

Public Services Reform (Scotland) Act 2010

Report for 1 October 2021 to 31
March 2023

October 2023

Contents

1. Introduction	2
2. Statement of expenditure	2
Public relations	3
Overseas travel.....	3
Hospitality and entertainment	4
External consultancy.....	5
Individual payments in excess of £25,000	5
Remuneration	5
3. Statement on steps to promote sustainable economic growth	6
4. Statement on steps to improve efficiency, effectiveness and economy.....	7

1. Introduction

1.1 Sections 31 and 32 of the Public Services Reform (Scotland) Act 2010 (“the Act”) impose duties on Scottish public bodies to publish information on expenditure and certain other matters as soon as is reasonably practicable after the end of each financial year. We produce this statement to ensure compliance with the requirements of the Act.

1.2 Further information on Environmental Standards Scotland’s (ESS) work can be found on the ESS website. In particular:

- [Business Plan 2021/22 – 2022/23](#)
- [Business Plan 2022/23 – 2023/24](#)
- [ESS’ Strategic Plan 2022-25](#)
- [Annual Report and Accounts for 1 October 2021 to 31 March 2023](#)

1.3 Should you require further information in relation to the activities or operations of ESS, please contact us at:

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2. Statement of expenditure

2.1 Sections 31 (1) and (2) require relevant public bodies to publish a statement on expenditure in connection with: public relations; overseas travel; hospitality and entertainment; external consultancy; payments in excess of £25,000; and remuneration in excess of £150,000.

2.2 ESS received a budget allocation of £1.5 million (prior to vesting) in the financial year 2021/22. ESS agreed to return £193,000 at the point of vesting, reducing this

budget total to £1.308 million. ESS received a budget allocation of £2.192 million in 2022/23.

2.3 The statements below include information on each category of expenditure in relation to ESS' budget allocation. The 2021/22 statements concern the six-month period from vesting (1 October 2021 to 31 March 2022), and so refers to 50% of the total budget allocation, i.e. £0.654 million.

Public relations

Account code	2021/22 expenditure (£)	2023/23 expenditure (£)
Exhibitions and education	1,520.13	2,132.50
Publications	4,651.84	6,946.45
Media Services	0.00	21,885.06
Staff costs	0.00	46,332.44
Development of Web Services	0.00	16,964.50
Total	6,171.97	94,260.95

Table 1 - Statement of expenditure in connection with public relations

2.4 From 1 October 2021 to 31 March 2022, ESS' expenditure in connection with public relations amounted to £6,171.97. This figure is equal to 0.9% of ESS' budget allocation for the period.

2.5 For the financial year 2022/23, ESS' expenditure in connection with public relations amounted to £94,260.95. This figure is equal to 4.3% of ESS' budget allocation for the period.

Overseas travel

Account code	2021/22 expenditure (£)	2023/23 expenditure (£)
Staff costs	2,552.00	3,035.53
Hotel accommodation	0.00	1,573.25
Total	2,552.00	4,608.78

Table 2 - Statement of expenditure in connection with overseas travel

2.6 From 1 October 2021 to 31 March 2022, ESS' expenditure in connection with overseas travel amounted to £2,552.00. This figure is equal to 0.4% of ESS' budget allocation for the period. This amount includes expenditure in relation to travel and subsistence for an ESS Board member who is based overseas.

2.7 For the financial year 2022/23, ESS' expenditure in connection with overseas travel amounted to £4,608.78. This figure is equal to 0.2% of ESS' budget allocation for the period. In addition to the regular expenditure incurred for the ESS' overseas Board member, this year saw two staff members travel to Brussels to meet with representatives from the European Commission, Scotland Europa, the European Environment Agency, the United Nations Environment Programme and other relevant stakeholders. The figure also includes expenses for a third person who was unable to travel due to illness.

2.8 ESS' Board requires international expertise, particularly in relation to environmental policy, due to Scotland's commitment to keep pace with the European Union on matters of environmental performance. These expenses are therefore reflective of ESS' position in monitoring Scotland's commitment.

Hospitality and entertainment

Account code	2021/22 expenditure (£)	2023/23 expenditure (£)
Staff costs	0.00	30.50
Total	0.00	30.50

Table 3 - Statement of expenditure in connection with hospitality and entertainment

2.9 There was no expenditure on hospitality and entertainment for the 2021/22 reporting period.

2.10 For the financial year 2022/23, ESS' expenditure in connection with hospitality and entertainment amounted to £30.50. This figure is equal to 0.001% of ESS' budget allocation for the period. This related to hospitality offered to the incoming CEO during an evening meeting with the Board.

2.11 Instances of one-off items of expenditure on hospitality and entertainment below £25 have been excluded from this report. This is in line with guidance that these figures are de minimis.

External consultancy

Account code	2021/22 expenditure (£)	2023/23 expenditure (£)
Consultancy	0.00	24,029.30
External Services Support	6,960.00	4,028.00
Total	6,960.00	28,057.30

Table 4 - Statement of expenditure in connection with external consultancy

2.12 From 1 October 2021 to 31 March 2022, ESS' expenditure in connection with external consultancy amounted to £6,960.00. This figure is equal to 1.1% of ESS' budget allocation for the period. This includes expenditure on HR consultancy during ESS' set up.

2.13 For the financial year 2022/23, ESS' expenditure in connection with external consultancy amounted to £28,057.30. This figure is equal to 1.3% of ESS' budget allocation for the period. In addition to HR consultancy, this also includes external advice sought on matters of governance, digital services and the development of ESS' Strategic Plan.

Individual payments in excess of £25,000

Account code	2021/22 expenditure (£)	2023/23 expenditure (£)
Accommodation charge	n/a	30,935.95
Total	n/a	30,935.95

Table 5 - Statement of expenditure in connection with payments in excess of £25,000

2.14 ESS made no individual payments in excess of £25,000 during 2021/22 or 2022/23.

2.15 In the interest of transparency, over the course of the financial year 2022/23, ESS made three payments to the Scottish Legal Aid Board totalling £30,935.95. These payments were made in connection with ESS' accommodation memorandum of terms of occupation at Thistle House.

Remuneration

2.16 Between 1 October 2021 and 31 March 2023 no members of staff at ESS received remuneration in excess of £150,000.

2.17 No member of ESS received a bonus or other discretionary performance-related payment during this period.

3. Statement on steps to promote sustainable economic growth

3.1 Section 32(1)(a) of the Act places a duty on public bodies to publish a statement of the steps it has taken during the financial year to promote and increase sustainable growth through the exercise of its functions.

3.2 We consider ESS' influence within the wider public sector important in ensuring sustainable economic growth. The role of ESS is to ensure that environmental law is effective, and that public bodies comply with it. This is so that Scotland's people and nature benefit from a high-quality environment. ESS achieves this by monitoring and evaluating environmental performance in Scotland and investigating matters of environmental concern.

3.3 Examples of ESS' influence therefore come from investigations:

- ensuring the regulation of fish farms, preventing harm to protected species¹
- improving systems to support delivery of climate change targets²

3.4 In addition:

- responding to public consultations and calls for evidence on environmental matters³
- publishing analytical work such as Baseline Evidence Reviews on the ESS website⁴

3.5 To measure ESS' performance, a set of Performance and Management Indicators (PMIs)⁵ has been developed and reported on in ESS' Annual Report and Accounts. In addition to keeping track of ESS' actions and outputs, we look at the intermediate

¹ [Ongoing and completed casework: Use of Acoustic Deterrent Devices](#)

² [Ongoing and completed casework: Climate change delivery](#)

³ [Publications: Response to call for evidence on the REACH \(amendment\) Regulations 2023](#)

⁴ [Monitoring: Baseline Evidence Reviews](#)

⁵ [Publications: ESS' Performance and Management Indicators - Definitions and Sources](#)

and long-term outcomes of delivering ESS' functions. In the longer-term, we will undertake impact assessments to determine how ESS' work has contributed (directly or indirectly) to changes to improve environmental outcomes.

3.6 In terms of ESS' own operations, we have produced a Sustainability Plan Phase 1 for the 2022-2025 period. This plan seeks to embed a sustainable culture within the organisation and guide ESS to reduce its own emissions and environmental impact, and contribute towards reaching net zero by 2045. A key part of this report is managing ESS' environmental impact as a hybrid organisation, with staff working a mix of home and office working arrangements across the country.

4. Statement on steps to improve efficiency, effectiveness and economy

4.1 Section 32(1)(b) of the Act requires public bodies to publish a statement of the steps taken to improve efficiency, effectiveness and economy in the exercise of their functions.

4.2 This report covers the early stages of ESS' development and many elements of setting up the organisation. ESS is committed to continuous learning and improvement, and commissioned an external deep dive review into the set up process. This review not only gave reflections on ESS' progress to date and recommendations for continued success, but was also shared with the Scottish Government (SG) and relevant bodies to provide lessons learned for the establishment of new public bodies in the future.

4.3 ESS is a non-ministerial office, independent of the SG and accountable to the Scottish Parliament. However, as a small public sector organisation and in line with public sector guidance, ESS analogues to the SG and makes use of a number of SG shared services. These include:

- IT
- Data Protection
- Finance
- Internal Audit
- Procurement

- 4.4 ESS has agreed to carry out a deep dive review into its service-level agreements and third-party contracts in 2023/24.
- 4.5 ESS also leases its office space from the Scottish Legal Aid Board. During 2022/23, work began towards securing a larger office space to accommodate ESS' growing team. This work is being carried out in partnership with Consumer Scotland with the vision of a shared office, meeting facilities, and technology. The majority of this project is due to be completed in 2023/24. This will allow for efficiencies across both organisations, as well as continuing partnership working across corporate services and the wider investigatory and analytical teams.
- 4.6 ESS seeks to work collaboratively wherever possible, whether that is with public bodies across Scotland, counterparts across the UK, or relevant bodies internationally. ESS has signed a number of memoranda of understanding (MoU)⁶ with bodies including SG's Rural and Environmental Science and Analytical Services (RESAS) (with regard to the use of the Strategic Research Programme), the Climate Change Committee, the Office for Environmental Protection and the Interim Environmental Protection Assessor for Wales. These MoU set out our intentions to collaborate where possible, and will allow for pieces of work such as data sharing, joint commissions and events.
- 4.7 ESS is committed to securing environmental outcomes by informal resolution where possible. This is an efficient and effective way of delivering ESS' investigatory functions, where we work with public bodies to improve the effectiveness and application of environmental law. Informal resolution can secure improvements in a more timely manner than taking formal action and demonstrates collaboration across Scottish public bodies.
- 4.8 To remain efficient and effective, ESS has taken a flexible approach to recruitment and staffing. This has included: recruiting fixed-term appointments for short-term projects and scoping longer-term positions; agreeing part-time secondments for ongoing, on-call expertise; hosting mutually-beneficial placements to students from the Scottish Graduate School of Social Science (SGSSS); implementing temporary

⁶ ESS' MoU can be found on the [Publications - Environmental Standards Scotland](#) page

responsibility supplements to call on additional expertise within the existing staff complement; and seeking agency work where necessary.

4.9 Where in-house expertise has not been available, ESS has taken a proactive approach to seeking expert advice. ESS' procurement activity is guided by our Procurement Handbook, our collaboration with the SG Procurement shared service, and use of the Public Contracts Scotland portal. ESS has agreed to carry out an internal review of its tested approaches to accessing expert advice in 2023/24.

4.10 ESS' sole source of income is its annual budget allocation received from the SG. Where efficient use of ESS' funds has resulted in savings against ESS' budget, ESS has been engaged with SG to report this on a monthly basis and has been proactive in providing in-year returns to the SG against its annual budget allocation.

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