Rt Hon David Davis MP  
Secretary of State for Exiting the European Union  
9 Downing Street  
London  
SW1A 2AG

9 November 2016

Dear Mr Davis,

As the representative organisation of 169,000 doctors and medical students across the UK, I am writing to ask that the British Medical Association is consulted and involved in any negotiations to leave the EU which will affect the medical profession, the NHS, and the services we provide to our patients.

There are a number of outstanding issues which I am keen to discuss with you before negotiations begin, including how a future immigration system is managed, the regulation and training of doctors, the preservation of professional standards and employment rights. Following the current discussions as to when Article 50 will be triggered and the proposal to introduce the Great Repeal Bill in the next parliamentary session, I believe an early meeting with you to discuss these key health issues is particularly important.

With regards to immigration, doctors from the European Union are essential members of the UK’s medical workforce and the NHS depends on them to provide a high quality, reliable and safe service to patients. The NHS would not be able to cope without the skills and expertise of the 10,000 EU doctors who currently work in the health service, filling shortages in specialties which may otherwise have been unable to cope. Specifically, the BMA believes the Government should give these EU nationals, who have committed to caring for patients in the NHS and to a life in the UK, the certainty and reassurance they need by confirming – as a matter of priority - that they will be granted permanent residence in the UK. This is vital not just to support workforce planning in the NHS but also to the ability of the health service to maintain safe staffing levels and patient safety at a time of mounting demand and pressures on the NHS.

I would also urge you to work to maintain reciprocal arrangements, involving mutual recognition of professional qualifications, along with measures to ensure patient safety and quality standards, once the UK leaves the EU. This policy has enabled many health and social care professionals from countries within the EEA to work in the UK while also allowing UK doctors to work in the EU. It has similarly helped to create an environment which has facilitated data sharing.

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and ideas, as well as ensuring EU nationals are able to fill gaps quickly in specialties in the UK medical workforce and the wider health service.

I am also asking for assurances that the government will not seek to repeal or amend the UK Working Time Regulations once the UK has left the EU. As the representative of the UK’s doctors, the BMA is satisfied with the European Working Time Directive and the important measures it has transposed into the UK Working Time Regulations, namely the limit of a 48 hour working week, rest breaks and statutory paid leave. These regulations protect doctors from the dangers of overwork, while equally protecting patients from overtired doctors. While there is some division within the medical profession about the regulations, it is perfectly possible to design adequate training without needing to break the 48 hour weekly limit.

Finally, the UK government’s recent commitment to underwrite EU research funding awards, which have been secured while the UK remains a member of the EU, is welcome. However, I would urge the government to negotiate ongoing access to EU research programmes and research funding in the longer term and guarantee or secure funding equivalent to what the UK would have received through its membership of EU. Such commitments will be essential in mitigating risks to the future of the UK’s medical research base and also to maintain the UK’s world leading role in science and research.

I am keen to meet as soon as possible to discuss how the negotiations to leave the EU will affect the medical profession, the NHS, and public health services: this is critical to ensuring that doctors and medical students continue to be able to deliver the highest standards of patient care once the UK leaves the EU. Susan Bahl, Senior Public Affairs Officer can be contacted on 020 3058 7457 to arrange a meeting.

Yours sincerely

[Signature]

Dr Mark Porter
BMA council chair