



Department  
of Health &  
Social Care

*From the Lord Bethell  
Parliamentary Under Secretary of State for Innovation (Lords)*

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Lord Kinnoull  
Chair  
European Union Committee  
House of Lords  
London  
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Dear Lord Kinnoull,

As requested in your letter, we will of course keep the Committee updated on future discussions with the European Commission on interoperability and data sharing between contact-tracing apps. The lack of a positive EU data adequacy decision at the end of the six-month bridging period would have implications for any interoperability agreement with the EU gateway or with individual member states. We are working across government to understand these implications, and to assess other challenges to achieving interoperability now that we have left the EU.

You also highlight that the NHS app cannot be downloaded by users whose devices have older operating systems. I'd like to reassure you that the NHS COVID-19 app works on the vast majority of smartphones, approximately 9 out of 10 in the UK. On 14<sup>th</sup> December 2020, Apple released a version of their operating system (12.5) that brings the Exposure Notification contact tracing technology to some older iPhone models. This Apple operating system change means more people in the UK now have the underlying technology the NHS COVID-19 app requires for the contact tracing element of the app.

However, the NHS COVID-19 app also uses other software components that are not available in these older versions of the operating system. Making the NHS COVID-19 app compatible with these older iPhones would require a very significant re-write of the app code and could significantly delay other necessary updates, for example, to ensure the app can support the evolving testing programme.

Whilst we do not currently have plans to re-design the app for it to work on older iPhone models, we will keep this under review as well as continue to look at options to increase uptake of the app more generally. It should also be noted that the app is just one part of the wider NHS Test and Trace system. Those who do not have the app are protected to some extent by those who do because app users play an important role in breaking chains of transmission.

With my very best wishes,

**LORD BETHELL**