



Department
of Health &
Social Care

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Dear Vaughan,

Thank you for your further letter of 12 February in response to my letter of 7 February.

You suggested additional wording to the Memorandum of Understanding (MoU) that will underpin the proposed Government amendment to the Healthcare (International Arrangements) Bill placing a statutory duty on the UK Government to consult the Devolved Administrations (DAs) where regulations under clause 2 of the Bill would be within the DAs' legislative competence.

After careful consideration across the UK Government, I am writing today to accept your suggestions for revised wording to the MoU outlining that:

- the UK Government would not normally make regulations without securing agreement from DA ministers beforehand;
- a process for exchanging Ministerial letters in the event of DA agreement not being reached where regulations under clause 2 intersect with devolved competence; and
- that these letters be made available to both Houses of Parliament in the event that regulations proceed to be made by the Secretary of State for Health and Social Care.

In recognition of the complexity of the devolution settlements in this policy area and the importance of this vital piece of legislation, we have decided to accept the additional wording as an exceptional case. Notwithstanding, it is critically important that devolved positions are considered as policy develops, and this additional process reinforces our commitment to ensure that those positions are regarded as reciprocal healthcare policy develops.

I will table the Government amendment, as agreed, as soon as possible following Lords Committee stage and on that basis, I look forward to the Welsh Government tabling a motion in the Welsh Assembly recommending legislative consent to the Healthcare (International Arrangements) Bill.

I believe that this is a truly positive step forward in further establishing a productive and collaborative working relationship between our administrations. May I take this opportunity to thank both of our respective teams for providing us with an opportunity to make such a positive statement together. In agreeing this MoU alongside your recommendation of legislative consent, we have demonstrated best practice for how our administrations can work together to reach a mutually positive and successful outcome, even where there may be differences of opinion at the start of the process.

I look forward to working with you on this and many other issues in the future.

I am copying this letter to the First Minister of Wales, the Scottish Government Cabinet Secretary for Health and Sport and the Northern Ireland Permanent Secretary for the Department of Health. I am also copying this letter to the Secretary of State for Wales and the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office.

Kindest regards



STEPHEN HAMMOND

