



Proposals for a Scottish Climate Change Bill

**The UNISON Scotland Submission to the
Scottish Government Consultation on
Proposals for a Scottish Climate Change Bill.**

April 2008

Executive Summary

- UNISON is Scotland's largest public service trade union representing over 162,000 members working largely in the public sector.
- UNISON is a member of Stop Climate Chaos Scotland, which has agreed three key 'asks' that coalition members believe are essential for this proposed Bill.
- These are: **an 80% target for cutting greenhouse gas emissions by 2050; statutory annual reductions of at least 3% per year; include emissions from international aviation and shipping.**
- **In addition UNISON Scotland's key ask is a general duty on public bodies to consider climate change in all decisions and report on progress annually, with negotiated green workplace agreements.**
- UNISON Scotland believes the 80% target and 3% annual reductions are the minimum necessary measures. They are also key to the Scottish Government's aim of statutory targets that will "drive government to take the more difficult, sometimes less popular, decisions that either reduce emissions directly or encourage individuals and businesses to reduce emissions". It is important that the Bill leaves room for incorporating the latest scientific advice and adapting targets in the future, where required.
- All public bodies should be required to sign up to Scotland's Climate Change Declaration and report annually on the specific measures they have taken to tackle climate change and on other environmental action.
- All public bodies should be required to seek to negotiate a workplace environmental agreement with their recognised trade unions.
- Other important points include: monitoring a basket of the six greenhouse gases, not just CO₂ ; establishing an independent Scottish Commission on Climate Change; helping Scotland adapt to the impacts of climate change; support for action on international adaptation and sustainability; minimising Scotland's use of international Trading Schemes and Carbon Credits, instead focusing action on creating a genuine low carbon economy; monitoring Scotland's emissions from consumption as well as from production to help make these visible and motivate all Scots to reduce their personal footprint; tough sanctions are needed for missing targets, with funds going to adaptation in developing countries.

Introduction

This paper constitutes UNISON Scotland's response to the Scottish Government Consultation on Proposals for a Scottish Climate Change Bill.

UNISON Scotland welcomes the opportunity to respond to this consultation.

UNISON is Scotland's largest public service trade union representing over 162,000 members working largely in the public sector in Scotland. Many of our members are at the forefront of protecting the environment and the quality of life for everyone in Scotland.

UNISON has long supported sustainable development and green workplace policies as key issues for trade unions that also link with our international outlook on social justice. At UK level, the Trade Union Sustainable Development Advisory Committee, a joint TUC/DEFRA body subscribes to the view that climate change is perhaps humanity's greatest challenge in the 21st century. It points out that:

'Sustainability' is not something we put in a separate box marked 'green'. It is a core trade union and workplace issue. It directly impacts on jobs, in numbers, types, skills and locations. The employment and training implications of the transition to a low carbon economy are profound, as is the need to manage the changes fairly - through the so-called 'just transition'.

UNISON Scotland is a member of the Stop Climate Chaos Scotland coalition and has worked closely with other members on agreed essential measures that we believe should be included in the Bill. The top four priorities are listed below as our four key 'asks'. We also address other issues raised by the proposals, with commentary on these incorporating joint work by the coalition*.

Why Scotland's Climate Change Bill is so important

Without urgent action, climate change will devastate life on earth as we know it. The World Health Organisation estimates 150,000 people die annually and five million suffer serious illness as a direct result of global warming, with those numbers rising as temperatures do. It is morally incumbent upon all industrialised nations to drastically reduce our own greenhouse gas emissions and to recognise the price already being paid by some of the world's most vulnerable people.

UNISON Scotland and our coalition partners in Stop Climate Chaos Scotland believe strongly that our nation can be an innovative and enthusiastic world leader in delivering the required changes. This Bill is our opportunity to act before it is too late to protect the planet for future generations. It is essential that we get it right now and adopt policies and targets based on the best available science. At an international level we must insist that all countries do at least their fair share in reducing emissions urgently and providing aid where it is most needed. Climate change is a global social justice issue. The 2006 Stern Review, commissioned by Gordon Brown, also showed that it is in our economic interests. It warned that the costs of not acting are far greater than the costs of ensuring we urgently limit greenhouse gas emissions.

Four Priorities for the Bill

A target to cut greenhouse gas emissions by 80% by 2050

We believe the Bill should require Government to keep within a fair share of a global greenhouse gas emissions level that restricts temperature rise to below the critical 2°C warming threshold. To stand even a 50% chance of staying below 2° it will be necessary to stabilise global greenhouse gas emissions at below 450ppm of total greenhouse gas concentration in the atmosphere (CO₂ equivalent), rather than CO₂ alone, and probably nearer 400ppm (Meinhausen 2006, see also the Stern Review and IPCC Summary for Policy Makers 2007). The IPCC concluded in its 2007 reports that in a global context this requires a 50% cut in emissions from a 1990 baseline by 2050 and for industrialised countries like Scotland, at least 80% cut by 2050. We welcome the proposed 80% target as the minimum necessary. It is key to meeting the Scottish Government's aim of statutory targets that will "drive government to take the more difficult, sometimes less popular, decisions that either reduce emissions directly or encourage individuals and businesses to reduce emissions". It is hoped that the UK government will be persuaded to increase its planned 60% target to 80%. Some scientists question whether 80% is sufficient. The Bill must make provision for revising targets where necessary based on the most up-to-date data and scientific knowledge.

Statutory annual reductions of at least 3% per year

It is extremely disappointing that the Scottish Government's proposals have dropped the SNP manifesto commitment to statutory annual reduction targets of 3% per year. Current global emissions are at 430ppm and increasing by about 2% annually. The situation is alarming and needs immediate action to deliver results as fast as possible. The earlier we start the easier it will be to meet the long term target. If a 3% reduction in any one year is not reached the ability to make up this shortfall becomes more and more challenging – i.e. two years of delivering just 1.5% and 2.5% reductions will mean the third year is challenged to meet a 5% reduction.

The proposed multi-year budget approach presents a real risk that the challenge spirals out of reach. There is also the danger that a multi-year budget allows a government to shift responsibility onto its successor. This reduces accountability and undermines confidence in the policy. Stop Climate Chaos Scotland members see mandatory annual reduction targets of at least 3% as the only way to ensure the 80% target can properly be met.

The setting of targets through this legislation will be welcome but will only be useful if supported by the right plans to achieve them. We therefore need to develop robust plans for the conversion of our economy and lifestyle. These plans should include a detailed, practical conversion plan aimed at meeting or exceeding these targets; and the eventual creation of a carbon-neutral economy.

Include emissions from international aviation and shipping

Aviation is the fastest-growing source of greenhouse gas emissions in the UK. In Scotland international aviation (not including domestic aviation), was the source of 5% of all GHG in 1990, rising to 13% in 2004. The Tyndall Centre for Climate Change calculated in 2005 that if Britain were to meet a 60% GHG reduction target by 2050 without reducing aviation emissions, all other sources would have

to be reduced to zero – households, businesses, energy generation and motor transport.

Clearly this has implications for a range of policy areas covering aviation. However, the starting point has to be that aviation emissions must be included in the Bill targets. It is then incumbent upon the government to refine policies to ensure the targets can be met. Benefits could include promoting sustainable tourism within Scotland. Research by Friends of the Earth Scotland found that the net economic impact of aviation was a cost to the Scottish economy of around £1.4bn in 2004. While over 1.5m incoming visitors used Scotland's airports in 2004, bringing around £8.66m into the Scottish economy, nearly 4 million trips were made by Scottish citizens travelling out of the country, spending over £2.1bn overseas. Financial measures should include an environmental tax on aviation fuel for domestic and international flights. Some people argue this most affects those least well off, but research shows that the average salary of passengers at Scottish airports in 2005 was £46,000. If Scottish citizens fly, either domestically or internationally, then Scotland should be held accountable for the carbon cost of those flights.

In March 2008 a leaked UN study, reported in The Guardian, revealed that climate change emissions from shipping are almost three times higher than previously believed. It suggested that shipping emissions will become one of the largest single sources of manmade CO₂, after cars, housing, agriculture and industry. By comparison, the aviation industry, is responsible for just over half of the emissions produced by shipping. Dr Rajendra Pachauri, chair of the IPCC, was quoted as saying he hoped that shipping emissions will be included in the next UN agreement. There are difficulties around how to 'allocate' emissions, based on where fuel is bought or where goods are shipped to, but deciding on effective measurements, as with aviation calculations, is not an insurmountable problem.

The Scottish Government says in the consultation paper that it will exclude emissions from international aviation and shipping because there is no international agreement about how these are allocated to individual countries. Although they are not included in global climate agreements, states are required under the terms of the Kyoto Protocol to report them as a 'memo item', and the Intergovernmental Panel on Climate Change (IPCC) publishes internationally-accepted guidelines on how to do this. The UK Government has for several years compiled and reported official figures for emissions from international aviation and shipping – based on fuel taken on-board at UK ports - for inclusion in our national GHG inventory. These official figures go back to 1990 and so disaggregated Scottish data could be used to include aviation emissions on the same basis as other sectors from the moment the Bill becomes law.

The impact of not including Scotland's share of emissions from aviation and shipping in the Climate Change Bill from the outset will be uncertainty for business, when one of the strongest reasons for a Bill with legally-binding targets was to provide business with long-term certainty and encourage low-carbon investment

Require public bodies to lead by example, including negotiated green workplace agreements

Scotland's public services have a vital role to play. More carbon emissions are generated in the workplace than at home, with two thirds of emissions work related. Public services help protect our rivers, land and the air we breathe;

provide clean, safe water for home, work and industry; keep our towns, cities and countryside clean and tackle noise pollution. They also contribute to raising awareness of global warming and other environmental issues, support the three Rs - reduce, reuse, recycle - and promote sustainable ways of living and working.

We want to see the Bill include strong Government support for public sector targets on cutting emissions, so public bodies can lead by example. An Ipsos MORI poll in 2007 found that two-thirds of Scots voters think that the public sector is more likely than the private sector to tackle climate change and protect the environment. Recent council waste recycling initiatives have meant many individuals/families have 'bought in' to doing their bit for the environment, goodwill that can be built upon in other areas; the workplace, travelling etc. The public sector as a major employer (a quarter of the Scottish workforce) and in the way it interacts with the public (e.g. in schools, hospitals, the services it provides and in raising awareness) can have a major impact on behavioural change. UNISON Scotland believes that:

- **There should be a general duty on public bodies to consider the impact of climate change in all their decisions. This would be a similar legal provision to the various equality duties. The specific duties can be included in secondary legislation.**
- **All public bodies should be required to sign up to Scotland's Climate Change Declaration and, to provide accountability, to report annually on the specific measures they have taken to tackle climate change and on other environmental action.**
- **All public bodies should be required to seek to negotiate a workplace environmental agreement with their recognised trade unions.**

All Scotland's councils have already signed up to Scotland's Climate Change Declaration. This should be opened up to other public bodies and other organisations. It commits signatories to produce plans with targets and time-scales for significant cuts in carbon emissions including from energy use and sourcing, travel and transportation, waste production and disposal, estate management, procurement of goods and services and improved staff awareness. Accountability could be reinforced by the relevant Parliamentary committee calling in a selection of annual reports each year for scrutiny. Local accountability might be strengthened by local hearings. For example, an annual schools gathering where students could question appropriate Councillors and officials on the report.

The public sector's procurement role is also potentially very influential and can be used in a cross-cutting way to incorporate the public duties on climate change and equalities with sustainable development principles including public sector catering providing 'Food for good' healthy, local food.

We would also wish to see these duties apply to the private sector. However, we recognise that this may require the exercise of some reserved powers outwith the scope of this bill.

Green workplaces

Probably the largest and most disappointing omission in the consultation paper is the absence of any recognition that action in the workplace is essential to tackling climate change.

The Climate Change Bill should include provisions to encourage employers, in consultation and negotiation with their trade unions, to change the way we work. This includes action on energy use and conservation, waste and recycling, travel, water use and environmental education. Good practice is best delivered through a genuine partnership between employer and employees - as already exists on health and safety issues. Apart from the environmental benefits, the public and private sectors will benefit from a reduction in costs, greater job satisfaction amongst the workforce and a shared commitment to success.

We envisage the Bill giving powers to Scottish Ministers to issue regulations and guidance to promote greener workplaces. This would cover devolved areas, although guidance could cover a wider range of initiatives to ensure a joined up approach. Whilst guidance often exists it can be disparate and poorly promoted. Specific measures include energy saving, recycling, water use, transport and food.

Union environmental reps can act as a conduit between management and members/staff, feeding concerns, suggestions and responses in both directions, and working with the workforce and management to develop best environmental practice. They can help review or shape environmental policies and initiatives, and help ensure that such policies are properly understood, fit for purpose, and can be put into practical effect at each workplace. Those involved in the TUC/Carbon Trust Green Workplaces (GW) project have included shop stewards, H&S reps, and those new to union activism.

It is important that environment reps have the same legal rights and employment protection as other workplace representatives. However, this cannot be addressed in the Scottish Climate Change Bill because employment rights are reserved to Westminster. The Scottish public sector could lead the way to greener workplaces through a collective workplace environmental agreement in every public body. Such agreements could include:

Training. Ensuring workers and their reps have the necessary knowledge and skills.

Communication. Workers want facts and targets that they can understand, that focus on a particular area, that can be updated, and that are personally meaningful and tangible. Communication needs to be 2-way.

Commitment. from the top *and* the grassroots is important. The agreement should set out mutual responsibilities and procedures for dealing with issues; clear objectives and monitoring policies; and links with H&S and other policies and structures.

Audit. To be able to improve performance you need to know where you're starting from and this includes an audit of environmental performance.

Further important points agreed by Stop Climate Chaos Scotland coalition members

A basket of Greenhouse Gases

We welcome the fact that the Scottish Government has stated a preference for a target which is calculated on the cumulative effect of a basket of greenhouse gases (GHGs). This would include the following, collectively expressed in terms of CO₂ equivalent (CO₂ equ): carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulphur hexafluoride (SF₆). CO₂ constitutes 84% of Scottish GHG emissions, but much of the remaining 16% comes from land use/soils/livestock (producing methane and nitrous oxide).

An independent Scottish Commission on Climate Change

We propose a Scottish Commission on Climate Change. It could be modelled on the successful Freedom of Information Commission, with the Commissioner sitting on the UK Committee on Climate Change. This would be an independent advisory body which provides impartial advice to the Scottish government and scrutinises and reports on the government's progress. Given Scotland's devolved parliament and separate legal system, along with differences in devolved policies, we do not believe that a UK Committee would provide sufficient local impetus and focus, yet this is what is required urgently.

Scottish Climate Change legislation should therefore establish a Scottish climate change body with duties to advise ministers on:

- the current scientific understanding of targets (including those for sectors), carbon budgeting, policy options, reporting standards and trading limits.
- Advise on the proportion of emissions reductions that can be achieved outside Scotland (i.e. through trading)
- Guide the Scottish Government's participation in International Trading Schemes.
- Require that the Scottish Climate Change body will include environmental and social expertise to ensure that any decisions deliver Climate change in a sustainable manner that protects people and the environment at home and abroad.
- Require appointments to the Scottish Climate Change body to be approved by the Scottish Parliament.
- Place a duty on Scottish ministers to consider and take account of both the Scottish body and UK committee's findings and advice.

Helping Scotland adapt to the impacts of Climate Change

The Scottish Climate Change Bill should establish an action programme of measures, with the explicit aims of securing sustainable adaptation across all sectors of the economy; safeguarding the future of Scotland's communities, businesses, biodiversity, ecosystems and ecosystem services.

In addition, the Bill should include a requirement to report annually on this programme and against key indicators of progress. These should include progress towards Scottish Biodiversity Action Plan targets; and a clear indication of whether the Scottish Government has provided funds over and above its existing commitments, to address the impacts of climate change on vulnerable communities and ecosystems.

International Adaptation and Sustainability

In recognition of the global dimension of the climate change agenda, the Scottish Government should make a financial commitment to support adaptation work in developing countries. Any funding must be additional, and must not come out of existing aid budgets. The Scottish Climate Change Bill should place a duty on the Scottish Government to ensure that any mitigation efforts do not have negative impacts on developing countries. Global sustainable development must be an underpinning principle of the Bill and, ideally, this will be acknowledged in any preamble.

International Trading Schemes and Carbon Credits

Stop Climate Chaos Scotland is in favour of the vast majority of effort to cut emissions taking place in Scotland and not being “bought in” from other countries through trading schemes. This is because we believe trading schemes should not be used as a short-term fix that leaves the UK building high-carbon infrastructure now, while credits are cheap and necessary reductions can be “bought” rather than delivered in the UK, only to find the UK is locked into an expensive way of life in future, when carbon gets more expensive. There are also concerns over the mechanisms within such schemes that enable trading of credits between countries. For the UK to continue to pollute and buy our way out of our own legal carbon reduction targets is not a strong leadership position from which to convince other countries to cut their emissions.

The Scottish Climate Change Bill should ensure that:

- the annual reports on progress clearly show both actual emissions from Scotland, as well as the net emissions after credits are taken into account.
- the Scottish Government sets out a limit on the proportion of emissions reductions that can be achieved outside Scotland (i.e. through trading) at a level, and to standards to be advised by an independent Committee

Members of Stop Climate Chaos Scotland believe that the absolute minimum of reductions efforts should be made through purchasing carbon credits. SCCS is not in a position to state a specific cap, but believes that a cap should be set by an independent Scottish Commission on Climate Change. If there is no Scottish Commission established advice should be sought from the UK Committee on Climate Change. There needs to absolute transparency in reporting levels of trading.

We need to report Scotland’s Emissions from Consumption

We welcome the fact Scotland’s Climate Change Bill has the potential to position us as a global leader on tackling climate change. If this opportunity is to be seized the bill should include annual, consumption based emissions reporting, alongside the stated commitment to production reporting.

The 80% target is to be based on Scotland's territorial emissions; all those emissions *produced* within Scotland. These are not the total emissions Scotland is responsible for; our *consumption* of goods and resources generates emissions that are not counted under a production based reporting system. Scotland interacts with many different countries, importing and exporting goods around the world, and as global manufacturing patterns change, goods which would once have been produced in Scotland are being imported from abroad, meaning much of our production based emissions have become consumption emissions. The current proposals for the Climate Change Bill include a clear description of our international responsibility to reduce those emissions caused by Scotland, not just those we produce.

In 2003 Scotland's territorial emissions from production were equivalent to 11.49 tonnes of CO₂ per person, slightly lower than the UK average. Our consumption based emissions totalled 11.61 tonnes per person. These are higher than the UK average, largely because of the contribution from our coal fired power sector and the fact Scotland is a net exporter of electricity. Scotland has a much higher proportion of nuclear and renewable generation but makes significant electricity exports to England and Northern Ireland. Climate change policies need to structure measurements in ways that avoid creating disincentives to reduce emissions, for example avoiding anomalies such as that we might cut our consumption of energy, yet increase our production through exporting more.

Scotland's shift towards a service-based economy means it is increasingly important that we account for this burden shift of greenhouse gas emissions to other countries. A 2007 study by the Tyndall Centre showed that in 2004 net exports from China accounted for 23% of its total CO₂ emissions, more than double the UK's total production emissions. The export of emissions is being compounded by the typically high carbon intensity of many of the countries that now export to Scotland. In 2006, 25% of imports came from countries with higher than the world average greenhouse gas intensity. A consumption based reporting process allows us to see whether we are actually driving down all those emissions for which we are responsible or simply exporting them outside of Scotland.

Consumption based reporting can provide a valuable 'footprint' based representation of our contribution to climate change, empowering consumers to make choices that reduce Scotland's consumption emissions. It is increasingly understood that we must move from a three planet lifestyle to one planet. Consumption based reporting provides the disaggregated description of Scotland's emissions that highlights the contribution the individual can make to a national target, both in behaviour and consumer activity. Clarity of the make-up of Scotland's emissions will lead to informed choices being available to both individuals and Government. Through the Scottish Government supported Local Footprints Project the necessary data is available at both a Scotland and local authority level. The Local Footprints Project aims to support each of Scotland's local authorities to make an effective contribution to reducing Scotland's global environmental impact through the use of footprint analysis. The project recently published a report entitled '*Climate for Change*' that describes the current consumption based emissions for Scotland's local authorities and the actions needed in order to address these.

Tough sanctions are needed for missing targets

Sanctions must be tough to act as a deterrent. Financial penalties for missing targets could be channelled through a Carbon Fund, which could be used to finance adaptation in developing countries. Finance for adaptation should not come from existing overseas aid budgets and so using money from penalties paid for polluting is an appropriate compensatory way to help developing countries.

UNISON Scotland's Reponse to the Consultation Questions

Our response above covers many of the reasoning behind our answers to the questions below, therefore these are answered briefly.

TARGETS

1. Should a Scottish target be based on carbon dioxide only or the basket of six greenhouse gases?

All six.

2. Should the Bill contain provisions to alter which gases are included, for example if the reliability of data for a particular gas improves or if science changes in the future about which gases cause climate change?

Yes.

3. The Scottish Government wishes to ensure that the Bill gives sufficient incentives to invest in energy efficiency and renewable electricity. Should the targets be based on source emissions; an end-user inventory; or on individual targets for energy efficiency and renewable electricity? Do you have any other suggestions?

It may only be practicable to count emissions generated in Scotland although there is a risk that this could discourage the export of energy - an important Scottish industry. This could be balanced by Scottish consumption measures that give credit for the fact that a significant proportion of Scottish energy generation is consumed in England.

4. Do you agree that the Bill should allow the means of measuring the target to be changed through secondary legislation to reflect international developments or unforeseen consequences of the Bill?

Yes, but not without proper Parliamentary scrutiny.

5. Should the emissions reduction target take account of the abatement effort made by companies under emissions trading schemes? If so, how?

UNISON Scotland would want the majority of efforts focused on creating a low carbon economy and therefore we would want to minimise any use of trading schemes in that they can detract from such efforts and potentially destabilise them. There must be full transparency in reporting so that any 'traded' reductions, as opposed to genuine reductions are shown as such.

6. Do you agree that international credits should be counted towards Scottish targets? Should there be limits on credits counted towards Scottish targets?

We welcome the commitment in the Consultation that any use of international credits would be credits verified by international processes supporting the Kyoto Protocol – either clean development mechanism (CDM) or joint implementation credits (JI) - and would be in line with the international principle of 'supplementarity' established under the Kyoto Protocol. This means that the primary focus must be emissions from within Scotland, and that international

credits should only be a minority of our emissions reductions. If international credits are used these should not be counter-productive in delaying efforts to cut our own emissions. We propose the independent Scottish Commission on Climate Change should provide advice on the levels allowed.

7. Should the Bill allow the level of the 2050 target to be changed through secondary legislation? If so, should this only be allowed on the basis of independent, expert advice, to reflect international developments or unforeseen consequences of the Bill? Should any changes to the target be limited to an increase in the target?

Yes, but not without proper Parliamentary scrutiny, if the Scottish Commission on Climate Change, or its equivalent, advises such changes. Changes should be limited to an increase.

SUPPORTING FRAMEWORK

8. What factors should be taken into account when setting the level of budgets?

We support annual targets of 3% per year. We do not believe that multi-year budgets will deliver the 80% target, nor the necessary political will and accountability.

9. How long should interim budget periods be?

We support annual targets of 3% per year. We do not believe that multi-year budgets will deliver the 80% target, nor the necessary political will and accountability.

10. How many years in advance should emissions budget periods be set in order to provide sufficient time to develop infrastructure?

For planning purposes, budgets based on the 3% per year target can be calculated now for the entire period, with the Scottish Commission on Climate Change or its equivalent monitoring progress and advising whether these will be sufficient or whether targets need to be increased.

11. What should be the limit (in terms of absolute quantity or as a percentage of the budget period) on the amount of emissions which the Government can borrow from a following budget period?

Zero.

12. Should the Bill include an interim point target? If so, what year (or years) should it be for (2020, 2025, 2030, etc.)? How should the level be chosen?

Yes as aggregated annual targets. As part of planning. Five yearly intervals may be sensible.

REPORTING SCRUTINY AND FRAMEWORK

13. Should the Scottish Ministers be required to report on any other issues related to climate change in addition to the requirements already set out. If so, what and how often?

Yes. Consumption emissions. On the same basis as production emissions allowing for our point on the energy industry as above.

14. Is a process of Parliamentary scrutiny the appropriate way of holding the Scottish Government to account if targets or budgets are not met?

Yes. Any sanctions for missing targets could create a Carbon Fund for adaptation in developing countries.

15. What should be the primary source of advice to the Scottish Government for setting emissions targets or budgets and why? Options include: the proposed UK Committee on Climate Change, a new Scottish Committee on Climate Change, an existing public body in Scotland, or the Scottish Government itself.

A new Scottish Commission on Climate Change.

16. If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?

N/A

17. Which organisation should be tasked with monitoring the progress of the Scottish Government on reducing emissions and why? Options include: the proposed UK Committee on Climate Change, a new Scottish Committee on Climate Change, an existing public body in Scotland, or the Scottish Government itself.

The Scottish Commission on Climate Change.

18. If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?

N/A

19. Should additional independent mechanisms for scrutinising the effectiveness of the Scottish Government's policies in reducing emissions be created by the Bill (in addition to any scrutiny already provided by the Scottish Parliament)?

Yes, in establishing the Scottish Commission on Climate Change.

20. If so, which organisation is best placed to carry out this function and why? Options include a new Scottish Committee on Climate Change or an existing public body in Scotland.

The Scottish Commission on Climate Change.

21. If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?

N/A

22. Are there any other functions related to climate change, existing or new, which should be carried out at arm's length from the Scottish Government and why?

If it were thought necessary, the Bill could provide for adding these within secondary legislation in future, if recommended in future by the Scottish Commission on Climate Change or its equivalent.

SUPPORTING MEASURES

23. Should the Bill contain enabling powers to introduce a duty on certain parts of the public sector (i.e. local authorities and large public bodies) to take specified actions on climate change or other specified environmental

issues? Why?

Yes. The public sector has a key role to play and can lead by example, as detailed above. The private sector should have similar duties.

24. What should such a duty (or duties) include?

A general duty (similar to the various equality duties) on public bodies to consider the impact of climate change on all their decisions, with specific duties to be included in secondary legislation.

25. Should the Bill contain enabling powers to introduce statutory guidance for certain public sector bodies (i.e. local authorities and large public bodies) on specified climate change or other environmental measures? Why? Are there gaps in any existing guidance?

Yes. It is important to detail certain measures to ensure all bodies do in fact take the necessary action. Existing guidance is not specific enough to ensure climate change is treated as being relevant to all decisions taken by public bodies.

26. What should this guidance include?

All public bodies should be required to sign up to Scotland's Climate Change Declaration and report annually on the specific measures they have taken to tackle climate change and on other environmental action. All public bodies should be required to seek to negotiate a workplace environmental agreement with their recognised trade unions.

27. Should the Bill contain enabling powers to create a requirement for certain public sector bodies (i.e. local authorities and large public bodies) to make regular reports on specific measures they are taking to tackle climate change (whether mitigation or adaptation) or other environmental issues? Why? What should be included in such reports?

See answer to Q. 26. Also, Scotland's Climate Change Declaration should be opened up to other public bodies and other organisations. It commits signatories to produce plans with targets and time-scales for significant cuts in carbon emissions including from energy use and sourcing, travel and transportation, waste production and disposal, estate management, procurement of goods and services and improved staff awareness. Accountability could be reinforced by the relevant Parliamentary committee calling in a selection of annual reports each year for scrutiny. Similarly, the Bill should establish an action programme of measures, with the explicit aims of securing sustainable adaptation across all sectors of the economy; safeguarding the future of Scotland's communities, businesses, biodiversity, ecosystems and ecosystem services. There should be a requirement to report annually on this programme and against key indicators of progress.

28. As a potential non-legislative measure, should current Best Value guidance be amended to take specific account of climate change mitigation and adaptation? If so, how should Best Value guidance be amended?

Yes. In a general enabling way to fit with the overall duties established by the Bill.

29. Are there any amendments to existing legislation or any enabling powers needed to allow for variable charging (for example by local authorities) to incentivise action or eliminate perverse incentives?

Any such charges should be introduced on an equitable basis, so they do not put undue burdens on those with the lowest incomes, or on the voluntary sector, for example.

30. Are there any provisions to help Scotland adapt to the impacts of climate change which should be included in the Scottish Climate Change Bill?

All such provisions should incorporate sustainable development and social justice principles. This should include robust conversion plans.

31. Should provisions within the Environmental Assessment (Scotland) Act 2005, be amended in order to provide clearer links with emissions reduction? If so, how should this be done?

On the basis of independent scientific and expert advice.

32. What are the equalities implications of the measures in the proposals for the Scottish Climate Change Bill?

These should be spelled out in terms of their impact within Scotland, in that those groups covered by public sector equality duties can be among the most vulnerable in society and may be at greater risk of being in communities affected by climate change, as well as being economically disadvantaged. Therefore action should consider the impacts of policies on such groups, as required by the duties. It is worth noting again that climate change is a social justice issue and Scotland should also consider the equalities implications of its policies on an international level.

33. Is there any existing legislation within the competence of the Scottish Parliament (devolved) which needs to be amended so that appropriate action on climate change can be taken by sectors in society?

UNISON Scotland believes it is essential that trade union environmental reps should have the same legal rights and employment protection as other workplace representatives. We recognise that employment rights are reserved to Westminster, but hope that the Scottish Government will raise this issue with the UK Government as part of discussions on the UK and Scottish Climate Change legislation. Requiring all public bodies to seek to negotiate a workplace environmental agreement with their recognised trade unions will be an enormous step forward in promoting action on reducing emissions. Trade unions are ready to play a full part in that role.

It is equally important that the private sector plays a similar role to that proposed above for the public sector. Some of these actions again required legislation reserved to Westminster and should be part of discussions on related legislation.

UNISON would also call on the Scottish Government to sign up to the proposals in Sarah Boyack MSP's Non-Executive Bill on Energy Efficiency and Microgeneration. It would be a very practical means of reducing our CO2 emissions, tackling fuel poverty and promoting local and community solutions to climate change. The measures are money off council tax and business rates to persuade individual households and businesses install energy efficiency and microgeneration measures. There would be a positive economic benefit to jobs and renewables manufacturing as new renewables devices could be built in Scotland and we would need people trained to install them.

Conclusion

If the four key 'asks' above can be implemented within the proposed Bill UNISON Scotland will be proud to support it as one of the most important pieces of legislation that has been presented to the Scottish Parliament.

This is something everyone in Scotland can collectively work on together. It is to the mutual benefit of all the world's citizens, now and in the future. It is an incredible challenge. We hope the Scottish Government will have the courage and foresight to deliver a strong, world-leading Bill.

* For more detailed information on the points made in this response, see the Stop Climate Chaos Scotland website for SCCS Briefings on the proposed Bill.
www.stopclimatechaosscotland.org

For further information please contact:

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