



HOUSE OF LORDS

European Union Committee

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Lord Bethell of Romford
Minister for Innovation
Department of Health and Social Care
39 Victoria Street
London SW1H 0EU

10 December 2020

Dear James,

C(2020)2296 : COMMISSION RECOMMENDATION on a common Union toolbox for the use of technology and data to combat and exit from the COVID-19 crisis, in particular concerning mobile applications and the use of anonymised mobility data

C(2020)2523 : COMMUNICATION FROM THE COMMISSION: Guidance on apps supporting the fight against COVID 19 pandemic in relation to data protection

Thank you for your letter of 13 November on the above files. The EU Services Sub-Committee considered the letter at its meeting on 10 December 2020 and decided to retain the file under examination.

We note that in your letter you state that officials have spoken with the European Commission to understand any barriers and explore opportunities for UK-EU interoperability. We would be grateful if you could keep the Committee updated on the outcome of these discussions.

We were disappointed that your letter did not address our question about how UK-EU interoperability would be affected should there not be a positive EU data adequacy decision at the end of the transition period. What assessment have you made of this scenario?

The NHS app cannot be downloaded by users whose devices have older operating systems, including any Apple systems older than iOS 13.5 and some Android systems. What is your assessment of the impact of these constraints on who can download the app? What steps are being taken to address this issue?

We look forward to your response within the standard 10 working days.

I am copying this letter to Baroness Harding, Chair of NHS Improvement; Sir William Cash MP, Chair of the Commons European Scrutiny Committee; Jessica Mulley, Clerk to the Commons Committee; Les Saunders and Donald Harris, Cabinet Office; and Harry Flannery, Scrutiny Coordinator, Department of Health and Social Care.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'L Kinnoull', with a horizontal line underneath.

Lord Kinnoull
Chair of the European Union Committee