementary question in your letter, I can report that, since the publication of the Committee's useful report on 'Technology and Innovation in Health and Social Care' in February 2018, my officials have been giving further thought to the development of a Medical Devices Strategy. I can confirm that, following further consultation and planning, the intention is to have such a Strategy in place by 2020.

I hope this update is helpful.



JEANE FREEMAN

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

