

Public bodies climate change duties: consultation on draft Statutory Guidance



Respondent Information Form

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy: <https://www.gov.scot/privacy/> and refer to the Privacy Notice at the end of this document.

What is your name?

Caren Webster

Are you responding as an individual or an organisation?

Only select 'organisation' if you are submitting a response on behalf of an organisation rather than your own individual views.

(Required)

- ☐ Individual
- ☒ **Organisation**

What is your organisation?

If responding on behalf of an organisation, please enter the organisation's name here.

If you are responding as an individual you can leave this blank.

Angus Council

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

(Required)

- ☐ Publish response with name
- ☒ **Publish response only (without name)**
- ☐ Do not publish response

Information for organisations only:

The option '*Publish response only (without name)*' refers only to your name, not your organisation's name. If this option is selected, the organisation name will still be published.

If you choose the option '*Do not publish response*', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

Further information about your organisation's response

Organisations may use this space to provide additional context for their response. This could be information about, for example:

- any research your organisation undertook to inform the response
- any engagement with your members or audience undertaken to inform the response

This is optional.

Prior to submission, this response was circulated to relevant Services for comment and to the Convener and Vice-Convener of the Council's Committee and the Leader of the Non-Administration.

This response is due to be retrospectively reported to Angus Council Committee on the 26th of June 2025.

Do you work for, or are you responding on behalf of, a Scottish public body subject to the climate change duties?

If you are responding as an individual and do not work for an organisation subject to the duties, please answer 'no' and skip the questions about your sector and job role.

Your response to this question and those below about sector and job role will not be published.

(Required)

- ☒ **Yes**
- ☐ No
- ☐ Don't know
- ☐ Prefer not to say

If you answered 'yes' to the question above, please indicate which sector your organisation belongs to:

- ☒ **Local authority**
- ☐ NHS Scotland body
- ☐ Integration joint board
- ☐ Transport partnership
- ☐ College or university
- ☐ Central government body
- ☐ Other
- ☐ Prefer not to say

If you work for a Scottish public body subject to the climate change duties, which of these categories best describes your role:

- ☐ Leadership or senior management
- ☒ **Policy**
- ☐ Operational or delivery role
- ☐ Specialist (e.g. finance, procurement)
- ☐ Other
- ☐ Prefer not to say

Is your organisation a public body subject to the mandatory annual reporting on compliance with the climate change duties under the Reporting Order, i.e. the public bodies climate change duties reporting?

If you are responding as an individual and do not work for an organisation subject to the Reporting Order, please answer 'no' and skip the questions about your sector and job role.

Your response to this question and the one below about your role will not be published.

(Required)

- ☒ **Yes**
- ☐ No
- ☐ Don't know
- ☐ Prefer not to say

If you answered 'yes' to the question above, in your role, are you the lead reporter for the organisation (i.e. are you responsible for completing and submitting the annual report) or do you contribute to the annual public bodies climate change duties report?

- ☒ **Yes**
- ☐ No
- ☐ Prefer not to say

Do you consent to Scottish Government contacting you again in relation to this consultation exercise?

(Required)

- ☒ **Yes**
- ☐ No

What is your email address?

If you would like to be contacted again in future about this consultation please enter your email address here. You will also need to give permission to be contacted in the question above.

Your email address will never be published.

websterc@angus.gov.uk

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

(Required)

- ☒ I consent

Consultation Questionnaire

Climate change and equalities

1. With respect to the protected characteristics, could the content of the Statutory Guidance be changed or added to, to strengthen any positive impacts or lessen any negative impacts as it is implemented by public bodies?

- ☐ Yes
☒ **No**
☐ Don't know

If so, how? Please give us your views.

All of the protected characteristics appear to be covered.

Agree that Sector Bodies must take a leadership role in mitigating the negative impacts of climate change on the environment and any related impact on inequalities.

2. With respect to inequality caused by socio-economic disadvantage, could the content of the Statutory Guidance be changed or added to, to strengthen any positive impacts or lessen any negative impacts as it is implemented by public bodies?

- ☐ Yes
☒ **No**
☐ Don't know

If so, how? Please give us your views.

The list and explanations of the various types of Impact Assessments in section 2.2 clearly highlights which assessments can be used to reduce inequalities associated with being socio-economic disadvantaged. The illustrative worked examples are useful to refer to for further understanding.

Taking climate into account in decision making

3. Does the guidance make it clear how public bodies can fulfil the requirement to 'best calculate' the climate impact of their actions?

- ☒ **Yes**

- ☐ Partially
- ☐ No
- ☐ Don't know

Please provide comments below.

Agree. The guidance and methods to 'best calculate' the climate impact of actions are clear, but resources are an issue to implement them.

Many Council Officers, Management and Leaders will need support to best calculate the impact of their actions (projects, plans and policies) in terms of mitigation and adaptation, to ensure climate change considerations are embedded in decision-making processes. Small Climate Change Teams don't have the capacity to do this, for example, the Council's Environment & Climate Change Team considered introducing Climate Change Impact Assessment's into Committee Reporting, but the Team do not have the resources to effectively support and manage the process.

In January 2024, Democratic Services introduced an 'Environmental Implications' section to the Committee Report template to prompt authors to consider the positive and/or negative environmental impacts of their proposals.

4. Does the guidance make it clear how public bodies should take future climate scenarios into account when making plans and investment decisions?

- ☒ **Yes**
- ☐ Partially
- ☐ No
- ☐ Don't know

Please provide comments below.

The Council are already taking steps toward this within the 2025-26 Budget. It is an ambitious plan for Angus that is designed to sustain existing services and unlock opportunities for the future.

Within the budget is the new Angus Public Infrastructure Fund; this capital investment fund will provide additional support in a number of key project areas, including addressing the ongoing impacts of climate change and to restore the County's basic infrastructure, which has suffered through underinvestment and climate-related damage.

That includes the recovery from unprecedented devastation caused by severe weather incidents, such as Storm Babet at Brechin, and the Montrose coastline, which has been ravaged by successive storms. The Council's capital plan will, for the first time, show expenditure relating to climate change as its impacts make increasing demands of the Council and Angus citizens. Climate change officers will continue to advance the Council's vital climate change, environment, nature and biodiversity ambitions.

The first duty: reducing emissions (climate change mitigation)

5. Do you have any comments about the guidance provided in this chapter (chapter 5) on complying with the first duty?

Please give us your thoughts. For example, are there any gaps or are there ways that you think it could be improved.

In Angus, and in most other Local Authorities, the reduction of emissions is well established. The Council has complied with the Public Bodies Climate Change Duties Reporting for many years, and refined its methods of recording emissions. The Council has previously worked with the Carbon Trust and had accreditations to their energy and water standards and has had various iterations of Carbon Management Plans.

The guidance is helpful as a check to ensure current ways of working are up to date.

6. Do you think the Carbon Management Plan template is suitable for its intended purpose as outlined in Annex A?

- ☒ **Yes**
- ☐ **No**
- ☐ **Don't know**

Please give us your thoughts.

Carbon Managements Plans have been in operation for many years in various forms, this type of plan isn't something new to put in place. The Council currently has a Transition to Net Zero Action Plan, which is essentially a Carbon Management Plan.

Once the guidance is finalised the Council will cross check / update the contents of the Transition to Net Zero Action Plan to ensure it complies.

7. Do you think the Climate Change Plan template for local authorities is suitable for its intended purpose as outlined in Annex B?

- ☒ **Yes**
☐ No
☐ Don't know

Please give us your thoughts.

Rather than yes, my answer is partially yes / unsure.

The Council has the majority of the suggested content, but it is across many different plans and strategies. Rather than writing another plan, it may be more effective to create a document that shows how everything links together under climate change, and signpost readers to the separate documents for more detailed information.

The second duty: adaptation

8. The guidance lays out an approach whereby public bodies should: review the Scottish National Adaptation Plan (SNAP); identify the objectives relevant to them; contribute towards those objectives; and, where relevant, report annually on progress in their public bodies climate change duties report.

To what extent do you agree or disagree with this proposed approach?

- ☒ **Strongly agree**
☐ Somewhat agree
☐ Neither agree nor disagree
☐ Somewhat disagree
☐ Strongly disagree
☐ Don't know

Please provide any additional comments below.

The guidance for the Adaptation Duty is linked to SNAP and its long-term adaptation outcomes – this ensures all that Adaptation action and outcomes are aligned, which is welcomed.

The Council are part of the Regional Adaptation group – Climate Ready Tayside. The Council are currently working on a Climate Risk and Vulnerability Assessment with consultants where we will be working through many of the steps set out in the draft guidance. The steps are clear for organisations new to Adaptation, and they also act as a check for more experienced organisations.

9. Do you have any other comments about the guidance provided in this chapter (chapter 6) about complying with the second duty?

Please give us your thoughts. For example, are there any gaps or are there ways that you think it could be improved.

Section 6.3.7 Overcoming adaptation challenges has lists of common drivers, barriers / constraints – could opportunities be mentioned, rather than it being more ‘risk’ focused?

The third duty: acting in the most sustainable way

10. Having considered the content of the chapter (chapter 7), is it clear how public bodies should implement the third duty, to act in the most sustainable way?

- ☒ **Yes**
- ☐ Partially
- ☐ No
- ☐ Don't know

Please give us your thoughts.

‘Sustainability’ is difficult to define – the Scottish Government’s outline on what it considers sustainable development to mean ensures all public bodies are using the same terminology to ensure consistency.

Encouraging public bodies to use the UK Shared Framework and showing how the principals can be implemented again provides consistency to approach.

11. Do you have any other comments about the guidance provided in this chapter (chapter 7) about complying with the third duty?

Please give us your thoughts. For example, are there any gaps or are there ways that you think it could be improved.

Sustainable development principles should be embedded in the practices and functioning of organisations, rather than being thought of as add-on, e.g. 'business as usual but with more recycling and low emissions vehicles'.

Using the guidance to embed sustainable development practices should change the way people think and solve problems.

Reporting of scope 3 emissions

12. To what extent do you agree or disagree with the proposed baseline reporting of the scope 3 emission categories outlined in section 8.3.5.1 of the guidance?

- ☒ **Strongly agree**
- ☐ Somewhat agree
- ☐ Neither agree nor disagree
- ☐ Somewhat disagree
- ☐ Strongly disagree
- ☐ Don't know

Please provide any additional comments below.

The Council already report these scope 3 emissions.

The Council report business travel via vehicles and homeworking, and are currently looking into gathering data for other modes of business travel (e.g. train, bus, etc...) and commuting.

13. Do you think that any other categories of scope 3 emissions should be included in the recommended baseline for reporting, where these are relevant and applicable? Please tick all that apply.

- ☒ **Purchased goods, works and services**
- ☐ Capital assets (e.g. construction)
- ☐ Upstream transportation and distribution
- ☐ Upstream leased assets
- ☐ Downstream transportation and distribution
- ☐ Processing of sold products
- ☐ Use of sold products

- ☐ End-of-life treatment of sold products
- ☐ Downstream leased assets
- ☐ Franchises
- ☒ **Investments**

If you ticked any of the categories of scope 3 emissions above, please provide an explanation. This field can also be used for any other comments related to this chapter.

Agree. It is important that public bodies work towards fuller reporting of scope 3 emissions, to provide a more complete picture of their climate impact to enable resources to be focused to where they can achieve the greatest emissions reductions. The emissions included in the baseline should be emissions the Council can actively and successfully affect to ensure this isn't just a data collation exercise; there needs to be National support/mechanisms beyond this guidance to help more local producers, providers and suppliers become more sustainable and competitive to help drive down emissions, for example.

Agree. It is important that public bodies work towards fuller reporting of scope 3 emissions, however, it is a time consuming and costly task. The Council recently looked at increasing the reporting of scope 3 emissions to include Procurement related emissions (e.g. purchased goods, works and services), but don't have the staff resource to calculate these emissions or the annual financial resources to engage with a company who can calculate the scope 3 emissions on the Council's behalf.

Overall reflections

14. Do you think that the guidance fulfils its stated purpose of providing support to public bodies in putting the climate change duties into practice?

- ☒ **Yes**
- ☐ No
- ☐ Don't know

Please provide further comments below.

The guidance is very detailed, a smaller summary document would be useful for communicating with Management and Elected Members.

15. Do you have any further comments about the guidance?

Please give us your thoughts. For example, are there any gaps or are there ways that you think it could be improved.

The blue boxes containing the illustrative worked examples and case studies are helpful to refer to for further understanding. They are a good reference point.

To give better clarity of the expectations and duties placed upon organisations and to help get key decisions makers / senior management board buy-in - should the 'shoulds' and 'coulds' become 'musts'?!

An indirect consequence of this guidance is that organisations (in varying degrees) will need to implement new duties, procedures, policies, etc..., this has resource implications on already stretched teams and funds.

Privacy Notice

General information

This privacy notice tells you what to expect us to do with your personal information when you respond to this consultation, including by email and post.

When we process your personal information, we promise to:

- make sure you know why we need it
- only ask for what we need, and not collect too much or irrelevant information
- make sure it is accurate and up to date
- let you know if we share it with other organisations, unless we have a legal obligation to pass it on without telling you
- protect it and make sure nobody has access to it who shouldn't
- make sure we don't keep it longer than is necessary.

Please see our privacy pages for further general information:

<https://www.gov.scot/privacy/>

Our contact details

This consultation is being run by the Net Zero Public Sector Team, Domestic Climate Change Division, Scottish Government. The Net Zero Public Sector Team led on the development of the draft Statutory Guidance which is the focus of this consultation.

The Scottish Government falls under the legal entity of the Scottish Ministers in relation to processing of your personal information. We are the data controller for the personal information we process, unless otherwise stated.

You can email us at: climate.change@gov.scot

Postal enquiries should be sent to:

Scottish Government
Net Zero Public Sector Team, DCCD
Area 3F - South
Victoria Quay
Edinburgh
EH6 6QQ

Data Protection Officer's contact details

You can contact our Data Protection Officer at DataProtectionOfficer@gov.scot or via our postal address. Please mark the envelope 'Data Protection Officer'.

Your data protection rights

Data protection law gives you certain rights that you may exercise in respect of your own personal information. Not all these may be relevant to this consultation as some of the types of information mentioned below may not be requested or provided during this consultation.

- you have a right to request a copy of personal information we hold about you, by making a subject access request. This right always applies. There are some exemptions, which means you may not always receive all the information we process. [We have published further information on this \(https://www.gov.scot/publications/subject-access-request-form/\)](https://www.gov.scot/publications/subject-access-request-form/)
- you have the right to ask us to update our records if you believe that the data we hold is inaccurate or incomplete. This right always applies
- you have the right to ask us to erase your personal information. There may however be some circumstances in which we cannot comply. Such as, if we have a legal duty to keep data, or we process it in a particular way
- you have the right to ask that we stop or restrict the processing of your information in certain circumstances
- you have the right to object to processing if we are able to process your information because the process forms part of our public tasks
- you have the right to ask that we transfer the information you gave us from one organisation to another, or give it to you. This right only applies to information you have given us and we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated

You are not required to pay any charge for exercising your rights. We have one month to respond to you. Please contact us at dpa@gov.scot if you wish to make a request, or contact our Central Enquires Unit on 0300 244 4000.

Your right to complain

If you have concerns about our compliance with data protection laws, please contact our Data Protection Officer in the first instance at DataProtectionOfficer@gov.scot. They will look into the concerns you have raised and provides the response.

If you are not satisfied with the DPO's response you have the right to lodge a complaint with the Information Commissioner's Office (ICO). The ICO are the supervisory authority responsible for data protection in the UK. You can contact the Information Commissioner at:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 08456 30 60 60

Website: www.ico.org.uk

More information is available at [make a complaint on the Information Commissioner's site](#).

How we will collect the information

The personal information we will process is provided to us directly by you, as you respond to this consultation. If you respond online through the Citizen Space platform,

the information will be gathered on the 'About you' page. If you respond by email or post, the information will be gathered through the Respondent Information Form.

Why the information is needed and how it will be used

Purpose of this consultation

The purpose of this consultation is to gather feedback on draft Statutory Guidance for public bodies in relation to the climate change duties, and to inform the development of the final guidance.

Lawful basis for processing personal data

The lawful basis for processing personal data is article 6(1)(e) of the UK GDPR, which allows the processing of personal data when this is necessary for the performance of a public task in exercise of official authority and article 6(1)(a) of the UK GDPR which allows the processing of personal data where clear consent has been given for the processing of data for a specific purpose.

Under [section 45\(1\)](#) of the Climate Change (Scotland) Act 2009, Scottish Ministers must give guidance to relevant public bodies in relation to the climate change duties.

Sections 45(2) and (3) of the Act require Scottish Ministers to consult local authorities and other such persons as the Scottish Ministers consider appropriate, before giving such guidance.

Data processing is necessary for us to perform these tasks for our official functions, and the task has a clear basis in law, i.e. it is a 'public task'.

Why have we asked for your name and contact details?

Names and email addresses, and if applicable, postal addresses and postcodes, are requested solely in relation to communication about the consultation.

Your name will only be published as part of your response if you give us permission to do so (see 'Publication of responses' below).

Names and contact details will not form part of the analysis.

Why have we asked for organisational information?

We have asked for information regarding organisational responses, sector and whether the organisation is subject to the climate change duties and to the reporting duty. This is to enable us to differentiate between responses submitted by those who will be required to have regard to the guidance (i.e. the intended audience - public bodies subject to the climate change duties) and those who will not. This will inform the analysis, and in turn the final version of the guidance.

We are requesting information about the type of role that responders have, to further inform the analysis. We envisage that different users will utilise different sections of the guidance, e.g. that senior managers may find the leadership and governance sections of most use, while staff in delivery roles may focus on the chapters on implementing the duties. The guidance needs to be fit for purpose and gathering this data will help us ensure that it has been tailored correctly to the different users.

These questions are voluntary and respondents can choose not to answer, or to select a response such as 'don't know' or 'prefer not to say'. The responses given to these questions will not be published.

Where a responder submits an organisational response, and provides the name of the organisation, we may use publicly available data to verify and or determine whether the organisation is subject to the climate change duties, and to the related reporting duty.

Public bodies subject to the climate change duties are defined as Scottish public authorities within the meaning of section 3(1)(a) of the [Freedom of Information \(Scotland\) Act 2002 \(asp 13\)](#). This defines public authorities as being: (i) those listed in [schedule 1 of that Act](#); or (ii) those designated by order under section 5(1).

Public bodies subject to the reporting duty are listed in [schedule 1](#) of [The Climate Change \(Duties of Public Bodies: Reporting Requirements\) \(Scotland\) Order 2015](#), as amended.

Data sharing

The consultation responses will be shared with an external contractor (the data processor) solely for the purposes of conducting an analysis of the consultation and producing a consultation analysis report. At the end of the contract, any datasets required will be transferred back to Scottish Government. The contractor will not retain any copies of the individual responses or related datasets.

Publication of responses

Responses will be published in accordance with respondents' expressed publication preferences. These preferences can be selected on the 'About you' page on Citizen Space for online responses; or on the Respondent Information Form for email and postal responses.

Where respondents have given permission for their response to be published, with or without their name, and after the Scottish Government has redacted any defamatory content which contravenes the moderation policy, consultation responses will be published online on Citizen Space at <http://consult.gov.scot>

How long your data will be kept

Information will only be kept for as long as is necessary to achieve the purpose it was collected for, i.e. to inform the development of the Statutory Guidance. After 12 months, Scottish Government will undertake a review to determine whether the data needs to be retained or destroyed. If it is decided that there is no rationale to justify continuing to hold the data, then it will be destroyed. If it is decided that there is justification to continue to hold the data then it can be held until a further review 12 months later.

Data protection policy document

See: <https://www.gov.scot/publications/information-assurance-and-data-protection-appropriate-policy-document/>