

WELLBEING AND SUSTAINABLE DEVELOPMENT (SCOTLAND) BILL

FINANCIAL MEMORANDUM

INTRODUCTION

1. As required under Rule 9.3.2 of the Parliament's Standing Orders, this Financial Memorandum is published to accompany the Wellbeing and Sustainable Development (Scotland) Bill, introduced in the Scottish Parliament on 27 March 2025.
2. The following other accompanying documents are published separately:
 - Explanatory Notes (SP Bill 63–EN);
 - a Policy Memorandum (SP Bill 63–PM);
 - a Delegated Powers Memorandum (SP Bill 63–DPM);
 - statements on legislative competence made by the Presiding Officer and the Member in Charge of the Bill (SP Bill 63–LC).
3. This Financial Memorandum has been prepared by the Non-Government Bills Unit on behalf of Sarah Boyack MSP (the Member) to set out the costs associated with the measures introduced by the Bill. It does not form part of the Bill and has not been endorsed by the Parliament.
4. Society is currently facing enormous challenges that threaten the wellbeing of both current and future generations. The Member believes that, too often, the decisions of public bodies are driven by short-term goals, to the detriment of the environment, the planet's natural resources, society, and collective wellbeing. In her view, past decisions influenced by this culture of short-termism are now having visible negative consequences for the generations of today, notably through the climate emergency. Despite global initiatives, such as the United Nations Sustainable Development Goals (SDGs),¹ and national policies such as Scotland's National Performance Framework (NPF), which align with the SDGs to promote collective wellbeing in Scotland,² the Member believes that public bodies' decision-making remains too focused on achieving short-term gains, which risks creating unintended consequences and challenges for future generations in Scotland and throughout the world.
5. The Member believes that her Bill will renew and advance Scotland's commitment to sustainable development by improving policy coherence for sustainable development among

¹ [THE 17 GOALS | Sustainable Development](#)

² [National Performance Framework | National Performance Framework](#)

Scotland's public bodies. It aims to enshrine sustainable development and wellbeing in law as key factors influencing public policy development and the actions and decisions of public bodies.

6. The Bill has three main strands that the Member considers will come together to achieve its policy objectives: establishing statutory definitions of the terms “sustainable development” and “wellbeing”; creating a statutory duty for public bodies to consider wellbeing and sustainable development in the exercise of their functions; and creating a Future Generations Commissioner for Scotland.

7. The new statutory duty created by the Bill requires public bodies to exercise their functions with “due regard for the need to promote wellbeing and sustainable development”. Public bodies will be required to assess the impact of their policy intentions on the wellbeing of both present and future generations – including when making decisions and developing policies.

8. The function of the Future Generations Commissioner for Scotland will be to promote the interests of future generations by promoting sustainable development by public bodies in all aspects of their decisions, policies and actions. Alongside statutory definitions of “wellbeing” and “sustainable development” and the new statutory duty on public bodies, the Member believes that the establishment of an independent Commissioner will ensure the ongoing achievement of the Bill's policy aims, fostering a shift towards long-termism in public policymaking.

OVERVIEW OF COSTS

9. The full implementation of the Bill's provisions is expected to incur the following associated costs:

- Costs on public bodies (including Scottish Government directorates, public bodies listed in the Scottish Government's directory of public bodies, and local authorities) to familiarise themselves with the new public duty imposed on them by the Bill, and to integrate compliance with the duty into their policy processes;
- Costs on the Scottish Parliamentary Corporate Body (SPCB) for setting up the office of the Future Generations Commissioner for Scotland; and
- Costs on the SPCB for the ongoing functioning of the office of the Future Generations Commissioner for Scotland.

COSTS ON THE SCOTTISH ADMINISTRATION

Public duty in relation to wellbeing and sustainable development

10. The Bill imposes a duty on public bodies to have due regard for the need to promote wellbeing and sustainable development in the exercise of their functions. This duty applies to all devolved public bodies in Scotland, including the Scottish Government. At the time of publication, according to the Scottish Government, there are 131 public bodies.³ Details of these are set out in the national public bodies directory.⁴ The duty will also apply to Scotland's 32 local authorities.

³ [Public bodies - gov.scot](https://gov.scot/public-bodies)

⁴ [National public bodies: directory - gov.scot](https://gov.scot/national-public-bodies-directory)

11. The Bill does not specify how public bodies are to exercise or fulfil this duty, other than by requiring that they have regard to any guidance issued by the Future Generations Commissioner in exercising the duty. It will be for individual public bodies to determine their internal processes for this purpose. The Member envisages that many public bodies will exercise and demonstrate their compliance with the duty using tools such as wellbeing and sustainable development impact assessments.

12. Following the creation of the duty, each public body will have to familiarise itself with the duty and integrate it into its processes to ensure compliance. The Commissioner is required by the Bill to “produce and publish guidance for public bodies about the exercise of their duty” under the Bill, and it is envisaged that such guidance will assist public bodies in this process.

13. Many public bodies will already be considering the long-term impacts of their actions and decisions to varying extents and through different means. Some may consider that they are already compliant with the duty that will be established by this Bill, and some will have more work to do than others to ensure that they are fulfilling the duty. Therefore, the costs of familiarisation with and integration of the duty are likely to vary significantly between public bodies, which makes it challenging to estimate such costs. It is also worth noting that public bodies have other duties that could to some extent overlap with the public duty created by this Bill. For example, a public body’s duty under section 44(1) of the Climate Change (Scotland) Act 2009 to “act in a way that it considers most sustainable” is likely to interact with its duty under this Bill insofar as sustainable development and wellbeing relate to sustainability in the context of climate change.⁵

14. For the purposes of estimating costs as fully as possible, a useful comparator can be found in the duty under section 7 of the Islands (Scotland) Act 2018 for relevant authorities to have regard to island communities in carrying out their functions, also known as the ‘island-proofing’ duty. Section 8 of that Act also places a duty on relevant authorities to prepare an island communities impact assessment when a new or revised policy, strategy or service is likely to have a significantly different effect on an island communities from its effect on other communities.⁶ The Financial Memorandum for the Islands (Scotland) Bill used a similar approach to that used by the Government Equality Office in assessing the potential impact of the socio-economic duty in section 1 of the Equality Act 2010.⁷ For the ‘island-proofing’ duty, it was assumed that familiarisation and integration would require a senior official (or equivalent) in each relevant authority – including all Scottish Government directorates – taking “one day to familiarise themselves with the duty and a further three days to integrate ‘island-proofing’ into the policy process within their organisation where this is not already the case and then one day’s work each year on an ongoing basis”.⁸ On this basis, it was estimated that the process of familiarisation and integration would cost each authority subject to the duty £1,268 for the initial four days, and £317 for one additional day per year per relevant authority (based on the daily cost of a senior official). However, it was recognised that the length of time it will take authorities “to familiarise themselves with the duty and to adjust their policy processes to accord with it” would “depend to some extent on the degree to which authorities are already taking island issues into account when formulating policies”.

⁵ [Climate Change \(Scotland\) Act 2009](#)

⁶ [Islands \(Scotland\) Act 2018](#)

⁷ [Islands \(Scotland\) Bill Financial Memorandum](#)

⁸ Above, para 15

15. This Memorandum follows a similar approach to that used in the Financial Memorandum for the Islands (Scotland) Bill. The approach below has been taken to recognise that, while there will be central work required to ensure familiarisation with the duty (costed below), this work will lead to the sharing of best practice between officials within an organisation over time to ensure that any changes in processes and policy development practices resulting from the duty can become embedded within public bodies.

16. For the purposes of this Memorandum, it is assumed that the initial familiarisation and integration work will take one senior official in each public body between two and four days to complete. This is to account for differences in sizes and functions of public bodies, which vary massively; for instance, NHS Greater Glasgow and Clyde has 40,000 staff, while the Scottish Law Commission has 14 staff. Further to this, it is expected that this work will be informed by guidance published by the Commissioner, and it is likely that much of the work required will have already been done by public bodies to varying extents (as explained above at paragraph 13).

17. One additional day per year is estimated for each public body to undertake ongoing familiarisation and integration work – for example, to consider any revised guidance or best practice information provided by the Commissioner. For the reasons above, it is assumed that one day per organisation would be on the higher end of what would be required for this work to be undertaken within smaller public bodies.

18. For similar reasons, it is assumed that within the Scottish Government this work will be undertaken by a senior official on behalf of each Director-General and then cascaded to relevant staff in each directorate. Therefore, it is assumed that a senior official for each of the eight Directors-General will undertake three days of familiarisation and integration work, with 0.5 days of this work being undertaken within each of the Scottish Government's 55 directorates to cascade the information to relevant staff. This would mean 51.5 days' total work being undertaken within the Scottish Government for initial familiarisation with and integration of the duty. This Memorandum assumes an additional eight days per year at Director-General level, and an additional nine days per year at directorate level for ongoing familiarisation and integration work (a total of 17 days per year).⁹

19. Based on the current Scottish Government pay scales,¹⁰ the mid-point of the scale for a C2 official has been used to estimate the average daily cost of a senior official at £444 (including uplift for employer's NI contributions and employer pension contributions based on 2025-26 rates) for this work. It is recognised that pay scales for senior officials will vary between public bodies, as will the level of seniority of officials undertaking this work. This is considered to be an appropriate benchmark for estimating the average daily cost of this work across different public bodies, but it should be noted that the daily cost of a senior official's time may be higher or lower from organisation to organisation.

⁹ On the assumption that each Director-General will require one third of the initial three days each year (i.e. one day per directorate, eight days in total per year), it is estimated that each directorate will need 0.1667 days (0.5/3) per year to cascade information. Over the 55 directorates, this is estimated to take approximately nine (9.17) days in total per year.

¹⁰ [Financial rewards - Scottish Government Jobs](#)

20. Based on the information above, it is estimated that the initial two to four days' work will cost each public body £888 to £1,776, at a total cost of **£116,328 to £232,656** for all 131 public bodies. The total ongoing cost for these public bodies is estimated at **£58,164** per annum.¹¹ Within the Scottish Government, the initial familiarisation and integration work is estimated to cost **£22,866**, with ongoing costs of **£7,548** per annum. A breakdown of these costs is provided in Table A.

21. The costs to Scotland's 32 local authorities are considered separately later in this Memorandum, at paragraphs 82 and 83.

Table A – Estimated costs on the Scottish administration of familiarisation with and integration of new public duty, 2025-26

	Initial familiarisation and integration costs (£) in year one	Ongoing recurring annual costs (£)
Scottish Government	22,866	7,548
131 public bodies	116,328 – 232,656	58,164
Total cost on the Scottish administration	139,194 – 255,522	65,712

Consequential costs relating to the Future Generations Commissioner's functions

22. The functions of the Future Generations Commissioner for Scotland involve: preparing and publishing guidance for public bodies about the exercise of their duty; promoting awareness and understanding amongst public bodies of wellbeing and sustainable development; and promoting best practice by public bodies. In exercising their duty under the Bill, public bodies will be required to have regard to any guidance published by the Commissioner. It is assumed that having regard to guidance issued by the Commissioner, ensuring their own awareness and understanding of wellbeing and sustainable development and familiarisation with best practice will form part of public bodies' familiarisation with and integration of the duty, as costed above.

23. In addition, the Commissioner will have powers to undertake investigations into whether, by what means and to what extent public bodies have regard to wellbeing and sustainable development in making decisions, developing policy or taking actions, either in a broad sense (general investigation) or in relation to a particular decision, policy or action (individual investigation).

24. In the course of an investigation, a public body may be required to provide documentation to the Commissioner, or to provide evidence to the Commissioner, either in person or by other means. There may be some minimal costs associated with doing so. It is not possible to anticipate which public body or bodies will be the focus of investigations by the Commissioner, or even to identify their likely size in order to provide estimates of the costs of any investigation.

¹¹ One day per year for 131 public bodies at £444 per day.

25. If the Commissioner makes any recommendation in an investigation report, the Bill provides that the Commissioner may include a requirement to respond. If a public body were subject to a requirement to respond, it would have to provide a statement in writing to the Commissioner setting out what the public body has done or proposes to do in response to the recommendation, or, if the public body does not intend to do anything in response to the recommendation, the reasons for that. There may be some minimal costs associated with providing such a statement.

26. Finally, the Commissioner will have a power under the Bill to charge reasonable sums for things done or provided by them in the performance of, or in connection with, their functions. Any sums the Commissioner receives as a result of this will be retained by the Commissioner for the purposes of meeting the costs of doing or providing the thing(s) that they charged for. It is not expected that the sums received will be significant in any single year.

Costs on the Scottish Parliamentary Corporate Body (SPCB) of establishing the office of the Future Generations Commissioner for Scotland

27. Although the Future Generations Commissioner for Scotland will be an independent officeholder, in exercising their statutory functions they will be accountable to the Scottish Parliament and funded by the SPCB. Therefore, the creation of the Commissioner will result in additional costs to the Scottish Parliament's budget. Estimates of these additional costs are set out below.

28. The figures below are based on figures contained in the financial memorandums accompanying recent Bills to establish a Disability Commissioner,¹² a Patient Safety Commissioner,¹³ and a Victims and Witnesses Commissioner.¹⁴ The respective financial memorandums for those Bills estimated that around four FTE staff members would be needed, with the Victims and Witnesses Commissioner's team comprising an office manager, two members of policy/research staff and an admin support staff member.

29. According to its most recent annual report, the Future Generations Commissioner for Wales (FGCW) has approximately 27 FTE members of staff, with a total staff cost of almost £1.8 million in 2023-24.¹⁵ Although this Bill is inspired by the Well-being of Future Generations (Wales) Act 2015, its provisions are not identical and the FGCW has a wider range of statutory functions than those established in this Bill. For example, the 2015 Act requires public bodies in Wales to set and publish "wellbeing objectives", which the FGCW is required to monitor and assess. Given the different range of functions, it is not envisaged that the same level of resource will be required for an equivalent Commissioner office in Scotland.

30. The Member considers that, due to the broader remit of the Future Generations Commissioner compared with other recently established and proposed commissioners in Scotland, and the fact that all public bodies in Scotland will be subject to scrutiny by the Commissioner, it is possible that four FTE staff members may not be sufficient to support the Commissioner with

¹² Disability Commissioner (Scotland) Bill – [Financial Memorandum accessible](#)

¹³ Patient Safety Commissioner for Scotland Bill – [Financial Memorandum accessible](#)

¹⁴ Victims, Witnesses, and Justice Reform (Scotland) Bill – [Financial Memorandum accessible](#)

¹⁵ [Annual report 2023-2024 | Future Generations Commissioner for Wales](#)

the extent of their work in the medium and long term. In response to the Member's consultation on her proposal for this Bill, several key stakeholders suggested that the Children and Young People's Commissioner Scotland (CYPCS) would be an appropriate comparator in relation to budget. For example, Scotland's International Development Alliance, Oxfam Scotland, Wellbeing Economy Alliance Scotland, and Carnegie UK all stated that:

“It is important to recognise that this legislation requires significant investment in order to be effective. It is likely that the office of a Future Generations' Commissioner would demand a budget that is equivalent to that of the Children and Young People's Commissioner for Scotland.”¹⁶

31. The CYPCS has approximately 15 FTE members of staff. On that basis, for the purposes of this Memorandum, it assumed that the Commissioner will require between four and 15 FTE members of staff. However, it is worth noting that it will be for the Commissioner to determine how many members of staff they could require to fulfil their functions, and this will always be subject to approval by the SPCB. The ranges provided are intended to reflect the possibility that the Commissioner's required staff resource may start off small and increase over time in parallel with the Commissioner's workload. To provide an estimated range of costs, figures have been drawn from estimates provided by SPCB officials, as well as the CYPCS's most recent annual accounts for 2023-24.¹⁷

32. It is worth noting that, at time of drafting, the Scottish Parliament has created a committee charged with reviewing the landscape of SPCB-supported bodies. The responses to the consultation on this Bill did not place any emphasis on which body would be required to have a role in the oversight of the accountability and governance of the Commissioner. Responses were not focused on the need for the governance role to be performed by the SPCB. The emphasis was ensuring an accountability and governance model that guaranteed independence from the Scottish Government, hence the Bill providing that the Commissioner will be appointed by His Majesty on the nomination of, and accountable to, the Scottish Parliament. The Member has developed the costings based on the working assumption that the SPCB will continue to perform this oversight function, and on that basis has sought to ensure that shared services and other cost efficiencies with other SPCB supported bodies are explored in full. However, the Member also acknowledges the potential for the oversight function for SPCB-supported bodies to move away from the SPCB as a result of the Committee's recommendations.

Set-up costs

Recruitment of Commissioner and staff

33. SPCB officials have provided an estimate of £9,000 to cover the costs of recruitment of the Commissioner (1.0 FTE) and four FTE members of staff.¹⁸ For the purposes of scaling, this figure represents 2.36% of the total estimated salary costs per year based on the Commissioner and four

¹⁶ [Proposed Wellbeing and Sustainable Development \(Scotland\) Bill: Summary of Responses](#), p. 67

¹⁷ [Children and Young People's Commissioner Scotland](#)

¹⁸ The financial memorandums accompanying the Disability Commissioner (Scotland) Bill, the Patient Safety Commissioner for Scotland Bill and the Victims, Witnesses, and Justice Reform (Scotland) Bill all estimated a cost of £8,000 on initial recruitment costs. Throughout this memorandum, estimates have been provided by SPCB officials which may be higher than estimates provided by officials for financial memorandums of Bills that have already been introduced. The difference in estimated cost takes account of factors such as inflation.

FTE staff members (see below at paragraph 52).¹⁹ To estimate the initial recruitment costs for a Commissioner's office with 15 FTE members of staff, it is assumed that the same percentage of the total estimated salary costs for the Commissioner and 15 FTE staff members (set out below at paragraph 53) would be spent on recruitment, giving an estimated cost of £29,857.²⁰

34. Therefore, an estimate of **between £9,000 and £30,000** has been made to cover the costs of recruitment of the Commissioner (1.0 FTE) and four to 15 FTE members of staff. The higher end of this range assumes that all staff will be recruited during the set-up period, which may not be the case in practice. It is also likely that several posts could be advertised at the same time, which would reduce recruitment costs. However, these figures are included to represent the maximum potential costs.

35. The estimated costs include advertising, assessor's fees, warrant costs for the Commissioner and HR support costs for the staff recruitment. It should be noted that the number of staff recruited may vary from those estimated above, and any variation may have an impact on recruitment costs.

Commissioner's remuneration and staff salaries in set-up period

36. It is estimated that the Commissioner would be in place for seven months of the initial year, and staff members for two months. Based on figures provided by SPCB officials, the estimated cost of the Commissioner's salary plus add-on costs (including employer's NI and pension contributions) for seven months would be £78,183. For four to 15 staff members, it is estimated that salaries and add-on costs for two months would total between £41,284²¹ and £188,518,²² taking the total estimated salary costs for year 1 to **between £119,467 and £266,701**.

37. If, as it is assumed would be the case, the Commissioner were to benefit from shared services, they would be able to reduce their staffing complement and the costs would decrease.

Accommodation

38. The location of the Commissioner's office will be a matter for the Commissioner to decide during the set-up period, subject to any direction given by the SPCB. The Member considers that steps should be taken wherever possible to reduce accommodation costs, for example, by co-locating with other public bodies in existing premises. It is noted that several bodies supported by the SPCB, including the Scottish Public Services Ombudsman, the Scottish Human Rights Commission (SHRC), the Scottish Biometrics Commissioner and the CYPCS occupy the same building, each with its own self-contained office. Further to this, the Commissioner for Ethical Standards in Public Life in Scotland shares accommodation with the Scottish Legal Aid Board, and the Standards Commissioner for Scotland has an office in the Scottish Parliament building.

39. While the Member's view is that the Future Generations Commissioner should share accommodation with other public bodies, if possible, to reduce accommodation costs, it is

¹⁹ $9,000/381,732 = 0.0236$

²⁰ $1,265,137 \times 0.0236$

²¹ Estimate provided by SPCB officials based on four FTE members of staff.

²² Total estimated salary costs per annum for Commissioner and 15 FTE (£1,265,137) – estimated Commissioner salary costs (£134,027) = £1,131,110; $(1,131,100/12) \times 2 = £188,518$.

unknown whether shared accommodation that would be suitable for the office of the Commissioner will be available at the time the office is being set up. Figures provided by SPCB officials for a commissioner and up to four members of staff estimate a cost of £55,000 for initial fit-out expenses, and £20,000 for furniture. A further £25,000 is estimated for professional and legal fees, which reflects costs that will also be incurred to search for a suitable property, to agree terms and to complete legal agreements. These figures therefore estimate a total accommodation set-up cost of £100,000.²³

40. The above estimates are based on the Commissioner having four members of staff. To estimate the costs associated with setting up an office for the Commissioner and 15 staff members, the Financial Memorandum for the Commissioner for Children and Young People (Scotland) Bill has been used as a reference point,²⁴ which also estimated 15 FTE members of staff for the CYPCS. Based on the office costs in that Financial Memorandum, which included rental costs and office equipment, adjusted for inflation and including the £25,000 in professional and legal fees set out above, it is estimated that the accommodation set-up costs could be up to £140,463 depending on the number of staff employed by the Commissioner.

41. Based on the information set out above, costs of **£100,000 to £140,500** are estimated for accommodation set-up.

IT set-up/website

42. The office of the Future Generations Commissioner may seek to use the Scottish Government IT system (SCOTS), as is the case with other bodies, including the SHRC, the Police Investigations and Review Commissioner and the Scottish Public Services Ombudsman.

43. Financial memorandums accompanying recent legislation relating to the establishment of commissioners have estimated the costs of IT and website set up of between £50,000 and £70,000. This is based on the installations of the SCOTS system, as well as any other hardware and software costs. Further to the above, figures provided by SPCB officials estimate that initial set up costs for IT and website for the commissioner and four members of staff, based on the use of the SCOTS system, would be £45,000. In addition, the CPYCS (with 15 FTE members of staff) reported a spend of £45,000 on IT and website costs in 2024. An estimate of **£45,000 to £70,000** has therefore been made for IT and website set-up for the Commissioner, based on the figures set out above.

44. It is possible that costs will be on the lower end of the scale, particularly if the Commissioner uses shared accommodation, where a suitable IT system is already in place. The website is intended to be used as a source of information, so it is therefore anticipated that it should not be too complex to design and set up. If the Commissioner wished to install an alternative IT system, the assumption is that the costs would not exceed those outlined above in respect of the SCOTS system.

²³ The Financial Memorandum for the Patient Safety Commissioner for Scotland Bill estimated a cost of £79,200 for accommodation set-up costs, while the Financial Memorandum for the Disability Commissioner (Scotland) Bill estimated £95,000 for accommodation set-up costs.

²⁴ [Commissioner for Children and Young People \(Scotland\) Bill Explanatory Notes | National Records of Scotland \[Archived Content\]](#)

Payroll/HR services

45. The office of the Commissioner will require a contract for payroll services and the set-up of HR support, which would include the preparation of staff contracts and a staff handbook. Based on estimates provided by SPCB officials and the estimates for the Disability Commissioner, Patient Safety Commissioner for Scotland, Victims and Witnesses Commissioner and the Scottish Biometrics Commissioner, the total costs for an office with four staff members are estimated to be between £3,000 and £4,000. Multiplying this range to recognise the additional payroll and HR requirements for an office of 15 staff – i.e. one that is 3.75 times larger than an office with four staff – it is estimated that the total costs could be up to £15,000. The total range of payroll and HR set-up costs is therefore estimated to be **£3,000 to £15,000**.

46. Payroll costs are expected to rise in direct proportion to staffing numbers, but HR support costs may not. However, a higher number of staff may require a job grading exercise to be undertaken as part of HR services. The estimated range above is therefore likely to represent a higher end estimate, but it is included to represent the maximum potential costs.

Awareness raising

47. Funding may be required to ensure that public bodies and other stakeholders are aware that the Commissioner has been established, of what the Commissioner's functions are and of how the Commissioner can be engaged with. It is assumed this would involve targeted work, mainly with public bodies.

48. The annual accounts of the CYPCS set out a spend of £85,000 and £104,000 on promotion and participation in 2023 and 2024 respectively. However, it should be noted that these relate to ongoing costs of an established commissioner, rather than to set-up costs. It is not anticipated that such costs would be required in relation to the Commissioner proposed in this Bill, as the Commissioner would not be performing a primarily advocacy function for a particular cohort of people within Scotland. On that basis, there would not be the same requirement to promote and engage with wider society, and any engagement work would be targeted.

49. Information provided by SPCB officials estimates a cost of £63,000 on publicity and promotion costs when a commissioner's office is set up, with a further £10,000 estimated for marketing costs. Furthermore, the Scottish Information Commissioner's Annual Report and Accounts 2023-24 reported a spend of £22,000 in 2023-24 on 'Research and promotion' costs. It is suggested that this figure provides a more realistic frame of reference for estimating awareness raising costs, as the Future Generations Commissioner's engagement will be primarily targeted at public bodies. However, the £73,000 estimate provided by SPCB officials is included as a higher end estimate.

50. On that basis, a range of **£22,000 to £73,000** has been estimated for initial and ongoing publicity and promotional costs.

Table B – Commissioner set-up costs

Type of cost	Estimated amount (£)
Recruitment	9,000 – 30,000
Commissioner and staff remuneration	119,467 - 266,701
Accommodation	100,000 - 140,500
IT set up/website	45,000- 70,000
Payroll/HR service	3,000 - 15,000
Awareness raising	22,000 – 73,000
Estimated total	298,467 - 595,201

Ongoing costs

Commissioner's remuneration and staff salaries

51. Taking other recent SPCB-funded commissioners as examples, the proposed salaries of the Patient Safety Commissioner for Scotland and the Victims and Witnesses Commissioner have both been estimated as £86,789, with add-on costs (including employer's NI and pension contributions) taking the employer costs to £126,119 per annum. The financial memorandum that accompanied the Disability Commissioner (Scotland) Bill estimated that the Commissioner's remuneration would total £130,005 per annum. Further to this, figures provided by SPCB officials estimate that the Future Generations Commissioner's remuneration would cost £134,027 per annum based on 2025-26 pay scales. For the purposes of this Memorandum, the figure provided by SPCB officials has been used, as this is the most up-to-date figure.

52. As explained above, it is expected that the Commissioner will have between four and 15 FTE members of staff. SPCB officials estimate a total salary cost of £247,704 per annum for four members of staff, based on the assumption that a Commissioner will appoint one FTE member of administrative staff and three FTE members of policy staff.²⁵ These costs include employer's costs, including national insurance and pension costs. This, combined with the Commissioner's salary, would result in a total estimated remuneration cost of £381,732 per annum.

53. The CYPCS's financial statements for 2023-24 report a total remuneration cost (including employer's costs) of £1,214,000 for the financial year, which included the Commissioner's salary costs of £132,000 and £7,000 spent on temporary staff to support the participation work for the delivery of the Commissioner's strategic plan. Based on a total remuneration cost of £1,207,000 for the Commissioner and her permanent staff (i.e. excluding the £7,000 spent on temporary staff),²⁶ this would suggest that the remuneration costs for the Commissioner and 15 FTE staff could be up to £1,265,137 in 2025-26 (adjusted for inflation).

²⁵ Assumes 3 members of staff at Grade 4 (£65,403 each in total salary costs) and 1 member of staff at Grade 3 (£51,497 total salary costs).

²⁶ The staff costs reported in the CYPCS's financial statements include the salaries of 1 Commissioner, 4 senior managers and 11 employees.

54. It is therefore estimated that the total annual remuneration costs for the Commissioner's office will be **£381,732 to £1,265,137**.

Accommodation

55. As noted previously, it is not presently possible to forecast the availability of shared public sector accommodation at the time of the establishment of the office of the Commissioner. Therefore, for cost estimate purposes, this Memorandum includes figures based on the assumption that privately rented office accommodation is required, for which a monthly rental fee will be charged.

56. The Patient Safety Commissioner for Scotland Bill's Financial Memorandum estimated ongoing accommodation costs from £184,288 per annum, and the Victims, Witnesses, and Justice Reform (Scotland) Bill's Financial Memorandum estimated £140,000 per annum. Further to this, the financial memorandum that accompanied the Disability Commissioner (Scotland) Bill estimated accommodation costs of up to £184,000 per annum.

57. On the basis of the above, a range of **£140,000 to £190,000** has been estimated for ongoing annual accommodation costs, based on privately rented office accommodation. Should the Commissioner share office space with another public body, as is the member's preference, there is a potential that ongoing accommodation costs incurred by the Commissioner would be significantly reduced. Further to this, hybrid working arrangements could act to reduce office costs or maintain them within this range in the event that the Commissioner has up to 15 members of staff.

IT support and website maintenance

58. As noted above, it is envisaged that the office of the Commissioner may wish to use the SCOTS IT system. The Patient Safety Commissioner for Scotland Bill's Financial Memorandum included SCOTS maintenance costs estimated by Scottish Government IT specialists at a total of £6,600 per annum (including VAT), while the estimate for the Victims and Witnesses Commissioner was £16,600 per annum, and the Disability Commissioner (Scotland) Bill's Financial Memorandum estimated costs of between £20,000 and £45,000. If the Commissioner wished to use a non-SCOTS system, the assumption would be that its cost would not exceed that of SCOTS. For website maintenance, both of the aforementioned financial memorandums have estimated costs of £18,000.

59. Drawing examples from other public bodies that are already established, the SHRC spent a total of £36,000 on IT costs and website costs in 2023-24 and £31,000 in 2022-23. The CYPSC spent £45,000 on IT and website design in 2024 and £35,000 in 2023. Figures provided by SPCB officials estimate that, based on the use of the SCOTS system, web and IT maintenance would cost £20,000 per annum. Taking the above estimates into account, for the purposes of this Memorandum, a range of **£20,000 to £45,000** has been estimated for ongoing IT and website costs.

Payroll and HR services

60. The office will also be required to have a payroll provider and ongoing HR support. £4,000 has been estimated for this purpose to reflect comparator organisations, on the basis of there being

four FTE members of staff.²⁷ Multiplying this range to recognise the additional payroll and HR requirements for an office of 15 staff – i.e. one that is 3.75 times larger than an office with four staff – it is estimated that the total costs could be up to £15,000. As highlighted above (at paragraph 46), this could be an overestimate of the upper end costs, but it is included to estimate a maximum range of potential costs. A range of **£4,000 to £15,000** is therefore estimated for the annual cost of payroll and HR services. However, should the Commissioner share accommodation with another SPCB-supported body, it is expected that they would share payroll and HR services and therefore would not incur any additional fees. If they share these services with a non-SPCB-supported body, costs will accrue.

Travel and subsistence

61. To perform their functions effectively, the Commissioner may be required to travel around Scotland to engage with stakeholders. The estimates of such costs for the Patient Safety Commissioner for Scotland, which assumed around five such visits per year, was £6,840 per annum, while the SHRC spent £19,000 on travel, subsistence and hospitality in 2023-24, and £17,000 in 2022-23.

62. Taking the above figures into account, a range of **£7,000 to £20,000** per annum has been estimated for travel and subsistence costs.

Research

63. There may also be some costs associated with research carried out either by, or on behalf of, the Commissioner's office. However, it is difficult to estimate such costs without knowing how frequently research will be carried out or what type of research will be undertaken. In addition, there is a lack of information available in the annual accounts of existing public bodies regarding the cost of research specifically. However, for the purposes of this Memorandum, SPCB officials have estimated a cost of **£10,000** per annum for research.

Professional fees

64. Professional fees as set out in the financial memorandums for the Patient Safety Commissioner for Scotland Bill and the Victims, Witnesses, and Justice Reform (Scotland) Bill, which were in turn based on SPCB data, include external audit and legal fees and are estimated at £30,000, while the financial memorandum for the Disability Commissioner (Scotland) Bill estimated a cost of £35,000 per annum. The SHRC's accounts state that it spent £25,000 in 2023-24 and £18,000 in 2022-23 on auditor's fees, and that it spent £8,000 on legal and consultancy fees in 2023-24, with £20,000 spent for this purpose in 2022-23. It is noted that the annual accounts of the CYPCS placed the cost of professional fees at £60,000 in 2024 and £50,000 in 2023. However, the CYPCS's annual accounts note that advice and investigation costs are incorporated into the cost of professional fees. They do, however, specify that this included approximately £45,000 on auditor's remuneration and consultancy, which would be considered professional fees.

²⁷ The Patient Safety Commissioner for Scotland Bill, Victims, Witnesses and Justice Reform (Scotland) Bill and Scottish Biometrics Commissioner Bill Financial Memorandums estimated £4000 per annum for ongoing marketing, HR and payroll set up. The Disability Commissioner (Scotland) Bill Financial Memorandum estimated costs of between £0 and £4,000.

65. Figures provided by SPCB officials estimate that professional fees may include internal and external auditors at £28,000 per annum and legal advisors at £10,000 per annum. It is expected that the Commissioner will need other advisors, for example, experts in a particular subject on which the Commissioner wishes to undertake some research. An additional £10,000 per annum has been estimated for this.

66. Based on the figures set out above, a range of **£30,000 to £48,000** has been estimated for professional fees.

Training

67. There may be some costs associated with training for staff in the Commissioner's office, both at the point of recruitment and on an ongoing basis. However, it is difficult to estimate such costs without knowing how frequently training will be carried out and what type of training will be undertaken. Figures provided by SPCB officials estimate a cost of £8,000 per annum on staff training, based on an office of four FTE staff members.

68. In addition, there is a lack of information available in the annual accounts of existing public bodies regarding the cost of training specifically. For example, the CYPCS groups training and recruitment costs together at a cost of £26,000 in 2024 and £45,000 in 2023. Without access to a more detailed breakdown of these costs, it is not possible to be certain what proportion of this was spent specifically on staff training, rather than recruitment. Based on the lower end of the range estimated costs for recruitment,²⁸ as set out earlier in this Memorandum, for the purposes of providing an estimate, it is assumed that around £9,000 of this may have been allocated to staff recruitment. It is therefore assumed that the CYPCS spends between £17,000 and £36,000 per annum on staff training for 15 FTE members of staff.²⁹

69. Based on the above examples, the Member considers it reasonable to estimate that **£8,000 to £36,000** per annum will be spent on staff training.

Investigations

70. There may be some additional associated costs should the Commissioner carry out investigations using their investigatory powers under the Bill. The Commissioner will be able to request information relating to a specific investigation or require an individual to give evidence in person or by other means. The Commissioner may pay travel expenses where required, should the individual travel to provide evidence in person. The cost of this is difficult to quantify as it will depend on various factors including the frequency of investigations, whether in person evidence is required and the distance the person providing evidence is required to travel.

71. As highlighted above, the CYPCS's annual accounts do not separately account for investigation costs, but instead include advice and investigation costs as part of professional fees, which cost £60,000 in 2023-24 – including approximately £45,000 on auditor's remuneration and

²⁸ Although it was based on a smaller staff complement of 4, the lower end of the estimated scale of costs for recruitment during set-up is used here to account for the fact that the CYPCS is well established and does not need to dedicate the same amount of resource to recruitment as a newly established Commissioner office would.

²⁹ The amounts allocated in the CYPCS's accounts in 2023 and 2024 respectively, minus the estimated cost of £9,000 on recruitment.

consultancy – and £51,000 in 2023-24. SPCB officials have estimated that £50,000 per annum may be spent on advice and investigation costs on average.

72. Based on these figures, a range of **£15,000 to £50,000** per annum has been estimated for investigation and advice costs.³⁰ Should the Commissioner choose to not routinely undertake investigations, an adjustment will have to be made to their annual baseline budget to remove these costs.

Participation and promotion

73. Part of the Commissioner's function will be to promote awareness and understanding amongst public bodies of wellbeing and sustainable development. In order to do this, the Commissioner may wish to undertake various participation and promotional activities, such as consultation exercises with public bodies and stakeholder organisations. While some of this will be covered by travel, subsistence and website costs as referred to above, the Commissioner may allocate a budget to, for example, facilitating events or producing written or visual materials about their work.

74. SPCB officials have provided an estimate of £20,000 per annum for publicity and promotional activities. The CYPCS accounts report a spend of £104,000 on promotion and participation in 2023-24 and £85,000 in 2022-23, which included £4,500 in research consultancy costs. Again, the Commissioner being proposed will not have the same advocacy role as some existing commissioners, such as the CYPCS, and therefore there will be a much more limited requirement to fund promotion work. On that basis, the estimate provided by SPCB officials more accurately reflects the cost of the likely activities by the Commissioner.

75. Furthermore, the Scottish Information Commissioner's Annual Report and Accounts 2023-24 reported a spend of £22,000 in 2023-24 on 'Research and promotion' costs. Subtracting the estimated research costs of £10,000 which have already been accounted for above, a lower estimate of £12,000 can be made for the ongoing annual costs of these activities.

76. Based on the information above, a range of **£12,000 to £20,000 per annum** has been estimated for participation and promotion costs.

Administrative and other costs

77. Figures provided by SPCB officials estimate various costs associated with the running of a commissioner's office, totalling £47,000 per annum. This includes: £10,000 on admin costs; £2,000 on hospitality; £2,000 on insurance; £1,000 on library costs; £2,000 on postage; £5,000 on telephone costs; and £25,000 on printing. The CYPCS's annual accounts reported a cost of £46,000 in 2023-24 and £49,000 in 2022-23 on general office running costs, which aligns with the estimate provided by SPCB officials. Based on the information above, **£48,000** has been estimated for other administrative and office running costs.

³⁰ The £15,000 figure assumes that the remainder of CYPCS's 2023-24 spend on professional fees, which was not spent on auditor's remuneration and consultancy fees, was spent on investigations.

Table C – Commissioner ongoing costs

Type of cost	Estimated amount (£)
Commissioner’s remuneration and staff salaries	381,732 - 1,265,137
Accommodation	140,000 - 190,000
IT support and website maintenance	20,000 - 45,000
Payroll and HR services	4,000 - 15,000
Travel and subsistence	7,000 - 20,000
Research	10,000
Professional fees	30,000 - 48,000
Training	8,000 - 36,000
Investigations	15,000 - 50,000
Participation and promotion	12,000 – 20,000
Administrative and other costs	48,000
Estimated total	675,732 - 1,747,137

Costs on the Crown Office and Procurator Fiscal Service (COPFS) and Scottish Courts and Tribunals Service (SCTS)

78. The Bill makes it an offence, where certain conditions are met, to fail to appear before the Commissioner or fail to provide information or documentation to the Commissioner, when asked to do so in the course of an investigation carried out by the Commissioner. The offence would be subject, under summary procedure, to a fine not exceeding level 5 on the standard scale or to imprisonment for a period not exceeding three months.

79. It is difficult to predict how often an offence under the Bill will be committed, particularly as the offences relate to investigations and it will be for the Commissioner to determine how often investigations take place. The Member’s expectation is that those asked to provide information to the Commissioner or appear before the Commissioner as part of an investigation will willingly do so, thus not committing an offence. Costs to the COPFS and SCTS, if any, are therefore expected to be minimal.

Costs on the Scottish Prison Service

80. Should there be convictions made under the offence created by the Bill, there may be a resultant cost on the Scottish Prison Service. However, it is difficult to estimate the cost that this would place on the Scottish Prison Service as for each offence varying factors would need to be taken into account, including whether the person was given a fine or a custodial sentence and, if a sentence was given, how long would it be for.

81. Given the number of people, if any, who will potentially serve a prison sentence is estimated to be very low, costs to the Scottish Prison Service, if any, are expected to be minimal.

COSTS ON LOCAL AUTHORITIES

Public duty in relation to wellbeing and sustainable development

82. As public bodies themselves, local authorities will be required to familiarise themselves with their duty under the Bill to have due regard for the need to promote wellbeing and sustainable development in the exercise of their functions, and to integrate compliance with the duty into their policy processes. Following the same approach to estimating the costs on public bodies of this work, set out above at paragraphs 15 to 19, this Memorandum estimates an initial cost of £888 to £1,776 per local authority, and an additional £444 per local authority per annum on an ongoing basis. As above, it should be noted that the daily cost of this work being undertaken by local government officials will likely vary from council to council, but for the purposes of estimating costs in this Memorandum, the same estimated daily cost used above has been relied upon here.

83. Scotland has 32 local authorities, which will all be subject to the duty imposed by the Bill. On that basis, it is estimated that the total initial costs on local authorities will be **£28,416 to £56,832**, and **£14,208** per annum on an ongoing basis.

Consequential costs relating to the Future Generations Commissioner's functions

84. The functions of the Future Generations Commissioner for Scotland involve: preparing and publishing guidance for public bodies about the exercise of their duty; promoting awareness and understanding amongst public bodies of wellbeing and sustainable development; and promoting best practice by public bodies. In exercising their duty under the Bill, local authorities will be required to have regard to any guidance published by the Commissioner. It is assumed that having regard to guidance issued by the Commissioner, ensuring their own awareness and understanding of wellbeing and sustainable development and familiarisation with best practice will form part of local authorities' familiarisation with and integration of the duty, as costed above.

85. In addition, the Commissioner will have powers to undertake investigations into whether, by what means and to what extent public bodies have regard to wellbeing and sustainable development in making decisions, developing policy or taking actions, either in a broad sense (general investigation) or in relation to a particular decision, policy or action (individual investigation).

86. In the course of an investigation, a local authority may be required to provide documentation to the Commissioner, or to provide evidence to the Commissioner, either in person or by other means. There may be some minimal costs associated with doing so. While the Bill does not directly provide for this, the Member considers that, should the service provider be required to travel in order to provide evidence, their expenses would be covered by the Commissioner's office budget.

87. If the Commissioner makes any recommendation in an investigation report, the Bill provides that the Commissioner may include a requirement to respond. If a local authority were subject to a requirement to respond, it would have to provide a statement in writing to the Commissioner setting out what the public body has done or proposes to do in response to the recommendation, or, if the local authority does not intend to do anything in response to the

recommendation, the reasons for that. There may be some minimal costs associated with providing such a statement.

COSTS ON OTHER BODIES, INDIVIDUALS AND BUSINESSES

88. The Bill creates a new public duty on public bodies relating to the promotion of wellbeing and sustainable development and establishes a new Commissioner office whose function will be to promote the wellbeing of future generations by promoting sustainable development by public bodies. The overarching policy aims of the Bill are to foster policy coherence for sustainable development throughout the public sector, and to embed long-termism in public policymaking.

89. Given the Bill's focus on public bodies, no additional costs are anticipated to be incurred by other bodies, individuals and businesses in the implementation of the Bill's provisions.

Table D – Summary of total costs

	Costs on the Scottish administration		Costs on local authorities	
	Initial/set-up costs (£)	Ongoing costs (£)	Initial/set-up costs (£)	Ongoing costs (£)
Public duty – familiarisation and integration	139,194 - 255,522	65,712	28,416 – 56,832	14,208
Future Generations Commissioner for Scotland	298,467 – 595,201	675,732 - 1,747,137	0	0
Total	437,661 – 850,723	741,444 – 1,812,849	28,416 – 56,832	14,208

FUTURE SAVINGS

90. As outlined above, investment will be required – particularly for the establishment of the office of the Future Generations Commissioner for Scotland – to give effect to the Bill's aims. However, the Member believes that the effective implementation of the Bill and the successful realisation of its intended policy outcomes will lead to significant long-term savings. The likelihood of long-term savings because of this legislation was highlighted by several key stakeholders in response to the Member's consultation on her proposal for this Bill.

91. Scotland's International Development Alliance – one of the primary stakeholders that was fully supportive of the Member's proposal – stated that:

“The function of [the office of the Future Generations Commissioner], however, would be to support policy development that reduces future costs and we consider that the reductions

in future costs will likely be significantly larger than the investment to resource the role of the Commissioner.

“By placing duties on public bodies to promote wellbeing and sustainable development, and by creating a commissioner that supports and scrutinises implementation, this legislation should shift spending upstream to the sorts of policy intervention that reduces demand for public services by creating better outcomes for people and planet.”³¹

92. Similarly, the Wellbeing Economy Alliance suggested that the proposed legislation would help solve the problem of “failure demand”, meaning the amount of money wasted on resource demands that could be avoided through preventative design of the economy. Other stakeholders focused on the specific impact that the promotion of preventative policy could have in certain areas. For example, Public Health Scotland (PHS) highlighted preventative health policy, which it described as “the most cost-effective means of improving population health and wellbeing”. PHS’s response to the consultation advocated for a “public health approach to prevention, meaning investment is made now to stop health inequalities from happening in the first place”, and stated that:

“This proposed legislation has the potential to fundamentally redesign the way we plan and deliver services, some of which may not develop tangible benefits for some time, but which have the potential to significantly reduce demand for public services over time. We believe that a focus on delivering long-term benefits [...] would help to deliver better outcomes for Scotland’s communities.”

93. In 2011, the Christie Commission report on the future delivery of public services estimated that “as much as 40 per cent of all spending on public services is accounted for by interventions that could have been avoided by prioritising a preventative approach”.³² In light of this, the Member considers that investing resources now to prioritise sustainable development and enhance the wellbeing of future generations will foster a more preventative, long-term approach to public policymaking and decision-making, and will therefore significantly reduce avoidable costs being incurred by the public purse in the future.

94. The nature of the potential savings outlined above makes it unfeasible to quantify them for the purposes of this Memorandum. However, the Member strongly believes that the long-term positive impacts on public finances of fostering policy coherence for sustainable development and improved wellbeing for current and future generations, which are the main policy objectives of this Bill, will significantly outweigh the short-term investment required to give effect to the Bill’s provisions.

³¹ [Proposed Wellbeing and Sustainable Development \(Scotland\) Bill: Summary of Responses](#), page 68

³² [KEY MESSAGES - Christie Commission on the future delivery of public services - gov.scot](#)

WELLBEING AND SUSTAINABLE DEVELOPMENT (SCOTLAND) BILL

FINANCIAL MEMORANDUM

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