

2015 No. 347

CLIMATE CHANGE

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

Made - - - - *6th October 2015*

Laid before the Scottish Parliament *8th October 2015*

Coming into force - - *23rd November 2015*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 46(1) and 96(2)(a) 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 23rd November 2015.

Interpretation

2. In this Order—

“the Act” means the Climate Change (Scotland) Act 2009;

“listed body” means any body which, any other person who, or the holder of any office which is listed in Schedule 1(b);

“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 change duties.

(2) The listed body must send the report to the Scottish Ministers within a period of 8 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) Each listed body is a Scottish public authority within the meaning of section 3(1)(a) of the Freedom of Information (Scotland) Act 2002. By virtue of section 44 of the Climate Change (Scotland) Act 2009 (“the Act”) each listed body has climate change duties. Each body is, accordingly, a “relevant public body” for the purposes of Part 4 of the Act.

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.
- (3) The report may be sent to the Scottish Ministers in electronic form.

St Andrew's House,
Edinburgh
6th October 2015

AILEEN McLEOD
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

Food Standards Scotland

The Keeper of the Records of Scotland

The Keeper of the Registers of Scotland

The Office of the Scottish Charity Regulator

The Registrar General of Births, Deaths and Marriages for Scotland

Revenue Scotland

The Scottish Courts and Tribunals Service

The Scottish Housing Regulator

Local government

A council constituted by section 2 of the Local Government etc. (Scotland) Act 1994^(a)

A Transport Partnership created under the Transport (Scotland) Act 2005^(b)

National health service

The Common Services Agency for the Scottish Health Service

A Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978^(c)

The National Waiting Times Centre Board

NHS Education for Scotland

The Scottish Ambulance Service Board

The State Hospitals Board for Scotland

(a) 1994 c.39; section 2 was amended by the Environment Act 1995 (c. 25), Schedule 22, paragraph 232(1).

(b) 2005 asp 12.

(c) 1978 c.29; section 2 was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), section 14(2) and Schedule 7, paragraph 1; the National Health Service and Community Care Act 1990 (c.19), section 66(1) and Schedule 9, paragraph 19(1); the National Health Service Reform (Scotland) Act 2004 (asp 7), schedule 1, paragraph 1(1) and (2) and the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), schedule 2, paragraph 2(1) and (2). There are other amendments to section 2 which are not relevant for the purposes of this instrument.

Educational institutions

The board of management of a college of further education (within the meaning given by section 36(1) of the Further and Higher Education (Scotland) Act 1992(a))

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 (within the meaning of the Further and Higher Education (Scotland) Act 2005(b)), other than any such institution whose activities are principally carried on outwith Scotland

Police

The chief constable of the Police Service of Scotland

The Scottish Police Authority

Others

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

Historic Environment Scotland

An integration joint board established by order under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014(c)

The James Hutton Institute

The Loch Lomond and The Trossachs National Park Authority

The Moredun Research Institute

The National Library 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

(a) 1992 c.37.

(b) 2005 asp 6; section 35(1) was relevantly amended by the Post-16 Education (Scotland) Act 2013 (asp 12) to include definitions for "fundable post-16 education body" and "regional strategic body". There are other amendments which are not relevant for the purposes of this Order.

(c) 2014 asp 9.

The Scottish Legal Aid Board

Scottish Natural Heritage

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
REPORT ON COMPLIANCE WITH CLIMATE CHANGE DUTIES
 Article 4

PART 1: PROFILE OF REPORTING BODY

- 1(a) Name of reporting body**
 Provide the name of the listed body (the “body”) which prepared this report.
- 1(b) Type of body**
- 1(c) Highest number of full-time equivalent staff in the body during the report year**

1(d) Metrics used by the body
 Specify the metrics that the body uses to assess its performance in relation to climate change and sustainability.

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

1(e)

Overall budget of the body

Specify approximate £/annum for the report year.

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1(f)

Report year

Specify the report year.

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1(g)

Context

Provide a summary of the body's nature and functions that are relevant to climate change reporting.

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PART 2: GOVERNANCE, MANAGEMENT AND STRATEGY

Governance and management

2(a)

How is climate change governed in the body?

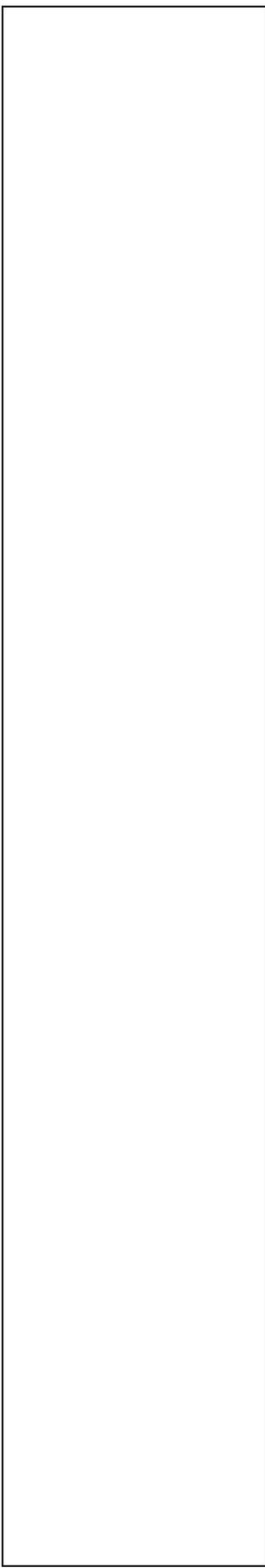
Provide a summary of the roles performed by the body's governance bodies and members in relation to climate change. If any of the body's activities in relation to climate change sit outside its own governance arrangements (in relation to, for example, land use, adaptation, transport, business travel, waste, information and communication technology, procurement or behaviour change), identify these activities and the governance arrangements.

Provide a diagram / chart to outline the governance structure within the body.

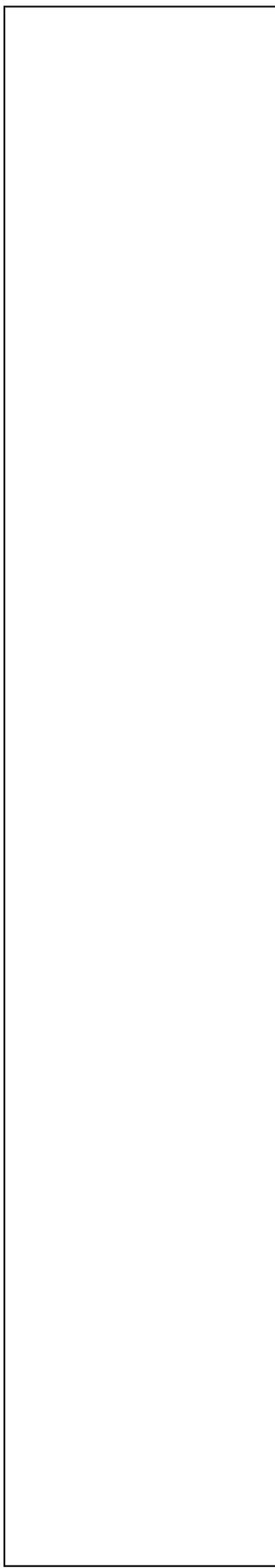
2(b)

How is climate change action managed and embedded by the body?

Provide a summary of how decision-making in relation to climate change action by the body is managed and how responsibility is allocated to the body's senior staff, departmental heads etc. If any such decision-making sits outside the body's own governance arrangements (in relation to, for example, land use, adaptation, transport, business travel, waste, information and communication technology, procurement or behaviour change), identify how this is managed and how responsibility is allocated outside the body.



Provide a diagram to show how responsibility is allocated to the body's senior staff, departmental heads etc.



Strategy

2(c) Does the body 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)

Does the body have a climate change plan or strategy?

If yes, provide the name of any such document and details of where a copy of the document may be obtained or accessed.

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2(e) Does the body have any plans or strategies 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			
Information and communication technology			
Renewable energy			
Sustainable / renewable heat			
Waste management			
Water and sewerage			
Land use			
Other			

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

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

2(g) Has the body used the Climate Change Assessment Tool^(a) or equivalent tool to self-assess its capability / performance?

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

Further information

2(h) Supporting information and best practice

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

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

PART 3: EMISSIONS, TARGETS AND PROJECTS

Emissions

3(a) Emissions from the start of the year which the body uses as a baseline (for its carbon footprint) to the end of the report year

Complete the following table using the greenhouse gas emissions total for the body 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 body'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 year which is used as a baseline 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 body on emissions which are not from its estate and operations.

^(b) This refers to the document entitled “*The greenhouse gas protocol. A corporate accounting and reporting standard (revised edition)*”, World Business Council for Sustainable Development, Geneva, Switzerland / World Resources Institute, Washington DC, USA (2004), ISBN: 1-56973-568-9.

3(c)

Generation, consumption and export of renewable energy

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

<i>Generation of renewables</i>	<i>Total generated (kWh)</i>	<i>Total consumed by the body (kWh)</i>	<i>Total exported (kWh)</i>	<i>Comments</i>
Renewable electricity				
Renewable heat				
Other 1 (specify in comments)				
Other 2 (specify in comments)				
Other 3 (specify in comments)				

Projects and changes

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

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

If the body does not have any information for an emissions source, enter "Unknown".

If the body 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		
Business travel		
Fleet transport		
Other 1 (specify in comments)		
Other 2 (specify in comments)		
Other 3 (specify in comments)		
Total		

3(g) Estimated decrease or increase in the body's emissions attributed to factors (not reported elsewhere in this form) in the report year
 If the emissions increased or decreased due to any such factor in the report year, 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 1 (specify in comments)			
Other 2 (specify in comments)			
Other 3 (specify in comments)			
Total			

3(h)

Anticipated annual carbon savings from all projects implemented by the body in the year ahead

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

If the body does not have any information for an emissions source, enter "Unknown".

If the body does not include the emissions source in its carbon footprint, enter "N/A".

<i>Emissions source</i>	<i>Total estimated annual carbon savings (tCO₂e)</i>	<i>Comments</i>
Electricity		
Natural gas		
Other heating fuels		
Waste		
Water and sewerage		
Travel		
Fleet transport		
Other 1 (specify in comments)		
Other 2 (specify in comments)		
Other 3 (specify in comments)		
Total		

3(i) Estimated decrease or increase in the body's emissions attributed to factors (not reported elsewhere in this form) in the year ahead
 If the emissions are likely to increase or decrease due to any such factor 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 1 (specify in comments)			
Other 2 (specify in comments)			
Other 3 (specify in comments)			
Total			

3(j)

Total carbon reduction project savings since the start of the year which the body uses as a baseline for its carbon footprint

If the body has data available, estimate the total emissions savings made from projects since the start of that year (“the baseline year”).

<i>Total savings</i>	<i>Total estimated emissions savings (tCO_{2e})</i>	<i>Comments</i>
Total project savings since the 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 body in relation to its emissions, targets and projects.

PART 4: ADAPTATION

Assessing and managing risk

4(a) Has the body 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 body have in place to manage climate-related risks?

Provide details of any climate change adaptation strategies, action plans and risk management procedures, and any climate change adaptation policies which apply across the body.

Taking action

4(c)

What action has the body 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.

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4(d)

Where applicable, what progress has the body 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 body is listed in the Programme as a body 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 body 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 made’ 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) This refers to the programme for adaptation to climate change laid before the Scottish Parliament under section 53(2) of the Climate Change (Scotland) Act 2009 (asp 12) which currently has effect. The most recent one is entitled “Climate Ready Scotland: Scottish Climate Change Adaptation Programme” dated May 2014.

Review, monitoring and evaluation

4(e)

What arrangements does the body 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, action plans, procedures and policies in Question 4(b).

4(f)

What arrangements does the body 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 body's top 5 priorities for the year ahead in relation to climate change adaptation?

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

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Further information

4(h) Supporting information and best practice

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

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PART 5: PROCUREMENT

5(a) How have procurement policies contributed to compliance with climate change duties?

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

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

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

Further information

5(c) Supporting information and best practice

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

PART 6: VALIDATION AND DECLARATION

6(a) Internal validation process
Briefly describe the body's internal validation process, if any, of the data or information contained within this report.

6(b) Peer validation process
Briefly describe the body's peer validation process, if any, of the data or information contained within this report.

6(c) External validation process
Briefly describe the body's external validation process, if any, of the data or information contained within this report.

6(d)

No validation process

If any information provided in this report has not been validated, identify the information in question and explain why it has not been validated.

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6(e)

Declaration

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

Name	
Role in the body	
Date	

EXPLANATORY NOTE

(This note is not part of the Order)

This Order requires the bodies listed 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.

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