

Reporting on Section 6 - The Biodiversity and Resilience of Ecosystems Duty¹ - Frequently Asked Questions

Why do we have to report on the section 6 biodiversity duty?

Under section 6(7) of the Environment (Wales) Act 2016 all public authorities must, before the end of 2019 and before the end of every third year after 2019, publish a report on what they have done to comply with the s6 duty. The s6 report will provide transparency and accountability for the public authority's response to its s6 duty, and could also act as a useful communication tool for stakeholders, the community and business groups. It will also provide the basis for the public authority to review their s6 action, and the collective reports across Wales will form the basis for a Wales wide evaluation of the operation of the s6 duty.

What form should the report take?

The reporting duty should not be burdensome, and should be proportionate to the size and type of each organisation, with regard to the action for biodiversity they can carry out. Organisations are encouraged to identify their own ways of reporting, ideally as part of their usual reporting mechanisms. For example, the report can be embedded into an annual report, or as an annex to it, or an annex or update to the s6 plan, or in a standalone format. The only requirement is that it must be published.

When and where should the report be published?

Subsection (7) requires that the first report should be published before the end of 2019. However, for the first reporting cycle, if reporting is to be aligned with corporate cycles, a short report can be published by this date, with the full report to follow as part of, for example, your annual report or well-being report.

The report should be published accessibly, preferably online. Please send a link to the mailbox below once published.

What should be in the report?

While organisations are encouraged to identify their own ways of reporting as above, [reporting guidance](#) has been published which can be used to guide its content. The guidance is designed to be flexible but also provide some consistency to strengthen the basis for a future Wales wide evaluation of the s6 duty.

Suggested content includes an introduction to the public authority, its functions, and governance in relation to biodiversity; a report on the actions taken, which could be aligned with the six objectives in the [Nature Recovery Action Plan for Wales](#); and highlights, key outcomes for biodiversity, issues and barriers encountered.

A public authority that has published a section 6 plan must review the plan in the light of each s6 report that it publishes. If the review has been carried out before the s6 report is published then the result of that review can also be included in the report.

If you have already produced your report in your preferred format, that is fine.

¹ Further guidance on the section 6 duty is available [here](#)

Who is responsible for producing the report?

Responsibility for compliance with the duty lies with the final decision-making body, or head of the organisation, e.g. the CEO or the Board of Governance.

Will the report be evaluated?

Under section 6(8) public authorities that have published a section 6 plan must review that plan in the light of their s6 report. It is for each public authority to review their actions and report in order to ascertain what has been achieved, what needs to be improved, and to make any revisions and improvements to their s6 plans and future biodiversity action.

However, a Wales-wide evaluation of the operation of the s6 duty will follow the first reporting round, to support consistency, enabling exchange of learning between public authorities, pooling efforts and sharing good practice for future action.

When will the Wales wide evaluation be carried out?

The evaluation will be carried out following the first round of reporting, but will not begin until after the end of the financial year in 2020, to allow for full reports to be embedded within annual reports.

What will happen if we do not publish a report?

Each public authority is open to challenge from anybody as to how they are complying with the duty.

Nature is declining globally at rates unprecedented in human history and the rate of species extinctions is accelerating, with grave impacts on people around the world now likely. Investment in maintaining and enhancing biodiversity and resilient ecosystems, directly supports our economy and the people of Wales's long term health and well-being.

Publication of your report will contribute to the Wales wide evaluation of the s6 duty to facilitate future action for biodiversity.

What if we haven't produced a section 6 plan yet?

Public authorities can still report on the actions they have taken to maintain and enhance biodiversity. They should look to produce a section 6 plan as soon as possible to comply with the duty. More general guidance on the s6 duty is available in the [Frequently Asked Questions](#) document which provides further detail on the legislation, production and content of s6 plans. Further information and guidance on action to maintain and enhance biodiversity, and promote the resilience of ecosystems can be found on the [Wales Biodiversity Partnership](#) webpages.

Where can we get help with our s6 report?

Producing your s6 report should be straightforward, however queries can be sent to S6BiodiversityDuty@gov.wales, or can be made through Wales Biodiversity Partnership's website [here](#).