



IMPLEMENTING THE WELL-BEING OF FUTURE GENERATIONS ACT

This briefing provides an update on the *Well-being of Future Generations (Wales) Act 2015* which is beginning to make its presence felt inside Welsh Government with a commitment to purpose that will impact across the public sector and beyond.

Care & Repair Cymru and Agencies need to consider their response – to what extent, and to what benefit, should the ethos of the Act influence our services, our planning, the ways in which we work and our relationships with clients, partners and funders?

This briefing provides a reminder of the Act, an update on implementation (with links to newly published documents) and identifies the key issues for consideration.

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

Background to the Act

The Act has its origins in the 1992 UN Conference on Environment and Development which secured a global agreement on sustainable development. The *Government of Wales Act 1998* embedded a duty into the constitution of the new National Assembly for Wales to ‘promote sustainable development in the exercise of its functions’.

In 2011, Welsh Government consulted on plans to use its new legislative powers to introduce a Sustainable Development Bill. The change of name - to the Well-being of Future Generations (Wales) Bill – sought to communicate better the relevance of the legislation to people’s lives.

The [Well-being of Future Generations \(Wales\) Act 2015](#) (FGA) received Royal Assent in 2015. The UN welcomed it as capturing “*the spirit and essence of two decades of United Nations work in the area of sustainable development and serves as a model for other regions and countries. ... We hope that what Wales is doing today the world will do tomorrow*”. It came into force on 1 April 2016.

Definitions

Sustainable development

The FGA enshrines in law a definition of sustainable development:

‘the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals’.

The sustainable development principle requires public bodies (listed in the Act) to:

“act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs”.

Well-being goals

The FGA defines seven well-being goals:

- **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, 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 their background or circumstances (including 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 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.



National Indicators and Future Trends

The FGA requires Welsh Government to set [national indicators](#) in relation to the well-being goals, to define milestones so that progress can be shown and to publish:

- [Future Trends](#) – in the year after an election, a prediction of the likely future trends in social, economic, environmental and cultural well-being of Wales;
- [Annual Report](#) – at the start of each financial year, a report on the progress being made towards the goals.



Public bodies – statutory duties

The public bodies

The FGA lists the 44 public bodies to which it applies: Welsh Government; local (principal) authorities; Local Health Boards, Public Health Wales and Velindre NHS Trusts; National Park Authorities; Welsh fire and rescue authorities; Natural Resources Wales; Higher Education Funding Council for Wales; Arts Council of Wales; Sports Council for Wales; National Library of Wales; National Museum of Wales.

Well-being statements and transparency

Every public body is required to carry out sustainable development, which means:

- setting and publishing well-being objectives designed to maximise the body's contribution to achieving each of the well-being goals in a Well-being Statement;
- in the exercise of its functions, taking all reasonable steps to meet those objectives; and
- publishing an annual report showing the progress in meeting their objectives.

The sustainable development principle – aka the ‘five ways of working’

Every public body must act “*in accordance with the sustainable development principle*” which requires it to:

- balance short term needs with the need to safeguard the ability to meet **long term** needs;
- take an **integrated** approach - considering how its well-being objectives impact on each of the well-being goals, on each other and on those of others;
- **involve** others, who reflect the diversity of the public body's relevant area, with an interest in achieving the well-being goals;
- **collaborate** with others, inside and outside the organisation, in order to meet its own or contribute to others' well-being objectives;
- deploy resources to **prevent** problems occurring or getting worse in order to meet its well-being objectives, or another body's objectives.

Accountability

The [Auditor General for Wales](#) may assess the extent to which FGA public bodies have acted in accordance with the sustainable development principle when setting and taking steps to meet their well-being objectives. The [Future Generations Commissioner](#) also has powers to review and make recommendations in relation to the extent to which a public body is meeting its sustainable development obligations.

Public Services Boards

Core membership, invited participants and partners

The FGA establishes a statutory Public Services Board (PSB) in every local authority area. Members must include:

- the local authority;
- Local Health Board;
- Local fire and rescue authority;
- Natural Resources Body for Wales.

The PSB may invite others who carry out public functions, but must invite: Welsh Ministers; the chief constable; the police and crime commissioner; the probation



service; and at least one body representing relevant voluntary organisations. The PSB must also seek advice from and involve the following partners: town and community councils; NHS trusts and Community Health Councils; National Park authority; FE and HE sector bodies; national arts and culture bodies.

Local Well-being Assessments and Plans

PSBs are required to carry out sustainable development, working in accordance with the sustainable development principle, and must do this by;

- undertaking local economic, social, environmental and cultural well-being assessments;
- preparing and publishing a Local Well-being Plan, setting objectives designed to maximise its contribution to achieving the goals;
- carrying out an annual review of the plan and showing progress;
- consulting widely when producing its assessment and plan.

Guidance

Welsh Government has a statutory duty to issue guidance to help public bodies fulfil their responsibilities and to which public bodies must have regard. [Published Guidance](#) includes general 'core guidance' on key definitions and the approaches expected, and specific guidance to public bodies, to PSBs' and to community councils on their respective roles, and an implementation time-table.

To date

All 19 PSBs are now in place and have published their [local well-being assessments](#). Their local Well-being plans are being finalised and due for publication in May 2018.

Future Generations Commissioner

The FGA establishes the [Future Generations Commissioner for Wales](#) whose role is to:

- promote the sustainable development principle - acting as "*a guardian of the ability of future generations to meet their needs*" and encouraging public bodies to take greater account of the long-term impact of the things that they do; and
- monitor and assess the extent to which public bodies are meeting their well-being objectives.

Key publications to date include:

- [Well-being in Wales: Planning today for a better tomorrow](#) – a response to the PSBs' well-being assessments which highlights key challenges, opportunities and omissions in order to assist their well-being planning. It includes sections on 'the role of our home' and 'the need for us to age well';
- [Strategic Plan 2017 - 2023](#) - two broad themes and six priority areas have been identified, through wide public engagement, which the FGC believes will address the root causes of problems facing future generations and help achieve the best multiple outcomes:
 - i. creating the right infrastructure for future generations - housing stock; energy generation and efficiency; transport planning; and
 - ii. equipping people for the future – skills; adverse childhood experiences; alternative models for improving health and well-being ('social prescribing').



Does it matter?

1. It's The Law – and it applies across the public sector

Whilst sustainable development is not new to the public sector, the FGA makes it a statutory duty that not only applies across everything a public body does but requires it to consider **all** the well-being goals and to work in a particular way. It brings the duty and the entire approach into public law. It is subject to Audit Office scrutiny, public accountability and judicially reviewable if a public body cannot demonstrate compliance - and legal effect invariably sharpens public sector thinking.

2. It changes Wales's strategic and organisational landscape

Two new structures have the potential to shift the focus of the (entire) Welsh public sector: nationally, the FG Commissioner brings new 'long term vision' thinking to the Welsh strategic policy table; locally, Public Services Boards bring a new collective approach to local partnership working and (in theory) collaborative service planning, commissioning, delivery and funding.

3. It must not fail!

Despite its international significance, its enthusiasts' ambition and Welsh Government's constitutionally ground-breaking 'duty to make a scheme', sustainable development has struggled to move beyond its own rhetoric or to influence the wider public agenda, other than as a means of managing conflict between natural and planned environments. The Bill's progress into statute was fraught; nor have the 'rebranding' (from sustainable development to well-being of future generations) or public engagement effort - [National Conversation: The Wales We Want](#) and [infographic guide](#) – put into explaining the Act's scope and relevance (to everyone and everything) proven entirely successful.

But, it's here. Ambitious, pioneering and, by any stretch of public policy making imagination, a phenomenal piece of statutory drafting from a legislature in its infancy, the FGA has earned international attention and applause: Wales is a UN world leader. For all those reasons, Welsh Government is determined to make it happen.

Does it matter to Care & Repair?

We are not public bodies so the FGA does not apply directly. But we do provide public services and it does apply to the public bodies that shape the services with which we engage and, crucially, provide our funding. They are statutorily required to consider everything they do in FGA terms. That includes the ways in which they engage with others and plan, design, deliver and commission/procure/grant aid services.

Public bodies are also required to contribute to **all** the well-being goals. That includes setting well-being objectives to underpin service outcomes. Their [Statutory Guidance](#), although disappointingly scant in its reference to the third sector, is clear on this point:

“Collaboration with other organisations (particularly in the private and third sectors) may also help you contribute to the well-being goals. You should consider how the arrangements you put in place with these organisations could encourage them to contribute to the goals and take account of the five ways of working. For example, if you are procuring a service from another organisation, there could be opportunities to build in consideration of the well-being goals or ways of working into specifications and contracts.”



Opportunities/challenges

There is a slow but seismic shift in strategic direction for public services in Wales as they seek to manage rising demands with diminishing funds. Already, changes to health and social care policy are requiring service commissioners to fundamentally revisit how they operate and what they do, to clarify 'what really matters' in terms of outcomes and where best to invest the precious public silver. The FGA's overarching purpose, new structures and five ways of working - especially the need to 'maximise' impact across the wellbeing goals – will catalyse these changes further.

The third sector has the potential to be a significant delivery vehicle in this process – but will need to address the FGA's implications with a demonstrable sense of 'pro-action' if it is to make an effective case as to its value to the public sector agenda. Many FGA requirements are already integral to our work and, three of the FG Commissioner's core areas – housing, energy efficiency and social prescribing – central to our services. However, the Commissioner is seeking a deeper response to the FGA, urging public bodies to see it as more than a 'compliance exercise' and rather:

“a helpful vehicle in challenging the way decisions are made, as a framework for planning and evaluation, and as a method of changing the way the corporate centres of your organisation currently operate”

The FGA presents a challenge that has the potential to 'fit us for the future'. For example:

- **our services** – in what way and to what extent do they impact on the well-being targets? Are there (simple) changes we can make to our services or the ways in which we deliver to extend that impact, reach further and maximise that impact in terms of the well-being goals?
- **our planning** – to what extent are we using the 'five ways of working' (long term, preventative, integrating, collaborating, involving) to shape our services and inform the ways in which we work, especially with others and our clients?
- **our outcomes** – how do our outcome measures relate to the well-being targets and indicators? How does Carus/its successor support that?

Our choices

Ultimately and in practice, we have three broad choices:

- keep on keeping on** – public sector policies, structures and commissioning arrangements may change but the demand for our services will continue and we should focus our attentions on our clients' needs;
- learn the lingo and go with the flow** - keep an opportunistic eye on any changes to local services and commissioning arrangements around us and understand how to describe what we do in new 'FGA' terms;
- take it on** – use the opportunities to engage in the new structures; get involved in the Future Generations work; contribute to local PSB planning, service developments and commissioning; review the services we deliver, consider how they (and how better they could) impact across the well-being goals - and how we demonstrate that impact; and review how we do what we do, within our organisations and in our relationships beyond.

