



Oxfam Cymru response to the Environment and Sustainability Committee inquiry into the general principles of the Well-being of Future Generations (Wales) Bill

Oxfam Cymru welcomes the opportunity to provide written evidence to the above inquiry. We are proud that Wales is seen as a world leader in sustainable development and hope this is further augmented through a bold and strong piece of legislation to drive this agenda forward. A robust Well-being of Future Generations Bill will help address inequalities at home and abroad and ensure existing generations leave a positive legacy for future generations.

Oxfam Cymru is part of the SD Alliance¹ – an alliance of organisations with a shared commitment to shaping a sustainable future for Wales. As part of this Alliance we share key concerns about the Well-being of Future Generations Bill:

1. The narrow scope of the Duty and lack of a clear definition of sustainable development.
2. The international impact of Wales is not recognised in the Bill.
3. The Bill does not specifically address climate change.
4. The Well-being goals need to be strengthened and improved.
5. The Commissioner needs to be independent and his/her powers should be strengthened.

We have used the terms of reference for the above inquiry to provide more detail on Oxfam Cymru's response to the general principles of the Well-being of Future Generations Bill. We would be happy to expand on these points at oral evidence sessions if required.

1. How the Welsh Government should legislate to put sustainability and sustainable development at the heart of government and the wider public sector

1.1 Scope of the legislation

We are concerned that the scope of the Duty is too narrow and will not embed sustainability and sustainable development into **all** public sector decision making. Requiring public sector bodies to make a plan containing well-being objectives that contribute to the national well-being goals is not the same as using a sustainable development lens to inform all public sector decision making. Public bodies must exercise **all** their functions in order to achieve sustainable development. It is particularly important, that financial decisions and procurement are included in the legislation as what is spent and how it is spent has a considerable impact on sustainable development. The Bill needs to drive sustainable and ethical action by businesses that are supported by public bodies in relation to their activities domestically and internationally.

There is clearly a greater role for businesses – whether by paying taxes, increasing their employment of people further from the labour market, or by offering decent jobs in sustainable industries. Higher expectation needs to be placed on businesses to deliver sustainable development, particularly in return for the array of state support that businesses receive. Including procurement and budget considerations specifically within the scope of the Duty will help ensure action is taken to reduce any negative impacts of Welsh public sector supply chains on sustainable development.

This thinking is supported by the Wales Audit Office. Their 2010 reportⁱⁱ on the embedding of sustainable development within Government concludes that sustainable development is not currently driving resource allocation and is not integrated into all financial planning i.e. Welsh Government grant giving and procurement does not underpin its vision for a sustainable future.

1.2 Proposals for a socio-economic duty

The relationship between the Bill and any socio-economic duty on public authorities in Wales, as proposed in *Building Resilient Communities: Taking Forward the Tackling Poverty Action Plan*, needs careful consideration. A robust Well-being of Future Generations Bill has enormous potential to forge greater links between social, economic and environmental sustainability. Placing a socio-economic duty on public authorities, either as part of this Bill or the Strategic Equality Plan would help ensure that state support is conditional on achieving genuine social [and environmental] returns. The duty could be enforced by the independent Equalities Commissioner or Future Generations Commissioner who would ensure spending decisions are poverty proofed and communities wishing to challenge Government policies and private sector action that do not contribute to sustainable development and socio-economic equality are supported.

2. The general principles of the Well-being of Future Generations (Wales) Bill and the need for legislation in the following areas:

2.1 The “common aim” and “sustainable development principle” established in the Bill and the “public bodies” specified

We are concerned that no clear definition of sustainable development is established within the draft Bill. The approach taken within the Bill to separate the various elements defining sustainable development into a ‘common aim’, ‘sustainable development principle’ and ‘well-being goals’ does not provide sufficient clarity on what sustainable development means. The Bill must make it clear that the implications of Welsh sustainable development legislation do not end in Wales, but rather extend globally, and that improving ‘the economic, social and environmental well-being of Wales’ is **an aim** but **not the sole aim** of the legislation.

Oxfam has expertise in the theoretical and practical development of frameworks for sustainable development. We would welcome further conversations on how the learning from Oxfam’s work may help in defining sustainable development and measuring progress in Wales. For example, Oxfam’s discussion paper, *A Safe and Just Space for Humanity*ⁱⁱⁱ, states that:

“Achieving sustainable development means ensuring that all people have the resources needed – such as food, water, health care, and energy – to fulfil their human rights. And it means ensuring that humanity’s use of natural resources does not stress critical Earth-system processes – by causing climate change or biodiversity loss, for example...”

The paper also sets out a visual framework for sustainable development combining the concept of planetary boundaries with the complementary concept of social boundaries. This allows for a more comprehensive understanding of the impacts of our approaches to socio-economic development

and highlights the areas in which we are failing both current and future generations in Wales, the UK and around the world.

More recently, Oxfam Scotland developed a Scottish Doughnut report^{iv} which visually displays the current state of play in Scotland in relation to planetary boundaries and socio economic standards. Oxfam Cymru is working on a similar report for Wales using this framework (available mid December 2014) which we will share with the Committee.

2.2 The approach to improving well-being, including setting of well-being goals, establishment of objectives by public bodies and the duties imposed on public bodies

Oxfam Cymru welcomes the intention to include a set of goals within the legislation to provide clarity on what the public sector needs to achieve. However, given the fundamental role these goals play in defining the Duty and scale of the challenge, it is essential they provide a clear and measurable direction of travel. We are concerned that the current set of goals lack clarity, includes comparative goals and goals that will be difficult to measure. In addition, the UN is progressing work on its Sustainable Development Goals and the Bill needs to contain a commitment to deliver on these. The Bill needs goals that are clearly defined, ambitious and accountable. We have concerns that the 6 goals in the Bill are not clear or ambitious enough to deliver the policy intent to put *'sustainable development at the heart of government; creating a resilient and sustainable economy that lives within its environmental limits and only uses our fair share of the earth's resources to sustain our lifestyles.'*

For example, **Goal 1** (A prosperous Wales) needs to more clearly aim for sustainable resource use and reflect the concept of living within global environmental limits and Wales using only its fair share of global natural resources. There needs to be recognition that decoupling GDP from resource use is essential to successfully implement sustainable development.

Also, **Goal 5** (A Wales of cohesive communities) provides an opportunity for including a description about Wales' role as a 'global citizen'.

2.3 The approach to measuring progress towards achieving well-being goals and reporting on progress

2.4 The establishment of a Future Generations Commissioner for Wales, the Commissioner's role, powers, responsibility, governance and accountability

We support the principle of having a Commissioner for Future Generations who should become a powerful champion for future generations, people in developing countries and those living in poverty in Wales.

The Commissioner should be independent of the Welsh Government and able to hold the Government and public sector in Wales to account. As such we recommend the Commissioner is appointed (and dismissed) by the National Assembly for Wales.

The Commissioner should be both empowered and required to investigate and take action on failures by government to comply with the provisions of the Bill. There must be provision for the Commissioner to address public complaints in relation to any matter concerning discharge of the Duty by public authorities. Without this provision there is no clear route of public accountability.

The Explanatory Memorandum recognises the importance of the ‘*voice of people and communities*’ in the development of local well-being plans. People or communities wishing to challenge Government policies or actions that do not contribute to sustainable development need to be supported by the Commissioner to ensure this voice is heard.

We would like clarification on the role of the Commissioner in relation to climate change, their relationship with the Climate Change Commission and the Equality and Human Rights Commission.

2.5 The establishment of statutory Public Services Boards, assessments of local Well-being and development / implementation of local well-being plans.

2.5.1 Public Service Boards

The main focus of the legislation is to put Local Service Boards (Public Service Boards) on a statutory footing. We understand that this will provide a platform for integrated working however, the experience of our partners across Wales indicates that practical operation of and community engagement by existing Local Services Boards varies considerably. An evaluation of the Local Service Board model needs to be undertaken to look at current examples of best practice, particularly in integrated working and community engagement, capacity to deliver and any training requirements future PSBs may need to understand and deliver on sustainable development. PSBs may for example need further expertise on the global dimensions of sustainable development. There should be a mechanism for any required expertise to be co-opted onto the PSB.

The concept of bioregion may help PSBs to better understand and deliver sustainable development. A bioregion is a geographical area constituting a natural ecological community with characteristic flora, fauna and environmental conditions and bounded by natural rather than artificial/ political borders.

2.5.2 Governance

The 5 governance approaches described in the Explanatory Memorandum are not explicit enough in the Bill itself. If effectively embedded in the Bill governance approaches such as collaboration and engagement offer a massive potential for greater openness and accountability to the public and working in a more co-productive way. In times of austerity public engagement by public bodies is more important than ever, there is scope for better involvement of people and communities in the decommissioning and commissioning of services; improving the design, efficiency and delivery of public services and in achieving and evaluating service delivery.

2.5.3 Assessments

In terms of assessments, guidance should be given to public bodies on appropriate sustainability appraisal/ integrated assessment tools. There is no mention of including details from any local Strategic Environmental Assessments for example.

On a Welsh Government level we would like clarification on how the Results Based Accountability system works in relation to ensuring all Government policies, strategies, action plans are assessed using the sustainable development principle? Historically this was achieved via the Policy Gateway integration tool which we understand is not longer in use.

2.5.4 Education for Sustainable Development & Global Citizenship (ESDGC)

ESDGC is integral to building a sustainable Wales and this Bill provides the Assembly with an excellent opportunity to further enshrine EDDGC within the Welsh public sector. We would like to see the Bill make explicit that ESDGC is essential to the achievement of sustainable development in Wales and to ensure that its principles are implemented throughout the public sector, through work-

based learning initiatives as well as in the formal education system. We ask that the Committee considers the opportunity to ensure that all public bodies have goals or objectives related to ESDGC within their plans.

The Welsh Assembly Government information document^v clearly highlights the importance of ESDGC in the delivery of the Bill given that it is about:

- the links between society, economy and environment and between our own lives and those of people throughout the world
 - the needs and rights of both present and future generations
 - the relationships between power, resources and human rights
 - the local and global implications of everything we do and the actions that individuals and organisations can take in response to local and global issues
- (Education for Sustainable Development and Global Citizenship: Why? What? How? ACCAC 2002)

In terms of engagement, clearly children and young people are key stakeholders in the Bill and should be consulted at all levels of local and national development. A supportive ESDGC framework can provide opportunities for engagement with young people in the development of a sustainable Wales and ensures that we are helping develop a future generation [of public servants] that has the knowledge, understanding, values, attitudes and skills to be active local and global citizens. The recent Estyn review of progress in education for sustainable development and global citizenship^{vi} shows there is still work to be done with few pupils at the schools visited recognising they are citizens of an interconnected world.

3. How effectively the Bill addresses Welsh international obligations in relation to sustainable development

The white paper included a section on the international scope of the Bill but this has not been transposed in the Bill itself. The Welsh Government needs to make it clear that international scope is central to delivery of the Bill. Failure to embed international scope within the Bill dilutes the meaning and potential of sustainable development as a driving force for positive change and does not provide clear leadership for the rest of the public sector.

Oxfam Cymru has serious concerns about the lack of provision within the Bill to address Welsh international obligations in relation to sustainable development. We would like the legislation to include recognition of the impact our way of life has globally, especially on poorer communities, and Wales' obligation to achieve one planet living as recognised in 'One Wales: One Planet' – '*using only our fair share of the earth's resources*'. In this respect we would welcome publication and discussion on the latest ecological footprint data for Wales based on 2011 data.

We need to address both local and international obligations to achieve sustainable development. For example, deforestation within a country can be a tipping point towards localised flash flooding and soil degradation, long before it affects land-use change at a global scale. Similarly, minority social groups within a country may experience severe marginalisation long before their exclusion is evident in national, let alone global data on social inequalities.

3.1 Climate change and poverty

We know that the world's poorest people (in the UK and overseas) face the greatest risks from climate change. Climate change can compound poverty and disadvantage and poverty increases vulnerability to climate change. There is also evidence e.g. JRF^{vii} that some adaptation and mitigation policy can deepen inequality. We need policy solutions that integrate social justice considerations into climate change policy and vice versa. The Well-being of Future Generations Bill is a unique opportunity to get this right. It is essential that the Bill specifically addresses climate change – this is a global responsibility and as such we should be considering not only direct emissions from Wales but indirect emissions through consumption of products in Wales that have been produced overseas. We want to see world leading carbon reduction targets included in the Bill.

4. Any potential barriers to the implementation of these provisions and whether the Bill takes account of them

Our main concern in terms of implementation is the lack of power the legislation has. Part 3, Section 20 of the Bill clearly shows that the Commissioner has little power to hold public bodies to account. Public bodies do not have to follow recommendations made by the Commissioner. There is no detail in the legislation on how people can hold public bodies to account and on what happens if public bodies fail to comply with the legislation. For example, is there scope for financial penalties or introducing special measures for public bodies that fail to comply with the legislation?

Another potential barrier to implementation is a lack of understanding of sustainable development within Public Service Boards.

5. Whether there are any unintended consequences arising from the Bill

There is clear evidence that policies aimed at sustainability can exacerbate poverty and similarly that policies aimed at tackling poverty can exacerbate resource stress. To avoid such unintended consequences it is essential that Wales' global impact is intrinsic to the Bill. There can be severe consequences for some of the world's most marginalised communities if sustainable decision making is not effectively implemented.

Poorly designed and implemented sustainability policies can exacerbate poverty. For example, the rapid growth in the use of bio-fuels to cut fossil-fuel use for transport in order to reduce carbon emissions has resulted in food-price crisis and land grabs. During the food price crisis of 2007-09, bio-fuel production diverted food crops for use as fuel, significantly pushing up food prices^{viii}. Planting crops to produce bio-fuels has also been a major driver of large scale land acquisitions in developing countries. In many cases, bio-fuels companies have taken control of the land and water that marginalised agricultural communities, particularly women farmers, depend upon for their livelihoods^{ix}.

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ⁱ <http://www.shapingfuturewales.org/en/>

ⁱⁱ Wales Audit Office (Jan 2010) Sustainable Development and Business Decision Making in the Welsh Assembly Government

http://www.wao.gov.uk/system/files/publications/Sustainable_development_and_business_decision_making_in_the_Welsh_Assembly_Government_English_2010.pdf

ⁱⁱⁱ Oxfam Discussion Paper: Kate Raworth (Feb 2012) A Safe and Just Space for Humanity – Can we live within the doughnut? <http://www.oxfam.org/sites/www.oxfam.org/files/dp-a-safe-and-just-space-for-humanity-130212-en.pdf>

^{iv} Oxfam research reports: Malcolm Sayers & Katherine Trebeck (July 2014) The Scottish Doughnut – A safe and just operating space for Scotland <http://policy-practice.oxfam.org.uk/publications/The-Scottish-Doughnut-A-safe-and-just-operating-space-for-Scotland-323371>

^v Welsh Assembly Government (July 2008) ESDGC: A common understanding for schools DCELLS Information document 065/2008 [http://www.cyfanfyd.org.uk/resources/pdf/ESDGCcommonunderstanding\(eng\).pdf](http://www.cyfanfyd.org.uk/resources/pdf/ESDGCcommonunderstanding(eng).pdf)

^{vi} Estyn (June 2014) ESDGC: Progress in education for sustainable development and global citizenship <http://www.estyn.gov.uk/english/docViewer/315315/esdgc-progress-in-education-for-sustainable-development-and-global-citizenship-june-2014/?navmap=30,163>

^{vii} JRF (Feb 2014) Climate Change and Social Justice an Evidence Review <http://www.jrf.org.uk/sites/files/jrf/climate-change-social-justice-full.pdf>

^{viii} FAO (2011) Price volatility in food and agriculture markets: Policy response. Rome FAO. Report to the G20 on food price volatility http://www.foodsecurityportal.org/sites/default/files/g20_interagency_report_food_price_volatility.pdf

^{ix} R. Bailey (2008) Another inconvenient truth: How biofuel policies are deepening poverty and accelerating climate change. Oxfam briefing paper 114 <http://policy-practice.oxfam.org.uk/publications/another-inconvenient-truth-how-biofuel-policies-are-deepening-poverty-and-accel-114084>