

Cyflwynwyd yr ymateb hwn i'r ymgynghoriad ar y [Bil Bwyd \(Cymru\) Drafft](#)

This response was submitted to the consultation on the [Draft Food \(Wales\) Bill](#)

OSFB017

Ymateb gan: | Response from: British Dietetic Association

Overarching principles

Question 1: Do you agree with the overarching principles that the Bill seeks to achieve?

Yes

The British Dietetic Association (BDA), representing Dietitians in Wales, supports the Food (Wales) Bill. We advocate an integrated and collaborative framework to develop a safe and sustainable food system for Wales.

We welcome the Bill to support a more joined-up approach to food within Wales working collaboratively across silos and sectors. While it is important to have multi sector involvement, health should remain an underlying ethos and should be embedded throughout the Bill to meet the food goals stated.

A radical, long-term approach is needed to overhaul the Welsh and UK food system with a focus towards sustainable, home grown, produced and distributed food. The Bill should encompass the key aim to balance the population's food supply to reduce food industry production and supply of high fat, sugar and salt (HFSS) foods. This is a paramount action to reduce the burden that diet-related ill health has on people's lives, economic stability and life expectancy. Through these actions we reduce impact of these illness on the NHS and health and social care services.

Question 2: Do you think there is a need for this legislation? Can you provide reasons for your answer.

Yes

The British Dietetic Association (BDA) feels strongly that this Legislation is essential to support the Wellbeing of Future Generations Act.

The rising costs of living are putting pressures on families and affecting food choices and food availability to many people. The Food Foundation's annual Broken Plate Report highlights these concerns with the 2022 report showing "the poorest fifth of UK households would need to spend at least 47% of their disposable income on food to meet the Government recommended healthy diet."

Food poverty and poor food availability impacts health and increases obesity associated risks with obesity rates higher in the most deprived areas. Additionally, the food system is a key consideration in climate stability and promoting locally grown and sustainable food choices is welcome. Making healthy, sustainable options easily accessible to the public and reducing food waste will support this.

Legislation is crucial to ensure accountability and provide a system of monitoring through clear targets and principles. We suggest that monitoring the legislation requires more detail to ensure it is robust to stand to scrutiny. For example, the monitoring of the Healthy Eating in Schools (Wales) Measure is not robustly monitored and allows for varying degrees of compliance. This is particularly

relevant when there are multiple public bodies and private food producers working together. Further, the bill mentions placing specific duties on public bodies, whilst we understand this may indeed need to form part of any underpinning legislation, the current financial and work pressures on NHS Wales health boards, staff and local authority colleagues means a clear and pragmatic approach is required. A clear set of multi-criteria principles for the food system in Wales (and the UK) is recommended, with cross sector government commitment, leadership and scrutiny.

Food Goals

Question 3: Please provide your views on the inclusion of the Food Goals within the Bill as the means to underpin the policy objectives.

We, British Dietetic Association (BDA), support the inclusion of food goals as a means to underpin objectives. If goal terminology is to be used as part of the bill and associated secondary legislation/regulations, we suggest it would be best practice to adopt the same terminology, structure and purpose across all food goals. The goals must align with other relevant legislation and policy and have a SMART goal principles in order to be actionable.

As the Bill goes onto explain that there will be 'targets' flowing from the secondary food goals and we are concerned that there a risk of creating too many tiers/steps across the Bill's documentation. We advocate a simple and seamless approach to the goals.

It would be helpful to quantify how 'reasonable' might be measured in 'Public bodies must take reasonable steps to advance the primary food goal and the secondary food goals'?

Question 4: Do you agree with the inclusion of a Primary Food Goal supplemented by Secondary Food Goals?

We, British Dietetic Association (BDA), agree with the inclusion of primary and secondary goals, however suggest that the primary goal described in part 1 section 6 becomes an overachieving aim (as opposed to goal) beneath which there would be the more specific, secondary goals (akin to well written objectives). This allows more detailed and actionable targets throughout.

Question 5: Are there additional / different areas you think should be included in the Food Goals?

We, British Dietetic Association (BDA), agree with the areas identified and suggest further

- Consider food advertising within the bill, the majority of food advertising is for less healthy foods and paid for by large companies. Locally grown, unprocessed, fruits, vegetables, grains, meats etc do not receive the same advertisement and recognition yet are often healthier the healthier options and more sustainable.
- Environment/ food waste areas – should these be combined.
- Employ a joined up approach with the Healthy Weight: Healthy Wales Healthy Food Environment goals
- Audit the success of new and existing legislation e.g. Healthy Eating in Schools (Wales) Measure

- Meeting food standards in all early year's provision, educational establishments for children and young people should be a priority in line with UN Rights of the Child and The Wellbeing of Future Generations Act.

Question 6: Do you have any additional comments on the Food Goals, including the resource implications of the proposals and how these could be minimised?

British Dietetic Association (BDA) : Through the Dietetic workforce we know that many projects already exist independently at local levels. It is vital that the Bill allows liaison with these providers and ongoing support of these projects will be essential, for example local community fridges to support at risk families and reduce food waste.

Education goal- Funding into education and providing greater knowledge and awareness of healthy and sustainable diets through all life stages will support the aim and proposals made. We welcome that this intrinsically included as part of the food goals. This should also be acknowledged throughout the Bill and associated documentation as a key element supporting the public in making healthier and more sustainable food choices. It needs to align to the new curriculum in Wales for young people but should not be exclusive to this.

Nutrition Skills for Life TM Nutrition Skills for Life® is an established and trusted network of Public Health Dietitians working across Welsh health boards, providing high quality food and nutrition skills training, expert advice and network opportunities that support the wider community workforce and community to engage in and adopt healthier eating practices.

We suggest consideration of whether there will be additional financial support to ensure there is sufficient resource and capacity to allow successful implementation.

Question 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.

British Dietetic Association (BDA) : Targets are necessary to measure outcomes and ensure advancement of goals. The statement 'Before making regulations which set or amend a target, the Welsh Ministers must be satisfied that the target, or amended target, can be met', implies that only achievable targets will be set. Whilst it is clearly not appropriate to set unachievable goals, goals should be aspirational and sufficient bold to allow advancement of the food agenda in Wales.

Question 8: Do you agree with the process for setting the targets?

We support the requirement for an independent element and those with relevant expertise in setting targets but achievability and relevance of any targets set must be considered and be supported by all relevant parties.

Question 9: Do you think the reporting mechanisms set out in the draft Bill provide sufficient accountability and scope for scrutiny?

We, British Dietetic Association (BDA), would like further clarity around reporting dates: Ref 36 in the consultation document- what might be the frequency for statements to be published?

Question 10: Do you have any additional comments on the targets, including the resource implications of the proposals and how these could be minimised?

We, British Dietetic Association (BDA), advocate an earlier review timescale with more frequent interim auditing supporting 5 yearly formal reviews.

Wales Food Commission

Question 11: What are your views on the need for a Welsh Food Commission?

We, British Dietetic Association (BDA), support the need for a Welsh Food Commission to provide oversight of the Food Goals

Question 12: Do you agree with the goals and functions of the Welsh Food Commission? If not, what changes would you suggest?

We, British Dietetic Association (BDA), support the goals and functions of the Welsh Food Commission, however the functions are very broad and the Bill lists as a two-part objective plus functions - not goals so we would advise this is revised for consistency of terminology.

We feel that public bodies will need to fully understand level of oversight of local plans, support available and level of scrutiny that the commission will provide.

Question 13: Do you agree with the size of the membership of the Food Commission and the process for appointing its members?

We, British Dietetic Association (BDA), suggest that the membership should comprise adequate and appropriate representation from all sectors (both public and private) and be mindful and transparent of any conflicting interests. Members need to be representative of their sectors and have an established means of communication to ensure views are reflective of the sector as a whole. The Food Commission should have a strong nutrition representation and lead which is best provided by a Registered Dietitian. We note, however, that the Bill mentions that a local health board representative cannot be on the commission and therefore we seek clarification on this point as many of our expert Dietitians are NHS employees.

Question 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?

We, British Dietetic Association (BDA), agree the timescale for terms of office of member are appropriate and fit well with the formal review schedule.

Question 15: Do you have any additional comments on the Food Commission, including the resource implications of the proposals and how these could be minimised?

We, British Dietetic Association (BDA), note that the Bill appears to detail remuneration/ allowances these should be in keeping with other similar public duties. Members will also require the support of own employing organisation. We suggest hybrid of face to face and digital working would minimise expenses and maintain engagement. Remuneration should be appropriate to role and equitable in line with time commitment and workload.

National Food Strategy

Question 16: Do you agree that there is a need for a national food strategy?

The British Dietetic Association (BDA) strongly agree with the need for a National Food Strategy. The strategy should align with legislation in Scotland and England and link food related policies across many areas including health and social care, education, local authorities.

Regarding ref 62 in the consultation document – specified public bodies required to have regard / exercise functions related to primary food goal. We are keen to see more detail on how the Bill will engage the private sector including industry, retailers and manufacturers. Influencing Welsh businesses can be done with this legislation but has consideration been given to implementation of certain approaches in Wales when a parent company (lying outside of Wales) can follow different guidance across the border? We would like to understand further the reach and scope of the strategy.

Question 17: Do you believe the Welsh Government's current strategies relating to 'food' are sufficiently joined up / coherent?

Currently we, British Dietetic Association (BDA), feel there is disparity between initiative that impact food in Wales. We agree with reference 17 in the consultation document that this Food Bill should be joined up with the Agricultural (Wales) Bill – all efforts should be employed to achieve this and indeed with any new or revised policies that are cross cutting. The food strategy underpins preventative actions in A Healthier Wales and the NHS Clinical Framework. Poor diet is a major cause of avoidable ill health and the Healthy Weight: Healthy Wales strategy and the All-Wales Diabetes Prevention Programme are examples of how Welsh Government supports a shift in amendable risk factors. The food strategy must give sufficient recognition/value of its role and purpose in this regard.

Question 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 additional mechanisms would you put in place?

The British Dietetic Association (BDA) suggests that as a key part of implementation Welsh ministers have a directly accessible source of advice from key experts, community-based organisation representatives and professional bodies. The provision of a representative advisory committee will be key to the success of implementation.

Question 19: Do you think the provisions of the draft Bill relating to reporting on the national food strategy are sufficient? If not, what changes would you like to see?

We, British Dietetic Association (BDA), agree that Yes 2 yearly detailed reports are sufficient given the scope of the strategy, although 12 month interim progress reports would be helpful in ensuring momentum in the initial establishment period. The reports should be inclusive and appropriate for all stakeholders including the lay person. Regarding 'assessing the effectiveness of the national food strategy' at these reporting periods, we are keen to understand what actions would be undertaken if there has been little or no positive effectiveness evidenced?

Question 20: Do you think the provisions of the draft Bill relating to reviewing of the national food strategy are sufficient? If not, what changes would you like to see?

We, British Dietetic Association (BDA), would like to see further detail about the planned lifespan of the strategy and suggest 5 yearly full review is appropriate of, like the Healthy Weight, Healthy Wales strategy the operational timescale is 10 years. As this bill has received cross party support can there be some commitment made to ensure the strategy is refreshed and updated for a further tenure? The issues outlined within this Bill will not be 'fixed' in the short to medium term; they will require an ongoing commitment to achieve longer-term change.

Question 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?

We, British Dietetic Association (BDA), agree with the overriding principle of a National Food Strategy and suggest further:

The National strategy should:

- acknowledge and support strategies to address population nutrition knowledge and skills alongside food availability and provision as part of the whole systems approach.
- recognise that there may be resource implications to ensure that the right expertise is utilised
- reprioritise secondary food goals to ensure 'economic' be appropriately allocated priority

Local Food Plans

Question 22: Do you agree that there is a need for local food plans?

Yes, we, British Dietetic Association (BDA), agree the need for local food plans, this will ensure locally driven actions and priorities that take account of community needs assessments and engagement whilst ensuring alignment to the national strategy and Bill. Access to assets and resources (both positive, i.e. easy access to outdoor spaces, and negative e.g. abundance of cheap takeaways within walking distance) varies significantly within a given location in Wales; consideration is required for ensuring equitability for capacity to compile and act on information across all areas. Further detail is required with regards to the development of the local food plans, will this make the use of public service boards?

Capacity to support local plans may prove challenging in some areas of Wales, for example in North Wales BCUHB serves 6 LA areas, if each derive their own local plan health board staff may struggle capacity-wise to support all areas. Will there be some recommendations/ guidance around scope for developing local plans?

Having local plans is important however, resources are stretched everywhere and so national strategy that includes key aspects such increasing food and nutrition education within schools (at various ages) is important. Positive national strategies set the tone for what can be reflected within local strategies.

Question 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?

The British Dietetic Association (BDA) suggest that local consultation with relevant organisations, professionals and communities is essential as experts in their fields to enhance the information accrued from the commission.

Question 24: Do you think the provisions of the draft Bill relating to reporting on the local food plans are sufficient? If not, what changes would you like to see?

We, British Dietetic Association (BDA), agree that the proposed timescales seem fair, however would question the necessity for each public body to consult with the commission prior to making a report against their local food plan? What may be more helpful is for the commission to provide some guiding principles or a framework by which they would like to receive the report.

Question 25: Do you think the provisions of the draft Bill relating to reviewing of the local food plans are sufficient? If not, what changes would you like to see?

We, British Dietetic Association (BDA), feel that the timescale for reviewing of food plans is not sufficient. While reducing from 5 years may have resource implications, having more regular reviews will ensure that local plans are on track and give the opportunity to meet emerging needs. Every 2 years may be more effective in terms of maintaining momentum and assessing areas required for change.

Question 26: Do you have any additional comments on local food plans, including the resource implications of the proposals and how these could be minimised?

The British Dietetic Association (BDA) suggests:

- Ministers should consider Local food plans will likely require investment and this funding will need to be considered, while some projects exist in some areas they do not in all, therefore current provisions across Wales are not equitable.
- An all Wales template and toolkit for developing a local food plan would be useful to support public bodies development and leadership of the strategy.

General Provisions

Question 27: Do you agree with the list of persons defined as being a 'public body' for the purpose of this Bill?

British Dietetic Association (BDA): Yes, however It is not clear within the Bill when or how stakeholders including industry, retailers, producers and manufacturers might be engaged in discussions around the food strategy and the evolving work around the food system.

Question 28: Do you have any views on the process for making regulations set out in the Bill?

The British Dietetic Association (BDA) would like clarification on Who would be responsible for laying a draft out for Ministers to approve. As a key stakeholder we would wish to be included in this process.

Question 29: Do you have any views on the proposed commencement date for the Act?

We welcome this Bill and would advocate an early commencement, particularly given the current economic crisis, food poverty and global food supply disruptions and shortages.

General Views

Please provide any additional information relevant to the draft Bill.
