Cyswllt Amgylchedd Cymru | Wales Environment Link

Post Legislative Scrutiny: Well-being of Future Generations Act 2015

20 June 2025

Wales Environment Link is a network of environmental NGOs. We welcome this post-legislative scrutiny inquiry, and we note that unfortunately many of WEL's member organisations who would have liked also to respond individually have not been able to do so due to capacity being taken up by supporting legislative scrutiny and policy development in priority areas for the environment.

Our focus for this inquiry response is the success of the Well-being of Future Generations Act in progressing environmental sustainability – particularly pertinent to Goals 1, 2 and 7 of the Act.

How far is the intended objective of the Act being achieved, and how could it be improved?

The assessment of progress within the Future Generations Report 2025, and the report from Wales Audit Office shows a mixed picture in terms of the success of the Act. We note that the drivers of environmental improvement, such as decarbonisation and recycling are primarily driven by specific pieces of legislation working under the framework of the Well-being of Future Generations Act. Some of this legislation pre-dates the WFG Act so it is difficult to attribute the level of further progress that the Act itself has driven.

However, a lack of progress is notable in relation to biodiversity, as addressed by the resilient Wales goal. Wales is one of the most nature-depleted countries in the world, with one in six species at risk of national extinction. Wales is also ranked 224th out of 240 countries in the Biodiversity Intactness Index, making us one of the worst in the world for the biodiversity we've lost. Whilst Wales has seen some local successes in terms of nature protection and restoration, the broad picture is one of continued decline. The budget analysis on page 112 of the Future Generations Report shows in stark terms why this is the case. The analysis suggests that this goal will only be

positively affected by 7.4% of the budget and the Climate and Nature Mission of Cymru Can will only be positively affected by 8.4% of the latest budget. A striking 50.4% of the budget is deemed by the Future Generations Office to negatively impact progress on climate and nature. The Senedd declaration of the nature emergency in 2021, and subsequent commitment to new legislation to enshrine statutory targets for biodiversity – which is only now being delivered through the Environment (Principles, Governance and Biodiversity Targets) Bill currently before the Senedd – recognised the need for new, specific biodiversity legislation to drive better mainstreaming and more, urgent action for nature.

The social and economy-oriented goals are favoured by the current government in terms of their budget prioritisation, and we would argue that that has consistently been the case since the Act's inception. The principles of the Act encourage a joined up approach and cross-sector thinking and a lack of focus on the environment-based indicators, in particular in relation to nature and ecosystems, neglect to recognise the multiple positive impacts that these indicators have on the other social and economic indicators, in particular in relation to mental and physical health, volunteering and satisfaction of communities where people live. Arguably, focus and investment on the environmental areas are perhaps the most effective and easiest ways to address some of these over-lapping goals. Yet, what we have seen in recent years is a decline in investment in these areas by public bodies.

We know from the Future Generations Report that public bodies don't feel they can prioritise nature in the way that they can with decarbonisation work, because there are no statutory nature targets in place yet. We see evidence of this in the reduction of ecologists within local authorities: as budgets have been reduced over the last decade, nature-related expertise has been amongst the first to be axed. Expertise from the third sector in this area is also not present on the majority of public service boards and this is a significant area where the third sector (across all of the well-being goals) could be of significant support if adequately resourced and engaged effectively.

Our sector campaigned tirelessly for the Well-being of Future Generations Act to be brought into being, because we hoped that it would drive sustainable decision-making at a strategic level and drive investment to improve the health of our

environment and our ecosystems. This is an area where, despite the support of the Future Generations Commissioner, the Act has failed. However, we think that it can still drive progress if improvements are made and we would recommend the following key areas for improvement.

Ringfence preventative budgets and invest more in nature's recovery

Ringfencing preventative budgets is a recommendation from both the Future Generations Commissioner and the Wales Audit Office. This is particularly important for work on climate and nature: we believe the fact that the Welsh Government has not historically taken a preventative approach is a key reason why 50% of the current budget is perceived as having a potentially negative impact on the climate and nature. As noted above, statutory biodiversity targets will play a much-needed role in driving and supporting the mainstreaming we need to see if actions by government and others are to work for, rather than against, nature.

There is extensive evidence of the importance of a healthy natural environment in underpinning society and the economy (e.g. the Dasgupta Review), and indeed the Resilient Wales Goal and the Environment (Wales) Act are based on a recognition of this. However, there is also extensive evidence of systemic under-investment in nature. WEL's Pathways to 2030 report sets out some key actions for nature's recovery and the resources required to deliver them, identifying a shortfall of £438m per year, as well as the need for re-purposing of existing spending to be more nature positive under the new Sustainable Farming Scheme. Investing in nature will help prevent problems from getting worse, given nature's vital role in supporting climate change mitigation and adaptation and its many services and benefits to health and well-being.

Strengthen the powers of the Future Generations Commissioner

Provide the Future Generations Commissioner stronger powers to drive compliance with the Act. Currently the Commissioner can provide advice and can use their Section 20 powers to undertake a review. If necessary, the Commissioner can publicly criticise a public body where there is lack of progress, but they have no power to ensure compliance. For example, the Future Generations Report notes that

only 68% of Public Service Boards have developed well-being objectives and/or steps in relation to nature. It makes no comment on the effectiveness of these. In an acknowledged nature emergency this is not acceptable, but the Future Generations Commissioner has no available sanctions for this. Whilst advice and guidance was important in the first few years of the Act, while public bodies were getting used to their new duties, this must now change to ensure progress on all Goals equally, as the Act intended.

Take forward the FGC's recommendation to streamline and better resource public partnerships

There are a lot of processes and meetings that drain the capacity of public bodies to deliver action on the ground. These partnerships are important to provide the opportunity for a systems approach to problem solving and service delivery. Policy-makers repeatedly point out the potential time and financial savings from working in this way. What is rarely acknowledged is that to get such partnerships working effectively also takes time and budget. PSBs have been asked to operate without dedicated resources, assuming that cash-strapped public bodies will provide funding from their own budgets, and that they will have staff capacity to attend meetings and take forward action between meetings. Whilst there have been some successes, not all PSBs are working effectively, particularly in relation to delivery of nature and climate objectives. NRW is expected to be the key partner on the environment for all 13 PSBs, but we know that NRW is seriously under-resourced, so it is questionable whether they can effectively guide PSB objectives on nature.

Better guidance, training and direction to enable public bodies to comply with the five ways of working

The five ways of working have been an important part of the WFG Act and the emphasis on collaboration and involvement have resulted in some instances of helpful engagement with public bodies and the Welsh Government. For example, the First Minister's River Summits have been an attempt to bring all relevant stakeholders together to tackle the problem of water pollution. The Future Generations Commissioner has been particularly helpful in advising on how these

collaborative meetings can be improved so that they deliver implementable solutions in the future.

More generally, public bodies seem supportive of the ways of working, but they are not using them consistently across all areas. Effective involvement can produce excellent results, but it is time consuming (as recognised by Wales Audit Office), so the decreasing resources that public bodies have had over the last 10 years may have hindered their ability to embed this properly.

The Future Generations Report has also identified the need for better community involvement and use of participative democracy structures, such as citizens' assemblies, to ensure that communities are on board with the transition to a more sustainable future. Better guidance and training on how to use the five ways of working effectively, with specific guidance on citizen involvement mechanisms, could help public bodies to embed the five ways of working. However, they also need sufficient resources to do this properly.

Better Integration of Food and Diets Policy into the Act

Several WEL members also work with the Food Policy Alliance. WEL members working in this area support the submission by Food Policy Alliance providing recommendations on how to better integrate food and diets policy into the Act. Access to healthy, sustainable food is important to delivery of the Act, but this policy area has not been articulated clearly enough within the definitions of the well-being goals, resulting in it being largely excluded from public bodies' well-being objectives.

Improvements to monitoring

In relation to the monitoring of the progress against the national indicators, it is our understanding that the National Survey for Wales is no longer being continued. This leaves a potential vacuum in some of the perception-based monitoring which brings into question how some of these indicators will be measured in the future. National Indicators will also need to be reviewed in light of proposed nature targets and include robust monitoring and data collection requirements as well as significant expansion of related nature-based targets in regard to Air and Water quality which

are currently inefficient. Again, engagement with the third sector in relation to data expertise and collection can support this, but without robust data and requirements for the monitoring of the indicators against the goals, it will be impossible to demonstrate progress and impact, whether nationally or locally.

How effective is the guidance under the Act?

Delivering effectively under the Act is complex, particularly in an increasingly difficult economic environment. Welsh Government guidance under the Act focuses on what the Act says and the duties on public bodies, such as setting well-being objectives and reporting. It does not provide detailed advice on how public bodies should manage conflicts between delivering benefits under all of the Well-being Goals equally, or how to balance short-term requirements against long-term needs and benefits. The Wales Audit Office report gives examples of the sorts of conflicts and decisions that public bodies are struggling with, such as the difficulty of planning preventatively when rising costs and demand for services is placing immediate pressures on decision makers.

The Future Generations Commissioner can give more detailed advice to public bodies, but the Commissioner's Office is a relatively small team given the wide range of its remit. It has to pick priority areas to focus its capacity on. Perhaps there is a role for more Welsh Government guidance and training for leaders of public bodies on managing the inevitable trade-offs that will impact their ability to deliver their well-being objectives effectively. However, it is important to note that the Wales Audit Office has identified that the Welsh Government is also struggling with the same issues.

How far has the Act has been legally binding and enforceable; and how far the Act has represented, and will continue to represent, value for money?

The Act has driven a change in the way that public bodies think about sustainable development, and in the way that they engage with stakeholders to an extent. This has been important and has raised the profile of sustainability in Wales. However, WEL is not aware of any legal challenges or enforcement proceedings that have been

allowed under the Act directly, and we note it has been described as 'useless' for the purpose of challenging public bodies on decisions and plans.

We would emphasise that, in relation to the environment (as in other areas), the enforcement of specific requirements sits outside of the Act and depends on other, specific legislation which the Act can never (and does not aim to) replace (e.g. the Conservation of Habitats and Species Regulations 2017 or the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021). However, since the UK left the EU there has been a critical gap in the governance and oversight of the implementation of environmental law by public bodies. This gap is to be addressed through the Environment (Principles, Governance and Biodiversity Targets) Bill that is currently before the Senedd, which will create a new Office of Environmental Governance Wales for this specific purpose. This is, rightly, a very distinct role from that of the FG Commissioner, and an essential one to help to ensure progress towards a healthier natural environment.

Policy decisions, such as those relating to roads in Wales (e.g. rejection of the M4 Relief Road) have been taken by Ministers with the sustainable development principle in mind, and the Act has provided policy makers with justification for a change of direction away from business as usual in some cases. This is important, but we'd like to see the Act drive more fundamental change towards making Wales more environmentally sustainable.

The Office of the Future Generations Commissioner has become an important voice for future generations and has been a strong voice for the importance of the environment, and for the need to take action on climate change and nature loss. While public bodies have still not fully embedded the Act, particularly in relation to the importance of nature and resilient ecosystems, without the FG Commissioner role in place it is likely that fewer public bodies would be considering their impact on nature. Our members consider that the FGC Office does provide value for money and their role must continue to be supported, and to be strengthened. Without a strong Commissioner driving public bodies to design services and solutions that meet the needs of future generations, it is difficult to see how this will happen. Wales can't afford to stop transitioning towards a more sustainable society because the cost of

inaction on climate change[1] and nature loss[2] alone, far outweigh the costs of delivering the Act. Whilst cost impacts for the UK are more easily available, a report from WWF Cymru showed that the Welsh ruminant livestock sector suffered £175m in losses from climate change impacts in 2018 alone.[3]

When introduced, the Wellbeing and Future Generations Act was a world-first and was celebrated by many as a significant step in the right direction towards creating a more sustainable and resilient Wales. A decade on, we have seen some successes, and the Office of the Future Generations Commissioner is an important voice in Wales but this needs to be significantly strengthened if we are to manifest the original intentions of the Act to deliver the Wales that we want.

[1] https://lordslibrary.parliament.uk/government-climate-policy-economic-impact/#heading-4
[2] https://hive.greenfinanceinstitute.com/gfihive/insight/assessing-the-materiality-of-nature-related-financial-risks-for-the-uk/
[3] https://www.wwf.org.uk/sites/default/files/2024-03/5126%20-%20FARMING%20IN%20WALES_REPORT_v3.pdf

Wales Environment Link (WEL) is a network of environmental, countryside and heritage Non-Governmental Organisations in Wales. WEL is a respected intermediary body connecting the government and the environmental NGO sector. Our vision is a thriving Welsh environment for future generations.

This paper represents the consensus view of a group of WEL members working in this specialist area. Members may also produce information individually in order to raise more detailed issues that are important to their particular organisation.

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