

THE WELL-BEING OF FUTURE GENERATIONS (WALES) BILL – GENERAL PRINCIPLES

5 September 2014

Inquiry by National Assembly for Wales' Environment and Sustainability Committee

Response from BMA Cymru Wales

INTRODUCTION

BMA Cymru Wales is pleased to provide a response to the inquiry by the National Assembly for Wales' Environment and Sustainability Committee into the general principles of the Well-being of Future Generations (Wales) Bill.

The British Medical Association represents doctors from all branches of medicine all over the UK; and has a total membership of over 150,000 including more than 3,000 members overseas and over 19,000 medical student members.

The BMA is the largest voluntary professional association of doctors in the UK, which speaks for doctors at home and abroad. It is also an independent trade union.

BMA Cymru Wales represents some 7,000 members in Wales from every branch of the medical profession.

RESPONSE

General overview

BMA Cymru Wales supports any moves that will lead to the creation of a healthier Wales. We therefore welcome the decision to include this as one of the six well-being goals proposed by the Well-being of Future Generations Bill. However, we are also deeply concerned about the whole approach to furthering the well-being goals which is advocated in the Bill as it has been published.

As it is currently written, the Bill would appear to be advocating a heavily bureaucratic methodology under which its aims will be realised. This will require resourcing, in both financial and staff terms, by all the public bodies to which its provisions will apply. Furthermore, given that the proposed new Future Generations Commissioner will be a considerably enhanced role compared to the current non-statutory Commissioner for Sustainable Futures, it is inevitable that creating this new post will also have a not insignificant requirement for additional staff and financial resources.

Taking all this together, our key concern is that resources will inevitably be diverted away from existing frontline service provision to deliver the requirements of this Bill and this could therefore substantially outweigh any benefits that might otherwise be derived from the provisions it contains, thereby rendering any outcome counter-productive.

Ysgrifennydd Cymreig/Welsh Secretary:
Dr Richard JP Lewis, CSU MB ChB MRCPG Dip IMC RCS (Ed) PGDip FLM

Health in All Policies

In the Welsh Government's Public Health Green Paper published for consultation in November 2012¹, views were sought on the possibility of making consideration of the impact of policies on health a mandatory legal requirement. Such a 'Health in All Policies' approach was further described in the Green Paper as testing *"any new policy to assess its impact on health, in order to minimise any damage and increase any benefit it might cause"*. This is an approach that BMA Cymru Wales would very much support.

A summary of responses to the Green Paper was published by the Welsh Government in May 2013². This stated that a majority of the 166 responses received to the question of whether or not a 'Health in All Policies' approach should be adopted *"strongly supported this principle as a key area for consideration in developing a Public Health Bill"*.

The Welsh Government's subsequent Public Health White Paper published in April 2014 notes that the concept of 'Health in All Policies' was *"an idea which attracted particular support through the Green Paper"* and went on to state that *"the Welsh Government's proposed Future Generations Bill will reflect a number of principles consistent with 'Health in All Policies'"*. Additionally, the Ministerial Forward to the Public Health White Paper stated that the Future Generations Bill (as it was then being called) would *"demonstrate how a 'Health in All Policies' approach forms a central part of our wider agenda"*.

The Public Health White Paper contained no further commitments to taking forward the concept of 'Health in All Policies' leading us to assume that it has now been decided to leave it to the Well-being of Future Generations Bill to develop such an approach in legislative terms.

As a result, BMA Cymru Wales is therefore deeply disappointed by what has subsequently been proposed within the Well-being of Future Generations Bill. We simply do not recognise the Bill as published as including a 'Health in All Policies' approach, and certainly not in the way the Welsh Government originally described the concept in the Public Health Green Paper.

Asking every public body in Wales to each set one objective towards the aim of delivering a healthier Wales, which is what the Well-being of Future Generations Bill proposes, is most certainly not the same as asking every public body in Wales to assess all new policies for their impact on health. Indeed it represents, in our opinion, a huge watering down of the concept. What is now being proposed might be better described as 'Health in One Policy' rather than 'Health in All Policies'.

BMA Cymru Wales reiterates its support for the originally-described concept of 'Health in All Policies' and we therefore call for the provisions of the Bill to be amended so that this is what is actually delivered.

Health Impact Assessments (HIAs)

BMA Cymru Wales has long since advocated the adoption of Health Impact Assessments (HIAs) in Wales. This would require all public bodies in Wales to properly assess the full health impacts of all new public sector policies, proposals, plans and strategies in all circumstances where the current statutory environmental assessment process applies.

The intention of such an approach would be to:

- promote greater equity in health;
- increase awareness amongst policy and decision-makers across sectors of how decisions may affect health;
- identify the connections between health and developments in other policy areas;
- better co-ordinate action between sectors to improve and protect health;
- promote evidence and knowledge-based planning and decision-making;
- allow health benefits to be maximised and health risks to be minimised; and
- invest in more action to enable people to prevent ill health.

¹ <http://wales.gov.uk/docs/phhs/consultation/121129consultationen.pdf>

² <http://wales.gov.uk/docs/phhs/consultation/130520greenpaperresponsesen.pdf>

We note that as far back as 1999, the then Welsh Assembly Government committed to taking forward HIAs, and set out its approach in a document entitled 'Developing Health Impact Assessments in Wales'³.

The idea of introducing HIAs in Wales on a mandatory basis was also consulted upon in the Welsh Government's 2012 Public Health Green Paper. The published summary of responses to that Green Paper stated that *"there was a high level of support for the concept of using Health Impact Assessment as a method for ensuring health issues are considered as part of policy making"*. It also stated that a clear majority of those who responded indicated that Welsh Ministers, Welsh Government departments and local authorities should be required to use HIAs whilst acknowledging that fewer respondents suggested other sectors should also be required to do so.

Despite such clear support having been expressed, particularly in relation to Welsh Ministers, Welsh Government departments and local authorities, we were therefore both surprised and disappointed to see that the recently published Public Health White Paper has dropped all mention of HIAs.

In our view, not taking forward the previously considered proposal to place HIAs on a mandatory footing would represent a distinct loss of opportunity to bring forward legislation that would be regarded as both innovative and groundbreaking.

We would urge the Committee to support such a view, and to therefore call for the provisions of the Well-being of Future Generations Bill to be amended to not only properly deliver the previously promised 'Health in All Policies' approach, but to additionally go a step further by also delivering a mandatory requirement for public bodies in Wales to carry out HIAs in all circumstances where they are currently required to carry out environmental impact assessments.

Conclusion

It is the view of BMA Cymru Wales that, as a result of the overly-bureaucratic approach that has been advocated, the Well-being of Future Generations Bill represents in its current form a lost opportunity to bring forward measures that will guarantee the delivery of its stated intentions – including the delivery of a healthier Wales.

We therefore call for the Bill to be substantially strengthened to deliver a true 'Health in All Policies' approach in the way that it was previously described and consulted upon by Welsh Government, as well as to also require mandatory HIAs to be carried out by public bodies in Wales in all circumstances where they are currently required to carry out environmental assessments.

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³ http://www.wales.nhs.uk/sites3/Documents/522/developing_hia_in_wales.pdf