



# HOUSE OF LORDS

Common Frameworks Scrutiny Committee

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14 December 2021

Edward Argar MP  
Minister of State for Health  
39 Victoria Street  
London  
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Dear Edward,

Thank you for the Blood Safety and Quality, and Organs, Tissues and Cells (apart from embryos and gametes) Provisional Frameworks submitted on 2 September, which were considered by the Committee on 14 December. We welcome these two well drafted frameworks which we believe provide a good foundation for cooperation in these areas. However, we have concerns about ongoing parliamentary, stakeholder engagement and would welcome additional clarity in the frameworks on the Protocol on Ireland/Northern Ireland, and the UK Internal Market.

We are disappointed to note the absence in these frameworks of any commitments on ongoing engagement with Parliament. We note the absence of any commitments in the texts of these frameworks to publish reviews of the frameworks or to update legislatures on the outcomes of reviews. The Government has separately committed to improving transparency in Intergovernmental Relations. Transparency in this area should include regular statements to legislatures on the functioning of these frameworks.

**We recommend that the frameworks should be updated to include a commitment to update the House of Lords, House of Commons and the three devolved legislatures on the ongoing functioning of these frameworks after the conclusion of the two-yearly reviews.**

While we note the commitment to communicate changes in the frameworks to stakeholders, we regret the absence of a commitment to more meaningful ongoing stakeholder engagement. In our Committee's March 2021 report, we concluded that frameworks were weakened by the lack of stakeholder consultation and recommended that future reviews of frameworks should include an open and well-publicised stakeholder consultation process that reaches beyond the small number of stakeholders previously consulted. We believe that this is necessary in these frameworks as it is with other frameworks.

**We recommend that the first two-year review should include an open consultation process with stakeholders and the frameworks should be updated to include an ongoing commitment to stakeholder engagement where necessary.**

We welcome the new language in the frameworks relating to the Protocol on Ireland/Northern Ireland. This is a great improvement on the previous language. However, it would be helpful for the frameworks to have additional detail tailoring this commitment to the specific processes of these frameworks. The current language does not make clear at what point in the EU legislative process measures that will be implemented in Northern Ireland through the Protocol will be submitted for the risk assessment process.

**We recommend the framework should be updated to include additional detail on when changes introduced in Northern Ireland through the Protocol on Ireland/Northern Ireland will be considered in these frameworks.**

We note that the Government has previously acknowledged the interaction between these frameworks and the UK Internal Market Act 2020 in its 24 May letter to the Committee. These two frameworks should include some acknowledgement of this interaction and of the process set out in the Minister for Levelling Up, the Union and Constitution's 9 December Written Ministerial Statement. Although we understand that it is unlikely for there to be conflicts between these frameworks and the Act, we believe an approach that is prepared for that eventuality should be preferred.

**We recommend that the frameworks should be updated to reference its interaction with the UK Internal Market Act 2020 and acknowledge the process for agreeing exemptions from that Act.**

We understand that each of the four governments are currently receiving views on these Provisional Frameworks from their respective legislatures. We therefore look forward to your response to this letter once these have been received, and our recommendations have been considered, together with the final versions of these frameworks.

Yours sincerely,

Baroness Andrews  
Chair of the Common Frameworks Scrutiny Committee