Dear Assembly Members,

We would like to thank members of the Health and Social Care Committee for the opportunities you gave us to present our views on the Public Health (Wales) Bill.

BMA Cymru Wales is pleased at the consideration committee members have indicated they will give to our suggestion for the Bill to be amended to include a requirement that the use of Health Impact Assessment (HIA) be placed on a statutory footing in specific circumstances.

We note that in giving evidence to the committee on 21 October, the Minister for Health and Social Services spoke about the intention to take HIA forward “as part of rounded assessments” that the Well-being of Future Generations Act 2015 “now requires to be undertaken when there are major developments proposed by local authorities and others”.

However, we are concerned that the Well-being of Future Generations Act 2015 does not go as far as we would like and does not explicitly specify particular circumstances in which HIA would require to be taken. Whilst that Act requires public bodies to set objectives to fulfil the goal of a healthier Wales, we feel that does not go far enough in embedding such consideration of health across the board in decision- and policy-making by public bodies.

The statutory guidance that follows on from the Well-being of Future Generations Act 2015, which is currently out to consultation, is also not specific to the extent of explicitly requiring HIA to be undertaken in particular circumstances. Whilst the proposed core guidance does contain a mention of health in all policies (Section 1.10, paragraph 64), we do not consider this reference is sufficiently strong as it is not accompanied by a clear definition of what precisely is meant by health in all policies in this particular instance and how exactly it should be applied. All that is said is that it is one of various approaches which helps explain further how the descriptions of the seven well-being goals should be applied. In our view that is much too vague and leaves it too much open to interpretation how the approach should be taken forward, therefore leaving the use of HIA as something that would remain optional. This could be less of a concern if there was a specific document that had been adopted by Welsh Government to outline in detail how a health in all policies approach should be applied, but we are not aware of the existence of such a document.

We therefore believe that there is still a case to go further by incorporating a statutory requirement for HIA into the Public Health (Wales) Bill. Doing so would certainly serve to complement and strengthen the approach of the Well-being of Future Generations Act 2015, but also ensure that HIAs would definitely be carried out in circumstances where they could make a difference in ensuring that health considerations are taken into account.

We also understand that in order for the Assembly to be able to consider amendments in relation to HIA at subsequent stages in the Bill’s consideration, it may be necessary for the Bill’s long title to also be amended. Should this be the case, we would suggest that it could be straightforwardly achieved through the addition to the long title of the words ‘and health impact assessments’.

We trust that members will give these matters appropriate consideration, and would urge the committee to agree to the inclusion of a recommendation in the Stage 1 report that appropriate amendments be brought forward which will enable a requirement for HIA in specific circumstances to be incorporated into the Public Health (Wales) Bill.