

# Proposals to make the food environment healthier

## Question 14

**What, if any, challenges resulting from the proposed Regulations do you feel should be further recognised within the draft regulatory impact assessment, particular to your field of interest?**

We are concerned that the Equality Impact Assessment does not give sufficient regard to the potential negative consequences of the policy changes proposed for all groups, in particular for “low income households”. Whilst we recognise the potential positive impact of the policy for low income households by supporting people make positive food choices, we believe the potential negative impact of higher food prices is significantly under played in the assessment.

While it might not be the *“intention or aim”* of the policy to *“increase the cost of food for consumers”* there is clearly a significant risk that removing promotions that *“may make products cheaper”* could lead to higher food prices. The impact of this is not reflected at all in the current Equality Impact Assessment.

With [Trussell Trust Food Banks](#) distributing more than 187,000 food parcels in 2023/24, and with more than 1 in 20 people reporting that they had used a foodbank in the three months to January 2024 in the [Bevan Foundation's](#) most recent Snapshot of Poverty survey, the numbers of people already struggling to afford food is significant. This is not surprising given that research by the [Food Foundation](#) has found that *“families with children among the poorest fifth of the population, would need to spend 70% of their disposable income on food to meet the cost of the Government-recommended healthy diet.”* In this context, even modest increases in the cost of food would likely have a negative impact on low income households, at least in the short term.

We therefore challenge the conclusion in the Equality Impact Assessment that the policy will only have a “positive” impact for people from low income households. In our view the Equality Impact Assessment should recognise the nuance in this area, and dismissing concerns about the impact of increased food prices due to it not being the aim of the policy, is not a reasonable approach.

Further to our concerns with regards to question 14 above we do not believe that the potential negative consequences of an increase in food costs have been adequately considered within the draft regulatory impact assessments. In particular we are concerned that the Children’s Right Impact Assessment makes no reference at all to the potential challenges to Articles 3, 24 and 27 of children living in household who might find it harder to feed their children due to the impact of the proposals.

## Question 19

**We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.**

We are concerned that some of the products listed in the consultation as products over which restrictions could be placed on promotions are currently staple items for many low-income households. Whilst we understand the desire to reduce consumption of HFSS products, products such as breakfast cereals and yogurts are currently relied on by many low income households, in particular those with children.

[Research from England](#) earlier this year found that more than one in ten primary school pupils regularly attend school hungry. As set out in our response to question 14, one of the reasons for this is that food is already unaffordable for many. Given this we are concerned that any change that would lead to an increase in the cost of staple items could worsen the situation. We therefore think it would be prudent to draw a distinction between staple HFSS products like cereal and yogurt, and non-staple HFSS products like chocolate and cakes.

Drawing such a distinction could allow the Welsh Government to place restrictions on the promotion of non-staple HFSS items, whilst it works with retailers and people on low income to explore how they can encourage a move to healthier products without driving up people's food costs.

We also think it's important to note that there is a need for the Welsh Government to take greater action to increase household incomes, to enable people to choose healthier options for themselves. As set out in response to question 14 *"families with children among the poorest fifth of the population, would need to spend 70% of their disposable income on food to meet the cost of the Government-recommended healthy diet"*.

Whilst many of powers to increase incomes remain reserved at Westminster there are steps that the Welsh Government could itself take. For example, for a child in secondary school in Wales to access Free School Meals, they must live in a household that is either in receipt of legacy benefits or be in receipt of Universal Credit and have a household income of less than £7,400 a year. This threshold has remained unchanged since 2019. Had this increased in line with inflation it would now stand at nearly £9,200 a year, meaning that secondary school children must be significantly poorer in real terms to access free, healthy, nutritious school lunches than was the case five years ago.

If the Welsh Government is serious about improving the health of children and young people from low-income households then it is important that it takes action to at least increase this threshold back to its 2019 value in real terms, alongside other measures to increase household incomes. Failure to do so will undermine the effectiveness of its attempts to restrict promotions on HFSS.