

SLF Brexit Breakfast – 13 September 2017 - Note of Discussion

Key Points from Mr Russell

- Want to impress upon SLF importance of assessing risks to organisations and how to mitigate.
- There is no good Brexit, we can only mitigate the impacts.
- UK Negotiations with the EU are in 2 parts - exit and future framework.
- So far there has not been as much progress on exit issues as would have liked.
- Although there has been progress on EU Nationals, the Home Office paper leaked last week suggests two policies in play, one negotiated policy and another policy after exit.
- NI issues - moderately pleased but some difficult issues e.g. frictionless border, if we are not in customs union cannot have frictionless border.
- UK is keen to come to a formula to indicate how to solve the matter - but hard to work out what the money would be.
- PM has announced intention to make a speech next week, this has postponed the next round of negotiations.
- The next JMC is scheduled for 16 October, it has not met since February, SG and Wales are asking for a JMC after every negotiation round but not happening
- EU Withdrawal Bill has been drafted in a way that ignores devolution, 'Henry viii powers' give UK ministers the power to alter Scottish powers without consultation
- There are around 111 areas where devolved powers need upheld by EU law (list from UKG) .
- Encouraged by cross party support at the recent Holyrood debate. Recognising there is a huge administrative task to resolve.
- The wider context is how this impacts on people in the following three key areas. SLF members should be developing their plans to think about these, there is a need to move forward during next few months.

Labour force and workforce

- There aren't enough people in Scotland to do the jobs, there is no way to solve this without migration, we do not have surplus workforce.
- Across all levels and professions, people may not want to stay unwelcoming messages and value of the pound all have an impact.
- How can we support EU nationals? Encourage all organisations to provide active EU national support to workforce.

Finances

- Wide range of recipients of EU funding - universities, colleges, agriculture, infrastructure - huge and widespread financial flows, we don't know what will happen. Some guarantee till 2020 but not all - less time to think creatively about how to support our internal funding needs - money a big part of this. If moving to something new there will be a hiatus
- Research funding, attracts high level funding, produces excellence and international context.

Regulation

- There's an urgent need to get an understanding of regulations - what needs changed, converted, put in place. Some will be 'just automatic' - but some won't work, we need working systems in place to ensure they get working .

Final thought - huge amount of time effort and money - sobering to realise that to other 27 EU members this is over. Brexit is no longer relevant, with regret the rest of EU has moved on.

Dame Mariot Leslie

The standing council is made up of experts there in a personal capacity, they are not a representative body. They are an apolitical body, no single view on Scottish constitutional issues. There is no aim to come to collective views however there are some areas where all members agree:

- Brexit is a bad idea
- The best outcome for Scotland is to persuade R-UK to stay in single market and customs union
- Want what's best for Scotland

Personal reflections:

The direction of travel in the negotiations is not yet clear. Standing council is keen organisations in Scotland tease out where their interests lie in Brexit and make clear with specifics.

To date there has been a lot of focus on labour and immigration and not enough on regulation issues. Organisations might find it useful to do an audit of all areas that are impacted by EU co-operation, regulation, bodies, standards, best practice, committees, networks etc. What will be lost without access to EU? Specifically what are the concrete losses - what roads worse? What schools losing support etc.?

The Withdrawal bill brings initial control of regulations back to Westminster, organisations should think through the consequences of the Scottish parliament no longer having the same autonomy in devolved areas.

Discussion

There was a wide ranging discussion picking up on the points made by the speakers. Key themes were:

Young People

Constant talk of the negative impacts and the need to mitigate them is depressing for young people. Although it is hard to point to optimism how can we engage young people in a less pessimistic discussion. We need to present a positive long term future that we are working towards despite Brexit.

Young people know there is uncertainty about future ability to work and live abroad. Potential to set up reciprocal arrangements with other organisations if possible - may be a way of bringing home to public the human consequences of what they might lose.

Potential to look at messaging and events during the Year of Young People 2018.

Democracy & Identity

How do we refresh our Scottish identity in Europe? SLF could support an activity looking at our cultural identity in Europe that outlasts Brexit?

There is an assumption that we need big answers to Brexit, however as members of EU networks we can personally ensure Scotland isn't forgotten. Make extra effort to network with EU colleges. Ensure people remember you are part of Scotland and have a duty to Scotland

Workforce & Migration

EU citizens need love and support and to feel wanted. As CEO in current role go to speak to them and support them. Make them feel needed and wanted.

The real anxiety in Universities is people, staff and students, 43% of students are from outside Scotland/UK. Movement of staff matters.

No reason in principle why devolved authority to recruit university staff and students couldn't be achieved, would be beneficial for Scotland. Scotland has a different demographic

There is strong cross party support for a post study work visa, and in general support for devolved migration is increasing, however Westminster is hardened against migration. Refuse to accept students come out of migration cap. Migration being devolved would move things on a lot.

We need to be smart on analytics and have figures well known to support the arguments, for example population growth is around zero, this is a significant difference to rest of UK.

Some organisations have held EU national sessions internally, would urge others to do this too. SG can share lessons learned on establishing network to support and create safe spaces.

Influence & Networks

How can Scotland best influence the UK negotiation and how can SLF support?

Speaking out and being heard is the most important thing. There are practical things SLF can do, keep sharing examples to be used in negotiations and engagement with other EU colleagues. Use Scottish seats on EU committees and structures to get our voice heard, particularly where we differ from UK Government. Many in the room have closer relationships with other organisations across Scotland than government use those networks to share and speak collectively.

Funding

Call for early decisions to universities about funding for EU students which accounts for around £95 mil a year.

Regulation

The EU withdrawal bill puts powers of organisations at risk and impacts what some can deliver. We know UK Government expects regulatory dividends eg environment, food and trade. Public want to keep the protections they currently have and don't expect that to diminish, many are surprised to learn that it might with Brexit.

Anxiety in some organisations about ability to do their job unless changes to the Bill. Is there merit in taking a wider look across regulatory bodies to do joined up look at what we can do in Scotland together, either through existing regulators networks, or establishment of new networks? Encourage regulators to work together, looking for overview of some of the work that has been done and to get understanding of regulator impacts.