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To Chief Executives of NHS Scotland Boards

Copy to: Chief Officers of Integration Authorities

15 January 2020

Dear Colleague,

EU Withdrawal Update

I am writing to you again today to provide an update on preparations for the UK's withdrawal from the EU, and what this might mean for your organisation.

Following the outcome of the recent General Election, it now seems highly unlikely that we will face a No Deal exit scenario at the end of January. As such, the UK Government have confirmed that they have stepped back from their Operation Yellowhammer No Deal preparations, and the Scottish Government has also stepped back from its own civil contingencies preparations. This means that there is no longer an expectation that your own organisation will stand up its resilience or major incident procedures ready to respond to a potential No Deal exit at the end of January. We do, however, remain prepared to stand up our arrangements again in the coming months, should the need arise.

Transition Period

We now anticipate that the Withdrawal Agreement Bill will complete its parliamentary passage and that the next phase of UK-EU negotiations will happen very quickly. Under the terms of the Agreement, we will enter a transition period, during which the nature of our future relationship with the EU will be negotiated. During this time, we will continue to operate under the terms of our EU membership, with the transition period coming to an end on 31 December 2020. The Withdrawal Agreement provides for the possibility of an extension to this negotiating period, if agreed to by both the UK and EU by 1 July 2020. However, the Prime Minister has been clear that he does not wish there to be an extension, with the Withdrawal Agreement Bill expressly forbidding Ministers from seeking one. His intention is therefore that the transition period will come to an end on 31 December 2020.

Next Steps

We are working closely with colleagues across the Scottish Government, who are leading work to prepare for the negotiation phase, to ensure that the priorities for health and social care in relation to the negotiations are identified and reflected in the briefing material being prepared for Ministers. It is unclear at this stage how the Scottish Government will be invited to engage in the negotiation process. However, in anticipation that the process will move quickly, we are working to ensure that we are ready to support our Ministers and to seek to influence the UK Government's position and priorities, as they progress these negotiations.

I would like to take this opportunity to thank you for your dedication and hard work over the previous months in preparing for a No Deal scenario. I believe that we were as prepared as we possibly could have been in the circumstances. Although a No Deal scenario is no longer an imminent threat, I would encourage the retention of all No Deal plans and preparations, in case we need to reactivate our preparations in the months ahead, depending on how the negotiations progress and as the prospects for a deal in advance of 31 December become clearer.

A National Debrief event is being organised to capture the experience of preparing for EU Exit and learn any lessons that could be applied in future to improving how the Health and Social Care sectors prepare for, and respond to, the consequences of prolonged disruptive events. Further information on the event will shortly be circulated to partners.

I would also like to refer you back to my previous letter which I issued in November. In this, I encouraged you to continue to engage and support your EU staff members and encourage them to apply to the Settlement Scheme. Our 'Stay in Scotland' campaign includes a number of materials which you can continue to make use of. These are available at: <https://www.gov.scot/publications/eu-citizens-staying-in-scotland-package-of-support/>.

I hope you find this letter helpful. I will ensure that we continue to keep you updated on any further developments in the months ahead.

Yours sincerely,



Shirley Rogers
Director of EU Exit and Transition, NHS Scotland Chief People Officer & Director of Health Workforce, Leadership & Reform