

Scottish Parliament Social Justice and Social Security Committee

Wellbeing and Sustainable Development (Scotland) Bill

Written submission by Oxfam

1. Do you think that more needs to be done to embed sustainable development and wellbeing as primary considerations into public policymaking? Please tell us why.

Yes, Oxfam Scotland believes much more needs to be done to embed sustainable development and wellbeing as primary considerations into policy making. Moreover, we think this Bill is an important means to achieve that. We have backed the callⁱ for the Wellbeing and Sustainable Development (Scotland) Bill (WSD Bill) since 2020, but we also have a longstanding interest in the introduction of both improved measurement frameworksⁱⁱ and the required transition to a ‘wellbeing economy’.ⁱⁱⁱ This bill is an important piece in the puzzle in delivering both objectives, which are critical to combatting poverty and inequality, as well as tackling the climate crisis.

We believe this Bill could trigger a step change that ensures sustainable development and collective wellbeing become the unequivocal drivers of policy and practice across public life in Scotland, and in doing so, make Scotland a genuine global leader in sustainable development and in embedding wellbeing as a goal in policymaking.

To do this, the Bill must first and foremost provide legal definitions of ‘wellbeing’ and ‘sustainable development’ to provide greater clarity and specificity around public sector duties and thus help to improve accountability. The inclusion of a definition of ‘sustainable development’ is particularly important, because there are already a large number of references to sustainable development in existing legislation. This will help to set out the overarching goals we expect the government to deliver. The definition of ‘wellbeing’ should be complementary and overlapping with the definition of ‘sustainable development’ to avoid any potential conflicts between the two.

Defining these concepts is important. For too long, in Scotland and globally, measurement of a nation’s progress has been dominated by the pursuit of GDP growth, irrespective of how carbon-intensive that growth is, or who benefits from it.^{iv} The result has been that GDP – a narrow and dysfunctional economic metric – has been cemented as the principal driver for policy and spending decisions.^v For example, GDP fails to count the huge amount of unpaid care work done by women across the world despite this underpinning our society and economy.^{vi}

We believe the WSD Bill can help better articulate a clear, shared and improved narrative of progress for Scotland, one which shifts the dial away from the pervasive, damaging and incorrect narrative that GDP growth at-all-costs is the key to all other policy goals.

In this sense, the National Outcomes are the key to translating the overarching goals

of sustainable development and wellbeing into concrete outcomes for Scotland. In short, they should localise and articulate a set of sustainable development and wellbeing objectives for the country.

To achieve this, the National Outcomes should be strengthened, including to end the invisibility of care and carers within them. The Scottish Government's decision to shelve its own proposed changes were therefore deeply disappointing.^{vii} This exposes a clear weakness within the current legislation. By consulting on the National Outcomes, preparing a revised set of draft National Outcomes, and consulting with the Scottish Parliament, the Scottish Government adhered to the word of the law. However, by failing to implement the proposed amended set of National Outcomes, we do not believe it complied with the spirit of the legislation.

Further, the National Outcomes are often deprioritised in decision-making, and as noted by the Finance and Public Administration Committee in its report on the National Outcomes towards the end of last year, "the use of the NPF is 'patchy and mixed' and the Government's approach whereby the NPF is seen as "implicit" in policy development and delivery does not reflect the status or importance it should have."^{viii}

Moreover, a previous inquiry by the same Parliamentary Committee^{ix} evidenced that the existing duties (in the [Community Empowerment \(Scotland\) Act 2015](#)^{xiii}) are too weak to establish the National Outcomes as key drivers of decision making, and thus concrete outcomes for Scotland. The duties are also not streamlined with other duties creating a complicated, and sometimes contradictory, landscape of duties for public bodies. This is unhelpful both for public bodies and for the advancement of wellbeing and sustainable development by Scottish Ministers.

The WSD Bill represents a chance to change direction and ensure that future iterations of the National Performance Framework^x (NPF), become the overarching roadmap from which all public decisions (policy and spending), frameworks, plans and strategies flow, including through robust National Indicators and tools like the Wellbeing Economy Monitor.

The primary way in which this bill can do that is by building on and strengthening the duties relating to the existing National Outcomes and the National Performance Framework (NPF) in which they sit. The legislation should therefore absorb and, crucially, strengthen the existing duties on Ministers and public bodies contained within the [Community Empowerment \(Scotland\) Act 2015](#).^{xiii} The existing duty on public bodies to "have regard to the national outcomes" must be replaced with a strengthened duty promote *and* deliver the National Outcomes, as revised, so that they more clearly drive policy and spending decisions on the one hand and implementation on the other. To do this, requires the duty to use more tangible, directional and affirmative language than 'have regard to'.

The WSD Bill should also place requirements on Scottish Ministers to: show how they support wellbeing and sustainable development when they set new National Outcomes; to produce delivery plans for the National Outcomes; to engage in meaningful and ongoing public engagement on the National Outcomes and to demonstrate how it is acting upon the findings; to ensure regular and accessible

reporting on progress; and to strengthen the links between the National Outcomes and the Scottish Budget.

It is also the case that the Outcomes are currently not developed based on strong participatory processes. Such processes are vital if they are to be made to reflect and secure a democratic mandate that stretches beyond the limits of any single Scottish Parliament. A key goal of the legislation must be to ensure that the National Outcomes are developed and shaped using a deliberative participatory process that has both breadth and depth.

Overarchingly, this Bill can help us ensure the National Outcomes become the golden thread underpinning public life in Scotland. It should be Scotland's contract with current and future generations everywhere, and ensure long-term societal and environmental outcomes, not short-term economic gains, drive social *and* economic policy. We also explicitly see this shift to long-term thinking and outcomes-focused policymaking as an important part of ensuring the wellbeing of people and planet are improved in the here and now.

2. What is your view on the policy objectives of the Bill, as set out in the Policy Memorandum?

We agree with much of the case made for the WSD Bill, including that more needs to be done to accelerate climate action in Scotland. We also agree that a more coherent and preventative approach to policy making and implementation across government is required. This shift can make an important contribution to ensuring improved outcomes for the people of Scotland and for others elsewhere in the world. We also agree that government is too often driven by short-termism and that there is a need to include an obligation on public bodies and others accountable to the Scottish Government to do more to reflect on the long-term impacts of policy and proposed actions. We agree that 'sustainable development' should be defined in statute and that statutory duties should be clarified to ensure that public bodies consistently operate in a way that supports sustainable development and collective wellbeing. We also agree that 'wellbeing' should be defined in statute, though we believe the current wording is not fit for purpose.

Critically, however, we disagree with the position that the definitions of sustainable development and wellbeing should only apply to the duty in this bill (paragraphs 73 and 75). It is our view that this would limit the ambition of this Bill, and that the definitions should apply across *all* other legislation where reference to either term exist.

Furthermore, as outlined in the previous question we also think the National Outcomes have a critical role to play. We believe the best way to ensure public bodies promote and deliver sustainable development is by enhancing and building upon existing duties in relation to the National Outcomes. It is therefore important to closely connect the approach to sustainable development and wellbeing with a revised National Performance Framework and this should be better reflected in the proposed Bill.

Critically, we see the National Outcomes as the primary vehicle for translating the

overarching goals of sustainable development and wellbeing into concrete outcomes for Scotland. As such, progressive and transparent delivery of the National Outcomes would help drive progress towards achieving sustainable development and wellbeing. With the current proposed review of the NPF by the deputy First minister, there is an opportunity to clarify obligations and approaches across government at every level in Scotland.

We agree that the proposed Futures Generations Commissioner represents a clear way to deliver enhanced support to and scrutiny of public bodies to fulfil the proposed statutory duty. However, we also recognise the creation of a commissioner is not the only option, and there is a case for tightening up existing legislation as well as looking at alternative means of delivering the aims of improved policy coherence and greater accountability to future generations. [Six possible alternatives](#) were set out in the research by Max French and Jennifer Wallace – commissioned by Carnegie UK, Oxfam Scotland, the Wellbeing Economy Alliance Scotland (WEALL Scotland), Scotland's International Development Alliance (SIDA) – published on 31 March 2025.^{xiv}

It is also important to be clear that the delivery of sustainable development or the pursuit of wellbeing does not stop at Scotland's borders or should only apply to those living in Scotland. We believe that the collective wellbeing of current *and* future generations in one place is wholly dependent upon the wellbeing of others elsewhere, as well of the planet.

3. Which of the following best expresses your view on section 1, which requires public bodies to have due regard for the need to promote wellbeing and sustainable development?

Oppose

While we support the principle of creating a duty, the proposed requirement to “have due regard for the need to promote wellbeing and sustainable development” is wholly inadequate to give proper effect to the aims of the Bill. The proposed legislation can only be truly effective if this requirement becomes a duty to make decisions that will *deliver* wellbeing and sustainable development.

That said, legal duties in the Bill should be defined in a way that does not, wherever possible, add *unnecessary* extra reporting requirements on public authorities, and instead, in a way that strengthens, clarifies and streamlines existing duties around sustainable development, wellbeing and the National Outcomes.

In the case of sustainable development, this could mean strengthening existing duties in other legislation, where sustainable development duties already exist, such as the Climate Change (Scotland) Act 2009. This Act requires all Scottish public authorities to, in exercising their functions, act in the way they consider ‘most sustainable’. However, research from Scotland's International Development Alliance^{xi}, shows that this duty does not appear to be well-implemented, possibly due to the wording of the Act and a lack of parallel capacity building, support and accountability requirements.

Public authorities would be better able to mainstream sustainable development, as defined in the WSD Bill, by amending Section 44 of the Climate Change (Scotland) Act 2009 to include references to 'sustainable development' and a new clause which serves to resolve existing conflicts in public authorities' statutory duties. For example, a clause after 44(1), stating that 'where the implementation of any other statutory duty appears to conflict with 44(1)(c), a transparent resolution must be sought with regard to policy coherence for sustainable development as defined in the Wellbeing and Sustainable Development (Scotland) Act 202X'.

As explained in Q1, the National Outcomes, currently set out in the National Performance Framework, are the key to translating the overarching goals of sustainable development and wellbeing into concrete outcomes for Scotland. Recent evidence^{xii} suggests that the existing duty on public authorities to "have regard to the national outcomes" in the Community Empowerment (Scotland) Act 2015 is not strong enough to deliver their ambition.

These duties, in Part 1 of the Community Empowerment (Scotland) Act 2015, should therefore be relocated into the WSD Bill, and be amended to support a more unified approach to delivering the National Outcomes and to support greater clarity over the contribution made by different actors towards the delivery of all of the National Outcomes, as a complete wellbeing framework, rather than particular National Outcomes in isolation.

To do this, requires the duty to use more tangible, directional and affirmative language. One approach might be to adopt similar wording to the Well-being of Future Generations (Wales) Act 2015 which requires each public body *"to carry out sustainable development"* and includes requirements for *"Setting and publishing objectives [in relation to the wellbeing goals]"* and *"taking all reasonable steps to meet those objectives"*. However, we argue that even this wording is not strong enough and does not emphasise the need to ensure policy coherence in pursuit of the National Outcomes, wellbeing and sustainable development.

Therefore, we propose that the existing duty on the National Outcomes should be rephrased so that public authorities are required to:

"promote and deliver sustainable development while protecting the wellbeing of current and future generations, ensuring that they take all reasonable steps to support the realisation of the national outcomes, minimise trade-offs, and resolve policy conflicts in a way that does not undermine sustainable development or the wellbeing of current and future generations everywhere."

4. What is your view on the definition of "public body" (in section 17(2))? Is there a need for statutory definitions of wellbeing, and sustainable development?

The definition of "public body" could be more specific. It must include the Scottish Government, local authorities, all bodies accountable to the Scottish government or local authorities, as well as any third sector or private sector organisations working

for or paid by the Scottish Government.

We believe there is a strong need for statutory definitions of wellbeing, and sustainable development. Additionally, we believe the bill should also set out a rigorous definition of ‘policy coherence for sustainable development’.

The inclusion of a definition of ‘sustainable development’ in this legislation is particularly important, because there are already a large number of references to sustainable development in existing legislation. As previously stated, we firmly believe this definition should apply to all other legislation where references to sustainable development already exist.

5. What is your view on the definition of “sustainable development” (in section 2)?

We believe the definition of sustainable development set out in the bill is too narrow and misses several critical aspects that are necessary for this bill to achieve its aims. It fails to reflect important advances in our understanding of sustainable development since the publication of “Our Common Future” in 1987^{xiii}, from which the proposed definition is based.

Firstly, a well-established shortcoming of that definition is the lack of reference to equity. It does not make clear that sustainable development needs to enable *all* people of current and future generations to meet their needs in a way that is equitable. This includes recognising differences in the responsibility for environmental damage – both between and within countries – and in respective capabilities to deal with these at present.^{xiv} This is reflected, for example, in the principle within the Paris Agreement of “common but differentiated responsibilities”.^{xv}

Secondly, the definition proposed in the Bill, based on the aforementioned 1987 report, was developed to apply at a global level. To tailor for a national application in Scotland, we consider it important to include a specific reference to the rest of the world, to make clear that sustainable development in Scotland cannot be achieved without consideration of sustainable development across the world.

Thirdly, the planetary boundaries framework is now well established as a robust way of setting out the environmentally sustainable development space for humanity.^{xvi} This is an area that Oxfam explored in Scotland through the creation of the Scottish Doughnut, which clearly demonstrated that Scotland is failing to currently operate within the safe and just operating space.^{xvii} Continuously crossing these planetary boundaries will create a considerable risk that large parts of future generations will not be able to meet their needs. Planetary boundaries were not defined at the time “Our Common Future” was written. We therefore consider it useful to include a specific reference to planetary boundaries to make the conditions for sustainable development as explicit and robust as possible, and to reflect the existence of linked – and spiralling – climate and nature emergencies.

Following from this, we propose this definition for sustainable development:

“Sustainable Development can be defined as the development of human societies based on fair shares of planetary boundaries, and which equitably support the capability of present and future generations across the world to meet their needs.”

Additionally, to strengthen the conceptual underpinnings of whatever definition is chosen, we also propose the inclusion of the following key principles under the definition in the Bill:

- ***The principle of enhancing ecological and planetary systems through regenerative approaches.***
- ***The principle of intra- and inter-generational equality and equity – to meet the needs of present generations without compromising the ability of future generations to meet their needs.***
- ***The principle of (human or social-ecological) wellbeing instead of economic growth as the core societal objective.***
- ***The principle of interdependence and indivisibility across public policy, meaning that policies are inextricably linked and require policy coherence for sustainable development in response.***
- ***The principle of doing no harm internationally and good global citizenship.***
- ***The principle of evidence-based policymaking.***
- ***The principle of openness and transparency – the availability of information on efforts to achieve sustainable development is vital to engagement and accountability.***
- ***The principle of participation – to recognise that everyone in society has a role to play in working together to achieve sustainable development.***

This use of principles of this type echoes the Climate Change (Scotland) Act 2009, which includes ‘just transition principles; and the ‘climate justice principle’ – with these articulated within the Act. While work is needed to realise these principles in practice, a similar approach could be considered within the WSD Bill.

Finally, we consider that any effort to define and embed sustainable development as a key principle in Scotland will only be successful if it is combined with a clear mandate for policy coherence. To ensure that domestic and international policy coherence for sustainable development is understood and implemented as a core principle of sustainable development, as listed under the definition of sustainable development, we also believe that it should be clearly defined in the Bill, as proposed by Scotland’s International Development Alliance^{xviii}, as the following:

“Policy coherence is the consistency of public policy, whereby:

- ***no policy undermines any other policy***
- ***where policy conflicts occur, the root cause of the conflict should be identified and efforts made to resolve it in a manner which:***
 - ***minimises trade-offs;***
 - ***maximises synergies.***

Policy coherence for sustainable development must:

- ***support ecological integrity and social equity within Scotland, and***

- ***elsewhere in the world***
- ***support the self-defined sustainable development of other countries.”***

6. What is your view on the definition of “wellbeing” (in section 3)?

The definition of “wellbeing” in the Bill is not fit for purpose.

While it is currently focused on the wellbeing of ‘individuals, families and other groups within society’, the definition must also explicitly focus on *collective* wellbeing and cover both *present* and *future* generations in Scotland, while recognising the need to protect and enhance the collective wellbeing of others elsewhere in the world too. We suggest:

“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 here in Scotland and globally.”

A legal definition of wellbeing of this nature is vital to provide greater clarity and specificity around public sector duties and thus help to improve accountability. It is also important for setting out the overarching goals we expect the government to deliver. The definition of wellbeing should be complementary and overlapping with the definition of ‘sustainable development’ to avoid any potential conflicts between the two, and thus must make it clear that the collective wellbeing of the people of Scotland cannot be enhanced at the expense of the collective wellbeing of people elsewhere, now and in the future, nor the ecological wellbeing of the planet. These objectives are inseparable.

To be meaningful, a definition of wellbeing should also be built on the principles of equity, long-termism and citizen engagement. Collective wellbeing should be understood as the progressive realisation of social, economic, environmental, and democratic (SEED) outcomes, achieved in ways that reduce inequalities and respect the rights and needs of both current and future generations, in Scotland and beyond. Wellbeing must be viewed as shared and relational, shaped by our communities, institutions, and natural environment.

We also believe that understanding collective wellbeing does not stop with a definition and it is therefore important to locate it in time and place. To do so, current and future Scottish Governments should be legally required to engage citizens in a conversation about what matters to them and then use the findings to inform their wellbeing goals. This engagement could dovetail with requirement for more meaningful consultation on the National Outcomes.

In this regard, based on Oxfam’s experience of co-delivering activities as part of the public consultation on the National Outcomes in 2018, and our membership of the Scottish Government’s Expert Advisory Group on the National Outcomes Review during 2023, it is vital that citizen engagement has depth and breadth, and that it

represents a diversity of voices including those who are furthest away from policy making processes. In 2018, and again in 2023, we believe the depth and breadth of the review fell short of the threshold for a meaningful consultation.

We believe that the views and voices of citizens must have a tangible influence on decision- making when wellbeing goals are identified. In Scotland, we capture our wellbeing goals in the form of our National Outcomes, which is why we want to see the duties relating to the formulation of the National Outcomes strengthened and moved from the Community Empowerment (Scotland) Act 2015 to the Wellbeing and Sustainable Development Bill.

7. Which of the following best expresses your view on section 4, which establishes a Future Generations Commissioner?

Support.

We support the inclusion of a Future Generations Commissioner in principle, as it offers arguably the strongest and most coherent mechanism for driving the aims of the Bill: embedding long-termism, improving accountability, and ensuring sustained focus on the wellbeing of future generations. International evidence, particularly from Wales, suggests that a well-resourced commissioner with statutory powers can help shift institutional behaviours and foster joined-up, preventative approaches to policymaking.

However, we recognise that the Supported Bodies Landscape Review Committee report (19 June 2025) and the current moratorium on new SPCB-supported bodies present political and fiscal obstacles to establishing a Commissioner in the immediate term.

In this context, we support phased or alternative approaches, as outlined in the [Carnegie UK-commissioned options paper](#).^{xv} These include:

- Expanding Audit Scotland's mandate to scrutinise progress on wellbeing and sustainable development.
- Embedding wellbeing responsibilities within existing parliamentary committees or creating a new cross-cutting committee to oversee long-term outcomes.
- Establishing an independent advisory council or roundtable convened by civil society, academia, or government to champion and monitor progress.
- Fostering joint working between existing SPCB-supported bodies, such as the Children and Young People's Commissioner, Consumer Scotland, and the Public Services Ombudsman.

These lower-cost alternatives could still make a significant impact and be implemented now while building political consensus and practical infrastructure for a statutory Future Generations Commissioner in a later parliamentary term.

However, it is important to note that all approaches to accountability, scrutiny, and support for implementing the WSD Bill themselves involve resourcing demands. The capacity to undertake scrutiny; support and learning resource development; promotion or voice for this agenda, all come with resource implications regardless of the institutional form they take.

Likewise, accountability and system change must involve the creation or transfer of authority, agency, and capacity within the Scottish political system. How far resource and power are to be put behind the wellbeing and sustainable development agenda, in whatever form, should be a key metric for judging the success of the Bill.

8. Do you have views on the general function (as set out in section 5), powers, structure, and duties of the Commissioner?

As currently set out, and without clarity on the duties of public bodies to implement a requirement to consider future generations in policies and actions, we do not believe the role of the Commissioner is strong enough to have the required impact on how policy is crafted, nor to ensure the accountability of public bodies to implement the requirements of the proposed bill (arguably this role could be taken on by others, e.g. a parliamentary committee, or individual responsible departments). The proposed powers to investigate are welcome and may have some effect in increasing pressure on public bodies to exercise their functions in support of sustainable development and wellbeing. However, it is not clear to whom the Commissioner reports and/or what power the role has to ensure implementation of recommendations beyond the requirement for public bodies to respond to the Commissioner's recommendations.

That said, if the bill is strengthened, as per other recommendations laid out in this response, the key roles of a Commissioner would:

- provide a **visible, institutional base within Scottish public life** for activity to promote issues of wellbeing and sustainable development for present and future generations;
- **support systemic change** around activity for wellbeing and sustainable development across Scottish public bodies;
- **improve and ensure accountability** around the duties in the Act;
- **represent the interests of future generations** in the Scottish political system and work with Scottish Ministers to ensure policy coherence.

There are several important ways in which an independent Commissioner should increase accountability, scrutiny and support for decision making. All of these roles should be written into the text of the Bill and together define the powers and responsibilities of the Commissioner:

- **Accountability:** effective accountability is guaranteed by specifying *who* is accountable, to *whom*, in respect of *what responsibilities*, and with *what potential sanction*. The WSD Bill must consider all these elements, making clear who (all Scottish public authorities) have what responsibilities (to act *and* report in ways consonant with wellbeing and sustainable development objectives) to be assessed by the Commissioner through what mechanisms – (key reports sent to Commissioner for approval annually; Commissioner empowered to demand responses; Commissioner's assessment to be tabled in parliament).
- **Support:** to ensure support for decision-making, the Bill should also make it mandatory for key decisions (e.g. laws, budgets) to be presented for consideration by the Commissioner with their assessment and recommendations made public.

- **Investigative Powers:** the Commissioner should be given investigative powers (and matching capacity).
- **Champion:** The Commissioner must have a role in wider thought leadership, developing the understanding of wellbeing and sustainable development in Scotland, advising informally and creating resources that support public bodies in carrying out their duties, and in developing governance infrastructure and multi-stakeholder partnerships around wellbeing and sustainable development over time.

In addition, as per the Scotland International Development Alliance report^{xix}, the Commissioner should:

- help to build the capacity of public bodies to implement their duty under s.44(1)(c) of the Climate Change (Scotland) Act 2009, including through the development and provision of tools, training, impact assessment methods, etc;
- monitor the implementation of that duty through scrutiny and investigative powers;
- assess delivery of the National Outcomes for policy coherence;
- carry out research and provide advice to the Scottish Government, with this published;
- develop mechanisms to support public participation in scrutiny and decision-making for wellbeing and sustainable development.

As previously mentioned, we also believe this Commissioner would support a shift towards long-termism in policy making, with a particular focus on primary prevention. Current political structures reward short-term policy interventions, even when they incur future costs, on health, the environment and so on. By bringing a future generations lens to decision making, a robust commissioner could help to embed the principles of long-termism, and as such should be seen as an investment in prevention, not a cost, particularly with public finance challenges ahead.

However, it is important to note that all approaches to accountability, scrutiny, and support for implementing the WSD Bill themselves involve resourcing demands. The capacity to undertake scrutiny; support and learning resource development; promotion or voice for this agenda, all come with resource implications regardless of the institutional form they take. Likewise, accountability and system change must involve the creation or transfer of authority, agency, and capacity within the Scottish political system. How far resource and power are to be put behind the wellbeing and sustainable development agenda, in whatever form, should be a key metric for judging the success of the Bill.

9. Taking account of the Bill's Financial Memorandum, what is your view on the financial implications (i.e. likely costs and savings) of the Bill?

We recognise the significant financial constraints currently faced by public bodies and the Scottish Government. The Bill's aims of embedding wellbeing and sustainable development into decision-making could, however, result in substantial long-term value by prioritising prevention, coherence, and efficient use of public resources.

The creation of a Future Generations Commissioner is costed at a relatively modest

£1.5–2 million annually when viewed against, for example, the Scottish Government’s £63.4 billion budget in 2025-26. However, if the moratorium on Commissioners continues, the Oxfam Scotland, SIDA, WEAll Scotland and Carnegie UK -commissioned options paper identifies alternative accountability models that may be more feasible in the current financial context. These include:

- Expanding Audit Scotland’s role to include scrutiny of wellbeing and sustainability (estimated additional cost: £200–250k annually);
- Establishing a cross-committee parliamentary function on wellbeing of future generations (cost aligned with typical committee budgets: ~£100–150k);
- Creating an independent advisory council or roundtable, convened by NGOs or academia (estimated at £50–100k).

Each of these models offer different combinations of accountability, support, and representation, and could be combined or sequenced depending on available resources and political appetite.

Ultimately though, it is important to recognise that, to be effective, this legislation requires investment in whatever accountability mechanism that accompanies it. The function of this mechanism, however, would be to support policy development that – alongside advancing sustainable development and wellbeing – reduces future costs, and we consider that the reductions in future costs will likely be significantly larger than the investment needed to effectively resource the accountability, scrutiny, and support required for this Bill to be effective.

A report by the Wellbeing Economy Alliance on the cost of addressing “failure demand”^{xx}, estimates that the Scottish and UK governments spend hundreds of millions of pounds each year on demands that could be avoided in a more preventatively designed economy. This also chimes with the long-standing goals of the Christie Commission.^{xxi} Further, a report by Carnegie UK focused on the wellbeing of children^{xxii}, makes the fiscal argument for investing in early years and prevention to avoid future costs – from healthcare costs (both mental and physical) to reduced tax revenue and higher welfare spending, and from criminal justice to demand for emergency services.

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, over time, support a shift in spending to upstream policy interventions that reduce demand for public services by creating better outcomes for people and planet from the outset.

10. Do you have any other comments about the Bill?

As it stands, there is no statutory definition of ‘sustainable development’ in Scotland, despite the concept being set out in various legislation – this clearly needs to be resolved. Having a clear definition of ‘sustainable development’ will help properly define what is already in place across other legislation, in order to improve delivery.

In particular, the WSD Bill could strengthen the existing duty in the Climate Change

(Scotland) Act 2009 which requires all Scottish public authorities to, in exercising their functions, act in the way they consider ‘most sustainable’.

It is possible, that in some cases, public bodies may find duties conflict, based on their founding legislation, once a definition of sustainable development is in place. One such example might be the imperative for Scottish Enterprise to promote and assist “growth” of industry, as set out in the Enterprise & New Towns (Scotland) Act 1990^{xxiii}, without sufficient concern for the nature or distribution of the industries that are supported to grow.

To support resolution of conflicts like this, the WSD Bill could amend the Climate Change (Scotland) Act 2009 so that, once conflicting duties have been identified, the Act outlines a requirement for a transparent process that seeks to resolve this conflict as far as possible, reflecting the imperative of ‘policy coherence for sustainable development’. See Question 5 for details. This could be pursued on a ‘case-by-case’ basis, especially where there are prominent conflicts, however, in theory, this amendment could apply in all cases.

Finally, we acknowledge that an effective WSD Act will almost certainly bring about additional requirements on public authorities subject to the strengthened duties proposed in the Bill. It is important to be up front and honest that the WSD Bill *should* bring about changes to how public bodies see the National Outcomes, sustainable development and wellbeing. We firmly believe this is a journey of change that cannot be delayed or avoided.

The Bill should therefore seek to progressively embed new ways of working, thinking, and reporting by public bodies in Scotland that encourages more joined-up processes and coherence towards the goals of wellbeing and sustainable development, as articulated through the National Outcomes. While these changes are crucial, they will not be achieved if duties are not accompanied with the relevant support, training, and guidance for public bodies.

Therefore, it is important to accompany strengthened duties with a comprehensive support ecosystem to aid public authorities in implementation, emphasising the ‘how’. The other parts of the proposed Bill are a vital part of this support ecosystem. This includes not only clear definitions of wellbeing and sustainable development as set out above, but also guidance on how to resolve trade-offs with existing duties or between different National Outcomes by establishing a clear definition of policy coherence for sustainable development.

Defining principles for ways of working to establish a coherent approach to pursuing the duties and outcomes set in the Bill will also be crucial. These must be supported by detailed non-statutory guidance on how to implement those ways of working in different contexts.

We propose the following high-level principles on ‘ways of working’:

- **participation:** recognising that everyone in society has a role to play and actively engaging quiet voices that often go unheard;
- **integration:** achieving policy coherence for sustainable development by

aligning public bodies' efforts, collaborating and committing to shared learning;

- **long-term**: balancing the needs of today with those of future generations;
- **global citizenship**: considering the impact of our decisions and doing no harm internationally;
- **prevention**: focusing on early action rather than just reacting to problems;
- **openness**: enabling engagement and accountability through openness and transparency;
- **evidence-based**: making decisions based on the best evidence available.

The above principles are inspired by the Christie Commission recommendations^{xxiv} and work by Scotland's International Development Alliance^{xxv}, as well as drawing on the ways of working defined in the Welsh Wellbeing of Future Generations (Wales) Act 2015.^{xxvi}

Setting out these core principles for ways of working will help public bodies to adhere to the new duties, help to streamline new duties with existing ones, and ensure coherence in how the new duties will be implemented across Scotland.

- i SDG Network Scotland, Open letter on the Sustainable Development Goals (2021): <https://globalgoals.scot/wp-content/uploads/2021/01/Letter-to-Scottish-Party-Leaders-Wellbeing-and-Sustainable-Development-Scotland-Bill.docx.pdf>
- ii Oxfam Scotland, Oxfam Humankind Index (2013): <https://policy-practice.oxfam.org/resources/oxfam-humankind-index-the-new-measure-of-scotlands-prosperity-second-results-293743/>
- iii Oxfam Scotland, Oxfam Scotland's Response to the Scottish Government's National Strategy for Economic Transformation (2022): <https://oxfamapps.org/scotland/2022/03/01/oxfam-scotlands-response-to-the-scottish-governments-national-strategy-for-economic-transformation/>
- iv Oxfam, An Economy for the 99% (2017): https://www-cdn.oxfam.org/s3fs-public/file_attachments/bp-economy-for-99-percent-160117-en.pdf
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