

Climate Change (Scotland) Act 2009

Consultation on Proposed draft Climate Change (Reporting on Climate Change Duties) (Scotland) Order 2015:

Requiring specified public bodies to prepare annual reports on compliance with climate change duties

[20 February to 29 May 2015]

CONSULTATION TRACKER INFORMATION

Consultation Title: “The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015”

Summary - The Scottish Government proposes to make an order under section 46 of the Climate Change (Scotland) Act 2009 requiring specified public bodies to prepare annual reports on compliance with climate change duties. The order will set out the form of these reports and the information to be included. The aim is improve the quality and consistency of climate change information reported across the four main areas of the public sector in Scotland. The consultation documentation will include a draft order, a consultation questionnaire, a draft Business Regulatory Impact Assessment and respondent forms.

Links:

Climate Change (Scotland) Act 2009 --
<http://www.legislation.gov.uk/asp/2009/12/contents>

Public Bodies Duties –
<http://www.scotland.gov.uk/Topics/Environment/climatechange/publicsectoraction/publicsectorreporting>

Annual Scottish Emissions Report –
<http://www.scotland.gov.uk/Resource/0046/00462076.pdf>

Contact details

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Energy and Climate Change Directorate
Public Bodies Duties Team
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Climate_Change_and_Public_Sector2@scotland.gsi.gov.uk

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1 CONSULTATION PROCESS

About the consultation

1.1 This consultation is important; as the specifics of climate change reporting will involve a range of personnel in each public sector organisation. The main reasons for using the powers in the Climate Change (Scotland) Act 2009 (“the 2009 Act”) to introduce a statutory reporting requirement are to: support compliance with the public bodies duties; consolidate climate change information from public sector; introduce standard methodology to improve data consistency; encourage continuous improvement and transparency; improve board engagement and leadership action and inform Scottish Government strategic reporting and future policy/support.

Why we are consulting

1.2 We are seeking views on the proposed introduction of a statutory requirement on specified public bodies to report compliance on the climate change public bodies duties. The key driver to introducing this reporting requirement is to improve the quality and consistency of climate change information available to Scottish Ministers, Scottish Government policy officials and the public sector itself.

1.3 We are also seeking any thoughts you may have on the impact of the changes in reporting climate change progress and activity, including any concerns. We would also welcome views on how the climate change reports should be annually validated, analysed and monitored in the future.

1.4 The consultation is not seeking views on the provisions of the 2009 Act, as this has already been approved by Parliament. This paper seeks to make clear what the proposed statutory reporting requirement entails and which public sector organisations are involved; this is the primary focus of the consultation. Your views are particularly sought on the questions outlined in the Consultation Questionnaire enclosed in [Annex A](#). A draft Business and Regulatory Impact Assessment (BRIA) is also provided at [Annex C](#).

Responding to this consultation paper

1.5 We welcome views on the proposed policy to require specified public bodies to prepare reports on compliance with climate change duties in accordance with the draft Climate Change (Reporting on Climate Change Duties) (Scotland) Order 2015.

1.6 We invite written responses to this consultation paper by 29 May 2015. Please send your response with the completed Respondent Information Form (see “Handling your Response” below) to:

Mark Stirling/Fiona O’Brien
Scottish Government Climate Change Hub
Area 1-D South, Victoria Quay, Leith, Edinburgh, EH6 6QQ.

1.7 We are happy to discuss any issues you have before you respond formally.

1.8 Please indicate clearly in your response which questions, or parts of the consultation paper you are responding to. This will help us process and analyse responses.

1.9 This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/consultations>.

1.10 The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). The system complements, but in no way replaces SG distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

Handling your response

1.11 We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the Respondent Information Form which can be found at the end of this document. This will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

1.12 All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

1.13 Where respondents have given permission for their response to be made public, responses will be made available to the public in the Scottish Government Library – after a check that they contain no defamatory material. You can make arrangements to view responses by contacting the SG Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service.

What happens next?

1.14 Following the closing date, responses will be considered along with any other available evidence to help us finalise the statutory instrument.

Comments and complaints

1.15 If you have any comments about how this consultation exercise has been conducted, please send them using the contact details at paragraph 1.6.

2. INTRODUCTION

2.1 The Scottish Government announced in July 2014 that the 2012 annual emission reduction target had been missed. This is the third consecutive year that the annual target has been missed. Further action is required across a wide range of climate change activities, if our demanding targets are to be met. The public sector in Scotland therefore has a leading role to play in combatting climate change and accurately reporting progress and activity.

2.2 Evidence gathered in support of Scottish Government Report on Proposals and Policies (RPP2) suggests that there is scope to significantly increase emissions reductions in the public sector. Statutory reporting, which relevant bodies are required to complete, is one area of climate change action where Scottish Government has powers to do more, but so far, has chosen not to use them.

2.3 To encourage continuous improvement and to enable more accurate and consistent information to be collected, Ministers now wish to introduce a statutory reporting requirement for “major players” only in the public sector. A robust reporting system could provide a more detailed picture of the sector’s overall performance, assessed and reported annually to inform future climate change policy, funding and support.

2.4 Much of the sector currently collects data on a voluntary basis. Shifting to a statutory reporting requirement (referred to as ‘Required Reporting’ hereafter) would enable a consistent approach to be adopted by using a standard climate change reporting form and therefore develop an improved reporting system over time.

2.5 It is recognised that the introduction of ‘Required Reporting’ in itself will not produce public sector emission reductions, but it will demonstrate to public sector stakeholders, environmentalists and the public, that the Scottish Government takes its climate change obligations seriously and is doing everything within its current powers to deliver on this challenging agenda and to also encourage emission reductions to be ramped up across the sector.

2.6 This legislative step would bring Scotland into line with mandatory climate change reporting in England. The introduction of Required Reporting could also put public sector climate action beyond the political cycle, and take this aspect of delivery out of local/national politics. This is appropriate given the unanimous political support enjoyed by the Climate Change Bill when it was passed in 2009.

3. BACKGROUND TO PUBLIC SECTOR REPORTING

3.1 The public sector in Scotland comprises four main areas – Local Authorities, Education, NHS Boards and NDPBs, with around 148 organisations previously identified as major players. The functionality and scale of individual carbon footprints across the public sector varies widely. The current reporting methods and data captured by each area of the sector also vary greatly. These variables therefore make it difficult to draw meaningful conclusions on climate change performance or establish an accurate picture of the sector contribution towards our emission reduction targets.

3.2 The public sector in Scotland has a good track record of voluntarily publishing annual climate change or sustainability reports. For example, all 32 Councils have published Climate Change Declaration (SCCD) reports for the past five years. The Universities and Colleges Climate Commitment for Scotland (UCCCfS) has also been reported annually under a similar declaration commitment. Other public bodies have published Public Sector Sustainability Reports (PSSR) for the past two years and NHS Boards have also reported against corporate targets.

3.3 However, under the current arrangements, these annual reports are not submitted to a central collection point for analysis or feedback to the sector players, nor does the Scottish Government use this information to evaluate the annual performance of the sector.

4. POLICY PROPOSALS

4.1 The climate change public bodies duties came into force on 1 January 2011. They apply to all Scottish public authorities (within the meaning of section 3(1)(a) of the Freedom of Information (Scotland) Act 2002). The proposal is to make an order under sections 46 of the Climate Change (Scotland) Act 2009 requiring specified public bodies to prepare annual reports on compliance with climate change duties. The order will also set out the form of the reports and the information to be included.

4.2 It is proposed that the Reporting Requirement should apply only to those Scottish public authorities that are specifically listed in Schedule 1 to the order. The intention is that all the ‘major players’ should report compliance in accordance with the order. The proposed subset of major players include those authorities having:

- large estates and large numbers of staff;
- high impact and influence;
- large expenditure; and
- audit or regulatory functions.

4.3 The major players expected to comply with the reporting requirement are listed in Schedule 1 to the draft order (see [Annex B](#)).

5. PROPOSED APPROACH

5.1 To avoid reporting fatigue amongst the public sector community, the intention is for required reporting to replace the four different reporting formats currently in use by Local Authorities, Universities and Colleges via their respective declaration commitments (SCCD and UCCCFs) and by the other public bodies via Public Sector Sustainability Reports (PSSR). The proposed Climate Change Public Bodies Duties Reports will therefore supersede the voluntary SCCD, UCCCFs and PSSR reporting arrangements currently undertaken by major players in the public sector.

5.2 In support of this policy proposal, Ministers wish to introduce a standard climate change reporting form for major players on a trial basis for reporting compliance with the duties for the period from 1 April 2014 to 31 March 2015. Following consultation, it is proposed that the order (including the list of public bodies in Schedule 1 and the reporting form in Schedule 2) will be finalised and laid in Parliament after the summer recess, with a view to bringing the order into force in November 2015.

5.3 The intention is that each public body listed in Schedule 1 to the order will be required to prepare its first report for the period from 1 April 2015 to 31 March 2016 and then submit this report to Scottish Government before the end of October 2016. Thereafter, an annual report would need be prepared for each subsequent year and reported within 6 months of the year end.

5.4 The proposed “Required Reporting” form is set out in Schedule 2 to the draft order (see Annex B). This was developed and agreed by the Climate Leaders Officer Group comprising representatives from the four main areas in the sector (Local Authorities, NHS, Education and NDPBs). The intention is that this would be made available in such a way that relevant public bodies can input the information required directly into an on-line version of the form, which can then be sent electronically to SG, in order to facilitate the collation and analysis of the submitted reports.

5.5 Officials have consulted Energy, Transport, Built Environment, Heat, Climate Change, Behaviour Change, ICT and Procurement colleagues to help develop the reporting form. It captures information on key emission sources and supports some emerging policy topics. Discussions have also taken place with Sustainable Scotland Network (SSN), Resource Efficient Scotland (RES), Adaptation Scotland and Convention of Scottish Local Authorities (COSLA) on the level of data to be collected.

5.6 The “Required Reporting” form also seeks to enable reuse of emission datasets prepared earlier in the calendar year for other UK reporting obligations, such as CRC. It is proposed that the data and narrative information collected from the reporting form would be used to provide a detailed account of public sector performance and progress which would augment Scotland’s annual report on emission reductions. To help on-line users complete the emissions section of the template, it is intended that selected UK emission factors will be pre-loaded onto the report form annually.

5.7 The Climate Change Public Bodies Duties Guidance, produced in 2011, will be updated with fresh guidance material, particularly focusing on helping users to complete Part 3 of the “Required Reporting” form covering corporate emissions, targets and projects.

5.8 Scottish Government and SSN staff would collate, assess and record the submitted climate change information. The intention is to produce an annual report which would provide sector specific information on emissions, progress and activity. This information would be presented to the Public Sector Climate Leaders Forum and be published annually on the Scottish Government and SSN websites.

5.9 The Word version of the “Required Reporting” form included in the draft order does not contain any spreadsheet functionality as the format of the order does not accommodate this. An Excel version of the reporting form can be viewed on the SSN website which will demonstrate the functions available to users.

Respondent Details

Consultation on Climate Change Public Bodies Duties Reporting.



RESPONDENT INFORMATION FORM

Please note: this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Forename

2. Postal Address

<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
Postcode	Phone	Email

3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

Yes No

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Are you content for your **response** to be made available?

Please tick as appropriate

Yes No

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

No

T: 0131-244 1378 F: 0131-244 1140
E: howard.steele@scotland.gsi.gov.uk

Our ref: CC/PBDR
20 Feb 15

Dear Sir/Madam,

Responding to this consultation

We invite responses to this consultation by 29 May 2015. Please use the consultation questionnaire or indicate clearly in your response which questions or parts of the consultation paper you are responding to. This will help our analysis of the responses received.

Handling your response

Responses should be sent to Climate_Change_and_Public_Sector2@scotland.gsi.gov.uk . If you have any questions, contact Howard Steele using the contact details above.

We need to know how to handle your response and in particular, whether you are happy for it to be made public. The attached Respondent Information Form will ensure that we treat your response appropriately. If you ask for your response not to be published we treat it as confidential.

You should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and must consider any request made to it under the Act for information relating to responses made to this consultation exercise.

What happens next?

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us reach a decision on

Climate Change Public Bodies Duties Reporting. We aim to produce a consultation report and take stakeholder views into account before laying the statutory instrument.

If you have given permission for your response to be made public and after we have checked that it contains no potentially defamatory material, your response will be made available to the public in the Scottish Government Library and on the Scottish Government consultation web pages. You can make arrangements to view responses by contacting the SG Library on 0131 244 4552.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to:

Judith Young

Scottish Government, Climate Change Hub

Area 1 – D South, Victoria Quay, Leith, Edinburgh, EH6 6QQ.

E-mail: judith.young@scotland.gsi.gov.uk

Yours sincerely.

Howard Steele

ANNEX A

CONSULTATION QUESTIONNAIRE

Question 1: Do you agree that the powers in the Climate Change (Scotland) Act 2009 should be used to improve climate change reporting by public bodies?

Yes No

Comments

Question 2: Do you agree that standardised reporting will improve the quality and consistency of climate change information reported by public sector major players?

Yes No

Comments

Question 3: Do you agree with the policy subjects and questions included in the proposed climate change reporting form (see Schedule 2 to the draft order)?

Yes No

Comments

Question 4: What would you consider to be an appropriate deadline date for the annual submission of climate change public bodies duties reports?

Comments

Question 5: Based on your current level of climate change/sustainability reporting, are there any additional resource implications associated with the proposed reporting requirement?

Comments

Question 6: For public sector respondents only:

- Do you agree with the list of “major players” in Schedule 1 to the draft order?

Yes No

Comments

- Would you voluntarily provide additional climate change information if recommended by the Scottish Government?

Yes No

Comments

Question 7: What guidance should be provided for climate change public bodies duties reporting?

Comments

Question 8: How do you think climate change public bodies duties reports should be monitored?

Comments

Question 9: What should the consequences be if a major player does not comply with the climate change public bodies duties?

Comments

Question 10: Do you believe climate change public bodies duties reports should be validated prior to submission?

Yes, independent Yes, internal Yes, peer to peer Not needed

Comments

Question 11: Would you be content for your climate change public bodies duties report to be published annually on the Sustainable Scotland Network (SSN) website?

Yes No

Comments

Question 12: How much time would your organisation expect to spend preparing a report in accordance with the draft order? (include any external consultancy time)

Comments

Question 13: With reference to the draft BRIA, do you think that the policy proposal presented may impact on business, the third sector (voluntary) or any other relevant areas?

Comments

Question 14: Do you think that the policy proposal presented may impact on people differently depending on characteristics such as age, disability, gender,

race, religion or belief, sexual orientation, gender identity or marriage or civil partnership status? Could the proposals enhance equality or good relations? If so, please comment.

Comments

End of Questionnaire

2015 No.

CLIMATE CHANGE

The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015

<i>Made</i>	- - - -	[]	2015
<i>Laid before the Scottish Parliament</i>		[]	2015
<i>Coming into force</i>	- -	[]	2015

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 46(1) and 96(2) of the Climate Change (Scotland) Act 2009(a) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015 and comes into force on [] 2015.

Interpretation

2. In this Order—

- “the Act” means Climate Change (Scotland) Act 2009;
- “listed body” means a relevant public body(b) listed in Schedule 1;
- “report year” means the year for which a report is to be prepared under article 3(1);
- “year” means a period of 12 months ending with 31st March; and
- “year ahead” (in Schedule 2) means the year which follows the report year.

Reports

3.—(1) For each year, a listed body must prepare a report on compliance with its climate changes duties.

(2) The listed body must send the report to the Scottish Ministers within a period of 6 months from the end of the report year.

(a) 2009 asp 12; in section 46(1) “relevant public body” has the meaning given by section 44(5) of that Act (“the Act”). It refers to a Scottish public body (within the meaning of section 3(1)(a) of the Freedom of Information (Scotland) Act 2002 (asp 13)) which has climate change duties under section 44(1) or by virtue of section 44(3) of the Act.

(b) By virtue of section 24 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10), the expression “relevant public body” has the same as it has in section 44(5) of the Climate Change (Scotland) Act 2009.

Form and content

- 4.—(1) Each report must be in the form set out in Schedule 2.
- (2) Each report must contain the information specified in the form set out in Schedule 2 so far as the information is applicable to a listed body.
- (3) The report may be sent to the Scottish Ministers in electronic form.

St Andrew's House,
Edinburgh
[] 2015

NAME
Authorised to sign by the Scottish Ministers

SCHEDULE 1

LISTED BODIES

Article 2

Ministers, The Parliament

The Scottish Ministers

The Scottish Parliamentary Corporate Body

Holders of offices in the Scottish Administration which are non-ministerial offices

The Accountant in Bankruptcy

The Keeper of the Records of Scotland

The Keeper of the Registers of Scotland

The Scottish Charity Regulator

The Registrar General of Births, Deaths and Marriages for Scotland

The Scottish Court Service

The Scottish Housing Regulator

Local government

Any local authority

The Strathclyde Passenger Transport Authority

Any Transport Partnership created under the Transport (Scotland) Act 2005^(a)

National health service

The Common Services Agency for the Scottish Health Service

Any Health Board

The National Waiting Times Centre Board

NHS Education for Scotland

The Scottish Ambulance Service Board

The State Hospitals Board for Scotland

Educational institutions

The board of management of a college of further education (with the expressions used having the same meaning as in section 36(1) of the Further and Higher Education (Scotland) Act 1992^(b)).

(a) 2005 asp 12.

(b) 1992 c.37.

An institution which is a fundable post-16 education body in receipt of funding from the Scottish Further and Higher Education Funding Council or a regional strategic body (with the expressions used having the same meaning as in the Further and Higher Education (Scotland) Act 2005(a)), other than any such institution whose activities are principally carried on outwith Scotland.

Police

A chief constable of the Police Service of Scotland
The Scottish Police Authority

Others

The Accounts Commission for Scotland
Audit Scotland
The Board of Trustees for the National Galleries of Scotland
The Board of Trustees of the National Museums of Scotland
The Board of Trustees of the Royal Botanic Garden, Edinburgh
The British Waterways Board
The Cairngorms National Park Authority
Creative Scotland
The Crofting Commission
Highlands and Islands Enterprise
Any integration joint board established by order under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014
The James Hutton Institute
Learning and Teaching Scotland
The Loch Lomond and The Trossachs National Park Authority
The Moredun Research Institute
The National Library of Scotland
Revenue Scotland
The Royal Commission on the Ancient and Historical Monuments of Scotland
The Scottish Children's Reporter Administration
Scottish Enterprise
The Scottish Environment Protection Agency
The Scottish Fire and Rescue Service
The Scottish Further and Higher Education Funding Council
The Scottish Legal Aid Board
Scottish Natural Heritage

(a) 2005 asp 6.

The Scottish Public Services Ombudsman

The Scottish Qualifications Authority

The Scottish Social Services Council

The Scottish Sports Council

Scottish Water

Social Care and Social Work Improvement Scotland

VisitScotland

SCHEDULE 2
FORM

Article 4

PART 1: ORGANISATIONAL PROFILE

1(a) Name of organisation

Provide the name of the organisation that is the subject of this report (“the organisation”).

1(b) Type of the organisation

1(c) Number of FTE staff in the organisation

1(d) Alternative metrics used by the organisation

Specify any other metrics that the organisation uses to assess its performance in relation to climate change and sustainability (add rows as required).

<i>Metric</i>	<i>Units</i>	<i>Value</i>	<i>Comments</i>

1(e) Overall budget of the organisation

Specify approximate £/annum for the report year.

1(f) Report year

Specify the report year e.g. 2015/2016.

PART 2: GOVERNANCE, MANAGEMENT AND STRATEGY

Governance and management

2(a) How is climate change governed in the organisation?

Provide a summary of the roles played by the organisation’s governance bodies and members. Include reference to adaptation, transport, business travel, waste, information and communication technology (ICT), procurement and behaviour change if these sit outside main climate change governance.

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2(b) How is climate change managed and delivered by the organisation?

Provide a summary of how decision-making is managed and how responsibility is allocated to the organisation’s senior staff, departmental heads etc. Include reference to adaptation, transport, business travel, waste, ICT, procurement and behaviour change if these sit outside its main climate change delivery structures.

--

Strategy

2(c) Does the organisation have specific climate change mitigation and adaptation objectives in its corporate plan or similar document?

Provide a brief summary of objectives if they exist.

<i>Wording of objective</i>	<i>Name of document</i>

2(d) How is climate change action embedded across the organisation?

Provide a brief summary of how climate change action for mitigation and adaptation is embedded within the organisation's services / departments, etc.

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2(e) Does the organisation have a climate change plan or strategy?

If yes, provide the name and/or link to any such document.

--

2(f) Does the organisation have any plans, strategies or policies covering the following areas that include climate change?

Provide the name of any such document and the timeframe covered.

<i>Topic area</i>	<i>Name of document</i>	<i>Time period covered</i>	<i>Comments</i>
Adaptation			
Business travel			
Energy efficiency			
Fleet transport			
ICT			
Renewable energy			
Sustainable / renewable heat			
Waste management			
Water and sewerage			
Other			

2(g) What are the organisation's top 5 priorities for climate change governance, management and strategy for the year ahead?

Provide a brief summary of the organisation's areas and activities of focus for the year ahead.

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2(h) Has the organisation used the Climate Change Assessment Tool^(a) to self-assess its capability / performance?

If yes, please provide details of the key findings and resultant action taken.

Further information

2(i) Supporting information and best practice

Provide any other relevant supporting information and any examples of best practice by the organisation in relation to governance, management and strategy.

^(a) This refers to the tool developed by Resource Efficient Scotland for the purposes of self-assessing an organisation's capability / performance in relation to climate change.

PART 3: CORPORATE EMISSIONS, TARGETS AND PROJECTS

Emissions

3(a) Corporate emissions from start of baseline year to end of report year

Complete the table below using the greenhouse gas emissions total for the organisation calculated on the same basis as for its annual carbon footprint / management reporting or, where applicable, its sustainability reporting. Include greenhouse gas emissions from the organisation’s estate and operations^(a) (measured and reported in accordance with Scopes 1 & 2 and, to the extent applicable, selected Scope 3 of the Greenhouse Gas Protocol^(b)). If data is not available for any year from the start of the baseline year to the end of the report year, provide an explanation in the comments column.

<i>Reference year</i>	<i>Year</i>	<i>Year type</i>	<i>Scope 1</i>	<i>Scope 2</i>	<i>Scope 3</i>	<i>Total</i>	<i>Units</i>	<i>Comments</i>
Baseline carbon footprint							tCO2e	
Year 1 carbon footprint							tCO2e	
Year 2 carbon footprint							tCO2e	
Year 3 carbon footprint							tCO2e	
Year 4 carbon footprint							tCO2e	
Year 5 carbon footprint							tCO2e	
Year 6 carbon footprint							tCO2e	
Year 7 carbon footprint							tCO2e	
Year 8 carbon footprint							tCO2e	
Year 9 carbon footprint							tCO2e	
Year 10 carbon footprint							tCO2e	
Year 11 carbon footprint							tCO2e	
Year 12 carbon footprint							tCO2e	
Year 13 carbon footprint							tCO2e	
Year 14 carbon footprint							tCO2e	
Year 15 carbon footprint							tCO2e	

^(a) No information is required on the effect of the organisation on emissions which are not from its estate and operations.

^(b) This is the Greenhouse Gas Protocol developed by the World Resources Institute and the World Business Council on Sustainable Development which sets the global standard for how to measure, manage and report greenhouse gas emissions.

3(b) Breakdown of emissions sources

Complete the table below with the breakdown of emission sources from the organisation's most recent carbon footprint (greenhouse gas inventory); this should correspond to the last entry in the table above. Use the comments box to explain what is included within a category e.g. public transport includes taxis and trains but not buses and air travel as this data is not available. If it is not possible to use a simple emissions factor ^(a), leave this field blank and provide the total in the emissions column.

<i>Emission source</i>	<i>Scope</i>	<i>Consumption data</i>	<i>Units</i>	<i>Emission factor</i>	<i>Units</i>	<i>Emissions (tCO2e)</i>	<i>Comments</i>

^(a) Emissions factors are published annually by the UK Government Department for Environment, Food and Rural Affairs (Defra)

3(c) Generation, consumption and export of renewable energy

Provide a summary of the organisation’s annual renewable generation (if any), and whether it is used or exported by the organisation.

<i>Generation of renewables</i>	<i>Total generated (kWh)</i>	<i>Total consumed by the organisation (kWh)</i>	<i>Total exported (kWh)</i>	<i>Comments</i>
Renewable electricity				
Renewable heat				
Other				

Targets

3(d) Organisational targets

Organisations are likely to have a number of targets relevant to climate change. List all of the organisation’s targets of relevance to its climate change duties. Where applicable, overall carbon targets and any separate energy efficiency, waste, water, ICT, transport, travel and heat targets should be included.

<i>Name of target</i>	<i>Type of target</i>	<i>Target</i>	<i>Units</i>	<i>Boundary / scope of target</i>	<i>Baseline year</i>	<i>Baseline figure</i>	<i>Units of baseline</i>	<i>Target completion year</i>	<i>Comments</i>

Projects and changes

3(e) Estimated total annual carbon savings from all projects implemented by the organisation in the report year

If no projects were implemented against an emissions source, enter “0”.

If the organisation does not have any information for an emissions source, enter “Unknown”.

If the organisation does not include the emissions source in its carbon footprint, enter “N/A”.

<i>Emissions source</i>	<i>Total estimated annual carbon savings (tCO_{2e})</i>	<i>Comments</i>
Electricity		
Natural gas		
Other heating fuels		
Waste		
Water and sewerage		
Travel		
Fleet transport		
Other (specify in comments)		
Total		

3(f) Detail the top 10 carbon reduction projects implemented by the organisation in the report year

Provide details of the top 10 projects (based on estimated emissions savings) implemented in the report year.

<i>Project name</i>	<i>Funding source</i>	<i>First full year of CO₂e savings</i>	<i>Capital cost (£)</i>	<i>Operational cost (£/annum)</i>	<i>Project lifetime (years)</i>	<i>Primary fuel / emission source saved</i>	<i>Estimated carbon savings per year (tCO₂e/annum)</i>	<i>Estimated costs savings (£/annum)</i>	<i>Savings figures are estimated or actual</i>	<i>Comments</i>

3(g) Estimated decrease or increase in emissions from other sources in the report year

If the organisation's corporate emissions increased or decreased for any other reason in the report year, provide an estimate of the amount and direction.

<i>Emissions source</i>	<i>Total estimated annual emissions (tCO₂e)</i>	<i>Increase or decrease in emissions</i>	<i>Comments</i>
Estate changes			
Service provision			
Staff numbers			
Other (specify in comments)			
Total			

3(h) Anticipated annual carbon savings from all projects implemented by the organisation in the year ahead

If no projects are expected to be implemented against an emissions source, enter “0”.

If the organisation does not have any information for an emissions source, enter “Unknown”.

If the organisation does not include the emissions source in its carbon footprint, enter “N/A”.

<i>Emissions source</i>	<i>Total estimated annual carbon savings (tCO_{2e})</i>	<i>Comments</i>
Electricity		
Natural gas		
Other heating fuels		
Waste		
Water and sewerage		
Travel		
Fleet transport		
Other (specify in comments)		
Total		

3(i) Estimated decrease or increase in emissions from other sources in the year ahead

If the organisation’s corporate emissions are likely to increase or decrease for any other reason in the year ahead, provide an estimate of the amount and direction.

<i>Emissions source</i>	<i>Total estimated annual emissions (tCO_{2e})</i>	<i>Increase or decrease in emissions</i>	<i>Comments</i>
Estate changes			
Service provision			
Staff numbers			
Other (specify in comments)			
Total			

3(j) Total carbon reduction project savings since baseline year

If the organisation has data available, estimate the total emissions savings made from projects since the organisation's baseline year.

<i>Total savings</i>	<i>Total estimated emissions savings (tCO₂e)</i>	<i>Comments</i>
Total project savings since baseline year		

Further information

3(k) Supporting information and best practice

Provide any other relevant supporting information and any examples of best practice by the organisation in relation to corporate emissions, targets and projects.

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PART 4: ADAPTATION

Assessing and managing risk

4(a) Has the organisation assessed current and future climate-related risks?

If yes, provide a reference or link to any such risk assessment(s).

4(b) What arrangements does the organisation have in place to manage climate-related risks?

Provide details of any climate change adaptation risk management procedures, strategies, action plans and any adaptation policies and actions included across policy areas.

Taking action

4(c) What action has the organisation taken to adapt to climate change?

Include details of work to increase awareness of the need to adapt to climate change and build the capacity of staff and stakeholders to assess risk and implement action.

4(d) Where applicable, what progress has the organisation made in delivering the policies and proposals referenced N1, N2, N3, B1, B2, B3, S1, S2 and S3 in the Scottish Climate Change Adaptation Programme^(a) (“the Programme”)?

If the organisation is listed in the Programme as an organisation responsible for the delivery of one or more policies and proposals under the objectives N1, N2, N3, B1, B2, B3, S1, S2 and S3, provide details of the progress made by the organisation in delivering each policy or proposal in the report year. If it is not responsible for delivering any policy or proposal under a particular objective enter “N/A” in the ‘Delivery progress’ column for that objective.

<i>Objective</i>	<i>Objective reference</i>	<i>Theme</i>	<i>Policy / proposal reference</i>	<i>Delivery progress made</i>	<i>Comments</i>
Understand the effects of climate change and their impacts on the natural environment.	N1	Natural Environment			
Support a healthy and diverse natural environment with capacity to adapt.	N2	Natural Environment			
Sustain and enhance the benefits, goods and services that the natural environment provides.	N3	Natural Environment			
Understand the effects of climate change and their impacts on buildings and infrastructure networks.	B1	Buildings and infrastructure networks			
Provide the knowledge, skills and tools to manage climate change impacts on buildings and infrastructure.	B2	Buildings and infrastructure networks			
Increase the resilience of buildings and infrastructure networks to sustain and enhance the benefits and services provided.	B3	Buildings and infrastructure networks			
Understand the effects of climate change and their impacts on people, homes and communities.	S1	Society			
Increase the awareness of the impacts of climate change to enable people to adapt to future extreme weather events.	S2	Society			
Support our health services and emergency responders to enable them to respond effectively to the increased pressures associated with a changing climate.	S3	Society			

^(a) The Programme aims to address impacts identified for Scotland in the UK-wide climate change risk assessment which are not otherwise addressed by the UK-wide National Adaptation Programme through policy in relation to reserved matters.

Review, monitoring and evaluation

4(e) What arrangements does the organisation have in place to review current and future climate risks?

Provide details of arrangements to review current and future climate risks, for example, what timescales are in place to review the climate change risk assessments referred to in Question 4(a) and adaptation strategies, plans and policies in Question 4(b).

4(f) What arrangements does the organisation have in place to monitor and evaluate the impact of the adaptation actions?

Please provide details of monitoring and evaluation criteria and adaptation indicators used to assess the effectiveness of actions detailed under Question 4(c) and Question 4(d).

Future priorities for adaptation

4(g) What are the organisation's top 5 climate change adaptation priorities for the year ahead?

Provide a summary of the areas and activities of focus for the year ahead.

Further information

4(h) Supporting information and best practice

Provide any other relevant supporting information and any examples of best practice by the organisation in relation to adaptation.

PART 5: PROCUREMENT

Flexible Framework Assessment Tool^(a)

5(a) When did the organisation last complete the Flexible Framework Assessment Tool?

Include the month (e.g. April 2015).

--

5(b) What scores were achieved by the organisation when it last used this tool?

<i>Name of target</i>	<i>Level achieved (completed)</i>	<i>Target level</i>	<i>Date to be achieved</i>	<i>Comments</i>
People				
Policy				
Process				
Suppliers				
Results				

Climate change and sustainable procurement

5(c) Incorporating climate change / sustainability into new build projects

Provide a brief description of how climate change / sustainability issues were taken into account in the design and procurement of any new build projects by the organisation in the report year.

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^(a) This refers to the tool developed by the UK Sustainable Procurement Task Force for the purposes of charting an organisation’s progress towards achieving sustainable procurement.

5(d) Achievements in incorporating climate change / sustainability into procurement

Provide a brief description of any achievements by the organisation in incorporating climate change / sustainability considerations into procurement in the report year.

5(e) Challenges to incorporating climate change / sustainability into procurement

Provide a brief description of any challenges identified by the organisation.

5(f) How procurement policies contribute to compliance with climate change duties

Provide information relating to how the procurement policies of the organisation have contributed to its compliance with climate changes duties.

5(g) How procurement activity has contributed to compliance with climate change duties

Provide information relating to how procurement activity by the organisation has contributed to its compliance with climate changes duties.

Further information

5(h) Supporting information and best practice

Provide any other relevant supporting information and any examples of best practice by the organisation in relation to procurement.

PART 6: VALIDATION AND DECLARATION

6(a) Internal validation process

Briefly describe the organisation’s internal validation process, if any, of the data or information contained within this report.

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6(b) Peer validation process

Briefly describe the organisation’s peer validation process, if any, of the data or information contained within this report.

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6(c) External validation process

Briefly describe the organisation’s external validation process, if any, of the data or information contained within this report.

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6(d) Declaration

I confirm that the information in this report is accurate and provides a fair representation of the organisation’s performance in relation to climate change.

Name	
Role in the organisation	
Date	

EXPLANATORY NOTE

(This note is not part of the Order)

This Order requires the bodies in Schedule 1 to prepare reports on compliance with climate change duties imposed under (or by virtue of) section 44 of the Climate Change (Scotland) Act 2009.

It also sets out the information to be reported, the form of the reports and the period within which each report must be sent to the Scottish Ministers.

ANNEX C

PARTIAL BUSINESS AND REGULATORY IMPACT ASSESSMENT (ref:)

Climate Change Public Bodies Duties – Reporting Requirement
January 2015

PARTIAL BUSINESS AND REGULATORY IMPACT ASSESSMENT

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10.0 DECLARATION AND PUBLICATION

1 TITLE OF PROPOSAL

Required Reporting on Climate Change Public Bodies Duties

2 PURPOSE AND INTENDED EFFECT

(4) For each financial year, a listed body must prepare a report on compliance with its climate changes duties.

(2) The listed body must send the report to the Scottish Ministers within a period of 6 months from the end of that year.

2.1 Background

The Scottish Government announced in July 2014 that the 2012 annual emission reduction target had been missed. This is the third consecutive year the annual target has been missed. Further action is required across a wide range of climate change activities, if our demanding climate change targets are to be met. The public sector in Scotland therefore has a leading role to play in combatting climate change and accurately reporting progress and activity.

Evidence gathered in support of Scottish Government Report on Proposals and Policies (RPP2) suggests that there is scope to significantly increase emissions reductions in the public sector. Statutory reporting, which relevant bodies are required to complete, is one area of climate change action where Scottish Government has powers to do more, but so far, has chosen not to formally use them.

2.2 Objectives

This consultation is important, as the specifics of climate change reporting will involve a range of public sector personnel throughout each organisational structure. The main reasons for Ministers using the powers in the Act to introduce a statutory reporting requirement are to: support compliance with the Public Bodies Duties; consolidate climate change information from public sector; introduce standard methodology to improve data consistency; encourage continuous improvement and transparency; improve board engagement and leadership action and inform Scottish Government strategic reporting and future policy/support.

2.3 Rationale for government intervention

Ministers now wish to introduce a statutory reporting requirement for “major players” only in the public sector. A robust reporting system could provide a more detailed picture of the sector’s overall performance, assessed and reported annually. Currently most of the sector already collects data on a voluntary basis. Shifting to a statutory reporting requirement (referred to as ‘Required Reporting’ hereafter) would enable a consistent approach to be adopted by using a standard climate change reporting template and therefore develop an improved reporting system over time.

3.0 CONSULTATION

The consultation period will commence on February 2015 and close on 29 May 2015. Requests for printed copies of consultation papers, issued without charge, may be made direct to the Climate Change Public Bodies Duties Team of the Scottish Government. Contact details are appended.

3.1 Development Phase

We are seeking views on the introduction of a statutory requirement on public sector major players to report compliance on the climate change public bodies duties. The key driver to introducing a reporting requirement is to improve the quality and consistency of climate change information available to Scottish Ministers as well as Scottish Government policy officials and the public sector community itself.

We are also seeking any thoughts you may have on the impact of the changes in reporting climate change progress and activity, including any concerns. We would also welcome views on how the climate change public bodies duties (“PBD”) reports should be annually validated, analysed and monitored in the future.

The consultation is not seeking views on the provisions of the 2009 Act, as this has already been approved by Parliament. This paper seeks to make clear what the statutory reporting requirement entails and which organisations are involved; this is the primary focus of the consultation.

3.2 Within Government

Officials have consulted Energy, Transport, Built Environment, Heat, Climate Change, Behaviour Change, ICT and Procurement colleagues to help develop the standard reporting template. It captures information on key emission sources and supports emerging policy topics. Discussions have also taken place with Sustainable Scotland Network (“SSN”), Resource Efficient Scotland, Adaptation Scotland and Convention of Scottish Local Authorities (“COSLA”) on the level of data needed to inform future climate change policy, funding and support.

3.3 Public consultation

The Scottish Government has identified a list of public sector major player organisations who would be required to report on compliance with the climate change duties. Those public bodies listed as major players have been directly alerted to this public consultation.

As well as directly contacting stakeholders with a known interest, the consultation is also promoted on the homepage of the Scottish Government website and via a Sustainable Scotland Network (“SSN”) members newsletter.

The full consultation package is published in different formats on the Scottish Government website (<http://www.scotland.gov.uk/Consultations/Current>).

4.0 OPTIONS

4.1 Options proposed

In considering how best to address the range of objectives identified in paragraph 2.2 above, three possible options were identified:

Option 1 – doing nothing;

Option 2 –continue with a voluntary approach to public sector climate change reporting and improve the reporting guidance;

Option 3 – use the powers in the Act to introduce a statutory requirement for relevant public bodies to report on compliance with the climate change public bodies duties.

4.2 Sectors and groups affected

Sectors and groups affected include:

a) Public Bodies – major players managing the use of publically funded resources should not be subject to loss of amenity and facilities as a consequence of the policy proposals.

b) Sustainable Procurement – professional staff procuring products, services and properties could benefit from reduced overall costs as a result of striving for increased sustainability performance through improved policies, procedures and practices generated by the requirement to publically report annual progress and activity.

d) Scottish Government – the sponsorship of public sector support services such as Adaptation Scotland, Resource Efficient Scotland, Energy Saving Trust and the Sustainable Scotland Network may see an increase in service uptake for policy and technical support from major players.

c) Validation – public sector auditors may have to train staff in relevant areas of data capture and management to enable accurate and consistent information to be reported annually under the reporting requirement;

e) Consultancy Network in Scotland - Some major players may need to commission private sector consultants to help develop and produce climate change reports. The consultancy network in Scotland could find it difficult to respond to demands for specialist climate change services at peak times of the reporting year.

5.0 BENEFITS

The policy proposals relate to changes to the existing climate change reporting that supports required reporting of climate change duties compliance. When assessing the effectiveness of the three options above to achieve the desired outcomes indicated in paragraph 2.3 the following observations were made:

5.1 Option 1 – Benefits

This option offers no benefits. There would be no improvement or other gains to climate change reporting information and techniques. No significant improvements would be evident in climate change information available to Ministers. This option would not address any of the issues identified in 2.3.

5.2 Option 2 – Benefits

Any benefits gained by a continued voluntary approach and the introduction of updated and improved guidance would be wholly dependent on the level of use of that guidance. Benefits would, at best, be identical to those possible under option 3, but only in respect of those practitioners who chose to adopt new methods in line with the guidance.

5.3 Option 3 – Benefits

The achievement of the objectives set out in paragraph 2.2 could be realised. Multiple benefits through improved practices could be accrued as a result of a statutory reporting requirement being introduced. Although most major players already report climate change or sustainability information annually, a small minority do not publish any climate change information. This policy proposal will enable all major players to formally report their compliance with the climate change public bodies duties in an open and transparent fashion and demonstrate robust management of public funds and climate change action.

6.0 COSTS

6.1 Option 1 – Do nothing

This option would not change the position of public bodies. Inconsistency would remain with regard to application of the reporting guidance and as such stakeholders would not have the 'level playing field' they would want. Such an arrangement is considered untenable by Scottish Ministers and members of the Public Sector Climate Leaders Forum.

6.2 Option 2 – Continue with a voluntary approach to public sector climate change reporting and improve existing reporting guidance.

Where a person chooses to follow any advice in the reporting guidance, the cost implications would be similar to those of option 3. However, it would be difficult to envisage how effective this option would be and what improvements would result that would meet the objectives in paragraph 2.2.

6.4 Option 3 - Use the powers in the Act to introduce a statutory requirement for relevant public bodies to report on compliance with the climate change public bodies duties.

For the majority of public bodies who already report climate change information there should be little or no increased cost implications. Collection of climate change information should be regarded as a core management task and therefore be absorbed into the daily business operations. However, some less capable bodies may decide to employ private sector services to assist in the production of the annual report. These services will come at a cost depending on the rate charged by each consultant. This cost would be incurred during the first year of reporting but would not be required thereafter once the data capture and recording systems were set up.

6.5 Cost of statutory reporting and new guidance

In the past Scottish Government produced the reporting guidance in-house. However, the development of new guidance is to be delegated to Sustainable Scotland Network (SSN) staff who may also call upon the services of contractors under existing framework arrangements.

There are approximately 150 public bodies identified as major players each of whom would be expected to report annual climate change information. The time impact per major player is estimated at a total of around 20 hours on familiarisation, data recording and validation. Therefore, based on average hourly rates in the public sector, the total costs annually to the sector would be around £64,500.

However, for some practitioners, this aspect may be offset against Continued Professional Development (CPD) requirements. For example, professional energy, environment, audit, ICT, procurement and estate/facilities management staff may incur no additional costs as professional institutions demand at least 20 – 40 hours Continued Professional Development as part of their professional membership criteria.

It is recognised that some public bodies may choose to enlist the free 3RD party assistance of the Sustainable Scotland Network or Resource Efficient Scotland advisory services, or alternatively, commission a private sector consultant at cost to provide technical support to develop their annual climate change report.

From a Scottish Government policy perspective, any staff costs incurred in the monitoring and analysing of the submitted climate change reports or contributing to the further development of reporting guidance, would be absorbed into the running costs of the Climate Change Hub of Scottish Government.

7.0 SCOTTISH FIRMS IMPACT TEST

The Scottish firms impact test regards all firms with fewer than 50 full time employees as being small businesses and those with less than 10 as micro businesses. Guidelines state that a concerted effort should be made to consult small and micro businesses over policy proposals. As stated above in 3.3, this public consultation will mainly focus on public sector stakeholder involvement in meeting the proposed reporting requirement.

However, the public consultation will also enable other interested parties, including small and micro business to respond during the public consultation period. Consultation responses will be considered as part of the final BRIA.

It is not envisaged that the introduction of the proposed reporting requirement will have a detrimental impact on businesses, in fact, there is a possibility that public bodies may choose to employ consultants to undertake support work to produce climate change reports. This could result in an increased uptake of business services at specific preparatory times of the reporting year.

7.1 Competition Assessment

It is not envisaged that any of the aspects identified in clause 2.3 of this assessment will impact on competition between companies.

7.2 Timing

In support of this policy proposal, Ministers wish to introduce a standard climate change reporting template for major players on a trial basis for their 2014/15 reports. Following consultation, and if Parliament approves, the reporting requirement would then apply to 2015/16 reports which would be due by 30 October 2016.

8.0 LEGAL AID IMPACT TEST

It is not envisaged that there will be any additional demands placed on the legal system by this proposal. Accordingly, it is not considered that there will be any effect on individuals' right of access to justice through availability of legal aid or on possible expenditure from the legal aid fund.

9.0 ENFORCEMENT, SANCTIONS AND MONITORING

All matters relating to enforcement, sanctions and monitoring will be considered within the powers in the Climate Change (Scotland) Act 2009.

9.2 Enforcement and sanctions

The future introduction of penalties for non-compliance by a major player with the Climate Change Public Bodies Duties would be considered based on the provision in the Climate Change (Scotland) Act 2009 and the views of consultation respondents.

9.3 Monitoring

The Scottish Government would monitor the effectiveness of Required Reporting based consultation responses received and the analysis of the findings of major player climate change reports submitted. An annual readout report would be produced and presented to Ministers, prior to being published on the Scottish Government website annually.

10.0 DECLARATION AND PUBLICATION

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