

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Iechyd a Gofal Cymdeithasol](#) ar [Atal iechyd gwael - gordewdra](#)

This response was submitted to the [Health and Social Care Committee](#) consultation on [Prevention of ill health - obesity](#)

OB13: Ymateb gan: Comisiynydd Plant Cymru | Response from: Children's Commissioner for Wales





Comisiynydd Plant Cymru
Children's Commissioner for **Wales**

Ymateb i Ymgynghoriad / Consultation Response

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Subject / Pwnc: Senedd Health & Social Care Committee call for evidence: Prevention of ill health - obesity

Background information about the Children's Commissioner for Wales

The Children's Commissioner for Wales' principal aim is to safeguard and promote the rights and welfare of children. In exercising their functions, the Commissioner must have regard to the United Nations Convention on the Rights of the Child (UNCRC). The Commissioner's remit covers all areas of the devolved powers of the Senedd that affect children's rights and welfare.

The UNCRC is an international human rights treaty that applies to all children and young people up to the age of 18. The Welsh Government has adopted the UNCRC as the basis of all policy making for children and young people and the Rights of Children and Young Persons (Wales) Measure 2011 places a duty on Welsh Ministers, in exercising their functions, to have 'due regard' to the UNCRC.

This response is not confidential.

I am grateful to the Committee for undertaking this inquiry into this very important topic, and the opportunity to contribute to this call for evidence.

Children have a human right to a healthy and nutritious diet

Under article 24 of the UN Convention on the Rights of the Child (UNCRC), every child has the right to the highest possible standard of health, and as part of this, governments should provide ‘adequate nutritious foods’. Article 24 also states that governments should ensure ‘all segments of society, in particular parents and children, are informed and have access to education are supported in the use of basic knowledge of child health and nutrition...¹’.

The UN Committee on the Rights of the Child produces ‘General Comments’, designed to provide advice and instruction to States on upholding the UNCRC. General Comment No. 15 (2013) on article 24² states that:

“Adequate nutrition and growth monitoring in early childhood are particularly important...

...School feeding is desirable to ensure all pupils have access to a full meal every day, which can also enhance children’s attention for learning and increase school enrolment. The Committee recommends that this be combined with nutrition and health education, including setting up school gardens and training teachers to improve children’s nutrition and healthy eating habits...

...States should also address obesity in children, as it is associated with hypertension, early markers of cardiovascular disease, insulin resistance, psychological effects, a higher likelihood of adult obesity, and premature death. Children’s exposure to “fast foods” that are high in fat, sugar or salt, energy-dense and micronutrient-poor, and drinks containing high levels of caffeine or other potentially harmful substances should be limited. The marketing of these substances – especially when such marketing is focused on children – should be regulated and their availability in schools and other places controlled...

...Among the key determinants of children’s health, nutrition and development are the realization of the mother’s right to health and the role of parents and other caregivers...”

I am pleased that several of these recommendations are recognised by the *Healthy Weight: Healthy Wales* programme. I will set out below some analysis of Welsh Government policy and the current context of Wales in relation to several of the above issues.

¹ <https://www.unicef.org.uk/wp-content/uploads/2016/08/unicef-convention-rights-child-uncrc.pdf>

² https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FGC%2F15&Lang=en

Childhood obesity in Wales

The latest figures from the Child Measurement Programme for 2022-2023³ tell us that more than a quarter of children aged 4 or 5 in Wales measured as being overweight or obese, with one in ten being obese. Children in Wales have consistently been more likely to be overweight or obese than children in Scotland or England, and this continues to be the case in the latest figures. The deprivation gap in the figures is stark, with children living in the 'most deprived fifth' postcode areas statistically significantly more likely to be overweight or obese compared to the least deprived. There are also gaps between local authority areas. For example, 7.9% of children in Monmouthshire were measured as obese, while the figure was 14.3% of children in Blaenau Gwent.

These statistics are highly concerning, but BMI measurements of children, by themselves, do not tell us much in terms of how to tackle childhood obesity. This response will touch on some areas that must be tackled in order to try to reduce these figures. We need to view childhood obesity as an indicator of wider health determinants, including deprivation, and ensure measures tackle these holistically.

Healthy food environments – school meals

One vital part of combatting poor nutrition in children is to improve the quality of the food children eat at school. I am very supportive of Welsh Government's roll out of free school meals for all primary school children in Wales (as part of the Cooperation Agreement with Plaid Cymru); a move which provides a real opportunity to provide healthy meals for thousands of children in Wales. I have previously called for the extension of free school meals to secondary school children too, through the adjustment of the currently extremely low earnings threshold beyond which young people do not currently qualify, because of the importance of nutrition and sustenance for children's development at all ages.

In April 2024, my office conducted a survey⁴ of 490 individual children aged between 7 and 18. A further 1250 children took part in groups, with teachers and youth workers submitting a summary of their views. These submissions supported the views shared by children directly. Here are some of the key results:

- Only 19% of children taking part in a survey about school dinners said they are full after their meal. Almost half (44%) said they can't have more food (seconds) if they ask for it. This is highly concerning.
- Almost a quarter (24%) of children said they can't always have vegetables if they want them, and 22% said they can't always have fruit if they want it.

When asked for their ideas on making school dinners better, by far the most common answer amongst children related to wanting more food. This issue is not unique to Wales and, as such, some areas for improvement can be drawn from elsewhere, including this work by Food Active.

³ <https://phw.nhs.wales/services-and-teams/child-measurement-programme/>

⁴ <https://www.childcomwales.org.uk/2024/04/only-a-fifth-of-children-answering-survey-are-full-after-school-dinner/>

Food Active undertook a series of face-to-face focus groups with approximately 40 secondary school learners across the North West of England. Among the findings of their report published in May 2024⁵ were that:

- *Break time provision is a very popular food service, however healthier options are currently limited.*
- *Cost of food and drink is an important factor for young people; some referenced price increases alongside a reduction in portion sizes.*
- *Young people consistently raised issues about the chaotic and stressful nature of the dining space, and lengthy queues.*
- *Lunchtimes are too short, and many young people report issues such as running out of food and making compromises on other activities such as clubs and sport in order to eat.*
- *Young people frequently noted the poor quality and limited variety of foods being served across the school day and want to see this improved.*
- *Young people were typically unfamiliar with schools offering healthy eating initiatives or aware of any policies relating to provision of healthier options.*
- *Young people had lots of ideas on how to encourage healthier eating in school, including making healthier foods more appealing, changes to pricing, providing more information on healthy eating, introducing gardening clubs and restricting the promotion of less healthy options when paying.*
- *Places to buy food on a pupil's journey to school are generally dominated by less healthy options, and these are popular, attractive and convenient for young people when compared to the offer within schools.*

I have shared the findings from my office's survey, and discussed them with the Cabinet Secretaries for Health and Education. It is important that we understand why it is children are reporting not feeling full. It is likely, in my view, to be a combination of issues around portion sizes, nutritional value, the cost of school food / free school meal allowance, and further factors such as those found in the Food Active study. While the work to update regulations is vitally important, Welsh Government must further consider those environmental factors set out above. Given that that work remains at the earliest stages, there is every opportunity to ensure that these sets of findings are taken into account as part of the revised regulations and guidance.

Physical activity

The most recent Active Healthy Kids Wales report card (2021)⁶ paints a concerning picture of poor overall physical activity, with a score in relation to sedentary behaviour ranking Wales as joint lowest (with just three other countries) of the 57 countries that participate.

⁵ https://foodactive.org.uk/wp-content/uploads/2024/05/FuellingTheFuture_FoodActive_Summer2024.pdf

⁶ <https://cdn.sanity.io/files/hxna570c/production/cabfb92ffd8789f18d0bff189844aa6f12dfea90.pdf>

In 2022, Sport Wales undertook a survey⁷ of over 116,000 from 1,000 schools. The survey found that there had been a 9% point decrease in children taking part in regular organised sport outside of the curriculum since 2018; an 8% point increase in those reporting no regular participation in sport outside of the curriculum. Those taking part in sport in a community club setting at least once a week decreased by 9% points. Just 40% of pupils said they enjoyed extracurricular sport 'a lot', 57% enjoyed PE 'a lot' and 47% enjoyed community club sport 'a lot'.

The survey found that there is a 15% point difference in participation in organised sport outside of the curriculum between the least and most deprived areas. This gap has widened since 2018. Only 60% of schools said they had the equipment to include disabled pupils, pupils with an impairment or Additional Learning Need.

It is clear that we must do more to support children to avoid excessive sedentary behaviour and to encourage involvement in physical activity, alongside promoting a healthy diet.

In May 2024, we undertook a survey of around 1,300 children and young people, asking them about their opportunities to enjoy play or break time during school. This of course related to children's ability to exercise, socialise and access food. We have not yet analysed these results in full, and will be publishing details of the survey results in the coming weeks.

However, from the early findings, 46% of respondents answered 'yes' to the question 'do you ever miss your play / break time?'. While lots of the reasons given for missing break time were around detention, many responded that they were kept in to complete work if they had not completed it in class time, others commented that 'we don't always go out for 5 minutes play', or 'because it's raining'. When asked what would make play or break time better, many children raised that they would like more equipment to be able to do exercise and activities. Many said they feel that their break times are too short. There were also comments in relation to having time to get food:

the time to short being held back at break times the set areas cant go to the canteen when you want to no space to play when it rains have to sit down and there's not much space not aloud to play football or aloud to play on the grass with breaktime there's not enough time to go to the toilet and get food they took away the good food and there's no good food anymore

I will happily share a copy of my office's analysis of this survey when it is ready to be published.

⁷ <https://www.sport.wales//files/4726cc7e1cb672efe0e1fb6ed9560256.pdf>

Welsh Government policy

I am pleased that Welsh Government, as part of their *Healthy Weight: Healthy Wales* delivery plan 2022-24, committed to 'reviewing the regulations on school food nutrition in line with the latest nutritional standards and guidelines, and update current standards'⁸.

Public Health Wales has recently published a report on the potential of school food to improve children's health⁹, which found that the diets of many children and young people in Wales fall short of national dietary recommendations, and opportunities to improve population health through school food are not being maximised. The report points out that '...although the Healthy Eating in Schools (Nutritional Standards and Requirements) Regulations, 2013 are within law, the compliance with the nutritional standards in schools across Wales and the contribution they have made to the dietary intake of school-aged children in Wales is unknown'. The report calls for a monitoring and compliance framework in order to establish whether schools are meeting the expected standards. I fully endorse this call as it is hugely important that there is true accountability attached to the new revised Regulations.

The *Healthy Weight: Healthy Wales* programme Delivery Plan 2022-24¹⁰ includes actions on these key areas. I refer to some below which I believe are vital in tackling childhood obesity, and provide some brief analysis:

- *Introduce legislation on calorie labelling in out-of-home settings and limit price promotions on unhealthy options.* Welsh Government plan to introduce the *Food (Promotion and Placement) Regulations* this year. While it is essential that we introduce measures to tackle the promotion of unhealthy foods, it is clear to me that any consideration of calorie labelling needs to take into account vulnerable groups who may be adversely impacted by calorie labelling. This includes children and young people with eating disorders, as this may even encourage disordered eating practices. As Beat have pointed out, the evidence to support a move to calorie labelling is limited¹¹. I urge caution in this area, and most importantly Welsh Government must hear from children and young people, and adults with lived experience of eating disorders as a child.
- *Enable positive changes in the food environment around secondary school and college environments, including limiting fast food takeaways.* I understand there has been some progress locally in some parts of Wales against this action, but more must be done to establish a nationwide approach to support local authorities in tackling this issue with urgency. There can be an assumption that older children want 'grab and go' items but hearing from young people can

⁸ https://www.gov.wales/sites/default/files/publications/2022-03/healthy-weight-healthy-wales-2022-to-2024-delivery-plan_0.pdf

⁹ <https://phw.nhs.wales/publications/publications1/opportunities-for-improving-childrens-health-in-wales-the-potential-of-school-food/>

¹⁰ https://www.gov.wales/sites/default/files/publications/2022-03/healthy-weight-healthy-wales-2022-to-2024-delivery-plan_0.pdf

¹¹ <https://www.beateatingdisorders.org.uk/support-our-work/campaign-for-beat/current/count-wales-out-of-calories-on-menus/>

show a myriad of reasons behind their choices, including limited time availability and cost comparisons. Young people have contacted my office with concerns over the proximity and density of fast food / unhealthy food outlets near to their school, and in one instance have themselves lobbied their local authority to impose planning regulations to ensure there is a mixed economy of food outlets in the local area. Children and young people themselves should be involved in the planning decisions local authorities where these directly impact their health and wellbeing.

- *Restrict the sale of high caffeine drinks to children and young people.* In responding to the consultation on this proposal in September 2022, I welcomed the proposals, but urged extensive consultation with children and young people from a wide range of backgrounds to properly understand what measures would be effective at reducing or stopping their use of energy drinks. I consulted with my advisory panel, who had mixed views on how effective a ban would be. These proposals will not be successful without the buy-in of children and young people themselves, as I set out in my response to the broader Healthy Environments consultation at the time
- *Investing in active travel.* Better options for active travel where suitable and appropriate would help open up opportunities to access sport and leisure opportunities, which would promote and facilitate active lives. I am supportive of Welsh Government actions in this area. The default 20mph speed limit, which I support and which very clearly supports children’s human rights under the UNCRC, should be maintained wherever children regularly use and are vulnerable to injury by cars. In my view, this means that exemptions from 20mph should be limited only to those roads not deemed regularly used by children. During April 2024, we asked children and young people for their views on their journeys to school through our Monthly Matters survey. Over 2,000 children and young people from across Wales responded to this survey. The majority of children and young people responding to the survey indicated that their school journeys were safe and accessible, however comments highlighted that traffic, and cars going too fast were contributors in making getting to school difficult. Some children and young people also shared that the behaviour of others made them not feel safe on their journey to school. A small number said they felt the 20mph limit impacts on their journey to school.
- *Supporting schools, childcare and playwork settings and the wider education community to realise the benefits of learning and play in the natural environment, utilising new opportunities within the Curriculum for Wales.* In October 2023, the Welsh Government set out an action plan in response¹² to the recommendations of the Ministerial Review of Play steering group report. While the response is welcome, several of the fundamental changes which would support the HWHW action are long-term (by the next Senedd election in 2026). It is vitally important now that the recommendations of the steering group are taken forward within the timeframes stated.
- *Deliver the Healthy Child Wales Programme which includes a range of preventative and early intervention measures to help parents and carers, children and young people make healthy lifestyle choices in their formative years, including: Strengthen Making Every Contact Count training for health visitors, midwives and school nurses, and working with other health professions to support positive discussions around healthy weight, dietary and physical activity behaviours.* Welsh Government are rolling out Making Every Contact Count, which is an important part of addressing this action, but I believe that more must be done to make sure that the Healthy Child Wales Programme is making the contacts it needs to in the first place. In 2022, over 62,000

¹² <https://www.gov.wales/sites/default/files/inline-documents/2023-10/responseplayeng.pdf>

contacts from health visitors that should have taken place did not¹³. I have raised these concerns over health visiting in particular with the Cabinet Secretary, and with the Chief Nursing Officer. I urge Welsh Government to focus on the Healthy Child Wales Programme to ensure it is delivering as best as it possibly can. Part of this may be improved with digitalisation of health visiting paperwork, which I understand is currently being worked on by Digital Health Care Wales.

- *Provision of a universal baby bundle to enable positive health choices.* There has not been an update from Welsh Government on this policy since December 2023, when it was indicated that not all parents would now receive the baby bundles.
- *Focus on the role of the early years' workforce to support families, including: Strengthening nutrition input across the early years to ensure families have access to information and support. This will include new models piloted by pathfinder projects, working in tandem with the children and families programmes.* It is our understanding that the Children and Families Programme (PIPYN) has been launched across three pilot areas in Wales. It will be important for the Committee to consider any learning form these pilots as part of the inquiry.
- *The Daily Active Offer.* It was a specific recommendation of my 2022-23 Annual Report¹⁴ for the Offer to commence without delay. Welsh Government has committed to rolling out the Offer, beginning with early adopters, in 2024. We will be keeping track of progress on this recommendation, along with all of our Annual Report 2022-23 recommendations.

Submitted by:



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¹³ https://www.rcpch.ac.uk/sites/default/files/2024-05/letter_to_first_minster_welsh_royal_colleges_child_health_collaborative_1.pdf

¹⁴ <https://www.childcomwales.org.uk/publication/annual-report-and-accounts-2022-2023/#healthy-child-wales-programme-41>