

HSC(6)-17-23 PTN 2

**Y Pwyllgor Iechyd a
Gofal Cymdeithasol**

—
**Health and Social Care
Committee**

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Eluned Morgan
Minister for Health and Social Services
Welsh Government

26 January 2023

Dear Eluned

Retained EU Law (Revocation and Reform) Bill: request for information regarding potential implications for health and social care

On 11 January 2022 the Health and Social Care Committee discussed correspondence from the Legislation, Justice and Constitution Committee in respect of the above Bill, including correspondence received by the LJC Committee from health and social care stakeholders. While the LJC Committee is leading the Senedd's scrutiny of the legislative consent memorandum on the Bill and the broader implications of the Bill, we agreed to write to you to seek information about the potential impact of the legislation on health and social care in Wales.

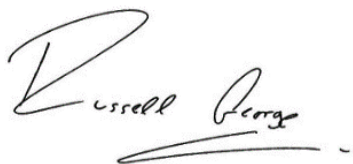
The UK Government's Retained EU Law (REUL) dashboard shows 137 pieces of REUL made by the UK Government that relate to health and social care, covering important areas such as food and drink labelling; medical devices; medicines regulation; blood safety; clinical trials; tobacco products; infant and follow-on formula; hygiene requirements for food businesses; food nutrition and health claims; protections against ionising radiation; substances of human origin for human application; and health and safety at work.

Other pieces of REUL are also closely related, including those relating to the environment (for example regulation of chemicals, and air and water quality); food and agriculture (for example food

regulation, and food allergens information; and employment (for example workers' rights, health and safety at work and the recognition of professional qualifications).

We would be grateful for a response on the issues outlined in the annex to this letter **by 23 February 2023**.

Yours sincerely

A handwritten signature in black ink that reads "Russell George". The signature is written in a cursive style with a long horizontal flourish underneath.

Russell George MS
Chair, Health and Social Care Committee

cc Huw Irranca-Davies MS, Chair, Legislation, Justice and Constitution Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.



Annex: Retained EU Law (Revocation and Reform) Bill: request for information regarding potential implications for health and social care

We would be grateful for a response on the following issues by 23 February 2023.

Overarching issues and identification of REUL

1. What are your views on the impact of the Retained EU Law (Revocation and Reform) Bill on health and social care in Wales.
2. We note that the UK Government's REUL dashboard only includes REUL made by UK Ministers. Could you provide us with a list of REUL made by Welsh Ministers that relates to health and social care.

Decisions on REUL

3. The Counsel General told the LJC Committee on 5 December 2022¹ that the Welsh Government intended to implement a triage process to inform its decisions in respect of REUL. Could you identify which pieces of REUL, or which policy areas affecting health and social care (for example public health or food labelling) the Welsh Government intends to prioritise for consideration within the triage process.
4. Could you confirm whether the Welsh Government plans to use the powers in the Bill to preserve the standards relating to health and social care that are within competence.
5. How would you respond to the concerns raised by stakeholders such as the Welsh NHS Confederation, the WVCA and the Food Standards Agency that important standards and protections relating to issues such as public health and food labelling could be lost in Wales if regulations are not saved or reformed.
6. Could you set out how the Welsh Government will consider the long term implications for population health and wellbeing when making decisions in relation to REUL.

Stakeholder engagement

7. Can you outline how the health and social care sectors in Wales will be involved in the processes of triaging REUL, and reaching decisions in relation to whether pieces of REUL should be saved, reformed or removed in line with the 31 December 2023 deadline set out in the Bill.

¹ Legislation and Justice Committee [RoP](#), 5 December 2022

8. Will you commit to engaging stakeholders and considering their views throughout this process.

Intergovernmental working

9. Could you provide information about any discussions you or your Deputy Ministers have had with other governments in the UK about the impact of the Bill on health and social care, or about how any changes to relevant REUL would be coordinated if the Bill is passed.
10. What is your view on how the Bill might interact with other post-Brexit arrangements which affect health and social care, such as common frameworks, the Internal Market Act 2020 or trade agreements.

Impact on the Welsh Government's legislative programme

11. Could you explain whether any elements of the Welsh Government's legislative programme relevant to health and social care (for example the Clean Air Bill) will be affected by the Bill, and if so how.