



Senedd Cymru | Welsh Parliament

Y Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol | Equality and Social Justice Committee

Ymateb gan: Climate Cymru | Evidence from: Climate Cymru

Consultation response- Well-being of Future Generations (Wales) Act 2015: Post-legislative scrutiny

About Climate Cymru and our vision for Wales

Climate Cymru is a dynamic and growing movement, uniting hundreds of organisations from every sector of Welsh society and thousands of individuals across the nation. We are brought together by the urgent recognition that the climate and nature emergencies demand immediate and fair action.

A core part of our approach is actively encouraging people to join in decision-making. This ensures we truly represent different viewpoints, making our work relevant to individuals and impactful for all Welsh communities. We know people have felt ignored by those in power for too long. To get real "buy-in" for local projects—like those on flooding, nature, tree planting, or changing our old industrial towns—we simply must listen to and act on what local people want and hope for.

Climate solutions aren't just about avoiding disaster; they can significantly improve everyone's quality of life and build a better future for Wales. These initiatives, combined with nature restoration, bring countless benefits that enhance well-being across the nation. We need to make this positive story a much bigger part of the conversation, showing that climate action directly helps people, rather than being a burden.

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Considering the constraints on our available time, we have compiled a set of observations and actionable suggestions on the crucial work currently being undertaken by your committee. We aim to provide insights that may further inform and enhance your ongoing effort. Often, there is consensus, but they do not always represent the views of every member organisation. Many of our partners have already provided you with evidence, and we do not wish to duplicate.

As a partner organisation, there are groups, many of whom are too small to engage in these processes, who are working daily, on the ground, to promote and amplify the vision outlined in the Future Generation Act. Should the committee wish to arrange visits, we can facilitate

this.

We believe that the Well-being of Future Generations Act is a ground-breaking piece of legislation globally, and has set Wales as a World leader as a result.

Our partners ground their work in the values of the Act, and seek to amend organisational practices to better reflect the wellbeing goals within it.

The actions we take collectively in our communities to improve the future of Wales are vital. It can determine how we shape our work, how it impacts the environment, and create an inclusive Wales where we all can thrive.

Nonetheless, while the Act's principles are commendable, its implementation often devolves into tick-box exercises or greenwashing, with well-being goals treated as silos rather than interconnected pillars essential for a prosperous, equal, and healthy Wales, leading organisations to focus on projects over systemic change.

Ideas to address these challenges:

1. Combatting tick-boxing and greenwashing:

- **Introduce a "substance over form" evaluation framework:** Develop clear, robust criteria for assessing how public bodies (and potentially private sector partners in public contracts) demonstrate genuine integration of the Act's principles, rather than just documenting isolated activities.
- **Expand the Future Generations Commissioner's remit to key private sector engagements:** While the Act primarily applies to public bodies, its spirit can be extended. Grant the FGC power to:
 - **Scrutinise large public contracts:** Enable the FGC to review major procurement processes and contracts for their alignment with future generations principles, particularly where private companies are delivering public services or significant infrastructure.
 - **Develop best practice guidance for private sector partners:** We do acknowledge the FGC office has a toolkit for business, but this should go further. They should issue specific, actionable guidance for private companies seeking to align with the Act when working with public bodies, highlighting areas of potential "greenwashing" and how to avoid them.
 - **Certifications/Accreditations:** Explore a voluntary certification or accreditation scheme for private sector entities demonstrating genuine commitment to the Act's principles, providing a market advantage for those truly integrating them.
- **Strengthen public transparency and accountability for compliance:**
 - **"Explain or justify" mechanism:** Require public bodies to explicitly justify (and have that justification publicly scrutinised) decisions that appear to contradict the Act's goals or ways of working.
 - **Citizen oversight and challenge fund:** Establish a fund or mechanism to support citizens and community groups in challenging instances of perceived tick-boxing or greenwashing by public bodies, potentially leading to FGC investigation or even legal recourse.

Breaking down Well-being goal silos:

- **Mandate "integrated well-being outcomes" and cross-goal indicators:** Shift the

focus from reporting on individual goals to demonstrating how *multiple* goals are being achieved simultaneously. Require public bodies to:

- **Define inter-connected objectives:** Explicitly state how their objectives for one goal contribute to or are dependent on others (e.g., how "Prosperous Wales" initiatives also contribute to "More Equal Wales" and "Healthier Wales")
- **Foster inter-goal collaboration hubs/forums:** Create formal or informal structures (e.g., cross-sector working groups, knowledge-sharing platforms) that specifically bring together leaders and practitioners from different "well-being goal" areas (e.g., economic development, health, environment) to co-create solutions that address multiple goals simultaneously.

A common criticism and aspiration from our partners are that it "lacks teeth" when it comes to enforcement.

To move the Future Generations Act to stronger enforcement, the following additional powers for the Future Generations Commissioner could be considered, inspired by the Older People's Commissioner for Wales-

1. **Power to compel information:** Grant the FGC the legal authority to *require* public bodies to provide data, reports, and evidence related to their compliance with the Act. Failure to comply could lead to formal sanctions.
2. **Binding recommendations (in certain circumstances):** Introduce a mechanism where, following a review and persistent non-compliance, the FGC's recommendations could become legally binding on public bodies. This would shift from "should" to "must."
3. **Power to directly challenge decisions:** Empower the FGC to initiate legal challenges or intervene in judicial reviews where a public body's decision is contrary to the principles and goals of the Act and no reasonable steps are being taken to address it. This would provide a direct route for accountability.
4. **Ability to impose financial penalties:** For sustained and egregious non-compliance, introduce a power for the FGC to levy financial penalties on public bodies, with the revenue potentially ring-fenced for future generations initiatives, decided upon by deliberative democracy processes in Welsh communities.
5. **Enhanced powers of investigation:** Provide the FGC with broader powers to investigate alleged breaches of the Act, including the ability to conduct site visits (excluding private dwellings)
6. **Direct support for citizens/groups to challenge:** Mirroring the OPCW, the FGC could offer more direct assistance (legal, financial, advisory) to community groups or individuals who wish to challenge public body decisions that they believe undermine the interests of future generations. This would decentralise enforcement and empower the public. It would also empower the Commission's office with more diverse, more direct ways to engage communities.

We look forward to engaging further with the committee on this work, and wish you well in your endeavours.