

Agreement to vary and extend the Agency Agreement dated 5 November 2020

1. Parties

1.1. This Agreement is entered into between the following four parties (“the Parties”):

The **Secretary of State**;
The **Scottish Ministers**;
The **Department of Health in Northern Ireland**; and
The **Welsh Ministers**.

2. Background

2.1. The Parties are signatories to an agreement relating to the Joint Biosecurity Centre (JBC) which commenced on 5 November 2020 (“the Agency Agreement”), a copy of which is attached as Schedule 1 to this variation and extension agreement.

2.2. The parties agree it is necessary to extend and vary the Agency Agreement to record the following:

- i. The transition of the JBC’s core functions to the UK Health Security Agency, an Executive Agency of the Department of Health and Social Care; and
- ii. Allow delivery of the JBC’s core functions beyond the 31 March 2022.

2.3. Accordingly, the Parties record their mutual agreement to make the following amendments to the Agency Agreement as set out below with effect from 31 March 2022.

3. Terms defined in the Agency Agreement

3.1. In this variation and extension agreement, expressions defined in the Agency Agreement and used in this agreement have the meaning set out in the Agency Agreement.

4. Variation

4.1. With effect from 31 March 2022 the Parties agree the following amendments to the Agency Agreement:

Section 2. Purpose		
Ref	Action	Clause
2. a)	Delete	The JBC is a Directorate of the Department of Health and Social Care (DHSC) and is accountable to Parliament through the Secretary of State for Health and Social Care. The JBC is operating on behalf of the Secretary of State, who is a party to this agreement. References to the JBC throughout this agreement should be read in this context.

2. a)	Insert	<p>i) The JBC was a Directorate of the Department of Health and Social Care (DHSC), accountable to Parliament through the Secretary of State for Health and Social Care. From 1 October 2021, JBC's functions were incorporated into part of the Data, Analysis and Surveillance Directorate of the UK Health Security Agency (UKHSA), an Executive Agency of DHSC.</p> <p>ii) Following this transition, references to "JBC" mean that part of UKHSA established by the Secretary of State for the purpose of performing certain information and advice functions relating to the management of Coronavirus, which may include, but are not limited to, the core functions set out in section 2(d) of this agreement.</p> <p>iii) The JBC's functions continue to operate on behalf of the Secretary of State, who is a party to this agreement. References to the JBC throughout this agreement should be read in this context.</p>
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Section 3. Duration and Review

Ref	Action	Clause
3. b)	Delete	This Agreement shall be effective from the commencement date until <u>31 March 2022 (the 'Term') at the latest.</u>
3. b)	Insert	This Agreement shall be effective from the commencement date until <u>31 December 2022 (the 'Term') at the latest.</u>
3. c)	Delete	All signatories agree to keep these arrangements under review. This Agreement will be reviewed at least once every six months with the first review to be held within three months of the commencement of this Agreement.
3. c)	Insert	All signatories agree to keep these arrangements under review. This Agreement will be reviewed quarterly. These reviews should be completed no later than: First review - 30 June 2022 Second review - 30 September 2022

Section 7. Financial Arrangements

Ref	Action	Clause
7. a)	Delete	As a directorate of the Department of Health and Social Care, budgetary responsibility for the JBC shall rest with the Secretary of State for Health and Social Care. Subject to HM Treasury approval, the JBC's organisational costs shall be met by the UK Government Estimate. The Permanent Secretary of the Department of Health and Social Care, in their role as Accounting Officer, shall be directly accountable to the UK Parliament for the spending.
7. a)	Insert	As part of the UK Health Security Agency, an Executive Agency of the Department of Health and Social Care, delegated budgetary

		<p>responsibility for the JBC shall rest with UKHSA, and delivery of such budgets will be in line with policies set by Secretary of State.</p> <p>The UKHSA CEO in their role as Accounting Officer, shall be directly accountable to the UK Parliament for the spending.</p> <p>In advance of new projects commencing, or changes to the scope of existing projects, agreement will be secured from each party in relation to that party's roles and responsibilities, including in relation to decision-making and governance and proposed financial contributions.</p>
7. b)	Delete	The Department of Health and Social Care and the Ministers of the DAs remain subject to their overall existing accountabilities to the UK and their national Parliaments, and their associated audit bodies.
7. b)	Insert	The UKHSA and the Ministers of the DAs remain subject to their overall existing accountabilities to the UK and their national Parliaments, and their associated audit bodies.

4.2. Except as set out in [clause 4.1], the Agency Agreement shall continue in full force and effect.

5. Signatories

Signed by:

Date: