

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 Observatory for Sport in Scotland (OSS) is an independent think tank working to research and evidence value associated with community sport in Scotland. Our focus is on participation and volunteering in community and educational settings, and its health and wellbeing, and societal impact. Our view of 'sport' is drawn from the UN definition: All forms of physical activity that contribute to physical fitness, mental well-being and social interaction, such as play, recreation, organised or competitive sport, and indigenous sports and games; and focuses on contribution to physical and mental health and wellbeing, social connection and quality of life.

Founded in 2016, the OSS works with policymakers, researchers and practitioners in Scotland and internationally to produce and disseminate expert knowledge and evidence that can equip sport to meet social challenges and priorities. The OSS identifies knowledge gaps and collates, commissions and communicates relevant research and evidence for diverse partners with an interest in sport, physical activity, health and wellbeing, and builds collaborative networks that bridge and connect national policy to local policy and practice.

The OSS has published research papers on a variety of issues, researching and identifying trends and barriers to participation (including healthy ageing, disability, gender equity and social inequality), and maintains a strong online presence, including blogs, downloadable resources, and interactive meetings and events to ensure outputs are widely accessible and informed by continuous engagement across sectors.

The OSS engagement extends from across Scottish Government health, sport, education departments and other areas, and sportscotland, sport bodies, local authorities and leisure trusts to medical royal colleges, schools, planning and town centre regeneration, private business and large and small third sector organisations.

Supported by over 60 academics and researchers representing all of Scotland's universities and bodies across Europe, the OSS also has a sport leaders group involving over 40 representatives from a wide expanse of community physical activity and sport backgrounds in Scotland, and a business leaders forum engaging with the corporate sector on workforce health and wellbeing, and supporting community activity. These, and regular ongoing dialogue across the country and with European forums, keep the OSS informed on key issues, knowledge gaps and innovative policy and practice, and help to shape and align OSS work to fit need and maximise impact.

The OSS Board includes the former Scottish Government Health and Sport Cabinet Secretary, Aileen Campbell, and Chief Medical Officer, Dr Catherine Calderwood, alongside experienced individuals from education, health, sport and business.

The views expressed in this consultation response are drawn from that base of informed knowledge, and supported by the OSS Board.

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).

The Observatory for Sport in Scotland

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 OSS welcomes and fully supports the proposal to introduce a Wellbeing and Sustainable Development Bill. Sustainability and wellbeing are both issues receiving increased priority across the breadth of sport, from local community to professional levels. Sport in its widest sense enhances individual and collective quality of life in multiple ways and has a long tradition of being harnessed to promote diverse social benefits in Scotland, the UK and internationally. The OSS is, therefore, excited about the opportunities this Bill offers for enhancing sport's contribution to people and communities in Scotland by establishing a robust framework that places wellbeing and sustainability firmly at the heart of policy. We particularly welcome the opportunity to contribute to this Consultation as it is widely accepted that community sport is under-recognised in public policy in Scotland. Community sport impacts on the lives of all Scots from their early growing up experiences through to their retirement years, and every day multiple unheralded acts of participation and civic engagement in sport occur in rural, semi-rural and urban communities across the length and breadth of Scotland. From an individual perspective each of these behaviours, driven by a range of motivations and sustained by the quality of experience, contribute to personal wellbeing and quality of life. In aggregate, they also make a significant contribution to overall societal health and wellbeing. This is community sport as a public good – used as an instrument to generate wider outcomes beneficial to society.

Sport and sustainable development

The need to address sustainable development is recognised globally as an urgent priority in sport. This was exemplified at the Play the Game conference in Odense in June 2022 where targets were set for the period until 2040, to improve the contribution of sport to sustainability at all levels.

For Community level sport, this included aims to:

- a. Prioritise everyday recreational facilities before stadiums;
- b. Retrofit and energy renovate existing sports facilities;
- c. Transform old (industrial) buildings.

For Global sport:

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

- a. Use existing facilities for mega events, world cups etc, and ban new facilities;
- b. Reduce quantity of global events across sports (ban development of new events);
- c. Reduce demand for spectator seating capacity – only run events for much lower spectator numbers.

Sport and wellbeing

Sport has a particular capacity to support the centring of wellbeing as the core objective of policy through its well-evidenced contributions to personal wellbeing. Not only does participation in sport bring physical health benefits, e.g. to cardiovascular health, obesity, diabetes and osteoporosis, but there is a growing body of scientific evidence of a positive impact of sport and exercise activity on enjoyment and happiness; confidence and self-esteem; reduction of anxiety, stress and depression; improvements in terms of cognitive function; and reduction in the risk of dementia.

The Scottish Government's Connected Scotland policy further recognises the extent to which sport and other physical activity can facilitate social connections that can help overcome isolation, including through:

- Immediate experiences of fun, pleasure, happiness and enjoyment;
- Social interactions that counter isolation and support intra- and inter-generational connectedness;
- Activities that can support those in difficult circumstances whose wellbeing may be fragile– e.g. lone parents, refugee communities, isolated older people, dementia sufferers, inactive people;
- Variety and adaptability that make sport accessible at all levels and to all groups, from playful kickabout activity to the achievements of talented individuals;
- A sense of community belonging through access to shared activities, facilities and resources – "sport spaces" can be valued parts of local landscapes and collective identity;
- Time in outdoor environments, to experience the wellbeing benefits associated with being in greens spaces/nature.

There is therefore strong links between community sport benefits and factors that can enhance wellbeing. The OSS is also strongly supportive of the overall values and approach advocated for the Bill. Community sport is itself a cross-cutting institution, operating in varied contexts and structures to meet the needs of diverse groups across the life course. It will benefit greatly from a policy approach that is coherent, evidence-based, open, and transparent, built on collective participation, and formally recognises wellbeing as the core societal objective.

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.

Our experience of a sector that operates in a non-statutory, discretionary environment is that legislation does matter. Community sport and recreation has suffered disproportionately in the past 20 years from cuts in services, as reported in an EKOS study (2017) and recent evidence taken from local authorities and leisure trusts. This has led to increased prices to participate, reduced opening hours of full facility closure, and a clear divide in Scotland between those who can access regular activity and those who cannot. Poverty and inequalities, the OSS research identified (Kay, 2020), are now the main barrier to activity in Scotland, and cause of a long-term decline in sport activity which starts at age 11 years and never picks up, and impact wider health determinants.

The existing Scottish Government Legislation for Wellbeing and for the provision adequate and appropriate facilities appears to have been largely ignored to date. We are, therefore, in strong agreement with the proposal to use legislation to embed wellbeing and sustainable development across all policy, as with the Equality Act.

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.

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

As explained in answer to Q2, we believe that if 'sustainable development' is not defined in legislation it would be difficult to progress and easier to marginalise.

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.

As previously stated, we have referred to the important place community sport for all ages and abilities has in a society that places wellbeing at the forefront of government policy, and so believe it is important that there is a clear definition of wellbeing in a legislative context. From our perspective we would anticipate that community physical activity and sport would feature as a clear, identified contributor to societal wellbeing, and that its value is acknowledged and given appropriate priority.

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.

As both Wellbeing and Sustainability require long-term planning, collaboration and commitment, Scotland must seek to embed these as priorities for the long term and an independent commissioner would be best placed to pull stakeholders together and maintain progress through a national framework for Wellbeing and Sustainability. The Commissioner could also oversee localisation of these issues, perhaps initially over a five-year period, taking account of the recent Connected Scotland Bill, the Scotland Empowerment Bill, and the Commission on Civil Society Report.

As well as taking valuable insight provided by the Christie Commission Report, we could learn from the Netherlands and its new vision for the country through linking health and welfare to community sport activity, to improve the quality of life of all citizens in what it terms a 'Participating Society'. Developed at a national level across health, education, sport and other sectors, this is now progressing in a similarly cohesive fashion in each of 340+ municipalities.

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

Please explain the reasons for your response.

No preference. This may depend on how committed the country is to the policy areas.

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 implications of our responses to the previous questions attempts to show that Scotland should establish its own 'Participating Society', with Wellbeing and Sustainability, and social cohesion or 'connectedness' at its core.

Local Authorities would have responsibilities for this, and would be required to empower volunteers, and work with social enterprises and commercial providers to ensure local planning with all providers. The existing Community Planning Partnership network might support this, but they currently have different approaches in different local authority areas and would require greater inclusion and cohesion. Providers would be required to outline their offer, e.g. costs, learning activities, policies and practices for the most sustainable management of facilities and equipment.

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?

a significant 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.

We believe that this law could result in a significant reduction in costs for the public sector in particular, leading to greater sustainability of community facilities and services, and wider, longer term impact on community wellbeing.

From a community sport perspective, we would expect greater public investment to provide medium to longer term financial returns where the value of prevention is much greater than the cost. Various social return on investment studies show that for every £1 investment in sport and physical activity there is a return of between £3 and £8, depending on the activity and its participants, a principle of savings through prevention that reads across policy areas.

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 OSS anticipates that a greater priority and focus in public policy on community sport and physical activity in a society that values sustainability and wellbeing would have positive effects on inequalities through prioritising participation for under-represented groups.

The gap in sport participation at all levels from 11 years old, from a 10 per cent gender gap in adulthood to wider gaps for people with disability or from backgrounds of poverty, has been growing in Scotland. However, narrowing inequalities in participation is eminently achievable, as has been showed around Europe, with policies with a wellbeing focus that are targeted, draw on the best available research and

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

evidence, and learn from well-designed evidence-based studies of impact. The key is to focus not on increasing any sport activity, or improving a particular sport and increase its numbers, but turn the focus instead to the participants and engaging non-participants, and clear wellbeing and sustainability outcomes.

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?

We have referred in previous answers to how we believe a society that places population wellbeing and sustainability at the forefront of policy would provide a context in which community sport activity for all could flourish and deliver significant benefit for current and 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)?

1. OSS's response has focused on our area of policy concern and expertise, and drawn on input from across a wide spectrum of practitioners in Scotland. We believe that enactment of the proposed legislation would offer a significant and popular step-change in the priority accorded sustainable development and wellbeing in Scotland. Community sport activity in its widest sense would both benefit and contribute significantly to these important priorities.
2. While community sport, leisure and recreation is only one player in a complex system and amongst competing priorities – many of which may be viewed as more pressing – we would hope that such developments would offer opportunity for it to support new policy objectives. Our submission is therefore intended to both signal general support for the legislation and highlight the willingness of communities to play an active role in its development and delivery.
3. We recognise that community sport in a new wellbeing society focused on sustainability would require culture change and modernisation of delivery models. There is potential, for example, for sport to play a more connected and life-enhancing role in primary and secondary education. There is widespread discussion across Scotland on the need for new, sustainable, empowering models of asset transfer and community engagement with mechanisms for state support and incentivisation that recognise and properly quantify value and social return on investment. It is also recognised that much of the built infrastructure of sport and recreation is outdated, inefficient and environmentally unfriendly, and not being addressed cohesively.
4. We believe community sport and recreation has a valuable contribution to make in a public policy environment that puts more emphasis on the prevention of harm, is concerned about future generations and takes a holistic view of what makes a good quality of life. The proposed Bill would provide long-

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awaited stimulus and motivation for community sport, leisure and recreation to further address issues being widely discussed but not developed, and we believe would be strongly welcomed in all communities across Scotland.