

Child Rights and Wellbeing Impact Assessment (CRWIA) for **New Build Heat Standard 2024**

April 2023

Disclaimer

This **draft** document is an **initial assessment** of the impact of the **New Build Heat Standard 2024** and Scottish Government will continue to review and update this document where required during the parliamentary process. Any future iterations will reflect an increased understanding of these impacts as the amount of data and research available continues to grow.

This impact assessment should be read in conjunction with the Equality Impact Assessment and the Fairer Scotland Duty Assessment.

CRWIA Stage 1 – Screening

Brief Summary

New Build Heat Standard (NBHS)

Scotland's climate change targets legislate that the greenhouse gas emissions associated with the heating and cooling of buildings, new and existing, as well as, domestic and non-domestic, follow a trend toward net zero by 2045.

Scotland's Programme for Government (PfG) 2019-20 outlined the Scottish Government's (SG) commitment to develop regulations to ensure that new builds applying for a building warrant from 2024 use zero direct emission heating (ZDEH) systems. The draft and final versions of the Heat in Buildings Strategy (October 2021) re-confirmed this commitment.

The New Build Heat Standard (NBHS) will prohibit the use of direct emission heating (DEH) systems in new builds. This requirement will also apply to specific types of conversions (however, only in certain circumstances).

This measure focuses on the targeting of emerging properties as a means of paving the way for further regulation of DEH systems to be implemented in existing builds. SG will prohibit DEH systems as a means of reducing greenhouse gas (GHG) emissions and achieving decarbonisation of the building stock.

National Performance Framework

The introduction of this Standard aligns with the National Performance Framework, meeting three of the National Outcomes relating to the environment, economy and fair work and business:

- We value, enjoy, protect, and enhance our environment;
- We have a globally competitive, entrepreneurial, inclusive, and sustainable economy; and
- We have thriving and innovative businesses, with quality jobs and fair work for everyone.

Directly applicable National Indicators, which measure progress to delivering Scotland's National Outcomes are:

- Reduce Greenhouse Gas Emissions;
- Improve Scotland's reputation;
- Improve people's perceptions of their neighbourhood; and
- Reduce Scotland's carbon footprint.

Desired Outcomes

It is expected that the following four key outcomes will be delivered through the introduction of the NBHS:

1. Our new buildings no longer contribute to climate change;

2. The systems we use to heat our buildings provide us with a reliable supply of heat;
3. Opportunities for retraining and upskilling of workforce across Scotland; and
4. Our indoor and outdoor spaces are with cleaner air.

Start date of relevant proposal: 01 April 2024

Start date of CRWIA process: 03 June 2022

1. Which aspects of the relevant proposal currently affects or will affect children and young people up to the age of 18?

The Articles of the UNCRC and the child wellbeing indicators under the Children and Young People (Scotland) Act 2014 apply to all children and young people up to the age of 18, including non-citizen and undocumented children and young people.

Actions set out in the Heat in Buildings Strategy (HiBS) to decarbonise heating across Scotland’s homes and buildings by 2045 will impact on all children and young people up to the age of 18, including non-citizen and undocumented children and young people in Scotland.

The NBHS is one of these principal actions that will ensure that buildings, warranted from 1 April 2024, no longer using DEH systems - thus eliminating any harmful greenhouse gases from the built environment.

Changes to building standards¹ will ensure new homes are built with higher standards of energy efficiency, thereby, helping to reduce the energy demand of new homes. This interacts with the move from DEH to ZDEH systems and improves overall building performance.

We must consider how these changes will involve financial aspects that will affect the families with children and young people. This makes clear the need to factor in fuel poverty concerns and meet targets to reduce rates of those affected.

As part of the policy development process, a full Business and Regulatory Impact Assessment (BRIA) will be published prior to the laying of regulations before Parliament. This will consider the financial impacts, in terms of both capital and operating costs, on building owners/ users.

2. Which groups of children and young people are currently or will be affected by the relevant proposal?

Under the UNCRC, ‘children’ can refer to: individual children, groups of children, or children in general. Some groups of children will relate to the groups with protected characteristics under the Equality Act 2010: disability, race, religion or belief, sex, and, sexual orientation. ‘Groups’ can also refer to children by age band or setting, or those who are eligible for special protection or assistance: e.g., preschool children, children

¹ [The Building \(Scotland\) Amendment Regulations 2022](#)

in hospital, children in rural areas, looked after children, young people who offend, victims of abuse or exploitation, child migrants, or children living in poverty.

As this policy applies to all new buildings, we envisage that all children up to the age of 18 including non-documented and non-citizen children will be affected.

Furthermore, as the NBHS will change how we heat our homes and businesses, there may be certain groups more greatly affected than others, such as:

- Children with enhanced heating needs such as those with a disability or illness or babies and young children.
- Children in families of the six child poverty priority family types most at risk of poverty, namely, lone parent families, minority ethnic families, larger families (3+ children), families with a child under 12 months, families with a mother under 25 and families with a parent or child living with a disability.
- Children in families in or at risk of fuel poverty.
- Children and young people living in care.

‘Direct’ impact refers to policies/measures where children and young people are directly affected by the proposed changes, e.g., in early years, education, child protection or looked after children (children in care).

‘Indirect’ impact refers to policies/measures that are not directly aimed at children but will have an impact on them. Examples include welfare reforms, parental leave, housing supply, or local transport schemes.

The NBHS covers the homes and buildings that children or young people inhabit: from individual homes to commercial properties, schools, and other community buildings.

The NBHS will have an indirect impact on children and young people through acting to change the way all homes and buildings in Scotland are heated to achieve our statutory emission reduction targets by 2030, 2040 and 2045.

Impacts from improvements and changes to heating and cooling systems are a mixture of positive and negative and can have associated attendant benefits. These indirect impacts have been highlighted previously in the HIBS children’s rights and wellbeing impact assessment (CRWIA). They are assessed according to the relevant UN Convention on the Rights of the Child (UNCRC) article and have been developed as follows:

Article 23 - Children with a disability

Potential Positive Impacts

- Reduced environmental stress and triggers from reduced GHG emissions.

- Improving the energy performance of heating systems creates healthier indoor living environments with improved thermal comfort, humidity levels and air quality.

Article 24 - Health and health services

Potential Positive Impacts

- Lower humidity and improved air quality with related improvements to health and wellbeing.
- Improved comfort levels within homes from more stable heating regimes associated with ZDEH systems.

Article 27 - Adequate standard of living

Potential Positive Impacts

- New homes built with efficient heating and cooling systems for year round benefits to comfort levels.

Article 29 - Goals of education

Potential Positive Impacts

- Education opportunities for children living through the energy transition away from fossil fuels and able to witness the changes in the built environment around them.
- Awareness raising on vital issue of the climate crisis through public engagement.
- Development opportunities for school leavers and apprentices who may be recruited and develop careers across related sectors.

Declaration

3. Is a Stage 2 Children’s Rights and Wellbeing Impact Assessment required?

CRWIA required No explanation required, please complete questions 5 and 6

CRWIA not required Please explain why below and contact the children’s rights unit to discuss this decision crwia@gov.scot

Explanation why CRWIA is not required:

We do not believe that a CRWIA will need to be carried out for the NBHS. The key issues have been addressed and do not materially differ from the considerations set out within the CRWIA previously completed for the Scottish Government's Heat in Buildings Strategy.

Sign & Date

Policy Lead Signature & Date of Sign Off:

Mark Stewart, 01 March 2023

CRWIA author, if different from policy lead, Signature & Date of Sign Off:

John Hay, 01 March 2023

Deputy Director Signature & Date of Sign Off:

Sue Kearns, 28 April 2023

Date SGLD contacted

02 March 2023