

Consultation on Wellbeing and Sustainable Development (Scotland) Bill

Stop Climate Chaos Scotland response

Question	Response
1. Do you think that more needs to be done to embed sustainable development and wellbeing as primary considerations into public policymaking? Please tell us why.	<p>Yes, in the context of the climate crisis wellbeing and sustainable development should be central themes for all governments and align with Sustainable Development Goals and the Paris Agreement.</p> <p>A sustainable economy and society would operate within planetary limits to prevent further contributing to climate change and nature loss. Such a society would also focus on wellbeing, ensuring fair economic and financial needs both within and between generations. Inter-generational security and equity are currently threatened by policy decisions and public expenditure that compromise the wellbeing of future generations.</p> <p>A Bill embedding sustainable development and wellbeing into policy making would help to ensure actions in Scotland contribute to the betterment of wellbeing, in Scotland and elsewhere, as the world deals with converging crises. By enshrining principles of sustainable development and wellbeing in law, we can ensure that these concepts are considered during the policy process and embed a long term and preventative approach in all decision-making; while also giving clarity to how public bodies and other actors deliver policy on the ground to support a positive impact on the wellbeing of people and the planet.</p> <p>Sustainable development and wellbeing should unequivocally drive policy and practice across public life in Scotland. While Scotland has previously shown commitment to the National Performance Framework, there has been a failure to build on the opportunities arising from this initiative. This Bill should be the turning point to regain momentum.</p> <p>This legislation should define sustainable development and make it a statutory requirement for all public bodies, local authorities and organisations receiving public funding in Scotland to fully consider the short and long-term sustainable development impact of their decisions, both within Scotland and globally.</p> <p>We believe this legislation can help us ensure the National Outcomes become the golden thread underpinning public life in Scotland. It should be Scotland's contract with current and future generations everywhere and ensure long-term societal outcomes.</p> <p>The existing duties in the Community Empowerment (Scotland) Act 2015 are too weak to establish the National Outcomes as key drivers of decision-making and concrete outcomes for Scotland. These duties are not streamlined with other obligations, creating a complicated and sometimes contradictory landscape for public bodies, which hinders the advancement of wellbeing and sustainable development by Scottish Ministers. Additionally, the National Outcomes are not currently developed based on strong participatory processes, which are vital for democratic mandate. A key goal of the legislation must be to ensure the National Outcomes are developed and shaped through a deliberative participatory process with both breadth and depth.</p> <p>The legislation should also relocate and strengthen the duties of Ministers and public bodies to promote and deliver the National Outcomes, as revised, so that they more clearly drive policy and spending decisions on the one hand and</p>

	<p>implementation on the other. To do this, requires the duty to use more tangible, directional and affirmative language than 'have due regard to'. The language in the Bill should be strengthened to reflect this.</p> <p>The legislation should also place requirements on Scottish Ministers to:</p> <ul style="list-style-type: none"> • demonstrate how they support wellbeing and sustainable development when they set new national outcomes; • produce delivery plans for the National Outcomes; • engage in meaningful and ongoing public engagement on the National Outcomes; • ensure regular and accessible reporting on progress; • strengthen the links between the National Outcomes and the Scottish Budget.
<p>2. What is your view on the policy objectives of the Bill, as set out in the Policy Memorandum?</p>	<p>Climate impacts and their associated social and economic costs are escalating in Scotland and globally. Our current short-term, 'tragedy of horizon' policy making, with its lack of coherence across sectors, prevents the transformational action needed.</p> <p>Therefore, the Bill's objective of achieving policy coherence for sustainable development (PCSD) is critical. Although the Scottish Government has acknowledged the importance of PCSD, it has failed to implement mechanisms, including inter-ministerial working, to achieve it.</p> <p>The primary goals of the Bill, such as establishing statutory definitions for sustainable development and wellbeing are crucial components of its broader policy objective.</p> <p>We also agree that the proposed role of Futures Generation Commissioner represents a clear way to achieve such aims. However, the creation of a Future Generations Commissioner is not the only option, and there is also a case for tightening up existing legislation as well as looking at alternative means of delivering the aims of improved policy coherence and greater accountability to future generations. Six possible alternatives were set out in the research published by Max French and Jennifer Wallace on 31 March 2025: see <u>Putting collective wellbeing and sustainable development into action: An options paper for Scotland - Carnegie UK</u></p> <p>We believe that it is important to coordinate and tie in the approach to sustainable development and wellbeing with a revised National Performance Framework and to see the National Outcomes as the primary vehicle for delivering wellbeing and sustainable development in a clear and accountable manner. There is the opportunity to clarify obligations and approaches for delivering wellbeing and sustainable development across government at every level in Scotland through the proposed review of the NPF by the deputy First Minister.</p> <p>It is also important to be clear that the delivery of sustainable development or the pursuit of wellbeing does not stop at Scotland's borders or should only apply to those living in Scotland. We believe that the collective wellbeing of present and future generations in one place is wholly dependent upon the wellbeing of others elsewhere, and the planet. Delivering climate change mitigation targets and operating within carbon budgets creates global public goods of abating the impacts of climate change.</p>

<p>3. Which of the following best expresses your view on section 1, which requires public bodies to have due regard for the need to promote wellbeing and sustainable development?</p>	<p>Strongly oppose. The language of the Bill needs significant strengthening if it is to be effective.</p> <p>Public bodies, the Scottish Government and its contractors - organisations that receive government funding - should not merely “have due regard” for wellbeing and sustainable development. Instead they should have a public duty to integrate these into policy implementation and set objectives for sustainable development outcomes. This must ensure a positive impact on people and the environment both in Scotland and in low-income countries, and create a legal requirement for meaningful public participation in democratic processes and decision making, building on the Community Empowerment Act 2015 and, crucially, enshrining the role and remit of the Citizens’ Assembly into law</p> <p>The National Outcomes, currently set out in the National Performance Framework, are the key to translating the overarching goals of sustainable development and wellbeing into concrete outcomes for Scotland. Recent evidence^[ii] suggests that the existing duty on public authorities to “have regard to the national outcomes” in the Community Empowerment (Scotland) Act 2015 is not strong enough to deliver their ambition.</p> <p>These duties, in Part 1 of the Community Empowerment (Scotland) Act 2015, should therefore be relocated into the WSD Bill, and be amended to support a more unified approach to delivering the National Outcomes and to support greater clarity over the contribution made by different actors towards the delivery of all of the National Outcomes, as a complete wellbeing framework, rather than particular National Outcomes in isolation.</p> <p>To do this, requires the duty to use more tangible, directional and affirmative language. One approach might be to adopt similar wording to the Well-being of Future Generations (Wales) Act 2015 which requires each public body “to carry out sustainable development” and includes requirements for “Setting and publishing objectives [in relation to the wellbeing goals]” and “taking all reasonable steps to meet those objectives”. However, we argue that even this wording is not strong enough and does not emphasise the need to ensure policy coherence in pursuit of the National Outcomes, wellbeing and sustainable development.</p> <p>Therefore, we propose that the existing duty on the National Outcomes should be rephrased so that public authorities are required to:</p> <p><i>“promote and deliver sustainable development while protecting the wellbeing of current and future generations, ensuring that they take all reasonable steps to support the realisation of the national outcomes, minimise trade-offs, and resolve policy conflicts in a way that does not undermine sustainable development or the wellbeing of current and future generations.”</i></p>
<p>4. What is your view on the definition of “public body” (in section 17(2))? Is there a need for statutory definitions of wellbeing, and sustainable development?</p>	<p>The definition needs to be clear that “public body” includes the Scottish Government, local authorities, all bodies accountable to the Scottish government or local authorities as well as any third sector or private sector organisations in receipt of funding from, working for or paid by the Scottish Government. <i>In addition, consideration should be given to an advisory duty to the private sector to consider the impact of activities on future generations.</i></p> <p>We recognise that to deliver the policy objectives of the Bill that substantive capacity building in how to deliver wellbeing and sustainable development will be</p>

	required across government, public bodies and organisations receiving public funding.
5. What is your view on the definition of “sustainable development” (in section 2)?	<p>The definition in the Bill of Sustainable Development as “development that improves wellbeing in the present without compromising the wellbeing of future generations” is poorly informed by recent scientific developments and analysis of pathways toward sustainable development. It is too narrow and misses several important aspects. It lacks any reference to planetary boundaries, the environmental limits within which humanity must operate. Without this, the definition fails to acknowledge the climate and nature crises that threaten both current and future wellbeing.</p> <p>It also fails to recognise that the wellbeing of people in Scotland is tied to the wellbeing of people and ecosystems elsewhere. Decisions taken here can have far-reaching consequences beyond our borders. The Bill should recognise Scotland’s responsibilities as a good global citizen and its commitment to the UN Sustainable Development Goals.</p> <p>The current definition also overlooks the principle of equity within and between generations, and across nations. Sustainable development must be pursued in ways that reduce inequalities and share resources fairly.</p> <p>We therefore believe that Sustainable Development can be defined as “the development of human societies based on fair shares of planetary boundaries, and which equitably support the capability of present and future generations across the world to meet their needs.”</p>
6. What is your view on the definition of “wellbeing” (in section 3)?	<p>The definition of “wellbeing” in the Bill must go further to ensure clarity, accountability, and alignment with the Bill’s ambition to shift public decision-making towards a more equitable, sustainable future. It is important that the Bill is explicit in its recognition that issues of gender equity are intimately linked to sustainable development - as recognised in SDG 5.</p> <p>A legal definition of wellbeing must reflect collective rather than purely individual wellbeing, and be grounded in the principles of equity, long-termism, participation, and interdependence. These principles underpin international best practice, including the OECD’s Wellbeing Framework, and are essential to delivering the National Outcomes and the UN Sustainable Development Goals in a meaningful way.</p> <p>Collective wellbeing should be understood as the progressive realisation of social, economic, environmental, and democratic (SEED) outcomes, achieved in ways that reduce inequalities and respect the rights and needs of both current and future generations, in Scotland and beyond. Wellbeing must be viewed as shared and relational, shaped by our communities, institutions, and natural environment.</p> <p>Crucially, wellbeing outcomes must reflect what matters to people, and be periodically reviewed in consultation with communities, particularly those furthest from decision-making. Embedding this participatory principle ensures that the definition of wellbeing remains dynamic, inclusive, and relevant.</p> <p>The Bill represents a vital opportunity to anchor collective wellbeing as Scotland’s guiding purpose - one that recognises planetary boundaries, and integrates environmental sustainability, social justice, and democratic accountability.</p>

	<p>To reflect the concerns outlined above we propose the following as an example of a definition:</p> <p>“Collective wellbeing is the progressive realisation of social, economic, environmental and democratic outcomes which enable all people to meet their needs, as identified through consultation with the people of Scotland, pursued in a way that reduces, then eliminates, inequalities in wellbeing between different groups. It also recognises the importance of protecting the interests and needs of future generations and fostering intergenerational equity.”</p>
7. Which of the following best expresses your view on section 4, which establishes a Future Generations Commissioner?	<p>Support.</p> <p>Since the abolition of the Sustainable Development Commission (not at the instigation of the Scottish Government), there has been an absence of independent advice and scrutiny on the issue of sustainable development. We support the principle of establishing a Commissioner to champion sustainable decision making to help further our nation's collective wellbeing.</p> <p>However, in light of the report of the Supported Bodies Landscape Review committee of 19 June 2025 and earlier work presented by Carnegie UK there is a case for instituting more cost-effective measures in the short term with a view to setting up a Future Generations commissioner at a later date.</p>
8. Do you have views on the general function (as set out in section 5), powers, structure, and duties of the Commissioner?	<p>Ideally, such a Commissioner should have the powers to provide effective scrutiny and accountability (such as those available to the Scottish Information Commissioner or Environmental Standards Scotland). The emphasis on the investigative power and capability of the Commissioner is crucially important.</p> <p>As currently set out, and without clarity on the duties of public bodies to implement a requirement to consider future generations in policies and actions, the role of the Commissioner is not strong enough to have an impact on how policy is crafted, nor to ensure the accountability of public bodies to implement the requirements of the proposed bill. (arguably this role could be taken on by others, e.g. a parliamentary committee, or individual responsible departments). The proposed powers to investigate are welcome but it is not clear to whom the Commissioner reports and/or what power the role has to ensure implementation of recommendations.</p> <p>It is important that the Commissioner has a public education role which might be more clearly set out.</p>
9. Taking account of the Bill's Financial Memorandum, what is your view on the financial implications (i.e. likely costs and savings) of the Bill?	<p>We recognise the significant financial constraints currently faced by public bodies and the Scottish Government. The Bill's aims of embedding wellbeing and sustainable development into decision-making could, however, result in substantial long-term value by prioritising prevention, coherence, and efficient use of public resources.</p> <p>The creation of a Future Generations Commissioner is costed at a relatively modest £1.5–2 million annually. If the moratorium on Commissioners continues, the Carnegie UK-commissioned options paper identifies alternative accountability models that may be more feasible in the current financial context. These include:</p> <ul style="list-style-type: none"> • Expanding Audit Scotland's role to include scrutiny of wellbeing and sustainability (estimated additional cost: £200–250k annually).

	<ul style="list-style-type: none"> • Establishing a cross-committee parliamentary function on the wellbeing of future generations (cost aligned with typical committee budgets: ~£100–150k). • Creating an independent advisory council or roundtable, convened by NGOs or academia (estimated at £50–100k). <p>These models offer different combinations of accountability, support, and representation, and could be combined or sequenced depending on available resources and political appetite.</p> <p>These cost-effective alternatives to a full commissioner model can still deliver meaningful accountability. Regardless of model, long-term savings and public value that could be realised by the Bill will depend on properly resourcing support, implementation, and monitoring.</p>
<p>10. Do you have any other comments about the Bill?</p>	<p>Setting outcomes and duties alone will not be enough to achieve the aims of this bill. To achieve collective wellbeing in a way that is sustainable requires a future generations approach and different ways of working for public bodies and beyond. This will require an adherence to 'policy coherence for sustainable development' and agreement on high level 'ways of working' which should be facilitated by comprehensive support, training and toolkits for the public bodies tasked with implementation.</p> <p>The Bill should contain a clear definition of policy coherence, such as the one recommended by Scotland's International Development Alliance:</p> <p>To ensure that domestic and international policy coherence for sustainable development is understood and implemented as a core principle of sustainable development, as listed under the definition in Chapter 3, it should be defined, clearly, in the Bill as follows:</p> <ul style="list-style-type: none"> • Policy coherence is the consistency of public policy, whereby: <ul style="list-style-type: none"> ◦ no policy undermines any other policy ◦ where policy conflicts occur, the root cause of the conflict should be identified, and efforts made to resolve it in a manner which: <ul style="list-style-type: none"> ■ minimizes trade-offs ■ maximizes synergies. • Policy coherence for sustainable development must: <ul style="list-style-type: none"> ◦ support ecological integrity and social equity within Scotland, and elsewhere in the world. ◦ support the self-defined sustainable development of other countries. <p>We need to work in a way that is based on evidence and long-term thinking, is collaborative, can effectively identify and resolve trade-offs and deal with complexity, and which considers global impacts.</p> <p>We propose to include the following ways of working in the legislation:</p> <ul style="list-style-type: none"> · participation: recognising that everyone in society has a role to play and actively engaging voices that often go unheard; · integration: achieving policy coherence for sustainable development by aligning public bodies' efforts, collaborating and committing to shared learning;

- long-term: balancing the needs of today with those of future generations;
- global citizenship: proactively considering the full range of impacts resulting from our decisions and actions, and - at a minimum - doing no harm internationally;
- prevention: focusing on and investing in early action rather than just reacting to problems;
- openness: enabling engagement and accountability through openness and transparency; evidence-based: making decisions based on the best evidence available.

Legal duties in the Bill should be defined in a way that does not, wherever possible, add unnecessary extra reporting requirements on public authorities, and instead, in a way that strengthens, clarifies and streamlines existing duties around sustainable development, wellbeing and the National Outcomes.

In the case of sustainable development, this could mean strengthening existing duties in other legislation, where sustainable development duties already exist, such as the Climate Change Act 2009, as previously mentioned. This Act requires all Scottish public authorities to, in exercising their functions, act in the way they consider 'most sustainable'. However, research from Scotland's International Development Alliance (p27), shows that this duty does not appear to be well-implemented, possibly due to the wording of the Act and a lack of parallel capacity building, support and accountability requirements.

Public authorities would be better able to mainstream sustainable development, as defined in the WSD Bill, by amending Section 44 of the Climate Change Act 2009 to include references to 'sustainable development' and a new clause which serves to resolve existing conflicts in public authorities' statutory duties. For example, a clause after 44(1), stating that 'where the implementation of any other statutory duty appears to conflict with 44(1)(c), a transparent resolution must be sought with regard to policy coherence for sustainable development as defined in the Wellbeing and Sustainable Development (Scotland) Act 202X'.

In addition to overarching legislation, a wellbeing and sustainable economy would be achieved by the adoption of a number of other, related policies set out in SCCS' Climate Manifesto. These include:

- Climate-friendly economic policy;
- Deprioritising economic growth, as measured by GDP, as a means of measuring national wellbeing, and decisively shift the focus of policy and spending decisions to the pursuit of richer measures of national wellbeing, including the protection of the environment;
- Moving to a Scotland where waste is minimised through a circular economy;
- Requiring circular economy and climate obligations in procurement strategies for public bodies;
- Community, co-operative and not-for-profit ownership of energy and heat infrastructure; and
- A range of initiatives to improve education and understanding of climate change and public/community participation in decision-making and delivery.