1. Equality Impact Assessment

Equality Impact Assessment (EqIA) Template

Making Better and Fairer Decisions

A. Proposal

1. Title of proposal

Prohibit the sale in Wales of high-caffeine energy drinks to children under the age of 16 years.

2. What is your proposal aiming to achieve?

The proposal aims to reduce the consumption of high-caffeine energy drinks by children and young people to protect them from the potential harms to their health and wider outcomes associated with consumption. It seeks to support healthier dietary behaviours, improve health and well-being outcomes, reduce health inequalities, and contribute to the creation of healthier food environments across Wales. The proposal forms part of wider preventative action to support public health and improve outcomes for future generations.

3. When did work start on the proposal?

June 22

4. Which organisations, groups or communities are likely to be affected?

Groups affected include children and young people under 16, parents and carers, retailers and businesses, local authorities and trading standards services, public health bodies, schools, and third sector organisations. The proposal may help reduce health inequalities, as children and young people in more deprived communities are more likely to consume high-caffeine energy drinks and may therefore benefit most from reduced access. This may contribute to improved health outcomes for groups at greater risk of harm.

5. Have you registered your EqIA on iShare?

You must register your EqIA when you start developing your proposal.

Yes

B. Impact on, and engagement with, people in protected groups

Age

1. **What evidence is available and what is its source? Include the findings from any engagement.**

   Evidence from public health research, including reviews by **Visram et al. (2016)**, the **Committee on Toxicity (COT)** and **Public Health Wales**, indicates that high-caffeine energy drink consumption among children and young people is associated with sleep disruption, lower wellbeing, behavioural difficulties and poorer educational engagement. The evidence also suggests consumption is more common among older children and young people and those living in more deprived communities. These findings informed the proposal to restrict sales to under-16s.

   This evidence is supported by feedback from the Welsh Government's 2022 consultation and 2024 call for evidence , which highlighted concerns about the impacts of energy drink consumption on children's health, wellbeing and educational outcomes.

2. **Is any evidence unavailable or uncertain?**

   There is some uncertainty about how children and young people will respond to the restriction, including whether some will switch to other caffeinated products. There is also uncertainty about how consistently age checks will be applied across different retailers and sales channels. Some young people may be challenged more often because of their appearance, and some people aged 16 or over may be refused a sale if they cannot provide acceptable proof of age. These issues will be considered further through consultation, implementation planning and post-implementation monitoring.

3. **Who have you engaged with, why and how?**

   We have engaged with children and young people, parents and carers, retailers, businesses, public bodies, health organisations, representative bodies, third-sector organisations and other interested stakeholders because they are likely to be affected by, or have expertise relevant to, the proposal. Engagement has taken place through the 2022 public consultation, the 2024 call for evidence , targeted stakeholder engagement, and engagement with children and young people undertaken by the Children's Commissioner for Wales. These approaches were used to gather views from those affected by the proposal and those with relevant expertise. The 2022 consultation also included an easy-read version to support accessibility and participation.

4. **How has evidence affected your proposal?**

   Evidence has informed several key aspects of the proposal. Research on consumption patterns and potential health impacts, together with feedback from the 2022 consultation and 2024 call for evidence , supported the case for restricting sales to children and young people. The evidence also informed the proposed age threshold of under 16, reflecting both stakeholder views and the policy objective of protecting children while avoiding unnecessary restrictions on adults. Adults would remain able to purchase high-caffeine energy drinks, as the evidence of concern relates primarily to children's consumption. Evidence and stakeholder feedback have also informed the proposed scope of the restriction, including the approach to vending machine sales and other sales channels.

5. **What are the likely impacts of the proposal**

   The proposal would restrict the sale of high-caffeine energy drinks to children under 16 to help protect their health and wellbeing. It is expected to reduce consumption and may improve physical health, mental wellbeing, sleep and educational outcomes. It may also reduce sugar intake and provide a clear and consistent age-of-sale rule across Wales.

   Potential negative impacts include some children feeling their choice is restricted, difficulties with age verification, and a risk that some young people may switch to other caffeinated products or obtain energy drinks through others.

   The proposal is intended to have a direct impact on children and young people under the age of 16 by restricting their access to high-caffeine energy drinks. The evidence suggests that this group is more likely to experience adverse effects associated with consumption, including impacts on sleep, wellbeing, behaviour and educational engagement. The proposal is not expected to have a significant adverse impact on adults, as adults would remain able to purchase high-caffeine energy drinks. Any impacts on adults are expected to be limited and indirect, for example through routine age-verification processes at the point of sale.

   Overall, the impact on age is expected to be positive, provided the restriction is implemented fairly, clearly and consistent.

6. **What steps will you take to enhance positive or reduce negative impacts?**

   To enhance positive impacts, clear communications and guidance will be provided to support understanding and compliance with the restriction. A proportionate implementation period will support businesses to prepare for the change. The policy will be monitored following implementation to identify any unintended impacts and inform future review.

Disability

7. What evidence is available and what is its source? Include the findings from any engagement.

Evidence from the Welsh Government's 2022 consultation and 2024 call for evidence did not identify any disability-specific impacts from energy drink consumption. We have not identified specific evidence on whether disabled children and young people are disproportionately affected by energy drink consumption. The evidence does however highlight that some disabled or neurodivergent young people may experience difficulties with age-verification checks, communication with retail staff, sensory environments or accessing accepted forms of identification. Stakeholder feedback highlighted the importance of ensuring that age-verification arrangements are accessible and proportionate.

8. Is any evidence unavailable or uncertain?

The lack of available evidence does not allow firm conclusions to be drawn about differential impacts in relation to disability. There is limited evidence on how age-verification requirements may affect disabled or neurodivergent young people. Some individuals may experience additional challenges, for example due to communication difficulties, sensory sensitivities, anxiety in retail settings or difficulties obtaining recognised forms of identification. As consultation on the detailed implementation of the restriction is yet to take place, there is uncertainty about the extent of any such impacts. The consultation will seek views on these issues to help inform the final policy and any supporting guidance.

9. Who have you engaged with, why and how?

We have sought views from children, young people, individuals, organisations, retailers and other interested parties through the 2022 public consultation and the 2024 call for evidence . This engagement sought views on whether an age restriction should be introduced, the appropriate age threshold, the consumption of energy drinks by children and young people, the potential impacts of a restriction, age-verification arrangements, product scope, sales channels, and implementation and enforcement considerations. An easy-read version of the 2022 consultation was also published to help make the proposals more accessible and support participation.

10. How has evidence affected your proposal?

There is limited evidence on how age-verification requirements may affect disabled or neurodivergent young people. However, some individuals may experience additional challenges, for example due to communication difficulties, sensory sensitivities, anxiety in retail settings or difficulties obtaining recognised forms of identification. As consultation on the detailed implementation of the restriction is yet to take place, there is uncertainty about the extent of any such impacts. This has highlighted the importance of considering accessibility as the policy develops, including through guidance, communications and staff training, and of monitoring for any unintended impacts following implementation

There is limited evidence on whether disabled children and young people are disproportionately affected by energy drink consumption, and limited evidence on

the impact that age-verification checks may have on disabled or neurodivergent young people. In light of this uncertainty, the proposed restriction has been designed to apply consistently to all children under 16, avoiding the need for retailers or enforcement authorities to make judgements based on disability or other personal characteristics. Accessibility considerations have also informed the decision to consult on the detailed implementation and enforcement framework before introducing the restriction. This will help ensure that guidance, retailer communications and enforcement practices support proportionate and accessible age-verification processes, minimise barriers for disabled and neurodivergent young people, and promote consistent application of the requirements across Wales. The Welsh Government will continue to consider these issues during policy development and will monitor any unintended impacts following implementation.

11. What are the likely impacts of the proposal?

The available evidence does not indicate that the impacts of the proposal would differ significantly by disability. Disabled children and young people may benefit from reduced exposure to the potential harms associated with high-caffeine energy drink consumption in the same way as other children and young people. However, there is limited evidence on how age-verification requirements may affect disabled or neurodivergent young people in practice, and this will be considered further through consultation, implementation planning and future monitoring.

12. What steps will you take to enhance positive or reduce negative impacts?

We will seek to ensure the policy is implemented in an accessible and inclusive way through clear communications and retailer guidance.

Race

13. What evidence is available and what is its source? Include the findings from any engagement.

Evidence from public health research, including reviews by **Visram et al. (2016)**, the **Committee on Toxicity (COT)** and **Public Health Wales**, demonstrates associations between high-caffeine energy drink consumption and adverse outcomes for children and young people, including sleep disruption, lower wellbeing and poorer educational engagement. However, we have not identified robust Wales-specific evidence on energy drink consumption or impacts by racial or ethnic group, nor evidence that people from particular racial or ethnic groups would be affected differently by the proposal.

Evidence gathered through the Welsh Government's 2022 consultation and 2024 call for evidence did not identify specific concerns relating to race or ethnicity. As a result, there is limited evidence available to assess differential impacts in relation to this protected characteristic.

14. Is any evidence unavailable or uncertain?

No robust Wales-specific evidence was identified to suggest that the proposal would have a differential impact on people from particular racial or ethnic groups. However, age-verification arrangements can carry a potential risk of inconsistent

application if checks are not undertaken fairly and consistently. This has informed the proposed mitigation measures, including clear communications, accessible information, retailer guidance and staff training. Given the limited evidence available, the Welsh Government will continue to engage with relevant stakeholders and monitor implementation to identify any unintended impacts that may arise.

No robust Wales-specific evidence was identified to suggest that the proposal would have a differential impact on people from particular racial or ethnic groups. In the absence of evidence indicating differential impacts, the proposed restriction has been designed to apply consistently to all children under 16, regardless of race or ethnicity. The available evidence has not identified a need for different age thresholds, product definitions, exemptions or enforcement arrangements for particular racial or ethnic groups. The Welsh Government will continue to consider any relevant evidence received through consultation before finalising the policy.

15. Who have you engaged with, why and how?

Views and evidence were gathered through the 2022 public consultation and the 2024 call for evidence . Engagement was undertaken with children and young people, parents and carers, members of the public, health organisations, equality stakeholders, retailers, trade bodies, enforcement authorities and other interested organisations. The purpose of this engagement was to understand patterns of energy drink consumption among children, the potential health and equality impacts of a restriction, the appropriateness of an under-16 age threshold, and the practical implications for businesses, consumers and enforcement authorities. An easy-read version of the 2022 consultation was also published to support accessibility and participation.

16. How has evidence affected your proposal?

The evidence has highlighted the importance of ensuring that age-verification arrangements are applied fairly and consistently. It has informed the need for clear communications, accessible information, retailer guidance and staff training to reduce the risk of unfair treatment and ensure people understand the requirements.

The limited evidence available has also reinforced the need for continued engagement and monitoring to identify whether any unintended impacts emerge for particular racial or ethnic group.

No robust Wales-specific evidence was identified to suggest that energy drink consumption, or the proposed restriction, would have differential impacts on particular racial or ethnic groups. The available evidence has therefore informed the development of a restriction that applies consistently to all children under 16, regardless of race or ethnicity. As no evidence was identified to support differential impacts, the Welsh Government has not proposed different age thresholds, product scope, exemptions or enforcement arrangements for particular racial or ethnic groups. The Welsh Government will continue to

consider any relevant evidence received through consultation before finalising the policy.

17. What are the likely impacts of the proposal?

The available evidence does not indicate that high-caffeine energy drink consumption differs significantly between racial or ethnic groups, nor that the impacts of the proposal would vary significantly by race or ethnicity. The proposal is therefore expected to have a broadly similar impact across racial and ethnic groups and no direct adverse impacts have been identified. However, some ethnic minority groups experience higher rates of childhood obesity and may therefore experience greater health benefits from measures that support healthier diets and improve health outcomes for children and young people.

18. What steps will you take to enhance positive or reduce negative impacts?

We will work to ensure the policy is implemented fairly and consistently through clear communications, retailer guidance and staff training. Information will be provided in accessible formats where appropriate, and engagement with race equality organisations will help identify any issues that may arise.

We will also monitor complaints, feedback and enforcement data to identify any evidence of disproportionate impacts or inconsistent age-verification practices and will review guidance and implementation arrangements if required. Potential impacts associated with age-verification arrangements, communications and accessibility will continue to be considered through consultation and implementation planning.

Religion, Belief or Non-Belief

19. What evidence is available and what is its source? Include the findings from any engagement.

Evidence from public health research, stakeholder engagement, the Welsh Government's 2022 consultation and 2024 call for evidence has not identified any relationship between energy drink consumption and religion, belief or non-belief. We have not identified evidence that people of different religions or beliefs consume high-caffeine energy drinks differently, nor evidence that the proposed restriction would affect them differently. No specific concerns relating to religion, belief or non-belief were raised through the consultation or call for evidence. As a result, there is limited evidence of any differential impact in relation to this protected characteristic.

20. Is any evidence unavailable or uncertain?

There is limited evidence on any relationship between religion, belief or non-belief and energy drink consumption. We have not identified research, stakeholder evidence, consultation responses or other evidence indicating that people of different religions or beliefs consume high-caffeine energy drinks differently or experience different outcomes as a result of consumption.

21. Who have you engaged with, why and how?

Views were gathered through the 2022 public consultation and the 2024 call for evidence . Engagement was undertaken with children and young people, parents and carers, members of the public, health organisations, equality stakeholders, retailers, trade bodies, enforcement authorities and other interested organisations. These groups were engaged to help understand patterns of energy drink consumption among children and young people, the potential health and equality impacts of a restriction, and the practical implications of implementation and enforcement. An easy-read version of the consultation was made available to support accessibility.

No specific concerns relating to religion, belief or non-belief were identified through the engagement undertaken. Further engagement during implementation will provide opportunities to identify any unforeseen impacts.

22. How has evidence affected your proposal?

We have not identified evidence that energy drink consumption, or the effects of the proposed restriction, are linked to religion, belief or non-belief. As a result, no specific changes to the policy design have been made in relation to this protected characteristic. However, the proposal will continue to be monitored as part of wider implementation and evaluation arrangements.

23. What are the likely impacts of the proposal?

The proposal is expected to have a positive impact by reducing children's access to high-caffeine energy drinks and the potential harms associated with their consumption. We have not identified evidence that these benefits would differ according to religion, belief or non-belief, and no specific adverse impacts have been identified in relation to this protected characteristic.

24. What steps will you take to enhance positive or reduce negative impacts?

No specific mitigation measures are required because no direct impacts relating to religion, belief or non-belief have been identified. However, we will ensure that communications are clear and accessible, continue to engage with stakeholders as the policy develops, and monitor feedback and complaints to identify any unintended impacts that may emerge after implementation.

Sex

25. What evidence is available and what is its source? Include the findings from any engagement.

Evidence comes from the Welsh Government's 2022 consultation and 2024 call for evidence , which considered the potential health, equality and implementation impacts of restricting the sale of energy drinks to children under 16. The UK

Government commissioned review by Khouja et al. (2022) published in BMJ Open[1] indicated that boys consume energy drinks more regularly than girls.

26. Is any evidence unavailable or uncertain?

While evidence suggests that boys are more likely than girls to consume energy drinks, the evidence base is limited and does not consistently assess differences in consumption patterns or associated outcomes by sex. There is also limited evidence on whether any differences in consumption lead to different health outcomes for boys and girls. There is therefore limited evidence on whether the policy will affect boys and girls differently in practice once implemented.

27. Who have you engaged with, why and how?

Views and evidence were gathered through the 2022 public consultation and the 2024 call for evidence . These sought information on children's consumption of energy drinks, potential health effects, equality considerations and implementation issues. An easy-read version of the consultation was made available to support accessibility.

28. How has evidence affected your proposal?

The evidence has strengthened the case for introducing a restriction on sales to children under 16. Evidence showing higher consumption among boys suggests that the policy could deliver greater benefits for boys, while still applying equally to all children under 16. The evidence has also highlighted the need to monitor impacts by sex following implementation.

29. What are the likely impacts of the proposal?

The proposal is expected to have a positive impact on both boys and girls by reducing access to high-caffeine energy drinks and the potential harms associated with their consumption. Because boys are reported to consume energy drinks more frequently, they may experience greater health benefits from the restriction. No direct adverse impacts related to sex were identified.

Overall, the impact is expected to be positive.

30. What steps will you take to enhance positive or reduce negative impacts?

The policy will apply consistently to all children under 16. We will monitor implementation and, where data is available, consider consumption and outcomes by sex to understand whether the policy is delivering benefits equally. Clear communications, retailer guidance and ongoing monitoring will help ensure the restriction is implemented fairly and effectively.

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[1] Consumption and effects of caffeinated energy drinks in young people: an overview of systematic reviews and secondary analysis of UK data to inform policy | BMJ Open

Gender Reassignment

31. What evidence is available and what is its source? Include the findings from any engagement.

Evidence comes from the Welsh Government's 2022 consultation and 2024 call for evidence , which considered the potential equality impacts of restricting the sale of energy drinks to children under 16. Evidence cited through the call for evidence suggested higher daily consumption among some young people who identify as neither a boy nor a girl. We have identified limited evidence on consumption patterns among gender-diverse young people, and the available evidence does not allow firm conclusions to be drawn about differences in consumption or associated outcomes. The uncertainty relates to the availability and robustness of the evidence for this protected characteristic rather than conflicting findings within the evidence base.

Evidence considered through the 2024 call for evidence suggested that daily consumption of energy drinks may be higher among some young people who identify as neither a boy nor a girl than among boys or girls. However, no clear evidence was identified that the proposed restriction would affect people differently on the basis of sex. The available evidence for this protected characteristic was limited and did not identify a need for different age thresholds, product scope, exemptions or enforcement arrangement.

32. Is any evidence unavailable or uncertain?

Evidence on the impact of the proposal on people who share the protected characteristic of gender reassignment is limited. We have not identified evidence that the proposal would affect this group differently from others. There is also limited evidence on how age-verification requirements may affect transgender or gender-diverse young people in practice.
The evidence relating to gender-diverse young people is limited, and the available data is not sufficiently robust to draw firm conclusions about differences in energy drink consumption patterns or associated outcomes. As a result, the extent to which the proposal may affect gender-diverse young people differently from other groups is uncertain.

33. Who have you engaged with, why and how?

Views and evidence were gathered through the 2022 public consultation and the 2024 call for evidence . These exercises sought views from children and young people, parents and carers, health organisations, equality stakeholders, retailers and other interested organisations on children's consumption of energy drinks, potential health impacts, and the possible equality implications of a restriction. The engagement was intended to help identify whether particular groups, including people with protected characteristics such as gender reassignment, could be affected differently by the proposal and whether any implementation issues required consideration. An easy-read version of the consultation was made available to support accessibility.

34. How has evidence affected your proposal?

The available evidence has not identified any specific impacts of the proposal on people who share the protected characteristic of gender reassignment.

The available evidence relating to people who share the protected characteristic of gender reassignment is limited and does not provide a sufficiently robust basis on which to draw firm conclusions about whether energy drink consumption patterns or associated outcomes differ from those of other groups. As a result, no evidence-based case has been identified for different age thresholds, product scope, exemptions or enforcement arrangements for people who share this protected characteristic, and no changes have therefore been made to the proposal. Any further evidence received through consultation will be considered before the policy is finalise.

The restriction applies on the basis of age rather than sex, gender identity or gender reassignment status, and would apply equally to all individuals under the age of 16. As a result, the evidence has not led to any changes to the policy proposal. The Welsh Government will continue to consider equality impacts as the policy is implemented and reviewed.

35. What are the likely impacts of the proposal?

The proposal may have positive impacts by reducing exposure to the potential health harms associated with energy drink consumption. Where consumption is higher among some gender-diverse young people, the benefits may also be greater.

Potential negative impacts are mainly linked to implementation. Some gender-diverse young people may experience anxiety or discomfort during age-verification checks, particularly where appearance or identity documents differ. If age checks are not carried out sensitively, this could lead to embarrassment or distress.

The available evidence has not identified any specific impacts of the proposal on people who share the protected characteristic of gender reassignment. However, as with other age-restricted products, age-verification requirements may present implementation considerations for some individuals. The extent to which this could affect people who share the protected characteristic of gender reassignment is uncertain, as the available evidence is limited and does not provide a sufficiently robust basis on which to draw firm conclusions.

Some evidence suggests that energy drink consumption may be higher among young people who identify as neither a boy nor a girl than among boys or girls. If this is the case, the proposal could have the potential to deliver greater health benefits for this group through reduced consumption of energy drinks. However, the available evidence is limited and not sufficiently robust to draw firm conclusions about whether consumption patterns, associated harms or the likely benefits of the proposal differ from those experienced by other groups.

Overall, the impact is expected to be positive, provided the policy is implemented in a fair, respectful and inclusive way.

36. What steps will you take to enhance positive or reduce negative impacts?

We will seek to ensure that the policy is implemented in an inclusive and respectful way through clear communications and retailer guidance. We will engage with organisations and young people during implementation and review guidance if evidence emerges of unintended impacts.
Age-verification arrangements should be proportionate and designed to minimise the risk of discomfort or inappropriate challenge for gender-diverse young people.

Sexual Orientation

37. What evidence is available and what is its source? Include the findings from any engagement.

No direct evidence was identified that the proposal would affect people differently because of their sexual orientation.

38. Is any evidence unavailable or uncertain?

There is limited evidence on any relationship between sexual orientation and energy drink consumption. We have not identified research, stakeholder evidence, consultation responses or other evidence indicating that people of different sexual orientations consume high-caffeine energy drinks differently or experience different outcomes as a result of consumption. As a result, there is insufficient evidence to conclude that the proposal would affect people differently because of their sexual orientation.

39. Who have you engaged with, why and how?

Views and evidence were gathered through the 2022 public consultation and the 2024 call for evidence . These exercises sought views from children and young people, parents and carers, health organisations, equality stakeholders, retailers, trade bodies, enforcement authorities and other interested organisations. The purpose of this engagement was to understand children's consumption of energy drinks, the potential health impacts of a restriction, and whether the proposal could have differential impacts on people with protected characteristics, including sexual orientation. An easy-read version of the consultation was made available to support accessibility.

40. How has evidence affected your proposal?

We have not identified any specific evidence that energy drink consumption, or the effects of the proposed restriction, are linked to sexual orientation. As a result, no specific changes to the policy design have been made in relation to this protected characteristic. However, the policy will continue to be considered alongside wider equality, implementation and monitoring arrangements as it develops.

41. What are the likely impacts of the proposal?

No direct adverse impacts relating to sexual orientation have been identified. The proposal will apply equally to all children under 16 regardless of their sexual orientation.

No direct adverse impacts relating to sexual orientation have been identified. The proposal will apply equally to all children under 16 regardless of their sexual orientation and is intended to deliver the same potential health benefits across all groups through reducing children's access to high-caffeine energy drinks and any associated health harms. The available evidence has not identified a need for different age thresholds, product scope, exemptions or enforcement arrangements based on sexual orientation.

42. What steps will you take to enhance positive or reduce negative impacts?

We will ensure that communications and implementation arrangements are inclusive and accessible to all young people.

Pregnancy and Maternity

43. What evidence is available and what is its source? Include the findings from any engagement.

Evidence on any relationship between pregnancy, maternity and energy drink consumption is limited. The evidence reviewed, including stakeholder feedback from the 2022 consultation and 2024 call for evidence , did not identify any research or evidence indicating that people who are pregnant, have recently given birth or are breastfeeding consume high-caffeine energy drinks differently from other groups. Existing product labelling already advises pregnant and breastfeeding women to avoid high caffeine intake.

Evidence relating specifically to the consumption of high-caffeine energy drinks by people who are pregnant, have recently given birth or are breastfeeding is limited. However, there is an established evidence base regarding the health risks associated with excessive caffeine consumption during pregnancy, which is reflected in existing requirements for high-caffeine drinks to carry advisory labelling for pregnant and breastfeeding women. The evidence reviewed, including stakeholder feedback from the 2022 consultation and 2024 call for evidence , did not identify evidence that these groups consume high-caffeine energy drinks differently from other groups or that the proposal would affect them differently. As a result, no changes have been made to the proposal in relation to this protected characteristic.

44. Is any evidence unavailable or uncertain?

While there is limited evidence on the specific impact of the proposal on people who are pregnant, new mothers or breastfeeding, there is an established evidence base regarding the risks associated with excessive caffeine consumption during pregnancy. This is reflected in existing requirements for high-

caffeine drinks to carry advisory labelling stating that they are not recommended for children or pregnant or breastfeeding women. The evidence reviewed, including stakeholder feedback from the 2022 consultation and 2024 call for evidence , did not identify evidence that people who are pregnant, new mothers or breastfeeding would be affected differently by the proposal. As the restriction applies on the basis of age rather than pregnancy or maternity status, no evidence-based case has been identified for modifying the proposal in relation to this protected characteristic.

45. Who have you engaged with, why and how?

Views and evidence were gathered through the 2022 public consultation and the 2024 call for evidence . These exercises sought views from children and young people, parents and carers, health organisations, equality stakeholders, retailers, trade bodies, enforcement authorities and other interested organisations. The purpose of this engagement was to understand children's consumption of energy drinks, their impact on health and wellbeing, and whether the proposal could have differential impacts on people with protected characteristics, including pregnancy and maternity. An easy-read version of the consultation was made available to support accessibility.

46. How has evidence affected your proposal?

The evidence reviewed did not identify any basis on which people who are pregnant, new mothers or breastfeeding would be affected differently by the proposal. While there is an established evidence base regarding the risks associated with excessive caffeine consumption during pregnancy and breastfeeding, the proposed restriction applies on the basis of age rather than pregnancy or maternity status. As a result, no evidence-based case has been identified for changes to the proposed age threshold, product scope, exemptions or enforcement arrangements in relation to this protected characteristic. Any further evidence received through consultation will be considered before the policy is finalised.

47. What are the likely impacts of the proposal?

No direct adverse impacts relating to pregnancy or maternity have been identified. The proposal applies equally to all children under 16 regardless of whether they are pregnant or have maternity-related responsibilities.

Pregnant young people under 16 may benefit from the same protections as other children through reduced access to high-caffeine energy drinks. Overall, the impact on pregnancy and maternity is expected to be neutral to positive.

48. What steps will you take to enhance positive or reduce negative impacts?

No specific mitigation measures are required because no direct impacts relating to pregnancy or maternity have been identified. We will continue to ensure that communications are clear and accessible, engage with relevant stakeholders where appropriate, and monitor feedback and implementation data to identify any unintended impacts.

Marriage and Civil Partnership

49. What evidence is available and what is its source? Include the findings from any engagement.

No evidence was identified to suggest that the proposal would have a different impact on people because of marriage or civil partnership status.

50. Is any evidence unavailable or uncertain?

We have not identified any research, stakeholder evidence, consultation responses or other evidence indicating that marital or civil partnership status influences the consumption of high-caffeine energy drinks or the outcomes associated with their consumption. As a result, no evidence has been identified to suggest that people with different marital or civil partnership statuses would be affected differently by the proposal, and no changes have therefore been made to the policy in relation to this protected characteristic.

51. Who have you engaged with, why and how?

Views and evidence were gathered through the 2022 public consultation and the 2024 call for evidence . These exercises sought views from children and young people, parents and carers, health organisations, equality stakeholders, retailers, trade bodies, enforcement authorities and other interested organisations. The purpose of this engagement was to understand children's consumption of energy drinks, the potential health impacts of a restriction, and whether the proposal could have differential impacts on people with protected characteristics, including marriage and civil partnership status. An easy-read version of the consultation was made available to support accessibility.

52. How has evidence affected your proposal?

No research, stakeholder evidence, consultation responses or other evidence were identified to suggest that marital or civil partnership status influences the consumption of high-caffeine energy drinks or would affect how individuals experience the proposed restriction. As a result, no evidence has been identified to suggest that people with different marital or civil partnership statuses would be affected differently by the proposal, and no need to amend the proposed age threshold, product scope, exemptions or enforcement arrangements has therefore been identified.

The protected characteristic is unlikely to be directly relevant to the main group affected by the proposal, as the restriction applies to children under 16. The evidence reviewed did not identify any specific issues relating to marriage or civil partnership.

53. What are the likely impacts of the proposal?

No direct positive or negative impacts relating to marriage or civil partnership have been identified. The proposal does not treat people differently because of their marital or civil partnership status.

Overall, the impact on people who are married or in a civil partnership is expected to be neutral.

54. What steps will you take to enhance positive or reduce negative impacts?

No specific mitigation measures are required because no impacts relating to marriage or civil partnership have been identified.

C. Publication and Monitoring

1. Is this EqIA ready for publication on the Welsh Government website?

Yes

2. If you cannot publish the EqIA please explain why.

N/A

3. Is this EqIA an update on a version previously published?

Yes

4. How will you monitor and evaluate progress on the equality issues identified in this EqIA?

The Welsh Government will monitor the implementation of the legislation through ongoing engagement with retailers, enforcement authorities and other stakeholders. Any evidence of differential impacts on people who share protected characteristics will be considered as part of the policy's wider monitoring and review arrangements. Relevant data and stakeholder feedback will be reviewed following implementation to identify any unintended equality impacts and inform future policy development. Responsibility for monitoring and evaluation will rest with Welsh Government officials leading the policy, working with relevant delivery and enforcement partners. Monitoring will take place during implementation and as part of any subsequent post-implementation review of the legislation.

D. Authorisation

Declaration by the Deputy Director / Senior Responsible Officer (SRO):

I am satisfied that the impact of the proposal has been properly assessed and recorded in accordance with guidance, and that the requirement for publication has been duly considered.

Signature: E A WILSON

Department: Deputy Director, Public Health Improvement