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Y Pwyllgor Materion Allanol a Deddfwriaeth Ychwanegol | External Affairs and Additional Legislation Committee
Y goblygiadau i Gymru wrth i Brydain adael yr Undeb Ewropeaidd | Implications for Wales of Britain exiting the European Union
IOB 08
Ymateb gan Coleg Brenhinol y Meddygon
Evidence from Royal College of Physicians (Wales)

Key recommendation: The UK and Welsh governments should prioritise action around the implications of Brexit on the health and social care workforce, medical research, public health and NHS finance.

- EU nationals working in the NHS must be able to stay in the UK and continue to deliver excellent care for patients.
- The current workforce crisis facing the NHS must not be exacerbated by restricting non-UK doctors from working in the NHS.
- Migration rules must not adversely impact on the supply of care workers.
- The UK's withdrawal from the EU must not affect patients' ability to participate in high quality research and clinical trials. Patients must continue to access innovative new technologies.
- Workforce pressures must not be allowed to have a negative effect on the time available to doctors to conduct clinical research. Restrictions on the mobility of researchers and clinicians may add further pressures.
- The UK must retain access to FP9 funding, in addition to regional development funds, facilities and bursaries.
- The UK must retain the ability to influence European legislation on research.
- Frameworks that underpin health protection must be replaced by equivalent or even stronger safeguards.
- The UK must have continued access to European structures and networks that provide effective surveillance of health threats.

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Consultation on the implications for Wales of Britain exiting the EU

1. Thank you for the opportunity to respond to your consultation on the implications for Wales of Britain exiting the European Union. This response is based on the views and experiences of our fellows and members who are mainly hospital-based doctors working in 30 medical specialties. We would be very happy to organise oral evidence from consultant physicians, trainee doctors or members of our patient carer network.

2. The Royal College of Physicians (RCP) aims to improve patient care and reduce illness, in the UK and across the globe. We are patient centred and clinically led. Our 33,000 members worldwide, including 1,200 in Wales, work in hospitals and the community across 30 different medical specialties, diagnosing and treating millions of patients with a huge range of medical conditions.

What should be the top priority for Wales in advance of the UK Government triggering of Article 50?

3. The RCP is keen to engage with both the UK and Welsh governments on the implications of Brexit, especially its effect on the health and social care workforce, medical research, public health and NHS finance. Above all, patients must be the first priority. The UK government must guarantee that EU nationals working in the NHS will be able to stay in the UK and continue to deliver excellent care for patients. Non-UK doctors must not be restricted from working in the NHS. Both governments should engage with health and social care employers, royal colleges, professional bodies and trade unions as Brexit negotiations continue.

4. Furthermore, the UK's withdrawal from the EU must not affect patients' ability to participate in high quality research and clinical trials. Patients must continue to have access to innovative new technologies, and the UK must continue to be a world leader in medical research through the ability to access Framework 9 (FP9) funding as well as regional development funds and bursaries. The UK should also retain the ability to influence EU legislation that affects medical research. Finally, those EU frameworks that underpin the protection of public health must be protected. If replaced, these should be strengthened and enshrined in UK or Welsh legislation.

NHS workforce and staffing

5. The NHS in Wales is facing a number of urgent challenges. Hospitals are struggling to cope with the combination of an ageing population and increasing hospital admissions. All too often, our most vulnerable patients – including those who are old, who are frail or who have dementia – are failed by a system that is ill equipped and seemingly unwilling to meet their needs. Furthermore, levels of ill health increase with levels of area deprivation. In general, those in the most deprived areas report the worst health. The rural geography of much of Wales means that some medical services are spread very thinly. This is having a negative effect on the quality of training and on workforce recruitment in some specialties. In addition, patient expectations are increasing as financial constraints grow tighter and, while advances in technology can save lives, the cost of providing specialist acute care continues to rise.

6. Legislative changes to working hours mean that we need more junior doctors to cover hospital rotas. This has happened at the same time as a reduction in training time due to the modernising medical careers programme, and a fall in international medical graduates coming to the UK. The recent RCP Wales publication, *Physicians on the front line*, reported that trainee rota gaps are reported by 42.9% of consultant physicians in Wales as 'frequently causing significant problems in patient safety' and by a further 45.8% as 'often [causing problems] but there is usually a work-around solution so patient safety is not usually compromised'. Only 11.3% told us that rota gaps infrequently or never cause a problem. More than a third of higher specialty trainees told us that they regularly or occasionally act down to cover gaps in the core medical trainee rota. Almost two-thirds of specialty trainees say they feel as though they are sometimes, often or always working under excessive pressure, with 63.2% telling us that this was down to insufficient trainee numbers.

7. Doctors from the EU and across the globe play an important role in the delivery of care and in filling the significant rota gaps outlined above. Around 10% of doctors working in the NHS come from EU countries. The RCP has heard from members and fellows that doctors from EU countries and internationally are feeling increasingly uncertain about their future within the NHS. This is exacerbating the current crisis in morale among the NHS workforce. Therefore, **the most important workforce priority, whatever form Brexit takes, is to ensure those EU nationals already working in the NHS do not leave voluntarily or as a result of changes to migration policy and legislation**. While the RCP strongly welcomes comments supporting the role of EU doctors, the UK and Welsh governments must do whatever is in their power to provide assurances that doctors from the EU will be able to continue to work in the NHS and care for patients.

8. A number of leading care organisations have also highlighted the potential impact of Brexit on the wider health and social care workforce, as post-Brexit migration restrictions could cause a shortage of care workers. This could exacerbate the current financial and workforce challenges facing the social care sector and the knock-on effects on hospitals. **It is unrealistic for the NHS to absorb these pressures and migration restrictions on care workers could worsen the crisis facing the wider health and social care systems.**

Key asks of government

- EU nationals working in the NHS must be able to stay in the UK and continue to deliver excellent care for patients.
- The current workforce crisis facing the NHS must not be exacerbated by restricting non-UK doctors from working in the NHS.
- Migration rules must not adversely impact on the supply of care workers.

Medical research

9. Changes to the medical research landscape following Brexit could adversely affect the delivery of care. Patients in research active institutions have better outcomes than those in other institutions and are more likely to benefit from earlier access to new treatments, technologies and approaches. Doctors are uniquely well placed to contribute to research, as they are able to discern patterns and disseminate research findings through regular clinical contact with patients; they also have an understanding of what is translatable into practice. This is an incredible opportunity to drive forward the research capability within the NHS and improve care for patients, but this will only happen with a supportive culture of collaboration, adequate funding and resources and suitable safeguards.

10. Patients must have access to the latest treatments and clinical trials. The EU plays a significant role in terms of researching rare diseases as it is not always possible to conduct research within one population and conducting research across multiple countries ensures that there is a large enough sample size in addition to providing the opportunity for patients across several countries to be involved. **Retaining access to innovative treatments for patients should be an important element of negotiation, to ensure that they are not negatively affected**.

11. The RCP is concerned that mobility will be restricted and seeks to ensure that this does not adversely affect the NHS workforce and medical research taking place in the UK. Many physicians do not have research formally identified in their role, yet contribute in a variety of ways through patient recruitment, quality improvement and clinical trials. Freedom of movement in Europe is essential to collaborate, ensure a skilled and full workforce, in addition to sharing facilities and resources for the advancement of healthcare for patients.

12. Funding is also a significant concern for medical research. Continued involvement and access to Horizon 2020 is essential, but it is unclear how the sector would continue to fund research if the UK is not included in FP9 (the Research, Technological and Development Framework Programme - FP9 - will take place 2021-2027) in addition to other opportunities such as regional development funds, shared facilities and fellowships. In the short term, the reassurance to those seeking to participate in Horizon 2020 through the commitment to underwrite the funding is welcome; however in the long term, further reassurance will be needed. The charities currently funding around a third of non-commercial research in the NHS, will be unable to fill the funding void. The referendum vote also brings opportunities to diversify research funding through commercial and international partnerships which could be pursued.

13. There are concerns over the future of regulatory frameworks, many of which the UK has had the privilege to shape. This has enabled the UK faster access to new technologies, a cost effective approvals and distribution process and is attractive for the pharmaceutical industry, which invests heavily in the UK. The UK currently benefits from the ability to influence the direction of scientific pursuit and shape priorities for funding and regulation but it may need to harmonise with future EU legislation to ensure that it is an attractive place to do research. **It remains unclear how the UK would be able to harmonise legislation. Greater investigation is needed into the feasibility and impact this would have**.

14. There could be opportunities to revisit and refine regulation during Brexit negotiations, developing pragmatic and proportionate approaches that give the UK a competitive advantage. However, there are potential risks in divergence. For example, the UK is a world leader in research using health data. Information from patient records provides the foundation for health

research, and offers significant potential to answer questions about the factors that influence health and disease. The Data Protection Regulation, awaiting implementation in the UK, should provide safeguards to ensure personal information is used appropriately and remains secure when shared across borders. If the UK's data protection laws were to develop in a way that is incompatible with the EU regulation, it could undermine this research. The UK should take this opportunity to maintain its position as a leader in global research and innovation and the potential impact on patients.

Key asks of government

- The UK's withdrawal from the EU must not affect patients' ability to participate in high quality research and clinical trials. Patients must continue to access innovative new technologies.
- Clinicians are a vital part of the research community. Workforce and mobility are key concerns for the UK role as a global leader in research. Increasing pressure on the workforce including unfilled positions can decrease the time available to physicians for research purposes. Restrictions on the mobility of researchers and clinicians may add further pressures.
- The UK is a significant recipient of funding from the EU for research purposes. It is unclear how the UK can maintain its position as a world leader in research if it was excluded from accessing FP9 funding, in addition to regional development funds, facilities and bursaries.
- Harmonised legislation across Europe is an important part of the UK research sector and it would be valuable to ensure this continues as much as possible. However, there is the risk that the UK will lose its ability to influence future legislation, which has been a considerable benefit in the past.

Public health

15. Leaving the EU will also have important consequences for the public health framework that has been built over the years which helps to protect and improve the health of people in the UK. The UK and Welsh governments must consider the following areas of public health in its approach to Brexit negotiations:

    a. **Environment and consumer protection**

        i. The EU has developed wide-ranging frameworks for controlling environmental pollutants, including water and air quality, as well as risks from chemical products, health and safety in the workplace and the safety of consumer products. No less important are the frameworks for control and marketing of pharmaceuticals (based on the European Medicines Agency, currently based in London), and medical devices. In all these areas EU systems and standards underpin health protection in the UK, and it is crucial that either the UK maintains its involvement in them, or that they are replaced by equivalent or stronger national ones.

        ii. The RCP is particularly concerned that the UK and Welsh governments should maintain strong EU air quality standards against any pressure to weaken them. Air pollution does not recognise national boundaries and the EU has played a significant role in driving measures to control air pollutants and has provided a vital enforcement regime, allowing the UK to be held to account on meeting air quality targets. The National Emissions Ceiling (NEC) Directive sets binding emission ceilings to be achieved by each member state; it covers four air pollutants - sulphur dioxide, nitrogen oxides, non-methane volatile organic compounds and ammonia. Given the important role that trans-boundary sources play in local air pollution, it is essential that the UK continues to work with the EU in responding to the challenges posed by air pollution.

b. **Disease prevention and control**

i. There is a need to provide effective surveillance of health threats, including communicable disease outbreaks and natural disasters. The EU has established several important alert, coordination and response mechanisms, many of which are operated via the European Centre for Disease Prevention and Control. **The UK in isolation cannot effectively tackle what are inherently transnational threats and therefore needs to have continued access to these European structures and networks.**

Key asks of government

- Frameworks that underpin health protection must be replaced by equivalent or even stronger safeguards.
- The UK must have continued access to European structures and networks that provide effective surveillance of health threats.

NHS finances

16. The financial challenge facing the NHS is having a real impact on the delivery of patient care. It is widely acknowledged that the amount of funding available for the NHS is highly dependent on the health of the national economy. We cannot know with certainty what the impact of Brexit will be on the national economy as much of this depends on the details of the deal negotiated with the remaining EU members and future trade arrangements with other countries. However, in the run up to the referendum, a number of leading economic organisations including HM Treasury and the National Institute of Economic and Social Research (NIESR) published forecasts of the effect on the economy of the UK leaving the EU, based on a number of different scenarios. The overwhelming majority of these forecasts project a negative effect on the economy. The NIESR's analysis suggests that economic growth might slow to around 1.5% a year up to 2019/20. Lower economic growth will result in a bigger public deficit which will have a direct impact on public spending, including the Welsh government's budget, and by default, the health budget in Wales.

17. There is a substantial financial challenge facing the NHS in both the short and long term and a real possibility that the UK's withdrawal from the EU will exacerbate this challenge. The UK and Welsh governments must do all they can to safeguard the NHS from any adverse impact that Brexit could have on the national economy.

Conclusion

18. The UK and Welsh governments must ensure that safeguarding patient safety and public health remain the overriding priorities during the Brexit negotiations. Any changes to migration policies must consider the impact on the free movement of doctors, nurses, allied health professionals and care workers and should not exacerbate the workforce crises facing the NHS and social care system. Any future negotiations must not neglect key public health issues such as the control of air pollution and climate change. Finally, changes to the research landscape must not adversely affect patients.

19. More information about our policy and research work in Wales can be found on our website. **We would be delighted to provide oral evidence to the Committee or further written evidence if that would be helpful.** For more information, please contact Lowri Jackson, RCP senior policy and public affairs adviser for Wales, at Lowri.Jackson@rcplondon.ac.uk.