

Health, Social Care and Sport Committee

4th Meeting, 2022 (Session 6), Tuesday, 1 February 2022

Provisional Common Frameworks

Introduction

1. At its meeting today the Health, Social Care and Sport Committee will take evidence from the Minister for Public Health, Women's Health and Sport and her officials on two provisional Common Frameworks:
 - The Organs, Tissues and Cells (apart from embryos and gametes) Provisional Common Framework; and
 - The Blood Safety and Quality Provisional Common Framework

Background

2. During its membership of the European Union, the UK Government and devolved administrations were required to comply with EU law. This ensured that in many policy areas, including some that are devolved, a broadly consistent approach was developed across all four nations of the United Kingdom.
3. Following its exit from the European Union on 31 January 2020, the UK entered a transition period which ended on 31 December 2020. Throughout the transition period, all parts of the UK had to comply with EU law. Following the end of the transition period, there is now a possibility of policy divergence between the four nations of the UK.
4. As a result of this situation, The UK and devolved governments agreed that common frameworks would be needed to ensure that, in certain policy areas, there would be no divergence between the nations of the UK where such divergence was considered undesirable.
5. Provisional versions of these common frameworks, covering a range of different policy areas, are currently at varying stages of development. The Committee has a role in scrutinising those common frameworks which address areas of policy falling within its remit.
6. The provisional Common Framework on Blood Safety and Quality and the provisional Common Framework on Organs, Tissues and Cells (apart from embryos and gametes) were [both shared with the Committee for scrutiny on 9 December 2021](#) with an accompanying covering letter from the Minister for Public Health, Women's Health and Sport.

7. The explanatory cover page accompanying the covering letter describes the purpose of both Common Frameworks as being “to maintain a compatible minimum set of safety and quality standards between the UK Government, Scottish Government, Welsh Government and the Northern Ireland Executive to make it easier for blood components, organs and non-reproductive tissues and cells to continue to be shared across the UK.”
8. The explanatory cover page further explains that these Frameworks “set out a process by which any administration can suggest future changes to the standards and how such a proposal will be collectively considered before one or more administration(s) introduces a change to the relevant Regulations. It will allow for divergence by one or more administration(s) as required, in order to respond to policy aims or objectives”. The cover page also states that “Issues related to the safety and quality of blood, organs, tissues and cells will continue to be considered on a four nation basis”.
9. Key pieces of legislation related to these Common Frameworks are listed as:
 - Blood: The Blood Safety and Quality Regulations 2005;
 - Tissues and cells: The Human Tissue (Quality and Safety for Human Application) Regulations 2007;
 - Organs: The Quality and Safety of Organs Intended for Transplantation Regulations 2012.

Liaison with other committees

10. Given its overarching interest in the development of common frameworks and associated constitutional implications, the Committee wrote to the Constitution, Europe, External Affairs and Culture Committee to make that committee aware of its planned scrutiny of this common framework.

Written evidence

11. On 21 December 2021, a [call for written evidence](#) was issued. This ran until 17 January 2022. Unfortunately, no responses were received.

Clerks to the Committee

27 January 2022