The Energy Performance of Buildings (Scotland) Regulations 2025, as amended by the Energy Performance of Buildings (Scotland) Amendment Regulations 2026

Child Rights and Wellbeing Impact Assessment (CRWIA)

August 2026

Scottish Government
Riaghaltas na h-Alba

Impact Assessment Update – August 2026

The Energy Performance of Buildings (Scotland) Amendment Regulations 2026 make amendments to the Energy Performance of Buildings (Scotland) Regulations 2025. These amendments adjust the coming into force date and transitional and savings provisions of the 2025 Regulations.

The amendments made by the 2026 Regulations do not alter the underlying policy intent, scope or requirements of the Energy Performance of Buildings (Scotland) Regulations 2025. The changes are limited to the timing of implementation, including the coming-into-force date and associated transitional arrangements, reflecting dependencies on UK Government technical and operational infrastructure (the 'Home Energy Model' and 'Energy Calculation as a Service' functions which will support the statutory calculation methodology and register of certificates) that will underpin the delivery of the Regulations.

The Scottish Government is committed to investing in the elements of the programme to support consumers. As such, lodgement fees will rise as planned, on 31 October 2026, which will ensure technical and operational infrastructure is ready, and consumers are further protected by the development of an effective audit regime

The suite of Impact Assessments prepared for the original Regulations, including the Child Rights and Wellbeing Impact Assessment (CRWIA) has been reviewed, in light of these amendments, to ensure they remain accurate and appropriate. This review has confirmed that the impacts previously identified remain valid, and no material changes to those impacts, other than of their timing, have been identified.

Heat in Buildings Assessment Unit.

Child Rights and Wellbeing Impact Assessment

Brief Summary

Type of proposal:

- Scottish Statutory Instrument

Name the proposal, and describe its overall aims and intended purpose.

Energy Performance Certificate Reform The Energy Performance of Buildings (Scotland) Regulations 2025, as amended by the Energy Performance of Buildings (Scotland) Amendment Regulations 2026

EPCs are a long-recognised feature of the property market, and provide information about the energy efficiency and relevant features of a building. They were established within the property market as a legal requirement of the EU Energy Performance of Buildings Directive in 2004. This requirement was brought into force in Scotland via the Energy Performance of Buildings (Scotland) Regulations 2008[1].

EPCs must be provided when a building is advertised for sale or for let to a new tenant. They are also required upon completion of construction of a new building. They have, in practice, formed part of the prescribed documents of the Home Report since 2008. They help current and prospective tenants or owners make informed choices when moving or considering improvements to their buildings.

The Scottish Government committed to reforming EPCs in light of longstanding feedback that they are not fit for purpose in providing property owners, tenants, or purchasers with relevant information on meeting net zero requirements for heating and energy efficiency.

We have publicly consulted on these reforms via three formal public consultations, during 2021[2], 2023[3] and 2025[4] and intend to introduce amended regulations in 2026 to come into force in 2028. The need for this reform programme follows advice from our statutory advisers, the Climate Change Committee[5], and is further compounded by recommendations received as part of an independent report, commissioned on behalf of the Scottish Government in 2019[6].

[1] The Energy Performance of Buildings (Scotland) Regulations 2008 (legislation.gov.uk)
[2] Introduction - Heat in Buildings strategy - domestic EPC reform consultation: analysis summary report - gov.scot
[3] Energy Performance Certificate reform: consultation analysis - gov.scot
[4] Technical Consultation 2025 analysis report
[5] Letter: Reform of domestic EPC rating metrics to Patrick Harvie MSP - Climate Change Committee
[6] A Review of Domestic and Non-Domestic Energy Performance Certificates in Scotland: Research report for the Scottish Government, Heat, Energy Efficiency and Consumers Unit - Final Report (www.gov.scot)

Furthermore, this programme is necessary to support the continued role of EPCs as a vital tool to help our buildings reach net zero – as part of the Scottish Government's wider Heat in Buildings (HiB Programme), where EPCs may be used as a basis of setting, and evidencing, mandatory standards for energy efficiency.

EPC reform involves a number of discreet and linked projects as detailed below.

Energy Performance Certificate (EPC) Regulations

The overall aim of these regulations is to provide the legislative basis for the operation of the EPC system and assessor market within Scotland, including continuing alignment with the EU Energy Performance of Buildings Directive. The changes we are making through the revised regulations are administrative in nature. They will not change the circumstances in which an EPC is currently required (when a property is advertised for sale or let) other than in respect of newly constructed properties and the reduction in the validity of the EPC from 10 years to five. These regulations in themselves will have no environmental effects, they will provide the basis for the following provisions detailed below.

- **EPC Register**

These new regulations are required to underpin changes to the technical infrastructure of the calculation methodology and register for EPCs, in order to replace life-expired systems. The regulations will appoint the Scottish Ministers as Keeper of the EPC Register. The provisions will modernise the EPC Register to ensure that it is compatible with the methodologies used for calculating EPCs (the Home Energy Model and SBEM (Simplified Building Energy Model) methodologies). This will include bringing the Register in-house to the Scottish Government, the future split of functions between UK Government and SG Register infrastructure, and the technical requirements to interface with the Home Energy Model. The new Register will be designed and built to meet the requirements of the new regulations and to be operational when they come into force in 2028.

- **EPC Design and Ratings**

These provisions set out the requirements for the design of EPCs and the ratings and information which they most contain. The provisions will create a new, modern, EPC design that reflects the changes required by EPC reform, supports wider Heat in Buildings (HiB) policies, is more engaging for the public, and meets relevant accessibility standards. The regulations will ensure that the final reformed EPC format and design for domestic buildings will include a Heat Retention Rating, a Heating System Rating and an Energy Cost Rating as well as carbon dioxide emissions associated with the building and the type of heating system used. The regulations will also ensure new ratings for non-domestic buildings. This will be implemented in 2028 when the new regulations come into force.

- **EPC Calculation Methodology**

These new regulations will facilitate the move to updated technical systems being developed by the UK Government, which the Scottish Government will share. These provisions will adopt the UKG's new Home Energy Model (HEM) as the calculation methodology for producing domestic EPCs in Scotland. Non domestic EPCs will

continue to be produced using the Simplified Building Energy Model (SBEM), which can be undertaken through a more straightforward amendment of existing calculation software. These methodologies need to be designed, built, and tested to be operational when the new regulations come into force in 2028.

- **EPC Operational Governance requirements**

Currently, all domestic energy assessors in Scotland must be accredited as a member of an organisation which has been approved by the Scottish Government to deliver services in relation to energy performance certificates (EPCs) – an Approved Organisation (AO). The aim of these new provisions is to introduce strengthened operational governance arrangements for EPC assessors and Approved Organisations to enhance quality assurance for consumers.

At present, domestic energy assessors are required to have basic Disclosure and Barring Service (DBS) checks (now rebranded as Level 1 Disclosure) carried out before applying to become an accredited member of an AO. These checks will disclose any unspent criminal record information and form part of the 'fit and proper' persons screening that AOs are required to follow before granting the assessor membership.

Through the wider EPC reform programme, the Scottish Government intends to carry out an onsite audit and inspection of a small sample of properties, to help verify that EPCs are accurate and that assessors are operating to required quality standards.

EPCs supporting wider objectives

Beyond the specific requirements of the EPC regulations, EPCs exist to provide information on building energy performance and can indicate where improvement can be made to reduce greenhouse gas emissions. Emissions from buildings across Scotland contribute around 18% of the country's total greenhouse gas emissions and have known impacts on human health, including the health of children. The proposed regulations support the wider objectives of the Scottish Government's climate change legislation and Heat in Buildings Programme, in line with recommendations made by the Climate Change Committee to better align EPCs with Net Zero.

Consideration of impacts

We have considered impacts, both positive and negative for children's rights and wellbeing in relation to our proposals. Over the course of our consultations and engagement we have not been made aware of any concerns that exist from our extensive lists of stakeholders. We have also made sure to invite representative equality rights groups, with a particular interest in children's rights and wellbeing, to engage with us should they be able to identify any concerns from our proposals. We did not receive any follow-up from these organisations and therefore have assumed that they see no particular impacts, either positive or negative, in relation to children's rights and wellbeing. As a part of our engagement, we specifically included questions in our consultations and events for people to highlight any concerns they could think of across a range of topics, including impacts on children. There was not a single mention of how our proposals might have any potentially identifiable impact towards children.

The Scottish Government has considered the impacts on children's rights and wellbeing set out within this assessment and has determined that there are no impacts to children as a result of introducing the Energy Performance of Buildings (Scotland) Regulations 2025, as amended by the Energy Performance of Buildings (Scotland) Amendment Regulations 2026. The new Regulations, as amended, will retain the same basic requirements which already exist in the Energy Performance of Buildings (Scotland) Regulations, which require a valid EPC to be produced when a property is advertised for sale or let. EPCs will continue to be produced by qualified assessors, overseen by Approved Organisations, and the regulations will continue to be enforced by local authorities. The certificates will continue to follow a design and ratings system specified by the Scottish Ministers, following an approved calculation methodology and lodged on a national Register. We are therefore of the view that there is no material change in the fundamental framework around which EPCs are produced. As a result, we do not believe that the direct effects will change for property owners and tenants, even though the ratings and information contained on certificates will change and be improved to ensure better information and higher quality standards.

Start date of proposal's development: July 2023

Start date of CRWIA process: July 2023

With reference given to the requirements of the UNCRC (Incorporation) (Scotland) Act 2024, which aspects of the proposal are relevant to/impact upon children's rights?

We have considered the changes, introduced by the proposals set out above in section 1, in relation to children's rights:

- EPC Register and Calculation Methodology – we consider there to be no impact upon children's rights from the changes to the technical infrastructure through the replacement of these life-expired systems.
- EPC Design and Ratings – we consider there to be no impact upon children's rights through the redesign of the EPC which will improve how the information is presented.
- EPC Operational Governance – we consider there to be no impacts upon children's rights through the introduction of onsite audit and inspection of a small sample of properties. While the mechanics of this are still to be developed, the auditor will likely accompany the energy assessor during an assessment of a building, or would visit separately to verify the results following completion of the assessment. This will involve Scottish Government employees (the auditor) visiting homes and non-domestic buildings like schools, nurseries, and residential homes. We will ensure that all auditors will have undergone a Level 1 Disclosure check in line with current practice for EPC assessors.

We consider that the EPC reforms will have a neutral impact in relation to children's rights as listed in the UNCRC Articles.

Please provide a summary of the evidence gathered which will be used to inform your decision-making and the content of the proposal

Throughout our consultations and engagement, we have not been made aware of any concerns that exist from our extensive lists of stakeholders.

Representative equality rights groups, with a particular interest in children's rights and wellbeing, were invited to engage with us. We did not receive any follow-up from these organisations and therefore have assumed that they see no particular impacts, either positive or negative, in relation to children's rights and wellbeing.

As a part of our engagement, we specifically included questions in our consultations and events for people to highlight any concerns they could think of across a range of topics, including impacts on children. There was not a single mention of how our proposals might have any potentially identifiable impact towards children.

Further to the evidence described at '3' have you identified any 'gaps' in evidence which may prevent determination of impact? If yes, please provide an explanation of how they will be addressed

Not Applicable

Analysis of Evidence

Not Applicable

What changes (if any) have been made to the proposal as a result of this assessment?

Not Applicable

As a result of the evidence gathered and analysed against all UNCRC requirements, what is the potential overall impact of this proposal on children's rights?

No impact

If you have identified a positive impact on children's rights, please describe below how the proposal will protect, respect, and fulfil children's rights in Scotland.

Not Applicable

If a negative impact has been identified please describe it below. Is there a risk this could potentially amount to an incompatibility?

Not applicable

Mitigation Record

What options have been considered to modify the proposal in order to mitigate a negative impact or potential incompatibility?

Not Applicable

Issue or risk identified and relevant UNCRC requirement

Not Applicable

Action Taken/ To Be Taken

Not Applicable

Date action to be taken or was taken

Not Applicable

As a result of the evidence gathered and analysed against all wellbeing indicators, will the proposal contribute to the wellbeing of children and young people in Scotland? (Guidance Section 2.3.2, pages 20-22).

Safe:	Not Applicable
Healthy:	Not Applicable
Achieving:	Not Applicable
Nurtured:	Not Applicable
Active:	Not Applicable
Respected:	Not Applicable
Responsible:	Not Applicable
Included:	Not Applicable

Not Applicable

How will you communicate to children and young people the impact that the proposal will have on their rights?

The CRWIA will be published on the legislation.gov.uk website alongside the instrument so those wishing to access it can do so. The CRWIA has been written in so far as possible, in an accessible format so that any children reading it can understand its content and the no relevance and therefore no impact decision on their rights as per the assessment.

Post Assessment Review and sign-off

Planning for the review of impact on children's rights and wellbeing

- How will the impact of the proposal on children's rights and wellbeing be monitored?
- When will you review and update the CRWIA if required?

If new information comes to light throughout the implementation of the regulations, this will be assessed for any potential impact on children. However, this is not anticipated due to the nature of the regulations.

Disclaimer

This document is a point in time assessment of the likely effects of The Energy Performance of Buildings (Scotland) Regulations 2025, as amended by the Energy Performance of Buildings (Scotland) Amendment Regulations 2026, on the rights and wellbeing of children and young people. This impact assessment should be read in conjunction with other impact assessments prepared for this proposal.

The Scottish Government acknowledges the importance of monitoring and evaluating the impact of strategic decisions and legislation on children's rights and wellbeing. Any information gathered during implementation of the legislation or strategic decision to which the impact assessment relates, will be used to inform future determinations of impact. Any new strategic decision or new legislation (including amending legislation) would be subject to a new CRWIA in line with the legislative requirements.

Policy sign off

Originally developed:	July	2023 – December	2023
Refresh conducted:	January	2024 – March	2024
Final CRWIA produced:	October	2024 – October	2025
IA statement update:	August	2026	

Title of policy: The Energy Performance of Buildings (Scotland) Regulations 2025, as amended by the Energy Performance of Buildings (Scotland) Amendment Regulations 2026

Directorate: Energy & Climate Change

Division: Heat in Buildings Policy & Regulation

Team: Heat in Buildings Assessment Unit

CRWIA authorised by: Jess Niven, Interim Deputy Director, Heat in Buildings Division

Minister responsible: Stephen Gethins MSP, Minister for Europe, External Affairs and Energy

Date CRWIA team first contacted: July 2023

Date: 24 August 2026

This impact assessment should be read in conjunction with the full suite of assessments on Energy Performance Certificate Reform 2025.

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