

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".)

Member of the public

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

I was an MSP representing South Scotland for a decade and Shadow Minister then Shadow Cabinet Sec for Climate Change Environment and Land Reform. I was a member of the Sc Gov National Performance Framework Round Table.

I was a primary teacher and Eco Schools Co-ordinator. Scottish Labour COP26 Special Advisor and a Hon Fellow of Sc Environment Link.

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).

Ms Claudia Beamish

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.

I am clear that it is vital that all policy and legislation at all levels of government is checked against clear criteria to ensure that sustainable development guidance and well-being guidance is followed. This is in the public interest. I also believe that we have a responsibility to future generations which should be made clear. The bill will also enable the monitoring of these accountabilities.

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.

Yes definitively. If there is legislation, this will mean that future government of our political persuasion, as well as councils and public bodies will be obliged to implement relevant parts of the act and assess the actions against those parts of it which are relevant. In the climate and nature emergencies and with the serious imbalances and deeply concerning poverty in Scotland, this bill will make an essential contribution to rebalancing economy and society.

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.

I agree with Sarah Boyack who states in the introduction to her proposed bill - 'It is my belief that establishing an overarching definition of sustainable development and ensuring public bodies undertake new duties, supported by the newly- established Commissioner, will ensure we avoid the future prospect of allowing policy to be made without due regard being given to the impact on our planet, our resources and future generations.'

While the definition of sustainable development is recognised as being a challenge (due to the significant differences in some definitions through time and geography) I am clear that it is essential to place the definition in the proposed bill to ensure that there is not confusion but clarity as to what the obligations and opportunities are.

The fusing of economic, social and environmental considerations is fundamental in this definition.

The Brundtland definition is often referred back to. Well, there might be merit in this broad definition, I believe that it is important to refer to Scotland within the definition and also to set it firmly in the global context.

I do not think it is a copout not to try to produce a definition. At this stage. I believe that it is essential for there to be an inclusive and listening discussion leading to the development of a short, succinct and carefully crafted, Scottish definition which can be referred to for many years to come.

This will demand bravery not to be knocked off course and I wish those involved good luck!

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 with sustainable development definition, it is essential in my view that there is the definition of well-being on the face of the bill.

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

In our hearts and minds, we all know what well-being is in terms of physical and mental health and the ability to have a quality of life – in economic and environmental terms. Perhaps social terms are harder to define however, in order to have well-being for the majority of the population we need to have a re-Balanced, economy and society with well-being at its heart.
Perhaps it is hard to know whether the definition of well-being should include how we get from where we are to where we need to be for there to be a more general sense of well-being for the population of Scotland? Again, I do not wish to give my definitive view on what the definition should be – this needs to be developed inclusively through this consultation and beyond in the lead up to stage one of the proposed bill.

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 feel strongly that there should be a Commissioner whose key functions should be statutory.
Model of governance – The commissioner should be appointed by the Scottish Parliament and the budget should be set by the parliament and agreed by the parliament.
I have noted in the past the concerns over there has not been enough funding for the Welsh commissioner to carry out duties effectively. It is essential that the Scottish sustainable development and well-being Commissioner is adequately funded with the funding to have a team around him or her in order to work effectively.
The commissioner should be able to play a role in strengthening existing duties, all legislation.

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

Please explain the reasons for your response.

On my i phone there's no option to go back to previous answer so please put add this below to q5.
Functions of the commissioner additional information – I agree with all the suggestions by Sarah Boyack for the functions of the commissioner. I would add that I think it is important that the commissioner can hold public bodies and our government at all levels to account. The detail of this will need to be carefully worked out. However, I would suggest that she is able to call them to account for their actions. If these do not fit with the requirements of the act.

There should be sanctions and she should be able to delay and indeed Overturn any decisions which do not fit with the spirit of the legislation and the detail of it.

Title - Scottish commissioner for well-being and sustainable development.
That's what it says on the tin!

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.

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?

It is important that public bodies do not only promote, but adhere to these principles in policy dev and implementation. This should be clearly stated in the duties section of the proposed Bill.

Many will argue that there could be a clash with other public duties but this should be at the top of the hierarchy.

There are frequently alternative policies or decisions which can be taken which would adhere to the new duties- or road widening or a reopening of a rail line with affordable fares and a good timetable.

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.

There are likely to be some increase in costs. This will be in the setting up of the commission with the appropriate funding and officers and offices.

How many might argue that the cost of the implications of a robust bill could be significant, I argue that there will be savings if there is a more supportive and inclusive economy and society. For instance, better mental and physical well-being will bring down costs for our NHS. Warm housing will tackle fuel poverty through local jobs in insulation and small scale renewables /district heating and support future generations by tackling climate change.

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.

This new law is likely to support equalities - through its well-being sections - while equalities must of course be carefully considered as a legal requirement already in their own right.

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?

This proposed bill will have a positive effect on sustainability if it is appropriately drafted.

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)?

I think it will be important to have an extra section in the proposed bill whereby there are compliments to GDP, which will assess prosperity in terms of well-being and sustainable development for the whole population.

This could build on models from other countries as well as our own national performance framework. This should be announced alongside GDP and carefully monitored and improved as we go along into the future together.

I have long been certain that Scotland needs legislation to create a Scottish Commissioner for Wellbeing and Sustainable Development, with robust powers, supported by a strong team with excellent funding, if we are to hold ourselves to account as a country on a sustainable future for ourselves and future generations.

Good luck to all concerned. Happy to help if useful.