

<p>1. Do you agree with the overarching principles that the Bill seeks to achieve?</p>	<p>Yes, we need and welcome a more integrated and joined up framework to develop a sustainable food system for Wales to improve the health of our population. If we are to reduce the burden that diet related ill health puts on people's lives, life expectancy and the NHS, a radical, long-term approach is needed to overhaul the UK food system from one in which there is high demand for food industry production of high fat, sugar and salt (HFSS) foods, to one geared more towards preparation of food at home. The mechanics and specifics of the primary and secondary goals and how they relate to public sector organisations will need to be carefully constructed in line with wider stakeholder needs and constraints. This will require further stakeholder engagement, to ensure the aspirations are deliverable.</p> <p>Policymaking related to food is a complex matter, given the range of departments involved we need to take a 'Whole Systems Approach' and ensure food policy is integrated across sectors and departments. The COVID-19 pandemic highlighted an opportunity to re-build the food system in a way that supports food democracy, giving consumers better information and opportunities to engage in the decision-making process, at a local and national level, about how food should be produced. This should be capitalised upon and integrated as part of the Bill.</p>
<p>2. Do you think there is a need for this legislation?</p> <p>Can you provide reasons for your answer?</p>	<p>Yes, this is a crucial piece of legislation and in addition to aiding accountability, with appropriate measures in place, it will help to frame and maintain a formal national focus for the ongoing need to develop our food systems and ensure food security. The legislation will support the delivery of a Whole System Approach to Healthy Weight by recognising the role that partners have in food policy and how this can impact on health and wellbeing. Often many partners place responsibility for unhealthy weight on the NHS and fail to recognise the role they play in the system that is causing unhealthy weight. This legislation will strengthen the recognition that all partners have a role to play in food policy.</p> <p>If the legislation is implemented it will need to be appropriately resourced to ensure that it does not create additional burdens on an already overstretched public sector which often dealing with crisis situations, due to the long-term failures within the system to prevent health and social inequalities.</p>
<p>3. Please provide your views on the inclusion of the Food Goals within the Bill as the means to</p>	<p>The inclusion of the food goals aligns with existing legislation and aspirations we believe this is important. The crucial aspect of the goals will be the standard by which we assess reasonable steps. Goals should be SMART (Specific, Measurable, Assignable, Realistic and Time-related), currently it is unclear how delivery against the goals will be assessed. Unless these are clear there is a risk that public bodies could continue to claim existing action is contributing to these goals and no significant difference will be achieved.</p>

<p>underpin the policy objectives.</p>	<p>If the goals do include targets it is crucial that these are aligned across policy areas to ensure an integrated approach as well as reducing the burden on public sector reporting requirements. These policy areas include, Healthy Weight: Healthy Wales, Food Environment legislation, Healthy Eating in Schools (Wales) Measure, public sector food procurement and the Agriculture (Wales) Bill.</p>
<p>4. Do you agree with the inclusion of a Primary Food Goal supplemented by Secondary Food Goals?</p>	<p>Yes, it will be important to provide additional guidance on both the primary and secondary goals though. There is a risk that these can be open to interpretation, for example education is a setting but also a mechanism to achieve behaviour change (although ineffective as a standalone intervention). Providing clear guidance on the secondary goals and the actions that are required to achieve change will ensure partner organisations are clear what the legislation expects action on to achieve change. Partners could otherwise identify existing actions as achieving the legislative requirements when the legislation has been identified as being required because the actions on food policy are not where they need to be in Wales.</p>
<p>5. Are there additional / different areas you think should be included in the Food Goals?</p>	<p>What action should be delivered against each goal would need to be clear. Different partners will interpret the goals differently depending on their professional knowledge and background so clear guidance on the types of actions required will be needed. For example the Environment goal could cover food production, consumption (with cross-over into food waste), land use, biodiversity, antimicrobial resistance etc. It could also consider our built environment, retail food environments, food environments in different settings (schools, homes, workplaces) There is strong overlap between the environment and food waste and both will be closely linked to climate change. There is a risk that some goals might contradict each other, for example, if the Environmental Food Goal had a target to reduce CO₂ emissions of food production and consumption. Evidence suggests the best way to do this would be through changing what people eat, encouraging the population to move towards a plant-based diet rather than consuming food that is locally produced (which is part of the economic well-being goal)³. We know that food security has been negatively impacted by the Triple Challenge of Covid-19, Brexit and Climate Change⁴, perhaps there should be a measure to ensure more resilient food chains which would have an impact on health and social.</p>
<p>6. Do you have any additional comments on the Food Goals, including the resource</p>	<p>Clearly, there is a requirement to maximise and adapt the resources and capacity we have across all sectors to improve and build on our food system, but the likelihood is some resourcing will be required. It may not be possible to identify resource implications until food goals are more firmly laid out though. It is acknowledged that including the education goal is a key element in supporting the public to making healthier and more sustainable food choices. It should also be recognised that this should not be down to the individual alone</p>

³ [Environmental Impacts of Food Production - Our World in Data](#)

⁴ <https://phw.nhs.wales/publications/publications1/rising-to-the-triple-challenge-of-brexit-covid-19-and-climate-change-for-health-well-being-and-equity-in-wales/>

<p>implications of the proposals and how these could be minimised?</p>	<p>and there should be recognition that changing the environment to make the healthy choice the easy choice is also extremely important.</p>
<p>7. Please provide your views on the inclusion of targets within the Bill as the means to measure how the Food Goals are being advanced.</p>	<p>We would agree with this proposal, as this is in keeping with the principle of goal setting. However there needs to be careful consideration of how achievable the targets are. The statement <i>'Before making regulations which set or amend a target, the Welsh Ministers must be satisfied that the target, or amended target, can be met'</i>, implies that only achievable targets will be set. It is clearly not appropriate to set impossible goals but there is a fine line between setting achievable/easy goals that the Welsh Ministers know can be achieved and setting goals to make a significant impact. The obesity crisis in Wales needs addressing and some targets may need to be challenging (albeit achievable) for many sectors. Consideration should also be given to ensuring the targets are measuring delivery against the agreed goals.</p>
<p>8. Do you agree with the process for setting the targets?</p>	<p>Yes we agree with the process for setting targets, we are particularly supportive of the requirement for an independent element in target setting. These targets should be drafted in consultation with public organisations, specifically catering, dietetics, procurement and finance. Furthermore, the targets need to be SMART and have nationally agreed definitions.</p>
<p>9. Do you think the reporting mechanisms set out in the draft Bill provide sufficient accountability and scope for scrutiny?</p>	<p>Although the Bill makes it clear that the Welsh Government will publish achievements against targets and explain when targets are not achieved it is unclear who will be held to account should targets not be achieved. Further explanation could be offered on the role of public bodies, the Food Commission and wider stakeholders and how they will be held to account. If we are committed to taking a whole system approach to food policy and healthy weight we need to ensure that they system is held to account when targets are not delivered against.</p>
<p>10. Do you have any additional comments on the targets, including the resource implications of the proposals and how these could be minimised?</p>	<p>Overweight and obesity are rapidly becoming the leading causes of years lived in poor health, with disability or early death. Overweight or obesity increases our risk of a number of diseases including diabetes, heart disease, cancer and stroke and it can worsen the impact of other conditions such as arthritis. The COVID-19 pandemic also brought into focus the potential risk from infectious disease with those who have obesity being at greater risk of poorer outcomes. Currently in Wales more than half of the adult population are overweight or obese; being overweight is now normal. There are already signs that unless we can change this the situation will get much worse. 1 in 8 children already experience overweight or obesity by the time they start school. We know that, even in childhood, obesity is hard to reverse and that our likelihood of experiencing being overweight or obese increases as we get older. This will lead to increased NHS spend and decreased quality of life and so longer term, changes need to happen more quickly. Whilst remaining aware of the time needed to embed new policies and measure outcomes five year reviews do feel too long. We would be looking for assurance that</p>

	<p>additional checkpoints would occur to ensure any reasonable adjustments could be undertaken should the delivery of the target not be on track or should there be any negative unintended consequences. Consideration also needs to be given to the potential resource implications for organisations required to report on their delivery of the targets.</p>
<p>11. What are your views on the need for a Welsh Food Commission?</p>	<p>BCUHB are supportive of the proposal for a Welsh Food Commission. The Commission would need to consider how it will work alongside existing groups to prevent duplication and optimise outcomes through effective partnership working. The Commission should also consider how it can work with and support existing groups to achieve their aims due to the strong alignment with the food goals.</p>
<p>12. Do you agree with the goals and functions of the Welsh Food Commission? If not, what changes would you suggest?</p>	<p>BCUHB agrees with the proposed goals and functions of the Welsh Food Commission. As the Bill includes food goals, consideration should be given to the wording used in this part of the consultation. The use of the words objectives and function may be more appropriate.</p> <p>The Commissions role in scrutinising local plans should be made clearer. It would be useful to understand whether the commission would be expected to advise on the content or offer a stronger role of approving these plans.</p>
<p>13. Do you agree with the size of the membership of the Food Commission and the process for appointing its members?</p>	<p>When appointing members consideration should be given to adequate representation across all sectors including the food industry. The risk of a conflict of interested should be considered when attempting to engage the food industry though. Although it is recognised that the Commission will require members with a range of skills and experience it would be beneficial to ensure the membership offers a cross section of individuals e.g. retail, manufacture, education, health, agriculture and environment and that representatives should be selected from across the geography of Wales.</p>
<p>14. What are your views on the proposal that the chair and members can serve a maximum term of five years and that an individual may be re-appointed as a chair or member only once? Do you believe this is appropriate?</p>	<p>BCUHB agree that this proposal is appropriate given proposed timescales for published reviews every five years.</p>

<p>15. Do you have any additional comments on the Food Commission, including the resource implications of the proposals and how these could be minimised?</p>	<p>As discussed earlier the resource implications for the Commission could be minimised by utilising the expertise of existing groups working on this agenda across Wales.</p>
<p>16. Do you agree that there is a need for a national food strategy?</p>	<p>Yes, BCUHB strongly agrees there is a need for a national food strategy. Radical change in the food system is needed to improve public health and reduce diet related ill health in Wales. This should be explicit within the strategy. The National Food Strategy should be written with experts across disciplines to ensure a holistic vision for food in Wales that doesn't lead to unintended consequences in other areas.</p> <p>Consideration will need to be given to how private sector providers (retailers, manufacturers etc.) will be engaged with as part of the national food strategy. In particular large retailers and manufacturers who are based outside of Wales. It should be clear how legislation will be implemented when a company is subject to different legislation in the four countries across the UK.</p>
<p>17. Do you believe the Welsh Government's current strategies relating to 'food' are sufficiently joined up / coherent?</p>	<p>We acknowledge this is a complex area, BCUHB feel it would be timely to refresh and align these strategies alongside the development of this Bill. A review in England showed that 19 different Government departments are involved in food policy. This should be mapped and understood within a Welsh Government and policy context to ensure a whole system approach.</p> <p>Key strategies and legislation include:</p> <ul style="list-style-type: none"> • Agricultural (Wales) Bill • A Healthier Wales • The NHS Clinical Framework • Healthy Weight: Healthy Wales strategy • The All-Wales Diabetes Prevention Programme
<p>18. Does the draft Bill do enough to ensure that Welsh Ministers take advice and consult on the strategy before it is made. If no, what</p>	<p>In addition to seeking advice from the commission and from the Future Generations Commissioner we would recommend proactively inviting consultation and engagement from key professional bodies and community-based organisations (statutory and voluntary). The work of Food Sense Wales regarding Sustainable Food Cities and Places and establishing local food partnerships in Wales should be recognised and represented. We would welcome the opportunity to respond to the strategy.</p>

<p>additional mechanisms would you put in place?</p>	
<p>19. Do you think the provisions of the draft Bill relating to <u>reporting on the national food strategy</u> are sufficient? If not, what changes would you like to see?</p>	<p>Two-yearly reports are a reasonable suggestion, consideration should be given to how reports are presented for the public, and the use of infographic style report could be considered to ensure the reports are accessible and meaningful. The Bill should also outline the approach should the food strategy provide a lack of outcomes following the first reporting period.</p>
<p>20. Do you think the provisions of the draft Bill relating to <u>reviewing of the national food strategy</u> are sufficient? If not, what changes would you like to see?</p>	<p>BCUHB recognise that to achieve change a long-term plan is required. To ensure there is appropriate time to enable change to be implemented and evidence of outcomes be collated, five years is an appropriate period for reviewing the strategy.</p>
<p>21. Do you have any additional comments on the National Food Strategy, including the resource implications of the proposals and how these could be minimised?</p>	<p>The strategy needs to be inclusive of and acknowledge nutrition knowledge and skills alongside food availability and provision (as part of the wider system and ultimate aim of achieving healthy food for all).</p> <p>Detail within the consultation documentation about 'having regard to' discrimination legislation, e.g., discrimination against women/children is needed, but has consideration been given to transforming this positively? For example, economic rewards for Welsh retailers offering free fruit to children and stocking less unhealthy snacks, funding to enable retailers to build play areas and give free water to siblings whilst mum breastfeeds her baby?</p>
<p>22. Do you agree that there is a need for local food plans?</p>	<p>Yes, this will stimulate and enable locally driven actions and priorities whilst ensuring close alignment to the national strategy and Bill. Capacity to support local plans may prove challenging in some areas of Wales. For example here in North Wales, BCUHB works alongside six Local Authority areas. If each were to derive their own local plan health board staff may struggle capacity-wise to support all areas. Variation in need across Wales will also mean that some areas will have more needs than others and therefore will need to commit to more actions within their local plans. This variation in need (often linked to deprivation) should be appropriately</p>

	resourced to support the implementation of the local plans. Guidance on the scope of local plans would be required to ensure the risk of inconsistency is minimised.
23. Does the draft Bill do enough to ensure that public bodies consult on their local food plans before they are made. If no, what additional mechanisms would you put in place?	BCUHB would be in support of local plan consultation being wider than the Welsh Food Commission and Future Generations Commissioner. We would support consultation with relevant local partner organisations and encourage engagement from the outset to enable coproduction of the local plan with relevant stakeholders.
24. Do you think the provisions of the draft Bill relating to <u>reporting</u> on the local food plans are sufficient? If not, what changes would you like to see?	The proposed timescales for the reporting seem reasonable. We would question how practical it will be for each public body to consult with The Welsh Food Commission prior to making a report against their local food plan. An alternative approach could be that the Welsh Food commission provide a framework for reporting achievements against food goals and targets.
25. Do you think the provisions of the draft Bill relating to <u>reviewing</u> of the local food plans are sufficient? If not, what changes would you like to see?	Yes, BCUHB agrees that reviewing local food plans every five years is reasonable. This timeframe allows sufficient time to implement changes and gather evidence of effectiveness before then reviewing achievements and identifying new priorities for change.
26. Do you have any additional comments on local food plans, including the resource implications of the	Effective development of local plans, monitoring and reporting on progress will be dependent on the capacity of public sector staff who will already be under pressure. A proposed framework for developing a food plan for all areas could be helpful alongside possible guidance on local leadership. Agreement on what qualifies as a 'local' plan is required. Consideration should be given to local plans being aligned to health board areas allowing a whole system approach across Local Authority areas and organisations (including the food industry). This would need to be supported with sufficient named resource from each partner organisation. Consideration

proposals and how these could be minimised?	would need to be given to how the local community groups and members are engaged with to ensure local need is reflected with this approach.
27. Do you agree with the list of persons defined as being a ‘public body’ for the purpose of this Bill?	Consideration should be given to including other public sector organisations to ensure a whole system approach to this work. We would suggest the utilisation of the Public Bodies as defined by the Public Contract Regulations 2015 or the Well Being of Future Generations Act 2015 as a means to improve this. The expectations of the private sector (producers, manufacturers, retailers etc.) should also be included within the Bill.
28. Do you have any views on the process for making regulations set out in the Bill?	Regulations should be coproduced with key stakeholders to ensure the targets contained within them are practical, realistic and routinely available to enable reporting.
29. Do you have any views on the proposed commencement date for the Act?	BCUHB do not have any views on the proposed three month commencement date following Royal Assent.