
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 347

CLIMATE CHANGE

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

<i>Made</i>	- - - -	<i>6th October 2015</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>8th October 2015</i>
<i>Coming into force</i>	- -	<i>23rd November 2015</i>

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⁽¹⁾ 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⁽²⁾;

“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.

(1) [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.

(2) 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.

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.

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

Article 2

LISTED BODIES

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⁽³⁾

A Transport Partnership created under the Transport (Scotland) Act 2005⁽⁴⁾

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⁽⁵⁾

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 (within the meaning given by section 36(1) of the Further and Higher Education (Scotland) Act 1992⁽⁶⁾)

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

⁽³⁾ 1994 c.39; section 2 was amended by the Environment Act 1995 (c. 25), Schedule 22, paragraph 232(1).

⁽⁴⁾ 2005 asp 12.

⁽⁵⁾ 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.

⁽⁶⁾ 1992 c.37.

the Further and Higher Education (Scotland) Act 2005⁽⁷⁾, 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⁽⁸⁾
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
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

(7) [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.

(8) [2014 asp 9](#).

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SCHEDULE 2

Article 4

REPORT ON COMPLIANCE WITH CLIMATE CHANGE DUTIES

BODY

body (the "body") which prepared this report.

equivalent staff in the body during the report year

uses to assess its performance in relation to climate change and sustainability.

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

body
annum for the report year.

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he body's nature and functions that are relevant to climate change reporting.

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MANAGEMENT AND STRATEGY

ment

governed in the body?

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

to outline the governance structure within the body.

ction managed and embedded by the body?

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

ow how responsibility is allocated to the body's senior staff, departmental heads etc.

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Specific climate change mitigation and adaptation objectives in its corporate plan or similar document?

of objectives if they exist.

	<i>Name of document</i>

Climate change plan or strategy?

of any such document and details of where a copy of the document may be obtained or accessed.

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Plans or strategies covering the following areas that include climate change?

such document and the timeframe covered.

Name of document	Time period covered	Comments
ication technology		
eat		

5 priorities for climate change governance, management and strategy for the year ahead?

of the body's areas and activities of focus for the year ahead.

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Climate Change Assessment Tool^(a) or equivalent tool to self-assess its capability / performance?
Details of the key findings and resultant action taken.

and best practice
Supporting information and any examples of best practice by the body in relation to governance, management and strategy.

led by Resource Efficient Scotland for self-assessing an organisation's capability / performance in relation to climate change.

TS AND PROJECTS

t of the year which the body uses as a baseline (for its carbon footprint) to the end of the report year
able using the greenhouse gas emissions total for the body calculated on the same basis as for its annual carbon footprint /
, where applicable, its sustainability reporting. Include greenhouse gas emissions from the body's estate and operations^(a)
n accordance with Scopes 1 & 2 and, to the extent applicable, selected Scope 3 of the Greenhouse Gas Protocol^(b)). If data is not
m 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>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>
						tCO2e	
						tCO2e	
						tCO2e	
						tCO2e	
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						tCO2e	

he effect of the body on emissions which are not from its estate and operations.
itled "The greenhouse gas protocol. A corporate accounting and reporting standard (revised edition)", World Business Council
neva, Switzerland / World Resources Institute, Washington DC, USA (2004), ISBN: 1-56973-568-9.

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sources with the breakdown of emission sources from the body's most recent carbon footprint (greenhouse gas inventory); this should be included in the table in 3(a) above. Use the 'Comments' column to explain what is included within each category of emission source. If, for any such category of emission source, it is not possible to provide a simple emission factor^(a) leave the field for the factor blank. Provide the total emissions for that category of emission source in the 'Emissions' column.

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

Production and export of renewable energy

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

	<i>Total generated (kWh)</i>	<i>Total consumed by the body (kWh)</i>	<i>Total exported (kWh)</i>	<i>Comments</i>
ents)				
ents)				
ents)				

- 3(f) Detail the top 10 carbon reduction projects to be carried out by the body in the report year**
Provide details of the 10 projects which are estimated to achieve the highest carbon savings during report year.

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Increase in the body's emissions attributed to factors (not reported elsewhere in this form) in the report year
 If or decreased due to any such factor in the report year, provide an estimate of the amount and direction.

	<i>Total estimated annual emissions (tCO₂e)</i>	<i>Increase or decrease in emissions</i>	<i>Comments</i>
ents)			
ents)			
ents)			

Carbon savings from all projects implemented by the body in the year ahead
to be implemented against an emissions source, enter "0".
If any information for an emissions source, enter "Unknown".
If the emissions source in its carbon footprint, enter "N/A".

	<i>Total estimated annual carbon savings (tCO₂e)</i>	<i>Comments</i>
ents)		
ents)		
ents)		

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Increase in the body's emissions attributed to factors (not reported elsewhere in this form) in the year ahead
 or to increase or decrease due to any such factor in the year ahead, provide an estimate of the amount and direction.

	<i>Total estimated annual emissions (tCO₂e)</i>	<i>Increase or decrease in emissions</i>	<i>Comments</i>
ents)			
ents)			
ents)			

project savings since the start of the year which the body uses as a baseline for its carbon footprint
able, estimate the total emissions savings made from projects since the start of that year (“the baseline year”).

	<i>Total estimated emissions savings (tCO₂e)</i>	<i>Comments</i>
e the baseline year		

and best practice
t supporting information and any examples of best practice by the body in relation to its emissions, targets and projects.

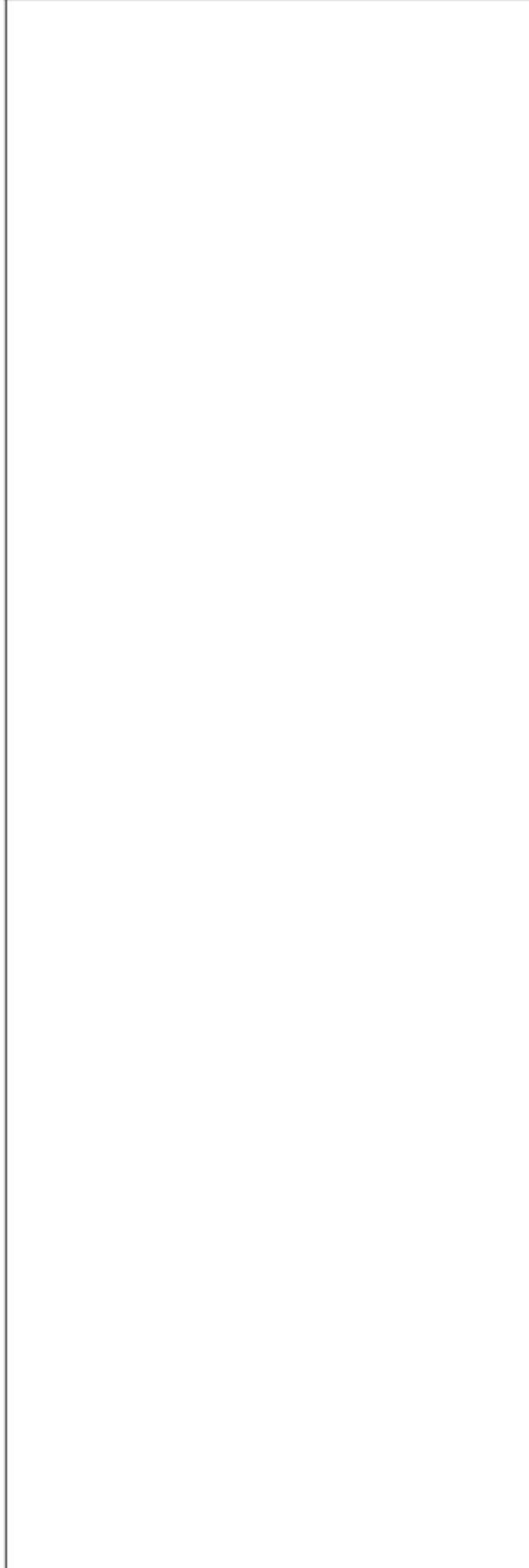
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risk

current and future climate-related risks?
e or link to any such risk assessment(s).

What measures does the body have in place to manage climate-related risks?
climate change adaptation strategies, action plans and risk management procedures, and any climate change adaptation policies
body.

ly taken to adapt to climate change?
increase awareness of the need to adapt to climate change and build the capacity of staff and stakeholders to assess risk and



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progress has the body made in delivering the policies and proposals referenced N1, N2, N3, B1, B2, B3, S1, S2 and S3 in the Climate Change Adaptation Programme^(a) (“the Programme”)?

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 a particular objective enter “N/A” in the ‘Delivery progress made’ column for that objective.

	<i>Objective reference</i>	<i>Theme</i>	<i>Policy / proposal reference</i>	<i>Delivery progress made</i>	<i>Comments</i>
climate change and their environment.	N1	Natural Environment			
erse natural environment	N2	Natural Environment			
enefits, goods and services ent provides.	N3	Natural Environment			
climate change and their infrastructure networks.	B1	Buildings and infrastructure networks			
kills and tools to manage in buildings and	B2	Buildings and infrastructure networks			
buildings and infrastructure enhance the benefits and	B3	Buildings and infrastructure networks			
climate change and their communities.	S1	Society			
the impacts of climate to adapt to future extreme	S2	Society			
es and emergency responders l effectively to the increased a changing climate.	S3	Society			

^(a) For adaptation to climate change laid before the Scottish Parliament under section 53(2) of the Climate Change (Scotland) Act 2009. The most recent one is entitled “Climate Ready Scotland: Scottish Climate Change Adaptation Programme” dated May 2014.

evaluation

What measures does the body have in place to review current and future climate risks?

Measures to review current and future climate risks, for example, what timescales are in place to review the climate change risk (Question 4(a) and adaptation strategies, action plans, procedures and policies in Question 4(b).

How does the body have in place to monitor and evaluate the impact of the adaptation actions?

Monitoring and evaluation criteria and adaptation indicators used to assess the effectiveness of actions detailed under Question

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Adaptation

5 priorities for the year ahead in relation to climate change adaptation?

: areas and activities of focus for the year ahead.

and best practice

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

policies contributed to compliance with climate change duties?
ing to how the procurement policies of the body have contributed to its compliance with climate changes duties.

ctivity contributed to compliance with climate change duties?
ing to how procurement activity by the body has contributed to its compliance with climate changes duties.

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

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DECLARATION

ess
's internal validation process, if any, of the data or information contained within this report.

's peer validation process, if any, of the data or information contained within this report.

ess
's external validation process, if any, of the data or information contained within this report.

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

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

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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.