

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.

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

The Scottish Fair Trade Forum is the national membership network working to promote Fair Trade in Scotland.

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).

Scottish Fair Trade Forum

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.

The Bill could provide an opportunity to strengthen commitments across government and public bodies in a more comprehensive and coherent manner. It could provide focus and processes for ensuring wellbeing and sustainable development underpin and inform policy decisions and implementation. This Bill could provide a framework to significantly reduce negative impacts on the lives and livelihoods of people across the globe including low-income countries. Much of Scotland's historic and current trading relations have contributed and continue to contribute to inequalities globally. The recognised commitment to being a Fair Trade Nation could be strengthened by this proposed legislation.

The proposed legislation could assist in setting objectives towards achieving the Sustainable Development Goals and the linked National Outcomes ensuring that doing so impacts positively on communities and people's wellbeing and the environment here in Scotland and globally.

Mechanisms and processes for ensuring that the aims of the Bill are in fact realised in action are essential. The proposed Bill's creation of an independent commission is central to this. An authoritative body with the ability to support public bodies, share best practice and guidance, collect data, and importantly monitor progress seems to us to be required.

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.

It is our view that legislation is required in order to establish the legal underpinning of the aims of the proposed Bill. The creation of legislation not only gives the necessary legal underpinning of the aims of the proposed Bill but also the existence of legislation can contribute to organisational, cultural and societal change. Legislation is a clear testament to the importance given to wellbeing and sustainable development.

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.

We believe that defining 'sustainable development' in the legislation is important. There are already references in legislation as well as government and public sector policies to 'sustainable development'. We believe that the proposed Bill offers an opportunity to provide clarity and therefore facilitate reporting and accountability. We support the definition of 'sustainable development' used by Scotland's International Development Alliance: "Sustainable Development can be defined as the development of human societies in ways which do not threaten planetary boundaries, and which equitably support the capability of present and future generations across the world to meet their needs."

The Forum has long supported a policy coherence for sustainable development approach. We would want to see this referenced and defined in the proposed Bill. Policy coherence for sustainable development must support ecological integrity and social equity within Scotland and support the self-defined sustainable development of other countries. Fundamentally, policy coherence for sustainable development should ensure that no policy undermines any other policy and where policy conflicts occur where policy conflicts occur, the root cause of the conflict should be identified and efforts made to resolve it in a manner which minimises trade-offs and maximises synergies. The commitment to being a Fair Trade Nation needs to be seen to shape coherently where relevant policies across government and public bodies.

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.

The Forum believes that similar to sustainable development, defining 'wellbeing' in the legislation is important. There are already references in legislation as well as government and public sector policies to 'wellbeing'. We believe that the proposed Bill offers an opportunity to provide clarity and therefore facilitate reporting and accountability.

We believe that wellbeing is the extent to which people are able to realise the social, economic, environmental and democratic outcomes that they seek. The definition of 'wellbeing' needs to take into account the inequalities in wellbeing between different groups, both domestically and globally, and the conditions for the collective wellbeing of future generations.

We also believe that the proposed legislation should include a definition of 'wellbeing economy' for similar reasons as for 'sustainable development' and 'wellbeing' - that is that it is a term often used by government and public bodies and having a definition in law offers an opportunity to provide clarity and therefore facilitate reporting and accountability. A commitment to Fair Trade helps contribute to responsible consumption and production. Such responsibility in business and trade needs to be central to the definition of the 'wellbeing economy'.

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.

We support the proposal of a new Commissioner to monitor implementation of the Bill, including the statutory duties, with a legal requirement for the commissioner to be both independent of government, and adequately resourced to support public bodies to deliver their duties within the Bill. We believe that independence from government and adequate resourcing are essential to provide the necessary status and capacity to ensure that a Commissioner can effectively carry out their role. It has become clear in our own research of public bodies and procurement that there is a wide range of understandings of Fair Trade being used by public bodies and a wider range of ways of recording Fair Trade public procurement. This makes monitoring difficult and clear comparisons impossible to make. A Commissioner as set out in the proposed legislation could provide the clarity necessary in this area and others to allow for far more effective monitoring and accountability.

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

Please explain the reasons for your response.

We have no view on the particular title for the Commissioner. We believe the title should recognise the breadth and importance of the role.

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

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?

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.

The Forum would want the proposed Bill to strengthen the duties on public bodies to pursue sustainable development and wellbeing. The proposed Bill provides an opportunity to clarify existing duties on public bodies across a wide range of legislation. We do not see this as adding to a burden on public bodies but reducing a burden through greater clarity and coherence in approach that makes reporting easier. It will be vital that public bodies are given clear guidance, sufficient support and the necessary tools in order to implement duties but with this, we believe that it should be possible to improve delivery and effectiveness while not increasing the burden on public bodies.

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 reduction 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.

There would be significant investment needed in establishing the role of the Commissioner. However, if implemented effectively, then costs longterm could be reduced through greater clarity and coherence in what is required of public bodies in terms of reporting.

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.

The proposed Bill could have a positive impact on promoting equalities.

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?

By the very nature of this proposed Bill, it would have an impact on work to protect and the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

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)?

No Response