

# The Biodiversity Duty Explained

## What is the Biodiversity Duty?

Biodiversity - nature to most people - underpins our lives, our prosperity and the very essence of our world. The wildlife, habitats and other forms of nature with which we share planet Earth are valuable in their own right quite apart from the pleasure we take from their existence and the ways in which they support us.

The **Nature Conservation (Scotland) Act 2004** places a statutory duty on all public bodies in Scotland to further the conservation of biodiversity. Section 1 of the Act states:

“It is the duty of every public body and office holder, in exercising any functions, to further the conservation of biodiversity so far as it is consistent with the proper exercise of those functions”.

The **Wildlife and Natural Environment (Scotland) Act 2011** introduced a requirement for all public bodies in Scotland to make a report publicly available on their compliance with the biodiversity duty. Biodiversity duty reports are required every three years.

The Biodiversity duty is not only about protecting biodiversity through managing specific sites, habitats and species. It also aims to:

- Increase the level of understanding and connection between people and the living environment
- Promote consideration of all our impacts on the natural world through our actions and decisions, including through procurement and use of resources
- Encourage staff, partners and customers to engage with and understand and consider biodiversity

## Why is biodiversity important to public bodies in Scotland?

Biodiversity is fundamental to the living networks (the ecosystems) that provide us all with a healthy environment and a regulated climate.

Biodiversity provides many vital services that enrich our lives and that we depend on. Biodiversity underpins much of our food and drink production through maintaining healthy soils and pollination, it captures carbon and helps to clean and cool the air, it protects us against flooding and it regulates our supply of fresh water.

Human activity is causing biodiversity to be lost at a greatly accelerated rate and these losses can be irreversible, impoverish us all and damage the life systems we all rely on.

Biodiversity loss and the climate emergency are intimately linked. Climate change increases the pressure on biodiversity while the living world provides us with nature-based solutions to climate change and to a wide range of associated socio-economic outcomes in rural and urban areas alike.

Many organisations, even those that don't manage or regulate the use of land, rely on healthy biodiversity to provide them with goods and services that are essential to their operations and to the wellbeing of their staff, customers and users.

The public sector can play a key role in leading by example and it can make a real contribution to Scotland's efforts to halt the loss of biodiversity and implement our international obligations such as the [Convention on Biological Diversity](#) (CBD).

## What do public bodies need to do?

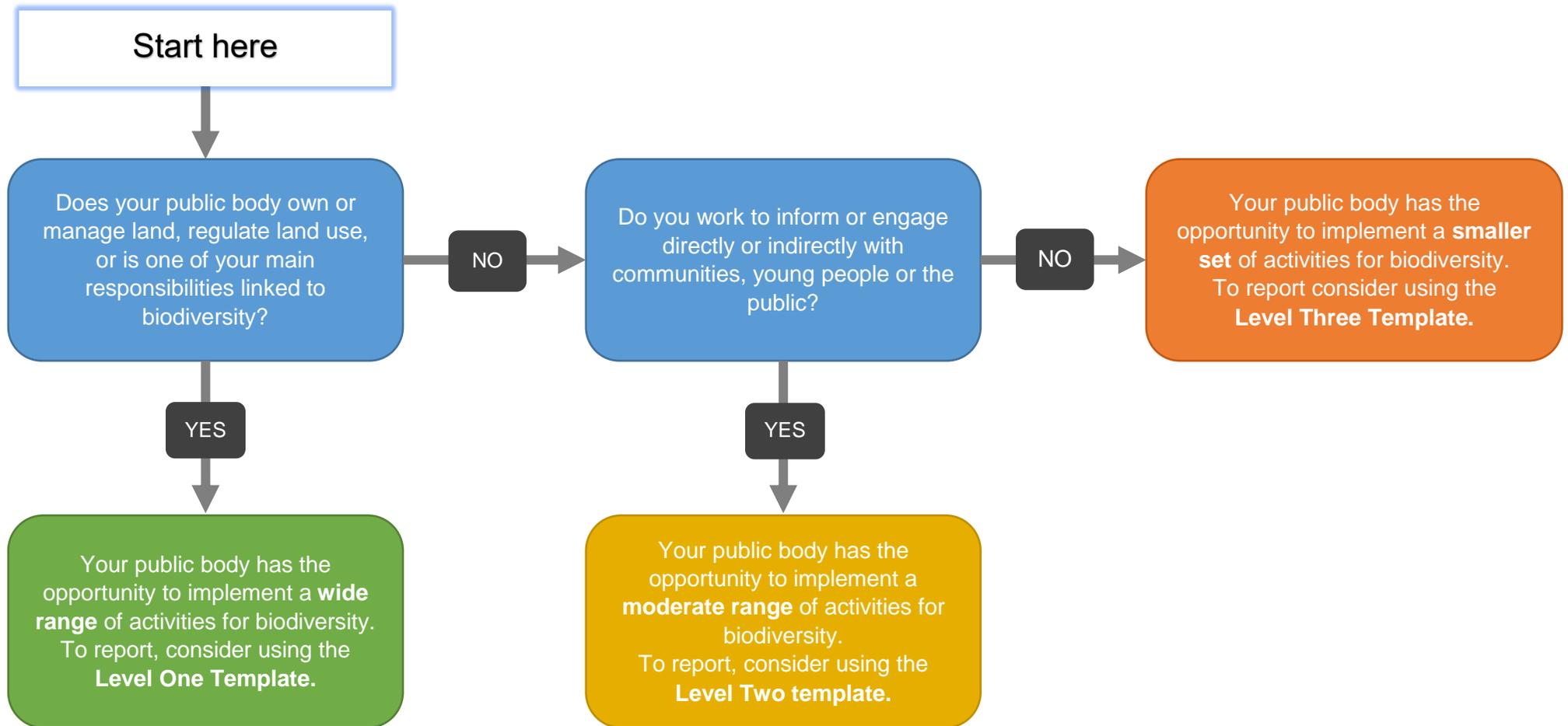
Every public body is different, but each can contribute to protecting and enhancing biodiversity and in raising public awareness in some way.

Below sets out guidance for selecting a template to assist in the drafting your Biodiversity Duty report. The templates guide you on what, and how much, information is needed in your report. Illustrative examples are also provided, showing how public bodies can meet their Biodiversity Duty and how you might report on it. Finally, there is information on how the work that your body carries out contributes to the Scottish Biodiversity Strategy and the Convention on Biological Diversity international Aichi Targets.

If you have any questions, or require further assistance in completing your report, please contact the Scottish Government at: [biodiversity@gov.scot](mailto:biodiversity@gov.scot).

# Selecting a reporting template

This flowchart will support you to select one of three tailored **reporting templates**. These are proportionate to the likely level of information that you may wish to provide, dependent upon your organisation's role and remit. These templates incorporate the key elements on which you may wish to report. They are not an exhaustive and it is likely that there will be a range of additional work that your organisation has carried out in support of biodiversity on which you may also wish to report.



# Illustrative Examples of Biodiversity Actions

Previously submitted Biodiversity Duty Reports are available on the [NatureScot website](#). The table below provides high level, illustrative examples of actions that have previously been reported, aligned to the new reporting template sections and the likely level at which those actions would form a key part of your report.

## Level 1

### Section 2: Actions to protect biodiversity and connect people with nature

- *(SEPA)* In early 2016, on behalf of the Non-Native Species Habitat Lead organisations, SEPA launched a Non-Native Species reporting portal on [Scotland's Environment website](#). This supports citizen science involvement in reporting Non-Native Species of concern.
- *(Loch Lomond and The Trossachs NP)* Supported communities to enhance biodiversity in their local area through the National Park Grant Scheme, including through small scale native woodland planting, hedgerow restoration, rhododendron and community-led riparian INNS control, and support for community woodland groups.
- *(City of Edinburgh Council)* The Edinburgh Living Landscape initiative maintained 72 annual/perennial meadows of naturalised grassland, which accounted for approximately 10% of the Council's amenity grass estate.

### Section 3: Mainstreaming

- *(Perth and Kinross Council)* The Biodiversity Officer advises on how to protect and enhance wildlife across a range of Council services including Architects, Property, Housing, Education, Community Greenspace and Development Management. The officer also screens Planning Applications for any potential impacts on biodiversity.
- *(Royal Botanic Garden Edinburgh)* RBGE's Environmental Management System ensures that operations are aligned to conserve biodiversity and promote sustainability. It is overseen by five Working Groups: Biodiversity, Procurement, Transport, Utilities, and Waste.
- *(City of Edinburgh Council)* The Council is the lead body for the Edinburgh Biodiversity Partnership, one of the first in Scotland and in place for 20 years. The Council employs a Biodiversity Officer to facilitate and Edinburgh Biodiversity Action Plan. Councillors oversee its production and delivery and oversee accountability through the committee process.

- *(NHS Ayrshire & Arran)* Adopted the **NHS Corporate Greencode Auditing toolkit** to facilitate the implementation, maintenance and a programme of continual improvement in the Board's Environmental Management System.

#### Section 4: Nature-Based Solutions, Climate Change and Biodiversity

- *(SEPA)* During 2017, SEPA Water Regulation and Ecology specialists worked with SNH to update its guidance to facilitate peatland restoration.
- *(NHS Lanarkshire)* NHS Lanarkshire ran a social prescribing programme 'Gardening for Health' (GFH) providing patients with mental health issues a programme of therapeutic horticulture and green activities which can contribute to their recovery programme and improve self-management of long-term conditions.

#### Section 5: Public Engagement and Workforce Development

- *(East Lothian Council)* Biodiversity was taught as part of the school curriculum. The Ranger Service supplements this formal education through visits to the classroom and by acting as 'specialists in their field', facilitating educational trips to the countryside.
- *(Loch Lomond and The Trossachs NP)* Created many **online resources** that are available to increase understanding of conservation priorities, whilst supporting the experiences and outcomes of the Curriculum for Excellence.
- *(Edinburgh Council)* Has a network of 54 Friends of Parks groups, supported by Parks, Greenspace and Cemeteries staff, comprising volunteers who work closely with the Council and play a key role in enhancing and protecting local parks, woodlands and green spaces.

#### Section 6: Research and Monitoring

- *(Aberdeen Council)* the Council provided continued support to the North East Scotland Biological Records Centre (NESBReC) ensuring that data were up-to-date and reliable. In return, NESBReC continued to provide information to assist the Council in making decisions on nature conservation and land use, and in contributing to biodiversity action plans.
- *(Orkney Islands Council)* As part of long-term monitoring, Rocky shore Marine Biodiversity and Climate Change surveys were conducted in a total of fourteen sites covering both the Mainland and North Isles of Orkney, along with a variety of marine non-native species surveys.

## Level 2

### Section 2: Actions to protect biodiversity and connect people with nature

- *(Visit Scotland)* VisitScotland incorporated sustainability actions into its Quality Assurance programme, to encourage and support circa 3000 Quality Assured tourism businesses a year to undertake sustainability actions, including supporting biodiversity, increase resource efficiency, and reducing waste.

### Section 3: Mainstreaming

- *(CalMac)* During 2017, CalMac developed an Ecology Management Plan, and associated Biodiversity Action Plan (2017-2020), which highlights the current understanding of biodiversity at managed sites and identified potential positive and negative impacts on biodiversity.
- *(Highlands and Islands Airports Ltd)* In 2017 HIAL developed their Environmental Policy which adopts an Environmental Management System (EMS) to drive continuous environmental improvement at its airports including protecting natural heritage, promoting and supporting biodiversity, including threatened and endangered species where present.
- *(VisitScotland)* One of the key objectives in the organisation's Sustainability Policy is to protect and enhance Scotland's natural and cultural heritage. It includes actions to support protecting and enhancing national assets and protected areas by working in partnership with relevant agencies, by promoting Scotland's natural and cultural heritage to visitors, and by encouraging businesses to do the same.

### Section 4: Nature-Based Solutions, Climate Change and Biodiversity

- *(Scottish Enterprise)* At one of their sites, Scottish Enterprise installed a water feature that not only provides attenuation of surface water through Sustainable Drainage Systems (SuDS) but is also planted with oxygenating plants and shrubs which provide a nesting/resting place for local birds and other biodiversity.

### Section 5: Public Engagement and Workforce Development

- *(National Museums Scotland)* The National Museum of Scotland offered 'Animal Adaptations' workshops for primary and secondary classes as part of the core schools programme. This involved handling animal specimens to determine which environment the animal had adapted to survive within.

## Section 6: Research and Monitoring

- (*National Museums Scotland*) NMS undertake monitoring on fragile habitats, such as saline lagoons in Uist, and changing distributions of montane insects. The Museum is the national repository for natural history collections and makes the collections available to support monitoring of Scotland's and international biodiversity.

## Level 3

### Section 2: Actions to protect biodiversity and connect people with nature

- (*Scottish Road Works Commissioner*) Encouraged replanting of verges after works and encouraged stakeholders to consider biodiversity when undertaking road works and vegetation maintenance.
- (*Scottish Enterprise*) The SE Dumfries office piloted some biodiversity projects including planters in the office garden areas and commissioned the building of bird boxes made from local sustainable materials for office garden areas.
- (*Scottish Housing Regulator*) Ten staff spent a day volunteering to increase biodiversity in Mugdock Country Park. The group dug out new ponds, and cut and moved rhododendron trees in the park. This was a successful initiative which was also promoted via social media and online articles.

### Section 3: Mainstreaming

- (*Scottish Information Commissioner*) Has integrated biodiversity into its Environmental Policy by including an aim to “continually improve our environmental performance and to protect the environment by reducing pollution and resource consumption, and to operate in a manner that supports and encourages the natural diversity of plant and animal life”.
- (*Scottish Funding Council*) Has embedded sustainability into the tendering of procurement contracts by awarding 5% of the evaluation scoring for corporate and social responsibility aims.

### Section 4: Nature-Based Solutions, Climate Change and Biodiversity

- (*Suggested example*) Green walls, such as green screen fencing made from a simple metal wire frames with ivy and other trailing species which is being piloted by the University of Glasgow, can provide an alternative to conventional wooden or metal infrastructure in which the vegetation intercepts and absorbs rainwater, slowing runoff and reducing risk of flooding, while capturing air pollution and providing habitat for wildlife.

- *(Suggested example)* **Small natural raingardens** are designed to use vegetation to slow down rainwater and stop it getting to the sewers from the increasingly impermeable surfaces in urban areas. They help to reduce flooding and protect our rivers from combined sewer overflows. They all help improve air and water quality, provide beautiful places for people to enjoy, and they benefit wildlife.

## Section 5: Public Engagement and Workforce Development

- *(Scottish Social Services Council)* The Council encouraged staff teams to participate in away-days. These involved outdoor activities with a positive impact on biodiversity conservation, such as native tree planting or litter picks.
- *(Scottish Housing Regulator)* Set up a biodiversity working group to develop ideas to help learn more about biodiversity and conservation, and to consider how to make a practical difference.
- *(Scottish Housing Regulator)* Have raised staff awareness of the importance of biodiversity by using the staff Intranet to highlight the importance of biodiversity, signpost staff to schemes promoting quick wins and home composting, and share practical examples showing the benefits of growing vegetables at home.

## Section 6: Research and Monitoring

- *(Suggested example)* Encouraging staff to take part in **Citizen Science activities** around the workplace, home and garden can be a useful way to help the environment, contribute to biodiversity recording while broadening public understanding, enjoyment and involvement with nature.

# How you are contributing to national and international targets

## The Scottish Biodiversity Strategy

It is likely that most Level One and some Level Two organisations will be carrying out a range of activities that contribute directly to Scotland's national biodiversity targets. While completing sections 1 to 7 of your Biodiversity Duty Report, you may wish to use the table below to support you to link the actions that you have taken as an organisation to the contribution that they make to the **Scottish Biodiversity Strategy** key steps.

The Scottish Biodiversity Strategy has six chapters. These chapters include 32 key steps for biodiversity, which are presented in the table below.

<b>Chapter 1: Healthy Ecosystems</b>	
<b>Outcome:</b> Scotland's ecosystems are restored to good ecological health so that they provide robust ecosystem services and build our natural capital.	
<b>Key Steps</b>	
(1.1)	Encourage and support ecosystem restoration and management, especially in catchments that have experienced the greatest degradation.
(1.2)	Use assessments of ecosystem health at a catchment level to determine what needs to be done
(1.3)	Government and public bodies, including NatureScot, SEPA and FCS, will work together towards a shared agenda for action to restore ecosystem health at a catchment-scale across Scotland
(1.4)	Establish plans and decisions about land use based on an understanding of ecosystems. Take full account of land use impacts on the ecosystems services that underpin social, economic and environmental health.

## Chapter 2: Natural Capital

**Outcome:** Natural resources contribute to stronger sustainable economic growth in Scotland, and we increase our natural capital to pass on to the next generation.

### Key Steps

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|-------|---|
| (2.1) | Encourage wide acceptance and use of the Natural Capital Asset Index (2012) <sup>12</sup> , including a comparable measure for the marine environment.                              |
| (2.2) | Use this index to influence decision-making and market-based approaches, so that the wider monetary and non-monetary values for ecosystem services are recognised and accounted for |
| (2.3) | Undertake a major programme of peatland conservation, management and restoration.   |

## Chapter 3: Biodiversity, Health and Quality of Life

**Outcome:** Improved health and quality of life for the people of Scotland, through investment in the care of green space, nature and landscapes.

### Key Steps

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|-------|--|
| (3.1) | Provide opportunities for everyone to experience and enjoy nature regularly, with a particular focus on disadvantaged groups   |
| (3.2) | Support local authorities and communities to improve local environments and enhance biodiversity using green space and green networks, allowing nature to flourish and so enhancing the quality of life for people who live there.                       |
| (3.3) | Build on good practice being developed by the National Health Service (NHS) and others to help encourage greenspace, green exercise and social prescribing initiatives that will improve health and wellbeing through connecting people with nature.     |
| (3.4) | Increase access to nature within and close to schools, and support teachers in developing the role of outdoor learning across the Curriculum for Excellence.   |
| (3.5) | Encourage public organisations and businesses to review their responsibilities and action for biodiversity, and recognise that increasing their positive contribution to nature and landscapes can help meet their corporate priorities and performance. |

## Chapter 4: Wildlife, Habitats and Protected Places

**Outcome:** The special value and international importance of Scotland’s nature and geodiversity is assured, wildlife is faring well, and we have a highly effective network of protected places.

### Key Steps

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|-------|--|
| (4.1) | Ensure that the management of protected places for nature also provides wider public benefits.   |
| (4.2) | Align habitat restoration on protected areas with national goals for improving ecosystem health, with local priorities determined at the catchment or landscape scales.                                |
| (4.3) | Integrate protected areas policy with action for wider habitats to combat fragmentation and restore key habitats   |
| (4.4) | Develop a wildlife management framework to address the key priorities for sustainable species management, conservation and conflict issues, including reintroductions and invasive non-native species. |
| (4.5) | Involve many more people than at present in this work and improve understanding of the poorly known elements of nature.  |

## Chapter 5: Land and Freshwater Management

**Outcome:** Nature is faring well, and ecosystems are resilient as a result of sustainable land and water management.

### Key Steps

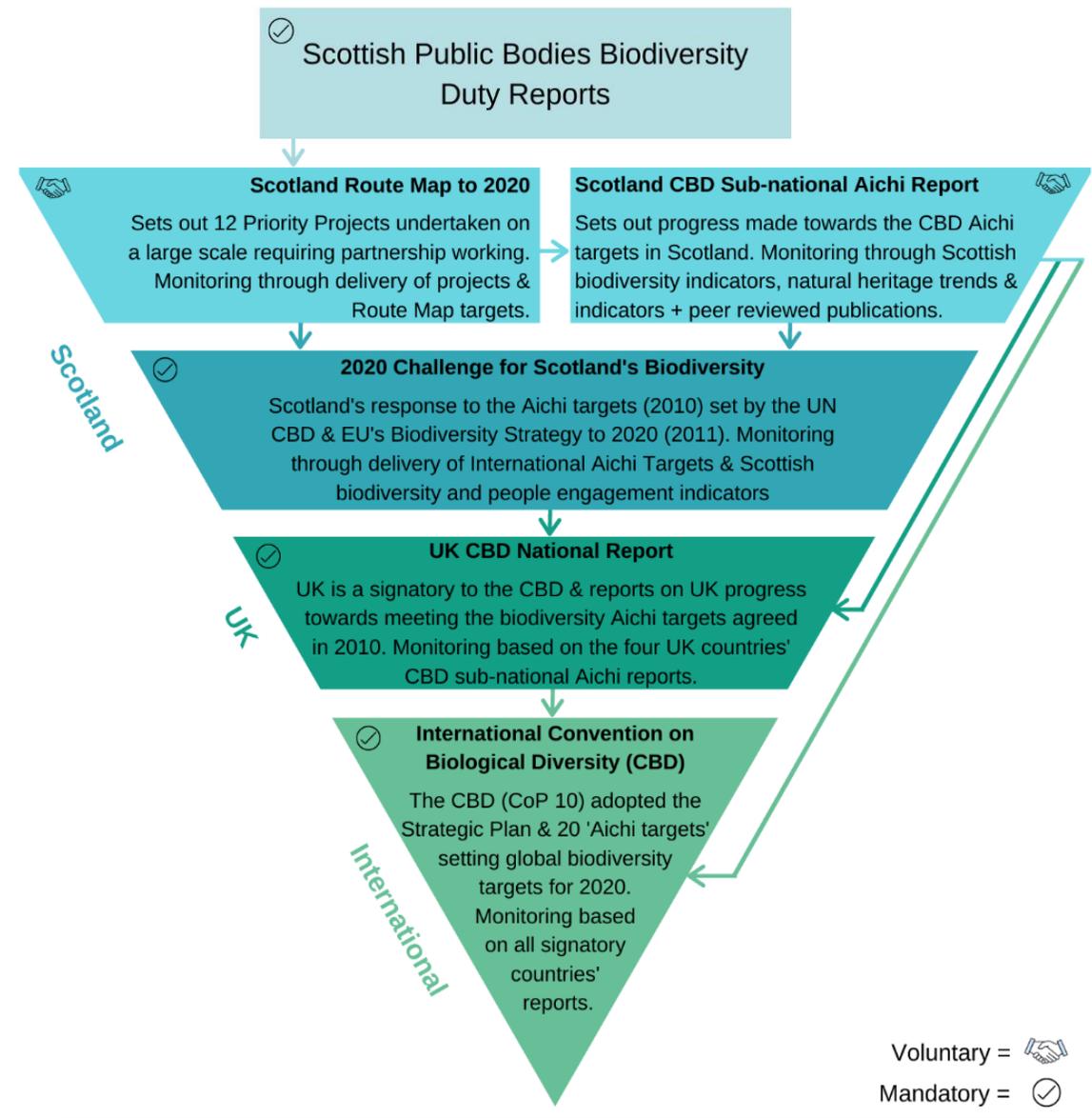
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| (5.1) | Promote an ecosystem approach to land management that fosters sustainable use of natural resources and puts biodiversity at the heart of land use planning and decision-making.             |
| (5.2) | Ensure that measures taken forward under the Common Agricultural Policy encourage land managers to develop and retain the diversity of wildlife habitats and landscape features.            |
| (5.3) | Support “High Nature Value” farming and forestry.   |
| (5.4) | Put in place the management necessary to bring Scotland’s protected areas into favourable condition and improve the ecological status of water bodies.                                      |
| (5.5) | Ensure that biodiversity and ecosystem objectives are fully integrated into flood risk management plans, and restore wetland habitats and woodlands to provide sustainable flood management |

(5.6)	Restore and extend natural habitats as a means of building reserves of carbon and to help mitigate climate change.
(5.7)	Provide clear advice to land and water managers on best practice.
<b>Chapter 6: Marine and Coastal</b>	
<b>Outcome:</b> Scotland's marine and coastal environments are clean, healthy, safe, productive and biologically diverse, meeting the long-term needs of people and nature.	
<b>Key Steps</b>	
(6.1)	Adopt a Scottish Marine Plan and develop regional marine plans to aid balanced decision-making in the marine environment.
(6.2)	Establish a coherent network of Marine Protected Areas, promoting sustainable use and conservation.
(6.3)	Collate information on the location and sensitivity of priority marine features, and make this information available to support their protection.
(6.4)	Achieve good environmental status for Scottish seas.
(6.5)	Bring Common Fisheries Policy fish stocks to levels consistent with Maximum Sustainable Yield wherever possible, and take account of biodiversity in managing inshore fisheries.
(6.6)	Implement a rapid-response framework to prevent colonisation of new invasive species in Scotland's seas and islands.
(6.7)	Improve the monitoring of the marine environment to identify changes and guide progress towards the above outcomes.
(6.8)	Improve understanding of how coastal ecosystems are likely to adapt to climate change and develop appropriate strategies for coastal zone management.

## Aichi Targets

The UN Convention on Biological Diversity (CBD) agreed a Strategic Plan for Biodiversity 2011-2020 and set twenty international targets known as the Aichi Biodiversity Targets. The UK is a signatory to the agreement, which means that, as a public body in Scotland, you help to deliver on these international targets.

Looking at the Scottish Biodiversity Strategy key steps, and example activities, outlined in the table above, use the table below to help identify which Aichi targets you're also contributing to. The colours show which Scottish Biodiversity Strategy key step corresponds to each of the Aichi targets.



*How Biodiversity Duty reporting feeds into national and international reporting.*

	<b>Scottish Biodiversity Strategy</b>					
<b>Aichi targets</b>	Healthy Ecosystems	Natural capital	Biodiversity, Health and Quality of Life	Wildlife, Habitats and Protected Places	Land and Freshwater Management	Marine and Coastal
Awareness increased						
Biodiversity values integrated						
Incentives reformed						
Sustainable consumption & production						
Habitat loss halves or reduced						
Sustainable marine management						
Sustainable agriculture, aquaculture & forestry						
Pollution reduced						
Invasive alien species prevented and controlled						
Pressure on vulnerable ecosystem reduced						
Protected areas increased & improved						
Extinction prevented						
Genetic diversity maintained						
Ecosystems & essential services safeguarded						
Ecosystems restored & resilience enhanced						
Nagoya Protocol on Access to Genetic Resource in force						
National biodiversity strategy and action plans						
Traditional knowledge respected						
Knowledge improved, shared & applied						
Financial resources increased						

*Table demonstrating how the Scottish Biodiversity chapters and associated key steps align with the Aichi international targets.*