

# Corporate Policy and Strategy Committee

10.00am, Tuesday, 12 May 2015

## Consultation on Climate Change Public Bodies Duties Reporting

Item number 7.4  
Report number  
Executive/routine  
Wards

### Executive summary

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The Climate Change (Scotland) Act 2009 Part 4, sets out the Scottish Government's expectations on how public sector organisations manage and take action on climate change. One of the measures provided for in Part 4 is the introduction of mandatory reporting for public sector organisations in relation to sustainability and climate change.

This report sets out the Council's response to the consultation on Climate change Public Bodies Duties reporting.

### Links

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Coalition pledges  
Council outcomes  
Single Outcome Agreement

## Consultation on Climate Change Public Bodies Duties Reporting

### Recommendations

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- 1.1 The Committee approves the consultation response (Appendix 1) for submission to the Scottish Government.
- 1.2 The Committee notes the challenges and opportunities for the Council associated with 'required reporting' compliance.

### Background

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- 2.1 The [Climate Change \(Scotland\) Act 2009](#) sets out ambitious targets for greenhouse gas emission reductions across Scotland. It specifies that emissions should be reduced by 80% by 2050, with an interim target of 42% by 2020.
- 2.2 Part 4 of the Act is referred to as 'Public Bodies Duties'. This section of the Act sets out the Scottish Government's expectations on how public sector organisations manage and take action on climate change. One of the measures provided for in Part 4 is the introduction of mandatory reporting for public body organisations in relation to sustainability and climate change.
- 2.3 In 2007, before the Act was introduced, all 32 Scottish local authorities voluntarily signed the Scottish Climate Change Declaration (SCCD). This committed them to reporting annually on their climate change activities and emissions reductions strategy.
- 2.4 The Scottish Government has now issued a consultation on proposed mandatory reporting, with a closing date for responses of 29 May 2015. A completed consultation questionnaire is attached (Appendix 1).

### Main report

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- 3.1 The Evidence gathered by the Scottish Government in support of its second Report on Proposals and Policies (RPP2) suggests that there is scope to increase emissions reductions in the public sector.
- 3.2 To enable more accurate and consistent information to be collected, and to encourage continuous improvement in public sector efforts to reduce carbon

emissions, Ministers now wish to introduce a statutory reporting requirement for “major players” only in the public sector.

### **Proposed Approach**

- 3.3 The proposed approach is that ‘required reporting’ would supersede the SCCD undertaken annually by Scottish local authorities since 2007.
- 3.4 The ‘[required reporting form](#)’ consists of the following six parts:
- Part 1: Organisational Profile;
  - Part 2: Governance, Management and Strategy (requesting information on organisational plans, strategies or policies that include climate change);
  - Part 3: Corporate Emissions, Targets and Projects (detailed information required in tCO<sub>2</sub>e on corporate council footprint and top 10 projects);
  - Part 4: Adaptation (information required on strategy in place);
  - Part 5: Procurement (information required on completion of the Flexible Framework Assessment Tool); and
  - Part 6: Validation and Declaration.
- 3.5 The proposal is that local authorities will continue to report annually, collecting data by financial year and submitting it by October. From 2016/17 this would be mandatory, with the option of voluntarily using the new reporting form for 2015/16.

### **Challenges**

- 3.6 The proposed required reporting form requests detailed information, some of which the Council already collates e.g. Carbon Reduction Commitment data. However, collating the full range of information required to complete the form will require extra staff time. Some information may currently not be collected in a format suitable for inclusion in the template.
- 3.7 Buy-in from key officers across the organisation to supply robust data on time is fundamental to compliance. The Council will need to establish a process to capture the information efficiently with least burden to officers.
- 3.8 The required reporting form requests information on validation of data and information prior to submission. This will also impact on staff time if validated internally and incur additional cost if there is a decision to get external validation.

### **Opportunities**

- 3.9 The introduction of required annual reporting offers the opportunity to strengthen governance arrangements around carbon management across the organisation.
- 3.10 It also affords the opportunity to embed and report on the impact of carbon in key projects and to maximise synergies with current work e.g. the Council’s Carbon Management Plan and the Sustainable Energy Action Plan (SEAP).
- 3.11 A recent workshop run in partnership with the Scottish Government on compliance with the required reporting, has indicated that public bodies will be encouraged to improve on their reporting year on year. This will entail extending

the breadth and depth of carbon data in relation to council operations and activities.

## **Measures of success**

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- 4.1 Completion of the required form annually in line with reporting deadlines.

## **Financial impact**

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- 5.1 There is no financial impact unless external validation is required. There will be an impact on staff time.

## **Risk, policy, compliance and governance impact**

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- 6.1 Submission of the proposed required annual report would assist in supporting the Council's energy policy, sustainable procurement policy, carbon management plan and Sustainable Energy Action Plan (SEAP).
- 6.2 Submission of the proposed required annual report would be evidence of compliance with the Climate Change (Scotland) Act 2009.
- 6.3 Governance in relation to the management of carbon across the organisation's activities would be consolidated.

## **Equalities impact**

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- 7.1 There are no equalities impacts associated with this report.

## **Sustainability impact**

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- 8.1 The impacts of this report in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties have been considered. In summary, the proposals in this report will help achieve a sustainable Edinburgh because they improve governance of Council action to reduce carbon emissions, increase the city's resilience to climate change impacts and improve social justice, economic wellbeing and environmental good stewardship.

## **Consultation and engagement**

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- 9.1 Consultation has taken place with Commercial and Procurement Services.

## **Background reading/external references**

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[Climate Change \(Scotland\) Act 2009](#)

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### **Links**

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**Coalition pledges**

**Council outcomes**

**Single Outcome  
Agreement**

**Appendices**

## CONSULTATION QUESTIONNAIRE

Question 1: Do you agree that the powers in the Climate Change (Scotland) Act 2009 should be used to improve climate change reporting by public bodies?

Yes  No

Yes, improved reporting practices will enable public bodies to demonstrate that they are exemplars of good climate change policy and practice.

Question 2: Do you agree that standardised reporting will improve the quality and consistency of climate change information reported by public sector major players?

Yes  No

Yes, standardised reporting will ensure that consistent information is provided by public sector major players year on year.

However it is important to point out that information required should be proportional and equitable to the contribution made by public bodies to the national footprint.

Question 3: Do you agree with the policy subjects and questions included in the proposed climate change reporting form (see Schedule 2 to the draft order)?

Yes  No

In general, these are acceptable and show continuity with the voluntary SCCD reporting regime.

Question 4: What would you consider to be an appropriate deadline date for the annual submission of climate change public bodies duties reports?

The timing of data availability and the requirements of internal verification and authorisation procedures (as exemplified under the voluntary SCCD reporting regime) strongly indicates that a deadline

data should be set no earlier than the end of each calendar year.

Question 5: Based on your current level of climate change/sustainability reporting, are there any additional resource implications associated with the proposed reporting requirement?

Yes, the collation and validation of the data will require more staff time and there will be a financial implication if external validation is required. In some instances the information may not be available in a format compatible with the reporting template.

Question 6: For public sector respondents only:

- Do you agree with the list of “major players” in Schedule 1 to the draft order?  
Yes  No

Comments

- Would you voluntarily provide additional climate change information if recommended by the Scottish Government?  
Yes  No

This will depend on the time needed to complete the required information. It would be useful to have guidance on the nature and level of detail expected.

Question 7: What guidance should be provided for climate change public bodies duties reporting?

Guidance is essential to ensure consistency across reports. Information on setting carbon emissions boundaries and what scope emissions are expected to be reported on should be included. Worked examples for each relevant section showing the type of information

required would be useful.

Question 8: How do you think climate change public bodies duties reports should be monitored?

Reports to be monitored on an individual organisational basis to ensure incremental improvement in reporting annually. High level monitoring on the mandatory elements of the required report could take place to influence national policy and highlight good practice.

Question 9: What should the consequences be if a major player does not comply with the climate change public bodies duties?

There should be no legal or financial consequences as a result of non compliance. The council is committed to annual reporting, but acknowledges that damage to organisational and political reputation will occur if annual reporting does not take place, and that this is a sufficient consequence.

Question 10: Do you believe climate change public bodies duties reports should be validated prior to submission?

Yes, independent  Yes, internal  Yes, peer to peer  Not needed

This could be carried out by Scottish Government or an organisation on their behalf. Public bodies should not have the additional financial burden of securing external validation.

Question 11: Would you be content for your climate change public bodies duties report to be published annually on the Sustainable Scotland Network (SSN) website?

Yes  No

This is in line with previous procedures for the Scottish Climate Change Declaration report



Question 12: How much time would your organisation expect to spend preparing a report in accordance with the draft order? (include any external consultancy time)

Having not gone through the process it is difficult to estimate how much time is required. However it is expected that there will be a considerable time requirement for this piece of work.

Question 13: With reference to the draft BRIA, do you think that the policy proposal presented may impact on business, the third sector (voluntary) or any other relevant areas?

The proposed reporting regime may encourage public bodies to ensure greater sustainability in the procurement of goods and services and this may impact on business and Third Sector.

Question 14: Do you think that the policy proposal presented may impact on people differently depending on characteristics such as age, disability, gender, race, religion or belief, sexual orientation, gender identity or marriage or civil partnership status? Could the proposals enhance equality or good relations? If so, please comment.

The issues are not directly relevant to the proposed reporting regime.

**End of Questionnaire**