

Consultation Response: Wellbeing and Sustainable Development Bill

About This Paper

This is a summary of SURF's response to the Scottish Government's proposed Wellbeing and Sustainable Development (Scotland) Bill. Originally introduced [as a Member's Bill](#) by Labour MSP Sarah Boyack, the Bill intends to ensure that more action is taken through decision-making processes in the public sector towards increasing the wellbeing of Scotland's current population and future generations.

[The Scottish Government consultation process](#) ran from December 2023 to February 2024. The consultation invited comment on draft plans and considerations, including the definitions of concepts, the scope of legal duties and reporting mechanisms, and whether the Scottish Government should appoint a dedicated Future Generations Commissioner to support the Bill's implementation. SURF's submission follows.

SURF Responses to Set Questions

Q1: Is a statutory definition of 'wellbeing' required?

Yes.

Q2: Do you have any views on how 'wellbeing' can be clearly defined in legislation?

SURF views improving the wellbeing of people who live in areas with social and economic challenges as the ultimate objective of any regeneration intervention.

While regeneration is commonly understood in terms of interventions that change the built environment and local economies, physical and economic changes that do not improve the wellbeing of local people, do not contribute to meaningful regeneration in SURF's view. A Wellbeing and Sustainable Development (Scotland) Bill that encourages greater focus on improving collective wellbeing across public sector activity is welcome in this regard.

Wellbeing can be narrowly or broadly defined, and can be used and understood in different ways by public bodies. A clear, prominent and consistent definition would help the Bill to meet its aims and have a significant impact throughout the public sector.

SURF is a member of the international Wellbeing Economy Alliance and wishes to add its support to the following definition, which the Alliance proposes for use in this Bill:

“Collective wellbeing is the progressive realisation of social, economic, environmental and democratic outcomes which enable people to meet their needs, as identified through consultation with the people of Scotland, pursued in a way that reduces inequalities in wellbeing between different groups. It also recognises the importance of protecting the interests and needs of future generations and fostering intergenerational equity.”

SURF is supportive of the National Outcomes and National Performance Framework. We welcome the connection between tracking progress across a diverse and comprehensive set of national indicators, and aspirations to improve collective wellbeing. A wider understanding of wellbeing is beneficial in realising the aspirations of the Bill through more informed decision-making in the public sector. We note a review of National Outcomes is ongoing.

Q3: Is a statutory definition of ‘sustainable development’ required?

Yes.

Q4: Do you agree with our proposal that any definition of sustainable development should be aligned with the common definition: “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”?

As a core concept, sustainable development must fully recognise the wellbeing of Scotland’s current population alongside the needs and concerns of future generations.

Q8: How could a legal duty be defined to ensure that public authorities uphold sustainable development and the interests of future generations?

SURF agrees with the thrust of the Bill, which acknowledges that existing obligations on public bodies do not go far enough to implement National Outcomes. We agree that more could be done in public sector decision-making to prioritise the collective wellbeing of current and future generations.

Enhancing this prioritisation of wellbeing and sustainable development in public sector actions, investments, targets and outcomes, will organically align with other duties and strategies with parallel ambitions. These include, but are not limited to, the socio-economic duty, the Place Principle, living well locally, community wealth building and the fourth National Planning Framework. There is a valuable collective thread that public bodies can work towards together, with considerable benefits for Scotland’s people, places and future prospects.

There is, however, significant discontent in the SURF network around the reporting of duties in the public sector. Regeneration officers in local government regularly report to SURF that they feel overburdened by policy reporting pressures, and cite that new priorities, responsibilities and reporting requirements are frequently added to their workload, but departmental resources and capacities remain constant, or are shrinking.

From an external perspective to the public sector, community groups, charities and other regeneration stakeholders are concerned that public sector reports often justify, or provide context for, a lack of action towards meeting duties and objectives.

The production of time-consuming reports that do not demonstrate any meaningful progress will not meet the objectives of the Bill. The focus on defining the duty and associated reporting

mechanisms should therefore be on minimising unnecessary reporting burdens, and on streamlining the delivery and recording of effective actions across the public sector.

Q11: Should any duty apply to Scottish Government?

Yes. The Scottish Government is a role model for the wider public sector in Scotland, and as such, should capitalise upon the opportunity to lead by example in implementing the duty.

Q12: Do you have any views on the range and type of organisations that any duty should apply to?

To maximise impact, the duty should apply to all public bodies in Scotland, including Community Planning Partnerships and other formal collaborative structures.

Q17: Should Scotland establish an independent Commissioner for Future Generations?

Yes. The creation and development of a dedicated Commissioner role would strengthen the duty's implementation and effectiveness in the short and longer term.

SURF is aware the Welsh Government established a Future Generations Commissioner post in 2016, and understands that this role has helped to support integration of similar cross-cutting policy measures in Wales.

SURF members often describe the policy landscape in Scotland around regeneration and communities as busy, cluttered and confusing. In this context, it is vital that a new Commissioner supports improved clarity and collaboration across public bodies and departments with regard to meeting the objectives of the Bill.

The former Future Generations Commissioner in Wales, Sophie Howe, described her role as, “a dating agency for public policy: building and strengthening relationships between agencies and departments”. A Scottish equivalent could usefully follow this approach, and help ensure a Wellbeing and Sustainable Development duty in Scotland is regarded highly and implemented appropriately across public bodies large and small.

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