

Government Response: *The Health Impact Assessment (Wales) Regulations 2025*

Technical Scrutiny point 1:

Regulation 5 of the Regulations provides that Public Health Wales NHS Trust (“PHW”) must publish guidance to assist public bodies carrying out a HIA. As explained in the Explanatory Memorandum to these Regulations, PHW will be required to provide a programme of support to public bodies to include training, toolkits, maintenance of a HIA practitioner network and other activities beneficial to public bodies. The detail of such additional assistance will be contained in directions to be issued by the Welsh Ministers pursuant to section 19(1) of the National Health Service (Wales) Act 2006. This will enable the additional assistance to be provided by PHW to be flexible and reactive to the requirements of the relevant public bodies both before and after the implementation of the requirements contained in these Regulations.

Merit Scrutiny point 1:

Work on implementing the Public Health (Wales) Act 2017 (“the 2017 Act”) started immediately after the passing of the Act in July 2017, and many provisions of the 2017 Act have since commenced.

Preparatory work for the formulation of proposals for health impact assessments set out in Part 6 of the 2017 Act was commenced by officials almost immediately following the passing of the 2017 Act. However, staff were redeployed in 2017 to work on the Brexit response, and again in early 2020 in response to the COVID-19 pandemic. Work resumed on the Regulations required by Part 6 of the 2017 Act during the financial year 2022-23 including a consultation exercise in early 2024. The consultation exercise and ongoing engagement with stakeholders yielded a significant number of informative responses which facilitated the further development of the Welsh Government’s policy in this area and the drafting of regulations.

Our approach has been to ensure there has been strong and effective engagement with stakeholders, including PHW and relevant public bodies, to ensure that Welsh Government policy on health impact assessments can be delivered in a way which can be understood by relevant public bodies and be delivered in a way which avoids being excessively bureaucratic or burdensome for them.