



**Briefing 15/18    April 2015**

## **Scottish Government's Consultation: The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015**

To: All Chief Executives, Main Contacts and APSE Contacts in Scotland

For information only to England, Northern Ireland and Wales

### **Key Issues:**

The purpose of this briefing is to advise APSE members on the consultation which is currently under way with regards to the proposed draft Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015. The consultation will run until 29<sup>th</sup> May 2015 and all responses should be completed using the online survey form which can be accessed by [clicking here](#)

The full report and consultation is available by [clicking here](#). Alternatively, please visit the Consultation section of the Scottish Government website for details on submitting at <http://www.gov.scot/Consultations>

This report includes information on:-

- Scotland's emission reduction target
- Reasons for introducing a statutory reporting tool
- The consultation

### **1.0 Introduction**

Scottish Government announced in July 2014 that the 2012 annual emission reduction target had been missed; this was the third consecutive year that this target had not been met. In order for Scotland's world leading climate change targets to be achieved, Scottish Government have highlighted that further action is required across a wide range of climate change activities. It has

therefore been outlined that the public sector in Scotland has a leading role to play in combating climate change and accurately reporting progress and activity.

In January 2013, Scottish Government published its Low Carbon Scotland: Meeting Emissions Reduction Targets 2013-2027 report. This document was a draft of the second report on proposals and policies (RPP2) for meeting Scotland's annual greenhouse gas emissions targets (see also [APSE Briefing 13/06](#)). Evidence gathered in relation to this report proposes that there is scope to considerably increase emissions reductions in the public sector.

Statutory reporting is one area in which Scottish Ministers have the powers to do more but up until now they have chosen not to use them. In order to encourage continuous improvement and to enable more accurate and consistent information to be collected Ministers now wish to introduce a statutory reporting requirement (Required Reporting). This requirement will be for "major players" ([click here](#) for full list of bodies highlighted in the order within Schedule 1) only within the public sector and will look to provide a robust reporting system to help build a more detailed picture of the sector's overall performance. The main reasons for using the powers in the Climate Change (Scotland) Act 2009 to introduce a statutory reporting requirement are to:

- support compliance with the public bodies duties
- consolidate climate change information from public sector
- introduce standard methodology to improve data consistency
- encourage continuous improvement and transparency
- improve board engagement and leadership action and inform Scottish Government strategic reporting and future policy/funding and support

The proposal is to make an order under sections 46 of the Climate Change (Scotland) Act 2009 requiring specified public bodies to prepare annual reports on compliance with climate change duties. The order will also set out the form of the reports and the information to be included.

## **2.0 The Consultation**

Scottish Government recognises that the introduction of "Required Reporting" in itself will not produce public sector emission reductions. However, it is hoped it will help to demonstrate to the public sector stakeholders, environmentalists and the public, that the Scottish Government take the climate change obligations seriously and is using all of its current powers to deliver on this challenging agenda; as well as encouraging emission reductions to be increased across the sector.

The consultation outlines that this legislative step would bring Scotland into line with mandatory climate change reporting within England. It also proposes that this “Required Reporting” could put public sector climate action beyond the political cycle and take this part of delivery out of local/national politics. When the Climate Change Bill was passed in 2009 it received unanimous political support and it is believed that this move would therefore be an appropriate next step.

It is widely recognised that the public sector in Scotland has a good track record of voluntarily publishing information on climate change. Some of the current voluntary reporting includes:-

- All 32 local authorities publish Climate Change Declaration reports annually
- Universities and colleges have reported a similar declaration annually
- NHS boards have reported annually against corporate targets
- Other public bodies have produced Public Sector Sustainability Reports

It is the intention that the new “Required Reporting” would replace the current voluntary reports published by the public sector, with Ministers wishing to introduce a standard climate change form on a trial basis (for the period between 1 April 2014 to 31 March 2015). It is proposed that following consultation the order will be finalised and presented at Parliament after the summer, with a view to bringing into force in November 2015. It is then the intention for all listed bodies (outlined in Schedule 1) to prepare their first report for the period 1 April 2015 to 31 March 2016, with the completed report being submitted to Scottish Government in October 2016. Each year thereafter, an annual report should be prepared and reported to Scottish Government by the end of September (within 6 months of the year end).

It is the intention of Scottish Government to make the standard report available via an online version of the form, enabling all bodies involved to submit information directly to Scottish Government for collation and analysis to be completed.

For access to the full report and consultation please [click here](#)

### **3.0 APSE Comment**

Like the Scottish Government, APSE understands the importance of tackling climate change and has provided a number of publications and briefing papers over the years on the subject including our [Transition to the green economy: The vital role of the ensuring council](#) publication. APSE also has a number of advisory group forums dedicated to this issue providing our membership with best practice case studies and up to date information on how colleagues are helping tackle

climate change. For more information on our Renewables and Climate Change advisory group or the Scottish Renewable and Energy Efficiency advisory group please contact Louise McMillan, Principal Advisor on 01698 459 051 or email [Lmcmillan@apse.org.uk](mailto:Lmcmillan@apse.org.uk)

APSE hopes that this new Required Reporting helps to highlight the great work already being completed by local authorities in relation to reducing emissions and tackling climate change. APSE would also hope that the new form of reporting will not be time consuming or labour intensive for local authorities and that infact the electronic form will enable all to submit their reports accurately and timeously.

APSE would encourage local authorities to respond to this consultation and would equally welcome the views of our member authorities within Scotland; comments may be submitted to Louise McMillan, Principal Advisor for Scotland on [Lmcmillan@apse.org.uk](mailto:Lmcmillan@apse.org.uk)

APSE will continue to keep members updated on any further developments in relation to the Order.

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