

**NHS Board Meeting**  
28 August 2019

**Lanarkshire NHS Board**  
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**SUBJECT: BREXIT**

**1. PURPOSE**

The paper is /are coming to the Board:

For approval	<input type="checkbox"/>	For endorsement	<input type="checkbox"/>	To note	<input checked="" type="checkbox"/>
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**2. ROUTE TO THE BOARD**

The paper has been:

Prepared	<input checked="" type="checkbox"/>	Reviewed	<input type="checkbox"/>	Endorsed	<input type="checkbox"/>
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By the Director of Public Health, Gabe Docherty/Martin Gordon, Resilience Manager and considered by Corporate Management Team.

Due to the enduring uncertainty created by the ongoing withdrawal debate and unsettled political landscape this paper shall be supplemented by a verbal update to reflect the most current circumstances.

**3. SUMMARY OF KEY ISSUES**

The United Kingdom (UK) voted to leave the European Union (EU) by referendum in 2016. This has commonly become known as Brexit. The process of Brexit is a matter reserved to the Westminster Parliament.

Following the referendum parliament voted to initiate the withdrawal process known as article 50. The process of withdrawal has resulted in political division with the proposed withdrawal agreement, negotiated with the EU, failing to gain the approval of parliament. This resulted in the withdrawal date being extended on two separate occasions.

The continuing political division has seen the resignation of the sitting prime minister. The subsequent leadership contest and appointment of a new prime minister had the EU withdrawal as the central issue. The discourse and debate on the issue has focused on a greater willingness to leave with no withdrawal agreement in place (this is commonly referred to as 'no deal') if the EU, as they state, won't reopen negotiations. This ongoing debate has continued to create uncertainty across the public and private sectors.

Leaving on a no deal basis is widely recognised as being the worst case scenario in terms of the immediate implications and is likely to have consequences for NHS Lanarkshire (NHSL).

The current position remains uncertain however the date set for leaving the EU is 31 October 2019. Departure on this date is enshrined in legislation and will take effect automatically unless parliament intervenes to amend the legislation as happened for the two previous departure dates.

The risk of no deal would appear to have been heightened within the current political landscape. The timing of exit may also have additional consequences for NHSL as it coincides with the onset of the winter period. The potential issues for NHSL are across a range of disciplines including, but not exclusively, Human Resources, Medical Equipment, Pharmaceuticals, research, information sharing and regulation.

NHSL has been proactive in preparing for withdrawal and responding to the resultant impacts. On the 10<sup>th</sup> April 2019 NHSL declared a live incident for EU withdrawal. This was in response to the impending deadline and the continually changing political landscape leaving a high potential for leaving on the 12<sup>th</sup> April with no deal. The departure on this date did not materialise and an extension was agreed with the EU until 31 October 2019.

National response arrangements across multiple agencies were also moved to a live status during this period.

On 11 April the Chief Executive presented a paper on Risk ID 1661 European Union Exit Impact on NHSL - Consideration & Approval to Increase the Level of Tolerance to the Planning Performance & Resources Committee (PPRC) meeting. PPRC endorsed an increase of the tolerance level for this risk from medium to high. This tolerance remains unchanged.

The NHSL Strategic Command Group also met on the 11<sup>th</sup> April and, due to the changed situation, agreed to suspend the incident for NHSL. The incident remains open and can be reactivated at short notice. The national arrangements also stood down at this time.

Withdrawal from the EU remains a significant issue with associated risks and impacts on service delivery for NHSL and partner agencies. The changing nature of the risk of no deal and the proximity of the departure date demands that plans are refreshed and arrangements reviewed to ensure NHSL is as prepared as possible to manage the impacts of leaving with no deal.

The Scottish Resilience Partnership Sub-group on EU-Exit Contingency Planning are currently reviewing the planning assumptions in line with the UK Government assessment. These shall be due for publication in August 2019. It is not anticipated that significant revision will be required. A timeline has been prepared by this group for refreshing arrangements with a move to live status planned for the 21 October 2019.

NHSL has maintained its status as being in a live incident. The command structure has been recently refreshed and permissions updated for access to the EU Withdrawal page on First Port. This page has been kept updated with any new information received.

CMT has commissioned a fresh review of potential risks and the mitigation planning across the organisation. Further to this CMT has also endorsed the following actions;

- At functional level:
  1. All Directorates review their Business Impact Analysis (BIA) and Business Continuity Plan (BCP) with direct consideration of the impacts of Brexit. This should include internal and external dependencies. All Directorates should take actions to enhance their preparedness for 31 October 2019.

2. Review risk registers at corporate and functional level.
3. All Directorates to inform staff and test BCP against a Brexit scenario.
4. Plan for the inclusion of Brexit issues on briefing and meeting agendas.
5. Consider additional monitoring and reporting protocols for risks associated with withdrawal.

- At a Corporate Level:

1. Maintain EU Exit as a standing agenda item.
2. Call a Strategic Command meeting and confirm preparedness of tactical and operational groups, review suspended status and consider timeline to move to full live status.
3. Review all NHSL arrangements against revised planning assumptions when published.
4. Confirm all directorates have reviewed the implications and preparedness for a no deal exit.

#### 4. STRATEGIC CONTEXT

This paper links to the following:

Corporate objectives	<input checked="" type="checkbox"/>	AOP	<input checked="" type="checkbox"/>	Government policy	<input checked="" type="checkbox"/>
Government directive	<input checked="" type="checkbox"/>	Statutory requirement	<input checked="" type="checkbox"/>	AHF/local policy	<input checked="" type="checkbox"/>
Urgent operational issue	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>		

#### 5. CONTRIBUTION TO QUALITY

This paper aligns to the following elements of safety and quality improvement:

*Three Quality Ambitions:*

Safe	<input checked="" type="checkbox"/>	Effective	<input checked="" type="checkbox"/>	Person Centred	<input checked="" type="checkbox"/>
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*Six Quality Outcomes:*

Everyone has the best start in life and is able to live longer healthier lives; (Effective)	<input checked="" type="checkbox"/>
People are able to live well at home or in the community; (Person Centred)	<input checked="" type="checkbox"/>
Everyone has a positive experience of healthcare; (Person Centred)	<input checked="" type="checkbox"/>
Staff feel supported and engaged; (Effective)	<input checked="" type="checkbox"/>
Healthcare is safe for every person, every time; (Safe)	<input checked="" type="checkbox"/>
Best use is made of available resources. (Effective)	<input checked="" type="checkbox"/>

#### 6. MEASURES FOR IMPROVEMENT

The challenge will be for NHSL to continue to provide safe and effective services not that of improving services.

#### 7. FINANCIAL IMPLICATIONS

Due to the unconfirmed terms of exit and unknown implications it is not possible to quantify the financial impact of Brexit upon NHSL.

**8. RISK ASSESSMENT/MANAGEMENT IMPLICATIONS**

Brexit is already included in the Corporate Risk Register.

**9. FIT WITH BEST VALUE CRITERIA**

This paper aligns to the following best value criteria:

Vision and leadership	<input checked="" type="checkbox"/>	Effective partnerships	<input checked="" type="checkbox"/>	Governance and accountability	<input checked="" type="checkbox"/>
Use of resources	<input checked="" type="checkbox"/>	Performance Management	<input checked="" type="checkbox"/>	Equality	<input checked="" type="checkbox"/>
Sustainability Management	<input type="checkbox"/>				

**10. EQUALITY AND DIVERSITY IMPACT ASSESSMENT**

Not applicable.

**11. CONSULTATION AND ENGAGEMENT**

Not applicable.

**12. ACTIONS FOR THE BOARD**

The Board is asked to:

Approve	<input type="checkbox"/>	Endorse	<input type="checkbox"/>	Identify further actions	<input type="checkbox"/>
Note	<input checked="" type="checkbox"/>	Accept the risk identified	<input checked="" type="checkbox"/>	Ask for a further report	<input type="checkbox"/>

**13. FURTHER INFORMATION**

For further information about any aspect of this paper, please contact:

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16 August 2019