

# Proposed Wellbeing and Sustainable Development (Scotland) Bill

## Introduction

A proposal for a Member's Bill to ensure policy development and implementation by public bodies is in line with principles of sustainable development and wellbeing by introducing a duty for public bodies to promote these principles and establishing a Commissioner for sustainable development and wellbeing.

The consultation runs from 14 December 2022 to 24 March 2023

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (\*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

*No Response*

## About you

Please choose whether you are responding as an individual or on behalf of an organisation.  
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Academic with expertise in a relevant subject

**Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation.**

I am Professor of Economic Sociology and Social Policy, an expert on economic and social development and the concept of "wellbeing economy". I am also Chair of the Development Trust Association Scotland.

Please select the category which best describes your organisation

*No Response*

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your Full Name or the name of your organisation. (Only give the name of your organisation if you are submitting a response on its behalf).  
(Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Professor Michael James Roy

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

[REDACTED]

**Aim and approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").**

Q1. Which of the following best expresses your view of the proposed Bill? (Please note, that this question is compulsory.)

Fully supportive

**Please explain the reasons for your response.**

There is a clear need to explicitly connect the need for sustainable development of communities with the wellbeing of people and the planet. This proposal will enhance coherence, and has the potential to enrich, the Scottish Government's commitment to building a wellbeing economy, the "community wealth building" agenda, and hopefully hold policymakers to account to put the wellbeing of people and the planet first. A focus on "the economy" for instance has to be the means to the end, not the end in itself.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

Legislation would be appropriate to raise the profile of the whole concept, but there is a clear need to hold policymakers to account. This depends as much on culture and best practice and on positive relationships between central and local government for action to change to occur. There are several instances of (for example) local government officials simply ignoring their statutory duties (for example under the Community Empowerment (Scotland) Act with no or little recourse. Or simply not applying policy very well, such as on social procurement, which could be a successful instrument to retain wealth in an area or a community. In other words there are probably any number of ways in which current powers could be used far more imaginatively.

Q3. Which of the following best expresses your view on whether 'sustainable development' should be defined in legislation?

Fully supportive

**Please explain the reasons for your response, including any views on what the definition should include.**

The trouble is that some terms are useful to politicians because they are umbrella concepts that can encompass a whole range of different concepts and different perspectives that come from different political traditions. Their initial promise and meaning can easily be blunted through overuse and everyone assuming they know what they mean. A legal definition which encompasses the appropriate use of resources that will enhance and support the flourishing of both humans and the natural world would be appropriate. It may also be appropriate to examine the concept of Buen Vivir from Latin America, for example, which draws on indigenous thinking and best practice, and placing as the central purpose of all activities of government. This would demand a shift to developing an agnostic position on "economic growth" as a concept. Some parts of the economy need growing, especially to ensure participation and equality. Some parts of the economy are completely unsustainable - such as the extraction of fossil fuels - and require to be scaled back considerably.

Q4. Which of the following best expresses your view on whether 'wellbeing' should be defined in legislation?

Fully supportive

**Please explain the reasons for your response, including any views on what the definition should include.**

However this is another highly contested (and politicised) concept. Personally I think that the definition from Aristotle of Eudaimonia (the "good life") holds best promise. Note the connection with the idea of "the good life" and Buen Vivir as mentioned earlier. However we also need to recognise that what matters to you in terms of what makes your life good might not matter much to me at all. There therefore has to be a

Q4. Which of the following best expresses your view on whether 'wellbeing' should be defined in legislation?

recognition that wellbeing can be highly subjective, albeit there must be a set of capabilities and functionings (perhaps drawing on Sen and Nussbaum's work) that must necessarily be in place for people to thrive. This can be encapsulated in legislation and it would be highly interesting to try to reach common ground on what these capabilities should be. But how do we ensure that everyone has input into such process, rather than those with most privilege?

Q5. Which of the following best expresses your view on whether there should be a Commissioner for sustainable development and wellbeing?

Fully supportive

**Please explain the reasons for your response, including any views on what the key functions of the proposed Commissioner should be (see pages 19 to 20 of the consultation document), what model of governance could be adopted (see page 22 to 23), and whether the Commissioner could play a role in strengthening existing duties or legislation.**

I am fully supportive of the idea of a Commissioner along the lines of the Welsh model. Furthermore the commissioner should be independent of the Scottish Government and accountable to Parliament. This is because many of the long-standing problems do not concern the quality or intent of legislation (or even policy rhetoric) but in its implementation, which regularly depends on being delivered elsewhere, including by authorities that can have a different political leadership to the Scottish Government. The Scottish Government telling people to do things often has the opposite effect, unfortunately. Delivery of a range of policies, including those relevant to sustainable development, often depend on Co-production and successful cross-sectoral working and overcoming power imbalances. The third sector in Scotland is generally not treated as a serious partner, but as a low cost, junior partner and this is especially unfair (especially after stepping up to the mark during COVID). Very often the most concentrated expertise lies at the level of communities but the local third sector is very often set up in competition for scarce resources rather than as trusted partners in delivery of outcomes or shared agendas. There are instances of a great many "pinch points" and bottlenecks across Scotland when it comes to partnerships not working as well as they should; the landscape is highly complex and patchy across Scotland.

Q6. What, in your view, should the title of the proposed Commissioner be?

Please explain the reasons for your response.

Commissioner for Wellbeing Economy and Sustainability. Any title that has the word "growth" in it should be immediately rejected.

Q7. Which of the following best expresses your view on whether there is a need for duties for public bodies to promote sustainable development and wellbeing in policy development and implementation?

Fully supportive

**Please explain the reasons for your response including views on any barriers to implementation of these duties and on how the effectiveness of implementation could be measured.**

Barriers to implementation regularly relate to poor understanding at a local level. Especially among those whose jobs depend on them not understanding. The effectiveness of implementation could be measured on the basis of improvements in health and wellbeing at a local level. Improvements in SIMD could be brought to bear. However it is incredibly difficult to prove causality in social policy. That doesn't mean we shouldn't try, however. Improvements in subjective well-being using a variety of indicators at a local level could show improvements (or not) over time and could be undertaken very locally, alongside excellent

Q7. Which of the following best expresses your view on whether there is a need for duties for public bodies to promote sustainable development and wellbeing in policy development and implementation?

qualitative research, of course. Focusing on quantitative outcomes alone can often lead to unintended and perverse outcomes.

## Financial Implications

Q8. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

some increase in costs

**Please explain the reasons for your response, including who you would expect to feel the financial impact of the proposal, and if there are any ways you think the proposal could be delivered more cost-effectively.**

The proposals could be delivered more cost-effectively by taking account of upstream and preventative savings that improvements in health and wellbeing will generate. We are especially bad at doing this and adopting this perspective because we do not always view government expenditure as investment and value it as such.

## Equalities

Q9. Any new law can have an impact on different individuals in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

What impact could this proposal have on particular people if it became law? If you do not have a view skip to next question.

Please explain the reasons for your response and if there are any ways you think the proposal could avoid negative impacts on particular people.

A robust equalities impact assessment would need to be undertaken. This should happen routinely, but in reality only happens sporadically in my experience.

## Sustainability

Q10. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

Do you think the proposal could impact in any of these areas? (If you do not have a view then skip to next question)

Please explain the reasons for your response, including what you think the impact of the proposal could be, and if there are any ways you think the proposal could avoid negative impacts?

Yea of course it can or there is no point.

## General

Q11. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

please do not hesitate to contact me if you wish any further information or detail on anything I have mentioned herein.