

Social Justice and Social Security Committee
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27th Meeting, 2025 (Session 6)

SPICe

The Information Centre
An t-Ionad Fiosrachaidh

Wellbeing and Sustainable Development (Scotland) Bill – Possible themes of questioning

Introduction

This paper provides information and suggested lines of questioning to assist members of the Committee to scrutinise the Wellbeing and Sustainable Development (Scotland) Bill.

Background to the Bill

Information on the Bill can be found on the parliament's webpages on the Bill, and in [the related SPICe Briefing](#). This paper should also be considered alongside the calls for views responses received by the committee, and the published [SPICe summary of those responses](#).

The [Wellbeing and Sustainable Development \(Scotland\) Bill](#) is a Member's Bill, introduced on 27 March 2025 by Sarah Boyack MSP.

The Bill creates a new public duty, which requires all public bodies to have due regard for the need to promote wellbeing and sustainable development in the exercise of their functions. It also establishes statutory definitions of the terms "wellbeing" and "sustainable development" for the purposes of the Bill. It establishes a "Future Generations Commissioner for Scotland".

Committee call for views

The Social Justice and Social Security Committee held a call for views on the Bill, which concluded on 24 August 2025. 41 submissions were received through the Committee's call for views on Citizen Space, and an additional 7 submissions were received by correspondence. All responses have been published either on [Citizen Space](#) or on the [Bill's webpages](#). There is a published [SPICe summary of those responses](#).

Witnesses

The Committee will hear from one panel, consisting of five individuals:

- **Skye Allan MYSP**, Member of the Scottish Youth Parliament for Dumfriesshire – see SYP [evidence submitted to Scottish Government consultation](#)
- **Kristers Lukins MYSP**, Member of the Scottish Youth Parliament for Dundee City West – see SYP [evidence submitted to Scottish Government consultation](#)
- **Adam Milne**, Senior Policy Advocate, Carnegie UK – see [evidence submitted on this Bill](#)
- **Frances Guy**, Chief Executive Officer, Scotland's International Development Alliance – see [evidence submitted on this Bill](#)
- **Lloyd Austin**, Convener of the Scottish Environment LINK Governance Group, Scottish Environment LINK – see [evidence submitted on this Bill](#)

Suggested lines of questioning

Policy Objectives

Sustainable Development remains a key global ambition – articulated and highlighted (including [on the front page of the United Nations website](#)) through the globally agreed Sustainable Development Goals – the Scottish Government maintains that Scotland's National Outcomes and the National Performance Framework are the way it approaches achievement of the Goals.

The Policy Memorandum to the Bill includes that policy objectives for the Bill include that it:

“will foster a joined-up approach to sustainable development and wellbeing across the public sector, which will complement and enhance existing national frameworks for tackling the challenges faced by society, including climate change.”

And that it:

“will renew and advance Scotland's commitment to sustainable development by improving PCSD [policy coherence for sustainable development] among 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”.

The Policy Memorandum explicitly states that:

“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”;
- imposing a statutory duty on public bodies to consider wellbeing and sustainable development in the exercise of their functions; and

- creating the office of the Future Generations Commissioner for Scotland”.

The Policy Memorandum introduces the idea of seeking ‘*policy coherence for sustainable development*’ – broadly this is the idea that intended and unintended consequences of policy decisions in one area, which affect another, should be clearly and better understood. It is this kind of complex policy environment which has seen the parliament develop its own [Sustainable Development Impact Assessment tool](#) – around the idea of scrutiny coherence.

Scotland’s International Development Alliance have stated in written evidence that:

“A Bill embedding sustainable development and wellbeing into policy making would help to ensure actions in Scotland contribute to the betterment of wellbeing, in Scotland and elsewhere, as the world deals with converging crises. By enshrining principles of sustainable development and wellbeing in law, we can ensure that these concepts are considered during the policy process and embed a long term and preventative approach in all decision-making; while also giving clarity to how public bodies and other actors deliver policy on the ground to support a positive impact on the wellbeing of people and the planet”.

Members could examine:

- 1. The Policy Memorandum explores the concept of ‘policy coherence for sustainable development’. Do you agree with this as a policy objective – what are the opportunities and challenges of such an approach?**

Need for legislation, and differences from Scottish Government proposals

As pointed out in the accompanying documents, the Scottish Government had previously committed to legislating in this area – subsequently choosing not to proceed with its own bill, but to supporting this Bill – then setting out that they believe legislation is not necessary to achieve policy objectives. The Scottish Government did consult on its own legislation - proposals included to directly strengthen duties conferred by the National Performance Framework and Community Empowerment (Scotland) Act 2015 around alignment with national outcomes - rather than a new overarching public duty. In [written evidence to this committee](#), Carnegie UK states the view that this Bill must:

“Build on and further entrench Scotland’s National Outcomes and National Performance Framework (NPF), along with appropriately strengthened duties and accountabilities”.

- 2. After committing to similar legislation previously, the Scottish Government chose not to proceed with its own legislation, nor to support this Bill. Do you feel that the policy objectives in this Bill and Policy Memorandum require legislation?**
- 3. The Scottish Government proposals aligned to Scotland's National Outcomes and the National Performance Framework. Is legislation required to bolster activity relating to sustainable development and wellbeing under the Outcomes or Framework?**

The Welsh approach to sustainable development and wellbeing

The Welsh Well-being of Future Generations (Wales) Act 2015 establishes 7 connected well-being goals for Wales¹. They are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of more cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

This is about ensuring that future generations have at least the same quality of life as we do now. The act is described as providing- for better decision-making by ensuring that public bodies:

- take account of the long term
- help to prevent problems occurring or getting worse
- take an integrated approach
- take a collaborative approach, and
- consider and involve people of all ages and diversity.

The Act established a Future generations Commissioner for Wales. It established definitions for sustainable development and wellbeing.

- 4. The committee has heard evidence on the Welsh Well-being of Future Generations Act, and the impact of the Future Generations Commissioner for Wales. Do any of the witnesses have any views on the approach taken in Wales since 2015? What lessons can be learned?**

¹ <https://www.gov.wales/well-being-of-future-generations-wales>

Detail of the Bill

The Bill creates a new public duty, which requires all public bodies to have due regard for the need to promote wellbeing and sustainable development in the exercise of their functions. It also establishes statutory definitions of the terms “wellbeing” and “sustainable development” for the purposes of the Bill. It establishes a “Future Generations Commissioner for Scotland”.

Duty on Public Bodies

Part One Section 1 of the Bill states that:

“A public body must, in the exercise of its functions, have *due regard* for the need to promote wellbeing and sustainable development”.

5. The definitions of sustainable development and wellbeing are considered later – but for the overarching duty in section 1, is the definition of public body [set out in section 17] appropriate?
6. The duty relates to a “due regard for the need to promote wellbeing and sustainable development” – should a duty be about *delivery* of wellbeing and sustainable development, rather than *promotion*?
7. Scottish Environment LINK present that the Bill is an opportunity to “repeal or amend outdated duties that can contribute to public bodies acting in a manner that undermines sustainable development and/or wellbeing”. Can you expand on that?

The Bill further states:

“A public body must, when exercising its duty under subsection (1), *have regard* to any guidance published under section 5(2)(a) or (b)”.

8. The Bill outlines public bodies must “have regard” to guidance produced by a Future Generations Commissioner. Is this strong enough?

Definition of sustainable development

Section 2 gives a definition of “sustainable development” as:

“Sustainable development” is development that improves wellbeing in the present without compromising the wellbeing of future generations”.

The Policy Memorandum points out that the phrase is used in multiple policy documents, and in legislation but without, or with varying, definitions. The Policy Memorandum indicates that this definition is inspired by the famous definition in the 1987 Brundtland World Commission on Environment and Development report, 'Our Common Future, that':

“Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.

There is further text in the Brundtland report, that the definition:

“contains within it two key concepts: the concept of 'needs', in particular the essential needs of the world's poor, to which overriding priority should be given; and the idea of limitations imposed by the state of technology and social organization on the environment's ability to meet present and future needs”.

The Brundtland definition therefore explicitly introduces and includes the idea of planetary boundaries, of environmental limits. It is from this that the idea of three pillars of sustainable development emerged - social, environmental and economic.

The definition in the Bill explicitly links it to wellbeing (discussed later).

In [evidence to the Scottish Government consultation on its bill proposals](#), the Scottish Youth Parliament suggested the definition should associate with some key areas. These include:

- climate change and climate justice
- sustainable solutions
- importance of nature
- importance of education and learning in considering a definition, and in developing responsible citizenship.

9. In response to the Scottish Government consultation on their bill proposal, the Scottish Youth Parliament outlined that the idea of sustainable development should incorporate climate, sustainable solutions, nature and education. How does the Scottish Youth Parliament feel about the suggested definition in this Bill?

10. Do other witnesses have thoughts on the definition chosen?

Definition of wellbeing

Section 3 defines “wellbeing” as:

“the ability of individuals, families and other groups within society to enjoy:

- (a) personal dignity, including respect for their choices and beliefs,
- (b) freedom from fear, oppression, abuse and neglect,
- (c) good physical, mental and emotional health,
- (d) participation in meaningful activity including work, education, training and recreation,
- (e) an adequate standard of living including suitable and affordable accommodation, food, clothes and energy,
- (f) access to the natural environment for health, leisure and relaxation”.

In evidence to the Scottish Government consultation, the Scottish Youth Parliament suggested the definition should associate with some key areas. These include:

- **Physical health**, including:
 - Reliable access to food needed
 - Learning from Covid-19, and investing in outdoor learning
 - Protected funding for sports and leisure facilities and programmes
- **Mental health**, including healthy mind and encouragement of a growth mindset, and including:
 - more investment in college and university welfare services
 - infrastructure and opportunities for young people in rural communities
 - more support to be made available by the private and public sector to ensure that all LGBT young people in Scotland are supported
 - high quality, robust training on how to identify and support young people experiencing mental health difficulties should be a mandatory component of teacher training
- **Confidence**, incorporating self-confidence, self-awareness, knowing boundaries, and self-respect.

The Scottish Youth Parliament also outlined areas they felt important for wellbeing over the next 20 years as including:

- Equality
- Healthy environment
- Respected human rights
- Physical and mental health
- Freedom from poverty

- 11. In response to the Scottish Government consultation on their Bill proposal, the Scottish Youth Parliament outlined that the idea of wellbeing should incorporate physical health, mental health and confidence. How does the Youth Parliament feel about the suggested definition in this Bill?**
- 12. Do other witnesses have any observations on the definition of wellbeing, or its alignment to “individuals, families and other groups within society”?**
- 13. Given the Bill seeks to directly link the definition of “sustainable development” with the definition of “wellbeing”, is there any concern the definitions could go onto the statute book without explicit reference to environmental limits?**

Establishment of The Future Generations Commissioner

Part 2, Section 4 (and Schedule 1) of the Bill establishes the Future Generations Commissioner for Scotland. The text appears somewhat modelled on the Commissioner for Children and Young People (Scotland) Act 2003, as amended.

- 14. Do the witnesses have any views on the need for a Commissioner for Future Generations in Scotland?**
- 15. How do you think such a Commissioner could effectively align with other Commissioner roles?**

General function of The Future Generations Commissioner

The general function of the Commissioner is described as

“to promote the wellbeing of future generations by promoting sustainable development by public bodies in all aspects of their decisions, policies and actions”.

16. Do witnesses have any thoughts on the general function for the Commissioner “to promote the wellbeing of future generations by promoting sustainable development by public bodies in all aspects of their decisions, policies and actions”?

17. What are the kinds of challenges public bodies might have in delivery of such activity?

In carrying out the general function, the Commissioner is to do a variety of things including:

- (a) produce guidance on the duty
- (b) review and update guidance
- (c) promote awareness and understanding amongst public bodies of wellbeing and sustainable development
- (d) keep under review the law, policy and practice relating to wellbeing and sustainable development with a view to assessing the adequacy and effectiveness of such law, policy and practice in giving effect to wellbeing and sustainable development
- (e) promote best practice by public bodies, and
- (f) promote, commission, undertake and publish research on matters relating to wellbeing and sustainable development.

18. What might be the opportunities and challenges in a Commissioner being required to “keep under review the law, policy and practice relating to wellbeing and sustainable development”?

Investigations

Sections 6 – 11 (and Schedule 2) give powers and effect to Investigations which can be carried out by the Commissioner.

“A general investigation is an investigation 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”.

This includes requirement of “reasonable grounds that the matter to be investigated raises an issue of particular significance to the wellbeing of future generations”.

The Bill further sets out that

“An individual investigation is an investigation into whether, by what means and to what extent one or more public bodies have had regard to wellbeing and sustainable development in making a particular decision, adopting a particular policy or taking a particular action”.

And:

“Where the Commissioner considers that the matter may be capable of being resolved without an investigation, the Commissioner may with a view to securing that outcome take such steps as the Commissioner considers appropriate”.

19. Do witnesses have any views on the powers relating to investigations by the Commissioner?

20. The Bill allows for the Commissioner to “take such steps as the Commissioner considers appropriate” when seeking to resolve a matter without recourse to an investigation. What do you think such steps might need to look like?

Financial implications

The Financial Memorandum (FM), which accompanies the Bill, provides estimated costs for the Scottish Administration and local authorities of implementing the provisions in the Bill. The initial costs for the Scottish Administration to ensure that 131 public bodies become familiar with and integrate the new public duty, and to establish a Future Generations Commissioner for Scotland are estimated to be between £437,661 and £850,723.

The annual recurring costs for the Scottish Administration are estimated to be between £741,444 and £1,812,849. The initial costs for local authorities to implement the public duty to have due regard for the need to promote wellbeing and sustainable development in the exercise of their functions is estimated to be between £28,416 and £56,832. The annual recurring costs for local authorities is estimated to be £14,208.

Staff costs

The FM estimates annual salary costs for the Commissioner and 15 FTE as £1,265,137. It states that, 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.

In its [memorandum](#) setting out the Scottish Government's initial views on the Bill, the Scottish Government raises a concern about “uncertainties regarding the costs included in the Bill’s Financial Memorandum”. It states that:

“There are potential financial implications related to back office functions, where there is uncertainty on staff numbers and associated administrative costs; costs to public bodies of fulfilling duties, and uncertainty over the cost to public bodies of investigations undertaken by the FGC, given it can charge ‘reasonable sums’ for costs incurred.”

The FM acknowledges that investment will be required to implement the Bill’s provisions. In particular, the establishment of the office of the Future Generations Commissioner for Scotland. It also highlights potential future savings, stating:

“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.”

In relation to the costs of implementing the Well-being of Future Generations (Wales) Act 2015, Professor Calvin Jones said this “is an issue”. He explained that:

“It required new organisations and new ways of working, which had an impact on overheads. However, on balance, most people who have seen the culture grow over the past decade will say that it is maturing in a way that shows that the long-term benefits of those new ways of working probably outweigh the costs.” [\[OR, 9 Oct\]](#)

Professor Jones also stated that “the commissioner’s office is too small to provide detailed guidance to bodies on the range of things that they might be undertaking and how they should relate to the 2015 act.” [\[OR, 9 Oct\]](#)

21. Do the witnesses have any views on the financial implications of the Bill, and the position that it will lead to long term future savings?

Graeme Cook, SPICe

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