
Public Bodies Duties: A new way of demonstrating compliance and embedding sustainability in your organisation

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1 Introduction

This paper outlines a collaborative project between a public and a private sector organisation which demonstrates both compliance with national sustainability legislation and builds capacity within the public organisation to embed sustainability in corporate activities and service delivery. This paper describes the product of the project, notes the importance of joint working and shows the wider applicability of the product.

2 Background

2.1 The City of Edinburgh Council

The City of Edinburgh Council serves a population that is growing at three times the rate of Scotland as a whole and is currently nearing 10% of Scottish population. The Council is the largest employer (by headcount) in the city, with 6.5% of all Edinburgh employees, and it works in partnership with all sectors across the city with the aim of making Edinburgh a thriving, successful and sustainable city.

Edinburgh is currently ranked by the Forum for the Future as ninth in the UK on sustainability. This ranking is based on three baskets of indicators:

- the environmental impact of the city – the impact of the city on the wider environment in terms of resource use and pollution;
- the quality of life for residents – what the city is like to live in for all its citizens; and
- future proofing – how well the city is preparing itself for a sustainable future.

2.2 Statutory duties on sustainability

The Climate Change (Scotland) Act, passed in 2009, is the Scottish Government's response to our changing climate and introduces specific requirements and challenging targets for Scotland. One of the key areas for the delivery of these targets is through the work and policy setting of the public sector in Scotland, which includes local authorities, Government Agencies, the National Health Service and a wide range of public bodies. Recognising the potential the public sector has to make a positive impact in this area both in terms of emissions reduction and leadership, the Government introduced the Public Bodies Duties (PBD) as part of the Act. These Duties require that public bodies must act to support the delivery of Scotland's climate change targets, and in a sustainable manner. There are three specific PBDs.

- i. Mitigation – acting in a way that supports the reduction of greenhouse gas emissions in Scotland.
- ii. Adaptation – acting in a way that supports the delivery of a Scottish climate change adaptation programme.
- iii. Sustainability – acting in a way considered most sustainable.

It is expected that every year all public bodies will report to Government on how they are responding to these duties.

2.3 The City of Edinburgh Council's strategic approach to sustainability compliance

Responsibility for action to ensure that the City of Edinburgh Council complies with the PBDs sits with the Corporate Policy and Strategy Team. This team coordinates internal and external partnership governance of community planning, equality and rights, carbon, climate and sustainability, cooperative capital and third sector strategies. The Council's strategic framework for sustainability, Sustainable Edinburgh 2020, was adopted in June 2011; six months after the PBD came into force.

3 The project – public/private sector collaboration

3.1 The challenge

The key challenge for the City of Edinburgh Council in determining its response to the PBD was the degree to which the legislation is open to interpretation. The Act:

- leaves it to individual public bodies to determine what constitutes compliance;
- leaves it to individual public bodies to determine what is considered 'most sustainable';
- requires public bodies only to "have regard" to the Scottish Government's guidance on putting the PBD into practice; and
- only "encourages" public bodies to follow the Scottish Government's guidance on sustainability reporting.

The Council's corporate policy staff knew, as a result of the preparatory work for Sustainable Edinburgh 2020, that a wide range of activity across the Council and its partners was already delivering on the PBD. It was judged that the main issue for the Council was the need to be able to evidence this activity in standard business practice and to embed awareness of the PBD in decision-making processes. This accorded with the recommendations in the Scottish Government's guidance on putting the Duties into practice.

3.2 The solution

The Council's Corporate Policy and Strategy Team drew up a specification for a six-month project to design, develop and deliver a bespoke electronic tool ("e-tool") that would enable the Council to demonstrate compliance with the Act. The specification outlined the need for the e-tool to be based on the Public Bodies Duties and the Scottish Government's guidance, and to be aligned with existing City of Edinburgh Council sustainability training modules and reporting requirements, both internal (such as Committee reports) and external (such as Scotland's Climate Change Declaration).

In October 2012, through a competitive tender exercise, Jacobs was awarded the contract to collaborate with the City of Edinburgh Council and deliver the e-tool project.

3.3 Jacobs

3.3.1 Jacobs

Jacobs is one of the world's largest and most diverse providers of professional technical services. Jacobs offers full-spectrum support to industrial, commercial, and government clients across multiple markets. Services include scientific and specialty consulting as well as all aspects of engineering and construction, and operations and maintenance. Jacobs delivers services to a range of clients as diverse as NASA, Unilever, BP, the MoD and Local Authorities. The current staff complement is around 70,000 globally with a strong UK base which includes significant offices in Glasgow and Edinburgh.

Jacobs has a progressive approach to sustainability, both in the way it delivers its services to clients and in the way it manages its own resources. Jacobs actively seeks to capture the sustainability benefits it brings to clients and this is done through an approach called Sustainability+. This is a corporate approach where Jacobs' staff are encouraged to identify where they have reduced the carbon intensity of projects; these figures are then reported and signed off by clients. In doing this Jacobs demonstrates added value and demonstrates how Jacobs helps its clients meet their own corporate sustainability objectives.

3.3.2 Why Jacobs was interested in bidding for this opportunity

Jacobs viewed the opportunity presented by the City of Edinburgh Council as a strategic one which was a good fit for the company's skill set and would result in a tool which could not only be adapted to work for other public bodies in Scotland but also be applied as a compliance tool for a significantly wider audience. Compliance with regulations is an issue for all public and private sector organisations and the opportunity to develop a new tool which could address this universal issue was regarded as something Jacobs would wish to pursue. Additionally, Jacobs has a good range of expertise in sustainability and a number of Jacobs employees are former public sector sustainability staff. This means that the company has a thorough understanding of the issues to be addressed in embedding sustainability into a large and complex organisation. This, combined with Jacobs' good IT and web capability, put the company in a strong position to bid for this work. Jacobs also appreciated that the opportunity to work with the City of Edinburgh Council was a good one. Edinburgh has a strong track record on delivering sustainable projects and has a good sustainability team and this, allied to the leadership it has shown in this area, made the tender opportunity particularly attractive for Jacobs.

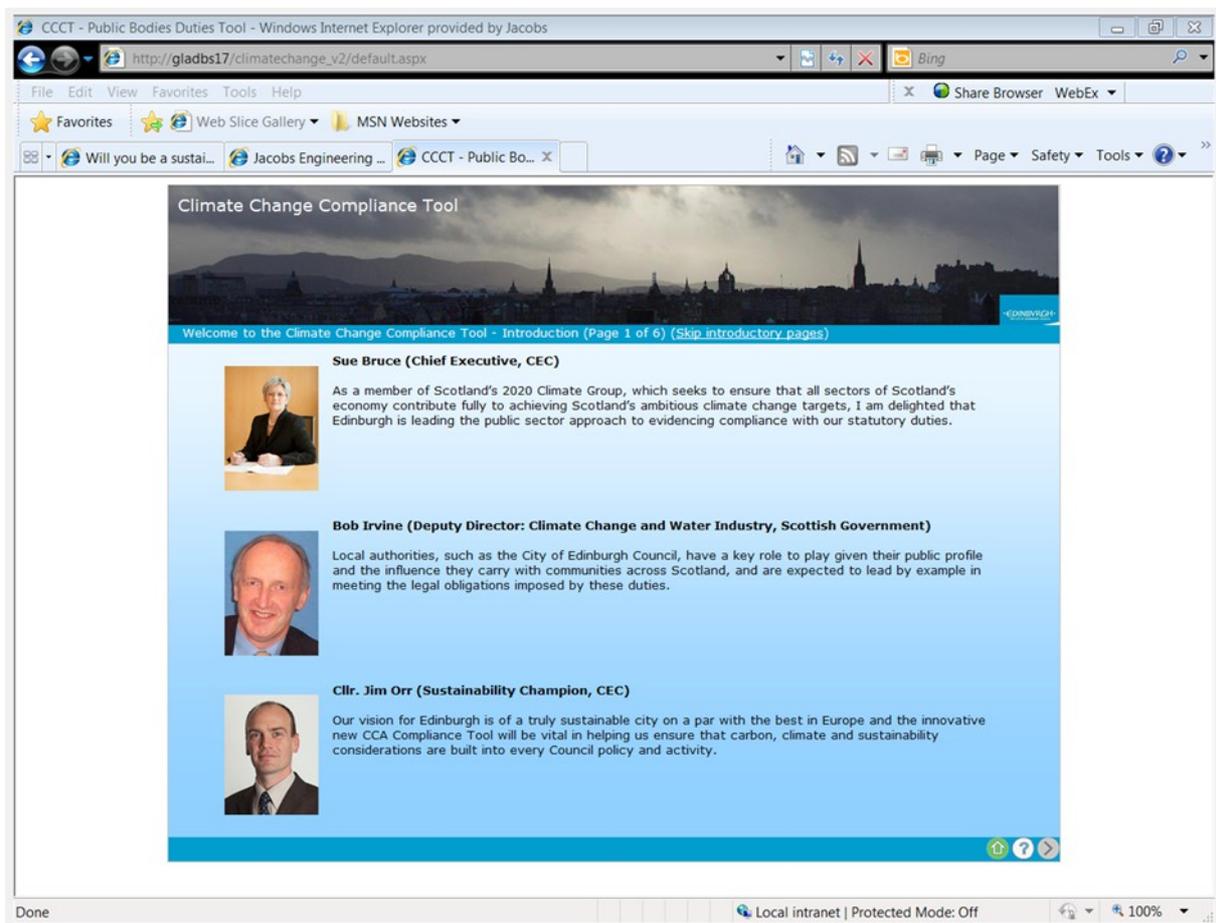
3.3.3 Jacobs' approach to the project

Having been successful in the tender exercise Jacobs quickly recognised the importance of collaborative working to successfully support the City of Edinburgh Council demonstrate compliance with the Public Bodies' Duties. A tight dedicated project team, comprising staff from both Jacobs and the City of Edinburgh Council was set up at an early stage to discuss how best to address the Council's needs and reach agreement on how to proceed. These early discussions were vital to moving forward in an agreed way, a way that would deliver to the client's needs and in a mutually acceptable framework.

Having developed a common understanding we developed the team, comprising web developers and sustainability staff with a strong understanding of how local authorities function. Team selection was key as this had to be a tool designed to work within the culture of a local authority, covering all Departments. It became obvious through beta-testing with staff on the use of the e-tool that there were inconsistencies on how sustainability and climate change issues were addressed in policy writing, project development and procurement decisions. Traditionally sustainability and action on climate change adaptation and mitigation are not well understood or fully integrated in large organisations. Demonstrating how these issues have been embedded in everyday operations and activities represents a significant cultural issue both in the public and private sector and sustainability can be viewed as something done by others. This was not the approach the City of Edinburgh Council wanted so we worked closely with the Council staff to demonstrate that the Council's political and corporate leadership were showing their support for integrated action on sustainability through a series of supporting quotes in the introduction to the tool by the Council's Chief Executive, political lead on sustainability and the Scottish Government. We also designed the tool to help demystify sustainability through accessible information available on the e-tool and we explained why it was both relevant and important and why it should be demonstrably addressed through posing a series of questions for staff on climate change adaptation, mitigation and sustainability. Council staff who are using the e-tool are

asked a series of questions under the headings of climate change mitigation, adaptation and sustainability, such as “have you considered how the waste generated by this project will be managed?”

In doing this we start to see the e-tool not as merely a way of showing how the public bodies duties were being complied with but as a means of challenging staff to think more broadly about the implications of their decisions and project outcomes. Through this approach we also began to address education and training on sustainability and effect behaviour change, which is vitally important.



At a practical level we designed in to the e-tool a super user role for the Council’s Sustainability Team, so that they can be aware of when a colleague in a service department is undertaking an assessment. This creates an opportunity for stronger in-house liaison and stronger links between sustainability staff and mainline service departments. From a Jacobs perspective the success of the project was based on the technical knowledge Jacobs brought to it, but of most importance was the way in which Jacobs and the City of Edinburgh Council quickly established a very strong team ethos with both parties working closely to deliver something new and something we all believed in.

3.4 The overall results of the project

The product of the project is an e-tool that enables any Council employee to capture how the PBD have been taken into consideration in their activity. The tool is not judgmental, nor does it calculate individual aspects of mitigation, adaptation or sustainable development, but prompts the user to consider their activity against these issues. Users are not expected to have any prior knowledge of the issues, as the e-tool explains any technical language and operates through a user-friendly interface.

The tool can be used at any point in an activity, from initial business case formation through to final reporting, any record accessible to its owner at any point for updating.

There are a number of key benefits use of the e-tool brings to the Council as it works to mainstream carbon, climate change and sustainability into its strategic and corporate processes and actions. These benefits include:

- governance oversight of sustainability;
- consistent reporting of sustainability;
- the ability to evidence compliance if necessary;
- an increased awareness of carbon, climate change and sustainability at all staff levels;
- opportunities to identify good practice; and
- the ability to target support and training appropriately.

Currently the City of Edinburgh Council is rolling out use of the e-tool, mainstreaming the pilot through the Corporate Programmes Office's Programme, Project and Change Management Community. The roll-out includes promoting use of the tool to managers, engaging with key staff and training users. Long-term, it is intended that the tool will be in widespread use by all Council teams and at all stages of corporate, project and delivery activity.

4 Conclusions

As the Scottish Government notes in its endorsement of the e-tool, it is an excellent way for the City of Edinburgh Council to ensure that proper recognition of the duties is built into its decision-making processes, providing a solid evidence base to demonstrate compliance and helping to identify where further action can be taken to improve sustainable outcomes for the people of Edinburgh. Though the e-tool was designed with and for the City of Edinburgh Council, it addresses the requirements that national legislation places on all public bodies, and it is of interest therefore to those bodies.

The product of the project is more robust because it has been created through a close working relationship between a public and a private sector organisation, and benefited from the respective professional knowledge and skills of each.

5 References

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Acknowledgements