Public Health (Wales) Bill – the case for Health Impact Assessments (HIA)

January 2016

The British Medical Association (BMA) is an independent professional association and trade union representing doctors and medical students from all branches of medicine all over the UK and supporting them to deliver the highest standards of patient care. We have a membership of over 153,000, which continues to grow every year. BMA Cymru Wales represents over 7,500 members in Wales from every branch of the medical profession.

Context
This briefing has been produced with specific focus on the Public Health (Wales) Bill and its potential to position Wales as a world leader in public health innovation through the introduction of mandatory Health Impact Assessments (HIAs). (A more detailed briefing on HIA can also be downloaded from our website.)

Despite initial inclusion in the Public Health Green Paper, we were disappointed that the draft Public Health (Wales) Bill did not contain provisions for HIA. Following the submission of evidence from BMA Cymru Wales and a coalition of over 20 organisations, we are pleased that in their Stage 1 report, the Health and Social Care Committee has strongly recommended amending the Bill to include a requirement for public bodies to undertake mandatory HIA when developing certain policies, plans or programmes.

At time of writing, amendments to the Bill (amendments 108, 109, 110, 111, 112, 113 & 114) have been tabled which, if enacted, would see the inclusion of a duty to maximise health outcomes and to undertake HIA in specific circumstances that will then be subsequently defined in regulations.

Legislating for mandatory HIA would provide a significant contribution to improving the health and well-being of communities throughout Wales, at the same time as positioning Wales as a world leader in the application of public health policy.

Therefore, we would encourage all Assembly Members to do their part to make sure that these amendments to the Bill are agreed.

Key calls
BMA Cymru Wales is calling on all Assembly Members to:

- Add your name to amendments 108, 109, 110, 111, 112, 113 & 114 tabled by Kirsty Williams AM to pledge your support for HIA;
- Write to the Minister for Health and Social Services to encourage him to support these amendments.
Background information

We believe that the Government has a duty to use its powers to ensure that the health and wellbeing of the people of Wales is maximised. Whilst the Well-being of Future Generations (Wales) Act 2015 goes some way towards entrenching a health in all policies approach, we feel the Public Health (Wales) Bill is the appropriate vehicle for further developing this approach by determining a necessary legal obligation for public bodies to undertake HIA in appropriate circumstances.

HIAs are well established, with the Welsh Health Impact Assessment Unit (WHIASU) supporting the use of HIAs across Wales in a variety of different circumstances. WHIASU define HIA as:

“A combination of procedures, methods and tools by which a policy, program or project may be judged as to its potential effects on the health of a population, and the distribution of those effects within the population.”

When they have been undertaken, HIAs have helped to structure a systematic and objective approach to the development of certain plans, policies and projects in Wales. They have been successfully used to identify ways in which health benefits can be maximised and health risks minimised as schemes or policies have been taken forward.

WHIASU has published a series of case studies which most clearly describe the benefits of using HIA at both a strategic and operational level. HIAs have been successfully used to identify health inequalities, specifically in vulnerable groups, producing evidence-based recommendations for health improvement as well as identifying any gaps in service provision or delivery.

Their use has already proved that HIAs need not be overly burdensome. The first stage in the process can be a simple screening tool which determines whether an HIA would both be valuable and feasible within a particular decision-making context. Only if the screening tool determines that there is a potential impact on health will a more comprehensive HIA be undertaken.

HIA is an open and transparent process which promotes the active inclusion and participation of key stakeholders and communities affected. It can therefore ensure greater involvement of these groups in decisions that affect them. HIA has already been shown to reassure communities and individuals that potential impacts on health and well-being have been adequately considered.

The Public Health (Wales) Bill is well placed to provide a statutory mechanism to require HIA to be undertaken, similar to the approach already used for Environmental Impact Assessment (EIA). Placing HIA on a statutory footing, rather than leaving it as an optional approach, will empower public bodies by providing them with a clear route to comply with a health in all policies approach.