



RESPONSE TO THE SCOTTISH GOVERNMENT CONSULTATION ON THE PROPOSED WELLBEING AND SUSTAINABLE DEVELOPMENT BILL

Alcohol Focus Scotland (AFS) is the national charity working to prevent and reduce alcohol harm. We want to see fewer people have their health damaged or lives cut short due to alcohol, fewer children and families suffering as a result of other people's drinking, and communities free from alcohol-related crime and violence.

GENERAL COMMENTS

AFS welcomes efforts to improve decision making and the implementation of the National Performance Framework to ensure that all policy and delivery accounts for wellbeing and sustainable development.

The development of a wellbeing economy in Scotland could provide an opportunity to reduce the harm caused by alcohol by prioritising policies and interventions that focus on improving overall societal well-being rather than solely focusing on economic growth. This approach could involve implementing measures such as investing in public health campaigns, enhancing access to treatment and support services, promoting community engagement, and regulating alcohol marketing and availability to create a healthier environment for individuals and communities. By adopting a wellbeing-focused approach, Scotland could also address the root causes of alcohol-related harm and work towards creating a more resilient society.

Due to the broad scope of the proposals, AFS has chosen to respond only to those questions that we believe have the greatest relevance to alcohol, although we have included comments that will also have relevance to other questions contained within consultation document.

SPECIFIC COMMENTS

Defining wellbeing

Question 1 - Is a statutory definition of 'wellbeing' required?

Yes

AFS agrees with Scotland's International Development Alliance that how key concepts are interpreted shapes public policy and implementation, and that clearly defined concepts are more likely to support accountability, enforcement, and justiciability than vague ones.¹

The World Health Organization defines wellbeing as a resource for daily life that is determined by social, economic and environmental conditions.² Well-being encompasses quality of life and the ability of people and societies to contribute to the world with a sense of meaning and purpose.

Focusing on wellbeing should help support the tracking of the equitable distribution of resources, overall thriving, and sustainability.

In Scotland, the National Performance Framework sets out a vision for collective wellbeing and includes measures related to harmful/hazardous alcohol consumption and healthy life expectancy. However, despite this, increasing numbers of people are dying because of alcohol. In 2022, 1,276 people in Scotland lost their lives to alcohol-specific causes, the highest number since 2008.³ Each is a life cut tragically short and leaves behind family members and friends suffering their loss. While a fatal outcome is the most tragic manifestation of alcohol harm, the adverse impact on society is much wider, affecting not only those suffering alcohol problems, but also those around them. AFS believes that it is crucial that the health and economic impacts of health harming products, such as alcohol, are actively considered as part of Scotland's Wellbeing Economy, and continue to be reflected in the National Performance Framework.

In addition, AFS would urge the Scottish Government to consider how the forthcoming Human Rights Bill and the Wellbeing and Sustainable Development Bill can complement each other and work together to realise human rights for everybody in Scotland.

Defining sustainable development

Question 3 - Is a statutory definition of 'sustainable development' required?

Yes

As commented above, clearly defined concepts are more likely than vague ones to support accountability and enforcement.

Question 6 - What future wellbeing issues or challenges do you think legislation could help ensure we address?

AFS believes this Bill provides an opportunity to build on the Scottish Government commitments to tackle the burden caused by alcohol⁴ and to improve access to treatment and support for recovery.⁵ Almost six years on from the launch of Scotland's Alcohol Framework in November 2018, it is time for renewed focus on both prevention and treatment, and it must be ensured that the National Outcomes continue to address alcohol related harm.

The pandemic has added to existing problems, with deaths having now risen in each of the last 3 years by a total of 25%.⁶ This significant increase in loss of life is likely caused by the pandemic's effects on changing drinking habits, particularly increases in high-risk and harmful drinking,⁷ combined with reduced access to services. In response, the Scottish Government has rightly recognised alcohol harm as a public health emergency.^{8 9}

Recent modelling highlights how these worrying trends will continue to be felt into the future, even if drinking returns to pre-pandemic levels.¹⁰ Should these changes in consumption persist into the long term, it is estimated that Scotland will see almost 8,000 additional deaths and over 90,000 additional hospitalisations over 20 years.¹¹

Alcohol harm is already greatest for the most disadvantaged in our society. People in our most deprived communities are over four times as likely to die and six times as likely to be admitted to hospital because of alcohol than people in the wealthiest.^{12 13} When harm from alcohol increases, as

it has during the pandemic, it increases disproportionately in our poorest communities; yet when effective policy interventions are introduced, such as minimum unit pricing, these communities stand to benefit the most. These interventions must go hand in hand with action to address the wider determinants of health, such as poverty, employment, housing and education which are also fundamental to tackling long term problematic alcohol use.

While deaths are the most extreme form of alcohol harm, these are likely to be accompanied by increases in other harms such as alcohol-related diseases, accidents, violence, unemployment, family and relationship breakdown, domestic abuse, child neglect and Fetal Alcohol Spectrum Disorder. None of this is inevitable. By taking action to address the harmful impacts of alcohol we can save and improve thousands of lives.

The Rights, Respect and Recovery Action Plan 2019-21,¹⁴ identified improving access to treatment and recovery services as a priority. However, action to date is not proportionate to the scale of the problems we face, particularly in light of the pandemic. In fact, in the [Emergency Budget Review 2022-23 equality and fairness evidence summary](#), stated: “Budget savings will mean the work that can be taken forward to develop alcohol treatment targets and reviewing how alcohol brief interventions are delivered across Scotland will be delivered at a slower pace”.

There has been some progress on prevention, notably with minimum unit price having delivered an estimated 3% reduction in alcohol consumption¹⁵ and reduced alcohol deaths by an estimated 13.4%,¹⁶ demonstrating that population measures work. Further action is promised, with an increase to the minimum unit price level from September 2024, subject to parliamentary approval, and a consultation expected this year on alcohol marketing restrictions. However, there has been limited progress to date on ensuring health information on alcohol product labels, the provision of high-quality substance use education programmes in schools that are independent of industry, and in ensuring the licensing system delivers for public health.

It is vital that action is taken to protect and promote our wellbeing and that the development of alcohol policy is protected from commercial vested interests as recommended by the World Health Organization and in line with Scottish Government’s commitment in its Alcohol Framework.

Strengthening duties for the National Outcomes and sustainable development

Question 8 - How could a legal duty be defined to ensure that public authorities uphold sustainable development and the interests of future generations?

AFS does not believe that the current duty to “have regard to the National Outcomes” is strong enough to deliver its ambition. The Finance and Public Administration Committee recently reported that there is still some way to go before the NPF is embedded in the work of all relevant Scottish organisations.¹⁷ The Committee recommended that all government (national and local) policies, strategies and legislation should explicitly set out how each will deliver on specific NPF outcomes, their expected/intended impact on NPF outcomes and approaches to monitoring and evaluation. AFS believes that adopting this approach could help support greater transparency and scrutiny of how the work of organisations actively contributes towards the National Outcomes. In addition, the “have regard to” duty should be strengthened to explicitly require public bodies to work towards the

achievement of the National Outcomes, and to promote sustainable development and wellbeing in policy development and implementation.

Question 10 - What issues, if any, may result from strengthening the requirement to have regard to National Outcomes?

It will be vital that public bodies are provided with guidance and tools to support them to use wellbeing data to identify priorities, allocate budgets and assess outcomes. This might necessitate extra resources to develop guidance and provide training.

Clarifying to whom the duties apply

Question 11 - Should any duty apply to the Scottish Government?

Yes.

Question 12 - Do you have any views on the range and type of organisations that any duty should apply to?

AFS believes that the duty should apply to as wide a range of public bodies as possible, and that bodies such as alcohol licensing boards should fall within the scope of the duty. Licensing boards determine local policies and make decisions of a strategic nature, which stand to have a substantial impact on outcomes experienced by people across the country.

Licensing boards decide all applications for licences to sell and serve alcohol in their area and are required to be an independent and impartial tribunal in terms of Article 6 of the European Convention on Human Rights. They are made up of elected councillors but are a separate legal entity from councils, having their own constitution and statutory procedures which are distinct from those applicable to councils and their committees. As such, a board's licensing functions are discharged separately from the council's functions as the local authority. This has resulted in a situation whereby licensing boards are not included in local partnership arrangements on a statutory basis and are often not subject to the same duties and requirements as other local partners.

Although the licensing regime does not have responsibility for promoting business growth or tourism, in practice, licensing boards will try to manage competing priorities in their assessments and decision-making. A recurrent theme within local licensing policies is the need for boards to strike an appropriate balance between supporting the local licensed economy, while also upholding the five licensing objectives set out in legislation: to prevent crime and disorder; secure public safety; prevent public nuisance; protect and improve public health; and protect children and young persons from harm.

This consideration manifests in a number of important policy areas, such as overprovision, licensed hours and children and young persons' access. AFS is aware of concerns that the economic value of licensed premises can sometimes take primacy over concerns about alcohol consumption and overprovision of licensed premises. However, if licensing boards were subject to the new duty, it could support them to manage competing priorities within their policies and decision-making, and to work with local partners towards the achievement of common goals.

Defining ways of working

Question 13 - Do you have any views on how we can better report the achievement of wellbeing objectives which supports clear accountability and scrutiny of public bodies in Scotland?

As commented above, all government (national and local) policies, strategies and legislation should explicitly set out how they will deliver on specific NPF outcomes, their expected/intended impact on NPF outcomes and approaches to monitoring and evaluation.

AFS supports the proposal to set out 'ways of working' for sustainable development to help define the ways in which public authorities should embed wellbeing and sustainable development in their decision making. To reinforce the importance that public bodies consider wellbeing as a part of their routine decision-making, AFS would recommend that the ways of working are set out within the legislation itself. AFS would also stress that legislative measures should also be supported through the provision of guidance, and public body training and capacity building.

¹ Scotland's International Development Alliance (2022). Towards a Wellbeing and Sustainable Development (Scotland) Bill.

² World Health Organization (2021). Health promotion glossary of terms 2021.

³ National Records of Scotland (2023). Alcohol specific deaths 2022.

⁴ Scottish Government (2018). [*Alcohol Framework 2018: Preventing Harm. Next steps on changing our relationship with alcohol.*](#)

⁵ Scottish Government (2018). [*Rights, respect and recovery: alcohol and drug treatment strategy.*](#)

⁶ National Records of Scotland (2023). Alcohol specific deaths 2022.

⁷ Angus, C. et al. (2023). [*New modelling of alcohol pricing policies, alcohol consumption and harm in Scotland: An adaptation of the Sheffield Tobacco and Alcohol Policy Model - Final Report.*](#) University of Sheffield.

⁸ Scottish Government (2021). [*Scottish Budget 2022 to 2023.*](#)

⁹ Scottish Government (2021). [*Scottish Budget 2022 to 2023: Chapter 4 Health & Social Care Portfolio.*](#)

¹⁰ Angus, C. et al. (2023). [*New modelling of alcohol pricing policies, alcohol consumption and harm in Scotland: An adaptation of the Sheffield Tobacco and Alcohol Policy Model - Final Report.*](#) University of Sheffield.

¹¹ Angus, C. et al. (2023). [*New modelling of alcohol pricing policies, alcohol consumption and harm in Scotland: An adaptation of the Sheffield Tobacco and Alcohol Policy Model - Final Report.*](#) University of Sheffield.

¹² National Records of Scotland (2023). [*Alcohol-specific deaths 2022.*](#)

¹³ Public Health Scotland (2023). [*Alcohol-related Hospital Statistics Scotland 2021/22.*](#)

¹⁴ Scottish Government (2019), [*Rights Respect and Recovery Action Plan 2019 - 2021.*](#)

¹⁵ Giles, L. et al. (2022). [*Evaluating the impact of Minimum Unit Pricing \(MUP\) on sales-based alcohol consumption in Scotland at three years post-implementation.*](#) Public Health Scotland.

¹⁶ Wyper G, Mackay D, Fraser C et al. Evaluating the impact of alcohol minimum unit pricing (MUP) on alcohol-attributable deaths and hospital admissions in Scotland. Edinburgh: Public Health Scotland; 2023. <https://www.publichealthscotland.scot/media/18509/evaluating-the-impact-of-alcohol-minimum-unit-pricing-mup-on-alcohol-attributable-deaths-and-hospital-admissions-in-scotland-english-march2023.pdf>

¹⁷ Finance and Public Administration Committee, Report on the National Performance Framework: Ambitions into Action, October 2022