

## Welsh Language Impact Assessment

|  |  |                          |             |                          |
|--|--|--------------------------|-------------|--------------------------|
| <b>Title:</b><br><br><b>Public Health (Minimum Price for Alcohol) (Wales) Bill</b>   | <b>WLIA Reference No</b><br><i>(completed by WLU):</i>                   |                          |             |                          |
| <b>Name of person completing form:</b>   | Samantha French  |                          |             |                          |
| <b>Date:</b>   | October 2019   |                          |             |                          |
| <b>Policy lead:</b>  | Chris Gittins  |                          |             |                          |
| <b>Contact details:</b>  | <a href="mailto:DeddfIaA.MUPAct@gov.wales">DeddfIaA.MUPAct@gov.wales</a> |                          |             |                          |
| <b>Programme/Project Type</b><br><input type="checkbox"/> Policy <span style="margin-left: 200px;"><input type="checkbox"/> Project or programme</span><br><input checked="" type="checkbox"/> Legislation <span style="margin-left: 100px;"><input type="checkbox"/> Research, evaluation</span><br><input type="checkbox"/> Grant <span style="margin-left: 180px;"><input type="checkbox"/> Services</span><br><input type="checkbox"/> Business change <span style="margin-left: 150px;"><input type="checkbox"/> Contracts, tenders</span><br><input type="checkbox"/> Infrastructure<br><input type="checkbox"/> Construction, Capital<br><input type="checkbox"/> ICT<br><input type="checkbox"/> Other (Please specify below)  |  |                          |             |                          |
|  |  |                          |             |                          |
| <b>Costs: How much is the projected whole life cost for the programme/project?</b><br>If below £25k, then a full WLIA is not always required (see guidance).   |  |                          |             |                          |
| Under £25k   | £25k - £49k  | £50 - £249K              | £250K - £1m | Over £1m                 |
| <input type="checkbox"/>   | <input type="checkbox"/>   | <input type="checkbox"/> | X           | <input type="checkbox"/> |
| <b>Of the above, please provide details if there are any identified costs directly associated with the Welsh language?</b><br><br><p>The costs of introducing a 50p Minimum Unit Price (MUP) to local authorities and others are contained within Part 2 of the Explanatory Memorandum and Regulatory Impact Assessment for the Public Health (Minimum Price for Alcohol) (Minimum Unit Price) (Wales) Regulations 2019. The regulations specify the level of the Minimum Unit Price for alcohol for the purposes of the Public Health (Minimum Price for Alcohol) (Wales) Act 2018 (referred to as the 2018 Act in the remainder of this document).</p> <p>There are anticipated to be very few costs directly associated with the Welsh language, regarding the regulations specifying the level of the MUP. Any additional costs, such as bilingual signage, publicity and guidance, are likely to be incorporated into overall operational costs and not easily separately identifiable.</p> |  |                          |             |                          |

| <b>How long is the programme/project expected to run?</b>   |                          |                          |                          |                          |         |
|---|--------------------------|--------------------------|--------------------------|--------------------------|---------|
| Up to 1 yr  | Up to 2yrs               | Up to 5yrs               | Up to 10yrs              | More than 10 yrs         | Unknown |
| <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X       |
| <p>Section 22 of the 2018 Act provides that the minimum pricing provisions will be repealed after a period of six years from their commencement, unless the Welsh Ministers (subject to the agreement of the National Assembly) provide by regulations that they are to continue.</p>   |                          |                          |                          |                          |         |
| <b>Key milestone dates for the programme / project:</b>   |                          |                          |                          |                          |         |
| <p>28 September – 21 December 2018: Bilingual consultation on the draft Public Health (Minimum Price for Alcohol) (Minimum Unit Price) (Wales) Regulations 2019 – and the Welsh Government’s preferred level of the Minimum Unit Price for alcohol of 50p. The consultation also included a draft Explanatory Memorandum and Regulatory Impact Assessment for the regulations.</p> <p>The consultation included specific questions on the potential impacts of introducing the regulations on the Welsh Language. A summary of the 148 written consultation responses received was published bilingually on the Welsh Government website on 15 February 2019:</p> <p><a href="https://beta.gov.wales/sites/default/files/consultations/2019-02/summary-of-responses_0.pdf">https://beta.gov.wales/sites/default/files/consultations/2019-02/summary-of-responses_0.pdf</a></p> <p><a href="https://beta.llyw.cymru/sites/default/files/consultations/2019-02/crynodeb-orymatebion.pdf">https://beta.llyw.cymru/sites/default/files/consultations/2019-02/crynodeb-orymatebion.pdf</a></p> <p>Taking into account these consultation responses and other factors, Welsh Government remains of the view of that a 50p MUP is a proportionate response to tackling the health risks of excessive alcohol consumption – and that a 50p MUP strikes a reasonable balance between the anticipated public health and social benefits and intervention in the market.</p> |                          |                          |                          |                          |         |
| <b>STAGE 1: PLANNING</b>  |                          |                          |                          |                          |         |
| <b>What are the aims and objectives of the policy?<br/>What are the desired outcomes/ what constitutes ‘success’?</b>   |                          |                          |                          |                          |         |
| <p>The ultimate objective of the 2018 Act and the regulations specifying the level of the MUP is to tackle alcohol-related harm, by reducing alcohol consumption in hazardous and harmful drinkers. The 2018 Act and a 50p MUP is targeted at protecting the health of hazardous and harmful drinkers, who tend to consume greater amounts of low-cost and high-alcohol content products.</p> <p>The policy rationale for introducing a minimum price for alcohol is well developed. The Public Health White Paper <i>Listening to you: Your health matters</i>, which was</p>  |                          |                          |                          |                          |         |

published on 2 April 2014, brought together a number of legislative proposals to address specific public health concerns through legislation. The White Paper included a proposal to introduce a MUP for alcohol. This attracted high levels of interest during the consultation period, both from inside and outside Wales. A total of 713 responses were received and a consultation summary report was published in November 2014. The responses included 145 relating to MUP, the vast majority of those were in favour of legislating to introduce an MUP for alcohol.

The Welsh Government subsequently also consulted on a draft Public Health (Minimum Price for Alcohol) (Wales) Bill in July 2015. A majority of stakeholders and organisations who responded to the consultation were broadly supportive of introducing a minimum price for alcohol. A total of 194 consultation responses were received in 2015; 68% of respondents were in favour of introducing a minimum price for alcohol in Wales. A summary of the 2015 consultation responses can be found on the Welsh Government website:

<https://consultations.gov.wales/consultations/draft-public-health-minimum-price-alcohol-bill>

The 2018 Act will introduce a minimum price for alcohol supplied in Wales to a person in Wales and establish a local authority-led enforcement regime to ensure alcohol is not sold below that price.

The 2018 Act provides for the introduction of a minimum price for the supply of alcohol in Wales, calculated according to the MUP, the percentage strength of the alcohol and its volume. The MUP for these purposes has been specified in the Public Health (Minimum Price for Alcohol) (Minimum Unit Price) (Wales) Regulations 2019 to be laid before the National Assembly for Wales.

The Welsh Government consulted on its preferred level of a 50p MUP for alcohol between 28 September and 21 December 2018. A total of 148 consultation responses were received.

The provisions in the 2018 Act and the regulations specifying the level are consistent with the prudent healthcare preventative approach to take action where there is the potential to reduce or avoid long-term societal and higher financial costs associated with avoidable ill health.

**What policy options have been considered and what impacts will there be if the policy is *not* implemented?**

The Explanatory Memorandum and Regulatory Impact Assessment for the Public Health (Minimum Price for Alcohol) (Minimum Unit Price) (Wales) Regulations 2019 provide strong evidence in support of the anticipated benefits of a 50p and its focus on targeting hazardous and harmful drinkers and reducing the excessive consumption of alcohol, including amongst young drinkers, in order to better protect individuals, families and communities.

**Does the programme demonstrate a clear link with the Welsh Government's strategy for the Welsh language?**

The Welsh Government published its *Cymraeg 2050 – A million Welsh speakers* strategy for the Welsh language which aims to increase the number of people who speak and use the language. The provision of bi-lingual services is a key priority and is supported by the Welsh Language Standards.

In relation to health, the strategic framework “*More than just words...*” aims to strengthen Welsh language services in health and social care services.<sup>1</sup>

The 2018 Act and the regulations specifying the level of the MUP primarily relate to a discrete public health issue – it has the targeted aim of reducing the hazardous and harmful consumption of alcohol via the introduction of a minimum price for alcohol, rather than the provision and accessibility of health services generally. As such, it is not expected that the regulations specifying the level will have a significant impact on the Welsh language. However, pricing and the production of bilingual signage, guidance and other documentation will need to be amended and / or drafted, as part of the routine nature of commercial retail businesses. These matters have been, and continue to be discussed, with the retail industry.

The Welsh Government considers that these costs can be consumed within the routine pricing and administration changes that are normally incurred as a result of the bilingual business of the retail sector.

The Welsh Government will also be developing guidance for retailers and the Regulatory Impact Assessment (RIA) for the regulations identifying a budget of £11K for this purpose, plus a further £100k specifically for communications on minimum pricing for alcohol. Section 29 of the 2018 Act places a duty on Welsh Ministers to promote the public health aims of the legislation. This duty came into force following Royal Assent. All communications regarding MUP to promote its public health aims have been (and will continue to be) carried out bilingually. To date (for example) this has included publishing infographics on the impacts of a 50p MUP, social media GIFs to promote how minimum pricing can contribute to reducing hazardous and harmful drinking, infographics summarising the aims of the consultation and a Q and A Document on MUP – all of which have been published bi-lingually.

The publication of bi-lingual communications and supporting materials on MUP will support the aims of *Cymraeg 2050 – a million Welsh speakers* and the Welsh Language Standards by strengthening the position of the Welsh language within the community, while also contributing towards community health benefits.

It is considered that the regulations specifying the level of the MUP will also support the Welsh language strategy's aim to increase opportunities for people to use Welsh in the workplace – documentation, guidance, training, publicity and communications associated with the introduction, implementation and enforcement of the 2018 and

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<sup>1</sup> <https://gov.wales/topics/health/publications/health/guidance/words/?lang=en>

the regulations specifying the level of the MUP will be available bilingually.

Standard questions regarding the impact of the policy on the Welsh Language were asked as part of the consultation. The Welsh Language Standards placed on the Welsh Government requires it to give full consideration when making policy decisions to any potential impact on the Welsh language, in all policy areas, in order to ensure more robust policies which are in line with the aspiration of having a million Welsh speakers by 2050. It also ensures that there are no unintentional consequences to the Welsh Government's policies and no harmful impacts on the Welsh language. Although many respondents did not answer these questions, and some commented on the irrelevance of them to the policy, there were some respondents who welcomed its consideration. In particular, there was strong support for ensuring that all communications materials and supporting documentation on minimum pricing for alcohol (such as guidance for retailers and local authorities) and communications promoting the public health aims of the Public Health (Minimum Price for Alcohol) (Wales) Act 2018 are available bilingually.

A small number of respondents highlighted potential negative impacts of Minimum Unit Pricing for alcohol – for example, the potential for a 50p MUP to have a negative impact on rural pubs in Welsh speaking areas. Specific observations also were made in relation to MUP and a wider Welsh culture and protecting the health of the nation. A small number of responses also noted that MUP may have a positive impact on the Welsh language if more people start going to the pub (for example – in response to the price of alcohol increasing in supermarkets). As one response highlighted: *The availability of cheap alcohol in supermarkets is encouraging people to drink at home, as opposed to drinking in the pub. The introduction of an MUP could mean more people go to the pub, which could in turn have a positive impact on the Welsh Language.* More generally – and as highlighted above – responses recognised the importance of bi-lingual communications and supporting materials on MUP, as well as bi-lingual guidance for retailers and local authorities.

**What are the impacts/ effects (both positive and/or adverse) on the Welsh language you have identified at the initial planning stage**

i.e. Welsh speakers, Welsh language communities, Welsh medium education, Welsh learners, services available in Welsh?

Current impacts identified are:

- The need to ensure guidance, supporting materials for retailers, information for stakeholders and relevant training is provided bilingually.
- The need for bilingual publicity and communications material regarding the introduction, implementation and enforcement of the legislation.
- The need for bilingual communications materials to promote the public health aims of the legislation.

All Welsh Government communications with the public, local authorities, retailers and the alcohol industry (as well as other key stakeholders) regarding the 2018 Act and the regulations specifying the level will be bilingual, in line with the Welsh

Government's Welsh Language Standards.

**Who are the stakeholders? Are the needs of Welsh speakers and learners addressed? To what extent are Welsh language interest groups likely to respond positively to the proposals?**

The main stakeholders include the alcohol industry in general, retailers, local authorities, community-based organisations, services and treatment providers for substance misuse, Children in Wales, the Children's Commissioner, the Older People's Commissioner, Trading Standards, youth forums and members of the public.

As the regulations specifying the level of the MUP for the purposes of the 2018 Act do not relate to a new public service (or a change to an existing service), it may not attract particular and specific interest from Welsh language interest groups.

All Welsh Government guidance, training and publicity materials will be published bilingually. The Welsh Government will liaise with retailers, the alcohol industry, local authorities, the Welsh Heads of Trading Standards and other key stakeholders (including services and treatment providers), regarding the development of these materials. Consideration will continue to be given to the Welsh language on an ongoing basis.

**Where an assessment was not completed, or no impacts were identified, please provide a full account for record keeping purposes?**

N/A – identified impacts are outlined within this assessment template.

**What actions/ further work has been identified at the initial planning stage?**

e.g. data requirements, need for peer review, external engagement with Welsh speaking groups, identify stakeholders or consultation list, need to contact Welsh Language Unit for advice)?

The initial Public Health White Paper consultation and its responses were published bilingually. The subsequent draft Bill consultation was published bilingually to ensure that language needs and requirements were considered appropriately. Key associated documentation for the Bill was also published bilingually. This included the Explanatory Memorandum (EM) and the RIA for the Bill, and its' Welsh Language Impact Assessment.

The consultation document on the preferred level of the MUP and draft regulations were also published bilingually. As highlighted in the previous section, specific consultation questions were included on the potential impacts of the draft regulations on the Welsh Language (in accordance with Welsh Language Standards).

The EM and RIA for the regulations to be laid before the National Assembly for Wales have also been published bilingually, along with the Welsh Language Impact Assessment And the Integrated Impact Assessment.

There will be an ongoing need to liaise with key stakeholders through the medium of Welsh, as the regulations are laid before the National Assembly for Wales – and if passed, throughout their implementation.

**STAGE 2: IDENTIFYING AND ASSESSING IMPACTS**

**Impact Assessment Summary**

**Summarise the detailed impact assessment carried out together with the scores assigned.**

**Positive effects/ impacts:**

Delivering information in preferred languages will ensure key stakeholders have the opportunity to fully understand the implications of the regulations and the provisions in the 2018 Act. The Welsh Government has worked alongside stakeholders as part of the consultation on the draft regulations – and will continue to do so as the regulations are laid before the National Assembly for Wales. This may result in amendments and adjustments to documents planned for the introduction, implementation and enforcement of the 2018 Act, which could help promote the use of the Welsh language where it makes practicable and possible sense.

**Adverse effects/ impacts:**

The ability of local authorities (and other key partners and stakeholders) to offer increased Welsh language provision may be competing with other service priorities. This will be considered during the implementation of the regulations and the 2018 Act, with the aim of minimising the impact where possible.

**Opportunities to promote the Welsh language e.g. status, use of Welsh language services, use of Welsh in everyday life, Welsh at work increased?**

Opportunities for explaining the policy and providing information on the requirements of the legislation will be available in Welsh. This will provide an opportunity for Welsh-speakers to use Welsh at work and will give them the confidence to explain the new policy in their preferred language.

**Evidence/ data used including demographic profile when considering the effects/ impacts:**

Welsh language provision used by local authorities should be assessed to consider if adjustments/requirements are needed on a local or national level.

**What is the overall anticipated likely impact on the Welsh language if this policy is taken forward based on the impact assessment/ risk assessment?**

Positive:   
 Adverse:   
 Neutral:   
 Unknown:

**Decision following IA**

- |   |                                     |
|---|-------------------------------------|
| 1. No major change                              | <input checked="" type="checkbox"/> |
| 2. Adjust the policy to improve impacts         | <input type="checkbox"/>            |
| 3. Continue the policy with mitigation measures | <input type="checkbox"/>            |
| 4. Stop and remove the policy                   | <input type="checkbox"/>            |



**If answered 2,3, or 4 above – then answer the following:**

**How will you address these impacts in order to improve the outcomes for the Welsh language? Details of mitigation measures/ action points/ alternative options to reduce adverse impacts and increase positive outcomes:**

**If engaging or consulting, what are your plans? What questions do you wish to ask stakeholders about the Welsh Language Impact Assessment and Welsh language related issues?**

This proposal to introduce an MUP was consulted on in the Public Health White Paper between 2 April and 24 June 2014 and following the publication of the draft Public Health (Minimum Price for Alcohol) (Wales) Bill in 2015. Consultation documents, including easy read and youth friendly versions, were available bilingually on the Welsh Government website, as well as in bilingual printed copies. Bilingual public and stakeholder engagement events were also held in 2014 and 2015.

In addition to detailed questions about each policy proposal, the 2014 Public Health White Paper included a question about how any of the proposals could impact on the Welsh language. No negative impacts were identified. A number of respondents generally commented that legislation developments need to take account of other existing Welsh Government policies and strategies, such as the “*More than just words...*” strategic framework for strengthening Welsh language in health and social care. The response to the consultation from the Welsh Language Commissioner did not include detailed comments on the proposal but emphasised the importance of accurate assessment of needs and meaningful engagement with local citizens in the context of developing community health assets.

In consulting and engaging with various groups, stakeholders and individuals and while working with those seeking treatment for alcohol misuse, services will be available in Welsh and English in line with the Welsh Language Standards and the “*More than just words....*” strategic framework.

The consultation on the Welsh Government’s preferred level of the MUP and draft regulations also included specific questions on potential impacts on Welsh language.

### **STAGE 3: POST CONSULTATION AND PREPARING FOR PUBLICATION, MONITORING AND EVALUATION**

**Following consultation, what changes have you made to address any Welsh language issues that were raised?**

None at present. However this is being continually reviewed alongside stakeholder engagement, taking place ahead of implementation.

An MUP Implementation Board has been established to oversee the implementation of minimum pricing for alcohol. Its members include colleagues from translation services.

**How will you monitor the ongoing effects during the implementation of the policy?**

Welsh language issues and requirements will be considered on an ongoing basis regarding the implementation and enforcement of the 2018 Act and the regulations specifying the level of the MUP.

**Please outline how you will continue to capture effects/ impacts in future monitoring and evaluation?**

By discussing and considering requirements as they are raised and outlining any issues in this assessment, as required.

**Any other comments – ongoing results of evaluations, emerging impacts**

N/A.

**4. Declaration**

**Policy lead:**

*\*Please delete as appropriate:*

The policy **\*does / ~~does not~~** have an impact upon the Welsh language. Where there were identified adverse impacts or missed opportunities, the appropriate amendments and actions have been put in place.

**Name:**

Samantha French

**Department:**

Health and Social Services

**Date (s):**

Last reviewed October 2019.

**Signature:**

SF

**Planned Review Dates:**

To be kept under review ahead of the implementation of minimum pricing for alcohol and the coming into force of the legislation.

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| <b>SRO ENDORSEMENT and REVIEW</b>  |                         |
|--|-------------------------|
| I am satisfied that the WLIA is an accurate reflection of the programme/project objectives at this stage of development. By signing, I am able to confirm that the Welsh Language Standards have been given the appropriate attention. I will re-assess the programme/project at key stages throughout the life of the programme/ project, including policy reviews. |                         |
| Signed: Tracey Breheny<br>(Senior Responsible Owner)   | Date: 26 September 2019 |
| Signed:<br>(Senior Responsible Owner)  | Review Date             |
| Signed:<br>(Senior Responsible Owner)  | Review Date             |
| Signed:<br>(Senior Responsible Owner)  | Review Date             |