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To:

- EU exit SROs

Dear Colleagues,

### **EU exit response update**

The NHS has adopted a single operational response model to respond to EU exit, COVID-19 and winter pressures. This model remains in place. While the limited disruption to services as a result of EU exit is welcome news, it is important that we maintain our current level of preparedness in case of potential further impacts on service delivery in the coming months.

We ask that you continue to keep appropriate EU exit contingency measures in place as part of your incident response capability at least until the controls outlined below take effect.

### **Updated timetable**

In a recent [statement to parliament](#), the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, Michael Gove announced a revised timetable for the implementation of border controls. This means that the timetable for the following checks will change:

- Imports of all products of animal origin, regulated plants and plant products will require pre-notification to the UK authorities via Imports of Products, Animals, Food and Feed System (IPAFFS) and must have correct health documentation. **This was expected from April 2021 and will now come into effect from 1 October 2021.**
- Full UK import controls. Products subject to Sanitary and phytosanitary (SPS) checks will need to transit through a designated Border Control Post equipped to handle the goods in question and be subject to checks. Goods will be subject to an increased rate of physical checks. **This was expected from July 2021 and will now come into effect from 1 January 2022.**

For the NHS, the approach to supply issues outlined in my [letter of 30 December](#) will continue to apply with NHS organisations seeking to resolve supply disruption issues through business as usual procedures in the first instance.

DHSC has [written to industry](#) to provide details of the above changes.

## **Data**

The European Commission has published its draft data adequacy decisions. These recognise the UK's high data protection standards, and set out that the UK should be found 'adequate'. The EU has declared a commitment to complete the technical approval process swiftly, so that we have final data adequacy decisions as soon as possible. This is welcome news because it paves the way for continued free flow of personal data between the UK and EU.

Further information, including the government's response and links to the decision is available on [gov.uk](https://www.gov.uk).

## **Reciprocal healthcare and cost recovery**

Following the outcome of the UK-EU negotiations and the implementation of the Trade and Co-operation Agreement, DHSC has updated the information for NHS bodies who need to make and recover hospital charges from oversea visitors.

'[Guidance on implementing the overseas visitor charging regulations](#)' seeks to provide help and advice and replaces all previous guidance on the implementation of the Charging Regulations.

Additional guidance will be published shortly. In addition to this, while the S2 (or planned treatment) route is still available following the end of the transition period, the Directive route is not. Further guidance on the new process for commissioners is expected to be published shortly.

I would like to thank you for your efforts, not only over the past months but throughout the EU exit process in helping to prepare the NHS. I would also like to thank you for your continued support in the weeks and months ahead. All information published by NHS England in relation to EU exit is available here <https://www.england.nhs.uk/eu-exit/>.

Kind regards,



**Professor Keith Willett**

Strategic Incident Director for COVID-19

Strategic Incident Director for EU Exit

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