



Llywodraeth Cymru  
Welsh Government

# Competing Rights; Implications for Future Generations

Dr Frank Atherton  
Chief Medical Officer  
November 2016

- Health and Wellbeing of Future Generations
  - What is it?
  - How will it be used?
  - Early experiences
- Implications for Nicotine Inhaling Devices
  - Case study on competing rights



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[www.cymru.gov.uk](http://www.cymru.gov.uk)

# Well-being of Future Generations (Wales) Act 2015

Handwritten text on the child's shirt: "Handwritten is a great Hero!"



# Wales' sustainable development journey

## Legislation



1998

Government of Wales Act  
S.121 "Sustainable  
Development"

2006

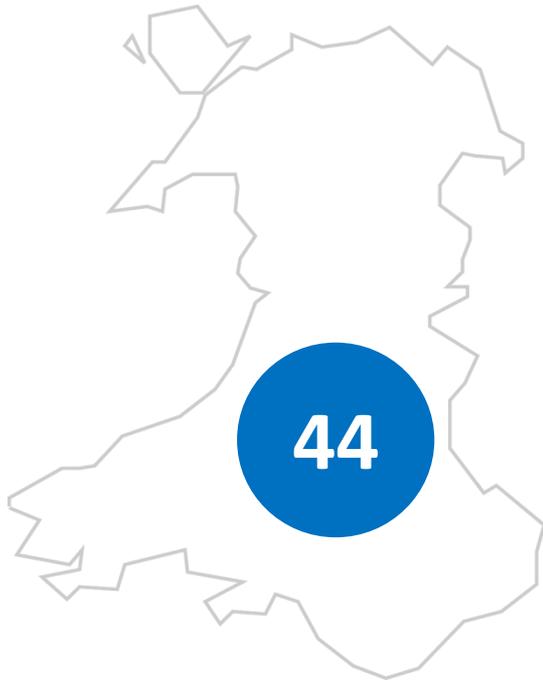
Government of Wales Act  
s.79 "Sustainable Development"  
s.60 "well-being"

2015

Well-being of Future  
Generations (Wales) Act



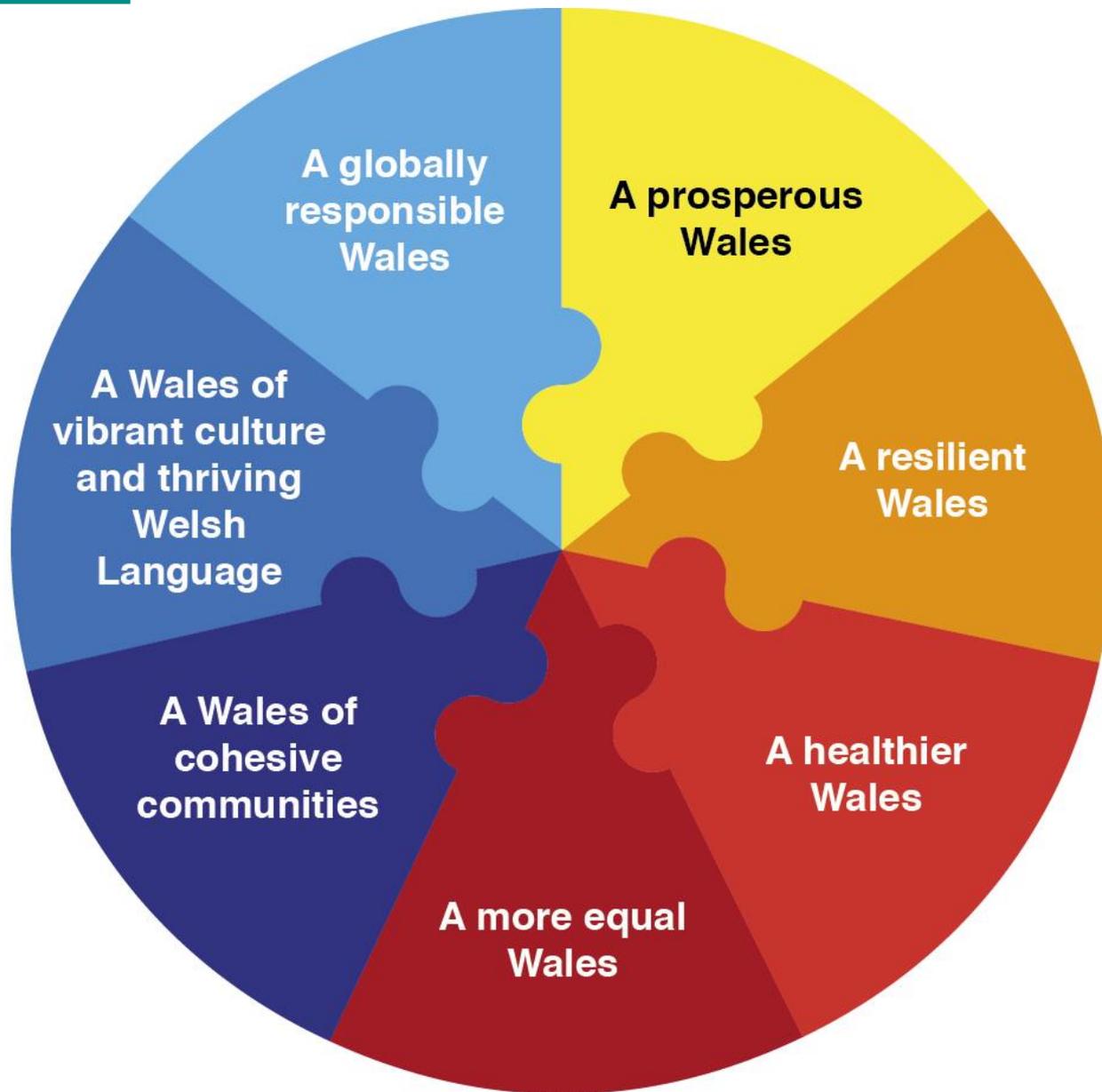
# Public bodies



- **Welsh Ministers**
- **Natural Resources Wales**
- **National Museum of Wales**
- **Arts Council of Wales**
- **Sports Council of Wales**
- **National Library of Wales**
- **Higher Education Funding Council**
- **Public Health Wales**
- **Velindre NHS Trust**
- **Local Health Boards (7)**
- **Fire and Rescue Authorities (3)**
- **National Park Authorities (3)**
- **Local Authorities (22)**

# Well-being

## goals



Economic, social, environmental and cultural well-being of Wales

# Well-being

## goals

Goal	Description of the goal
A prosperous Wales	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
A resilient Wales	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
A healthier Wales	A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
A more equal Wales	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).
A Wales of cohesive communities	Attractive, viable, safe and well-connected communities.
A Wales of vibrant culture and thriving Welsh language	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
A globally responsible Wales	A globally responsible Wales. A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.



## Generational Challenges



## New Opportunities



## Clarity through Goals



## Contribution Shared

Climate change

Skills

Employment

Poverty

Inequalities

Biodiversity decline

Environmental Limits

Low carbon economy

Healthy ecosystems

Connected communities

People reaching their potential

Equality

A prosperous Wales

A resilient Wales

A healthier Wales

A more equal Wales

A Wales of cohesive communities

A Wales of thriving culture and Welsh language

A globally responsible Wales

Public

Private

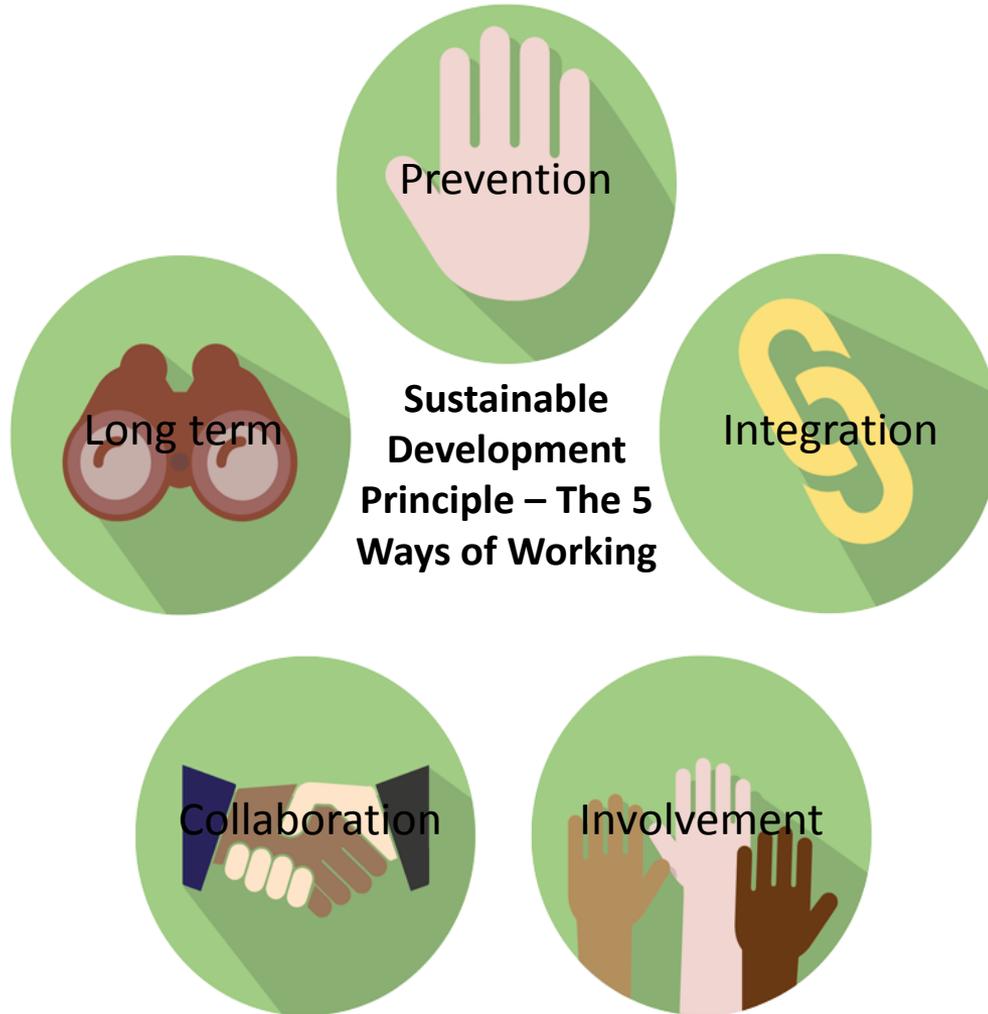
Third Sector

People and Communities



Y SIARTER SUSTAINABLE  
DATBLYGU DEVELOPMENT  
CYNALIADWY CHARTER

# Sustainable Development Principle



# Well-being duty – What public bodies must do

- Each public body must carry out sustainable development. The action a public body takes in carrying out sustainable development must include:
  - setting and publishing **well-being objectives** that are designed to maximise its contribution to achieving each of the well-being goals, and
  - taking all **reasonable steps** (in exercising its functions) to meet those objectives.
- **Wellbeing statement:** public bodies must publish a statement when setting their well-being objectives explaining why they feel the objective will help them achieve the goals and how it has applied the sustainable development principle.
- **Annual report:** Each year public bodies must publish an annual report showing the progress they have made in meeting their objectives
- Where the Future Generations Commissioner for Wales has made recommendations to a public body, they must publish their response. If the public body does not follow a recommendation they must say why, and what alternative action they will take.
- The Act establishes Public Services Boards (PSBs) for each local authority area in Wales

# What difference – early signs

The duties kick-in this year, so it is early days. But initial signs are encouraging:

- Government structures are loosening, and resources being more closely aligned to the cross-cutting goals of the Act
- The planning framework for the NHS in Wales has been re-writing with the Act as its organising principle
- The Future Generations Commissioner reports good engagement across sectors, with public bodies seeing the legislation as a genuine effort to do things differently
- The early focus of Public Service Boards indicates an intent to look differently at the challenges facing public bodies (long term perspective, preventative focus, scope for collaborative action). E.g.:
  - Climate change
  - Significant focus on the early years, through the lens of Adverse Childhood Experiences
  - Social prescribing

# Nicotine Inhaling Devices



# Public Health (Wales) Bill 2015-16

- Restrict use of NIDs in enclosed public places and workplaces where smoking is prohibited
- Aims:
  - Contribute to decline in uptake of smoking
  - Continue de-normalisation
  - Protect vs nicotine addiction
  - Maintain air quality
  - Support enforcement of SFPP legislation

# Issues

- NIDs as a smoking cessation aid
- NID Safety
- Gateway effect
- Marketing and appeal to young people
- Enforcement of smoke free public places
- Risk of renormalisation
- Precautionary principle

# Common Ground?

- Young people have a right to be protected from starting to smoke
  - We don't want young people to be subject to influences which may encourage them to smoke
- Smokers have a right to protect their health by switching to NIDs
  - We don't want smokers to be subject to restrictions which may restrict their use of NIDs as a cessation aid

# Conclusion

- We need better ways to make choices between competing rights and risks
- Evidence base is often incomplete; what do we do when evidence for the risks/benefits is incomplete?
- Future Generations Act may provide a useful additional lens for decision making