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

Equality Impact Assessment (EQIA) - Results

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 Equality Impact Assessment (EQIA) 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

Executive Summary

Policy Context

Many external stakeholders and independent reports have highlighted concerns around the relevance, accuracy and quality of EPCs produced. The ratings which EPCs currently display have been criticised by stakeholders as in need of reform as, in their current format, EPCs are not aligned with our net zero ambitions. An independent review of EPCs recommended the need to improve the quality of EPCs and, in particular, to strengthen quality assurance requirements around audit and inspection of Certificates[1].

Furthermore, the supporting technical and operational infrastructure which underpins EPCs (the EPC Register and the EPC calculation methodology) is life-expired, requiring significant upgrades.

These calls for reform have been made across the UK, with the UK Government receiving similar recommendations from the Climate Change Committee and consumer groups such as Which?, following its decision to retain EPC legislation in UK law following EU exit.

Intended outcomes

We want to enhance EPCs so they continue to be a valuable source of information for home buyers, owners, and tenants, and to continue to support existing government policies and programmes.

The main changes introduced by the 2025 Regulations, as amended that will impact consumers, businesses and users of EPCs are as follows:

- EPCs are better-aligned to net zero objectives giving better information to current and prospective property owners and tenants;
- consumers receive more up-to-date information through EPCs which have a five-year instead of 10-year validity period, to more accurately reflect a property's transition on the journey to net zero;
- life-expired systems are replaced through adopting updated calculation methodologies and infrastructure shared with the UK Government; and
- EPCs are carried out to the highest standard through the introduction of enhanced quality assurance and oversight requirements for EPC assessors and Approved Organisations, including the creation of new onsite audit and inspection functions, thus maintaining alignment with the EU's own enhanced audit requirements in the 2024 recast of the EPBD.

Who is Affected

The largest group impacted by EPC reform is likely to be the **current and prospective owners, landlords and tenants of domestic or non-domestic property**. This is because the information the EPC displays about their property will change with the introduction of the new rating system and redesigned certificates.

[1] 1. Introduction - Domestic and non-domestic energy performance certificates: review - gov.scot

While the trigger points for when an EPC is required are not changing, the new rating system, redesigned certificate, and reduced validity period will mean that current and prospective owners, landlords, and tenants will receive new and more relevant information, which is more up-to-date, on how a property they occupy, or are thinking of occupying, performs against net zero objectives, and on potential improvements they could make to it.

Equality Impact Assessment (EQIA) Scope

A framing exercise in June 2025 confirmed the need for a full EQIA as EPC reform affects people, particularly those involved in the sale or let of buildings.

The EQIA ensures compliance with the Public Sector Equality Duty to:

- Eliminate discrimination.
- Advance equality of opportunity.
- Foster good relations.

Evidence & Consultation

The EQIA considered a wide range of data, including from both existing literature and engagement with the public.

Existing literature provided limited equality-specific data that was directly relevant to EPC Reform. The Scottish Housing Condition Survey 2019[2] provided evidence which reports that older people are less likely to live in the most energy efficient homes. The Scottish Housing Condition Survey 2023[3] provided evidence that older households were more likely to report that their heating system keeps them warm.

Public Engagement included 16 interviews, workshops, and three consultations with the public, businesses and specific stakeholders. Equality issues were explored through specific questions but yielded limited direct feedback. Material associated with these consultations can be found through relevant links presented in this document.

2021 Domestic EPC reform

- Domestic Energy Performance Certificates (EPC) reform: consultation - gov.scot
- Domestic EPC reform consultation: analysis summary report - gov.scot

2023 EPC reform

- Energy Performance Certificate (EPC) reform: consultation - gov.scot
- Energy Performance Certificate reform: consultation analysis - gov.scot
- Energy Performance Certificate (EPC) reform: government response - gov.scot

[2] Scottish House Condition Survey 2019
[3] The Scottish House Condition Survey 2023

2025 EPC Reform

- Energy Performance Certificate reform – lodgement fees and penalty charges: technical consultation - gov.scot
- Analysis available through Publications - gov.scot

Key Findings

No significant negative equality impacts related to EPC reform were identified.

Stakeholders expressed concerns about moving to a webpage-based EPC from a PDF. They noted a need to maintain both digital and physical accessible EPCs for older adults and people with visual impairments.

Stakeholders highlighted the difficulty that some people may have in accessing and understanding the information contained on an EPC[4]. This could be due to difficulty accessing web-based information, or due to visual or cognitive impairments.

Mitigating Actions

There is a clear need to ensure EPCs and the information they contain is made as easily accessible as possible. This is well-recognised by the Scottish Government. A programme of user-centred design and testing began in 2024 and will continue until the reformed certificate is introduced, to ensure that it is in an accessible format. The new EPC Register will meet all required accessibility standards.

Communications Strategy

EPCs and their reform are technically complex. A communications strategy to support the reform is in early development. This will aim to communicate the changes to people with protected characteristics and hard-to-reach groups.

Conclusion

The EQIA process has informed policy design, including the use of a significant period of user-centred design and testing to ensure the reformed certificate is accessible to users with different needs.

No changes to the policy were required based on equality findings, as we are confident that mitigation measures are already built into the design process which will continue to be developed.

The Scottish Government will monitor the development and implementation of the policy to ensure continued alignment with equality duties.

[4] It is important to note that the EPC is currently provided online in Portable Document Format (PDF)

Background

Policy Context

EPCs are an important source of information for current and potential building owners and tenants to help them understand the energy performance of their building. EPCs must be provided when a building is advertised for sale or for let to a new tenant, and upon completion of construction of a new building. They have formed part of the Home Report since 2008. EPCs are currently valid for a period of 10 years.

EPCs were first established as a legal requirement under the EU Energy Performance of Buildings Directive in 2002[5], which has been recast several times since then[6], and have been retained in Scottish law following the UK's exit from the EU in 2020. They therefore represent a long-standing feature of Scottish law that has been embedded in the property market over several decades.

In spite of being well-established, many external stakeholders and independent reports have highlighted concerns around the relevance, accuracy and quality of EPCs produced. In large part, this reflects the changing policy landscape in the 16 years since EPCs became a legal requirement in Scotland – in particular since 2019 with the requirements of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019[7] (which sets targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045).

Following the net zero legislation, the ratings which EPCs display have been criticised by stakeholders, including the Climate Change Committee[8], consumer groups such as Which?[9], academics[10] and from within the assessment industry itself[11] as in need of reform as, in their current format, EPCs are not aligned with our net zero ambitions[12].

We have also received recommendations from an independent review of EPCs on the need to improve the quality of EPCs and, in particular, to strengthen quality assurance requirements around audit and inspection of Certificates[13].

As well as this, the supporting technical and operational infrastructure which underpins EPCs (the EPC Register and the EPC calculation methodology) is life-expired, requiring significant upgrades.

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[5] Directive - 2002/91 - EN - EUR-Lex
[6] Directive - 2010/31 - EN - EUR-Lex; Directive - 2018/844 - EN - EUR-Lex; Directive - EU - 2024/1275 - EN - EUR-Lex
[7] Climate Change (Emissions Reduction Targets) (Scotland) Act 2019
[8] Annex Reform of domestic EPC rating metrics to support delivery of Net Zero
[9] Transforming EPCs: Consumer Research Insights v2
[10] Energy Performance Certificates: An Alternative Approach — Common Weal
[11] Elmhurst Responds to 'EPC Reform' Consultation - Elmhurst Energy
[12] Letter: Reform of domestic EPC rating metrics to Patrick Harvie MSP - Climate Change Committee
[13] Domestic and non-domestic energy performance certificates: review - gov.scot

These calls for reform have been made across the UK, with the UK Government receiving similar recommendations from the Climate Change Committee and consumer groups such as Which?, following its decision to retain EPC legislation in UK law following EU exit.

EPC Reform more broadly will contribute towards the Scottish Government's wider strategic priorities of:

- **Tackling the climate emergency** by investing in green energy and infrastructure, since introducing the new EPC rating system will ensure that consumers have better information on the steps they can make to improve their property for net zero through investment in clean heating and energy efficiency; and the new operational framework will ensure higher quality EPC assessments that consumers can trust; these reforms will underpin proposed regulatory standards that will drive emissions reduction through decarbonisation of heating; and
- **Tackling child poverty**, since the new EPC rating system will directly assess the contribution that poor energy efficiency makes towards fuel poverty specifically, and child poverty more widely, helping to inform the Scottish Government's statutory fuel poverty strategy and to better-target government programmes and funding towards improving those properties which are hardest to heat.

Current EPC policies / frameworks in place

Domestic EPCs currently provide two key ratings and are modelled using the Standard Assessment Procedure (SAP) calculation methodology. The Energy Efficiency Rating (EER) is based on the cost to run the property based on standardised conditions, for example, the occupancy, heating setpoint and other factors. The Environmental Impact Rating (EIR) is based on carbon dioxide equivalent emissions from the same standardised conditions.

Non-domestic EPCs provide a rating based on the total emissions under the assumption of standardised conditions. Non-domestic EPCs use the Simple Building Energy Model (SBEM) calculation methodology, or an approved Dynamic Simulation Model. Assessments for new buildings are based on the building specification and data gathered during its construction. Assessments for existing buildings are based on non-intrusive surveys of the building under consideration.

EPCs are prepared and issued by assessors who must be qualified by education, training and experience to do this. Assessors must be members of Approved Organisations, which are approved by the Scottish Ministers to ensure that EPCs are prepared and issued in a consistent, accurate and independent manner.

EPCs are lodged by assessors on the publicly accessible EPC Register, which is currently maintained by the Energy Saving Trust which is appointed by the Scottish Ministers as Keeper of the Register.

Our decisions on EPC reform

The Scottish Government has consulted extensively on a package of reforms to address the need for reform outlined above. Following an initial scoping consultation in 2021[14], we consulted again in 2023[15] on a final package of proposed reforms to improve the quality of EPCs and make them more fit-for-purpose in supporting net zero. This was followed by a further technical consultation in early 2025 on EPC lodgement fees and penalty charges[16]. We have also conducted an internal review during 2024-25 of the operational governance arrangements covering the Approved Organisations, EPC assessors and the Operational Framework, which has been supported by the evidence given during the technical consultation.

The Scottish Government set out its final decisions on EPC reform in its Response to the 2023 consultation[17], which committed to laying new EPC Regulations in Parliament later during 2025. We also concluded our review of operational governance during spring 2025.

In summary, the **Government Response to the 2023 consultation** set out our final decisions on reform. We committed to:

- introduce new EPC regulations in the Scottish Parliament during 2025 and bring them into force in 2026, now 2028.
- adopt a new EPC rating system for domestic buildings:
    - Heat Retention Rating (fabric energy efficiency);
    - Heating System Rating (type, emissions, efficiency, running costs)
    - Energy Cost Rating (retaining the existing SAP-based EE Rating)
- adopt a new EPC rating system for non-domestic buildings;
- adopt a redesigned EPC certificate;
- reduce the validity period of EPCs from 10 to five years
- develop a new EPC user interface to sit alongside the published EPC;
- introduce strengthened operational governance arrangements for EPC assessors and Approved Organisations to enhance quality assurance for consumers;
- establish a new technical infrastructure: replacing the Standard Assessment Procedure (SAP) with the new UK Home Energy Model (HEM) calculation methodology; design and build a new EPC Register to be kept by the Scottish Ministers; and
- continue to work with the UK Government and devolved administrations where we share elements of the EPC regulatory system across the UK internal market.

In response to the technical consultation on EPC lodgement fees and penalty charges, we can now confirm that we will:

[14] Domestic Energy Performance Certificates (EPC) reform: consultation - gov.scot
[15] Energy Performance Certificate (EPC) reform: consultation - gov.scot
[16] Energy Performance Certificate reform – lodgement fees and penalty charges: technical consultation (2025)
[17] Energy Performance Certificate reform consultation: response - gov.scot

- amend EPC lodgement fees within the regulations to ensure that they can cover the costs of providing the technical and operational infrastructure to support the EPC regulations and which provide benefit to consumers;
- use the lodgement fees to support the development and delivery of a new EPC Register, a new EPC calculation methodology (the Home Energy Model and updated SBEM), and to support the establishment of a new onsite audit and inspection function within the Scottish Government to oversee improvements to EPC accuracy and reliability;
- retain EPC penalty charges at the level currently set in the 2008 regulations;
- review lodgement fee and penalty charge levels every two years to ensure they remain fair and proportionate; and
- review the onsite audit and inspection function within two years to see if it is fit for purpose and continues to be needed.

In response to our internal review of EPC operational governance arrangements (which has also been informed by responses to the technical consultation), we can now confirm that we will:

- revise the Approved Organisation appointment process, to encourage new entrants to the market and re-appoint existing bodies deemed to meet the new requirements;
- establish new independent onsite audit and inspection arrangements to align with the recast EU Energy Performance of Buildings Directive (2024);
- adopt a new Memorandum of Understanding with the UK Government and devolved administrations w to agree a common approach to issues around accreditation, skills and consumer protection; and
- continue to work with local government to agree the future arrangements for the discharge of enforcement functions.

Policy Aim

The purpose of the new Regulations is to put in place reforms to the EPC regime that address the issues highlighted above. This will involve making EPCs as accurate and high quality as possible, to ensure Scottish citizens can make informed choices to ensure their homes and workplaces are retrofitted for net zero.

The aim of our reforms is to ensure EPCs:

- give better information to current and prospective property owners and tenants on the net zero impacts of their property;
- continue to perform their role as a key feature of a functioning property market whenever properties are sold, let or constructed;
- are based on the most accurate methodology;
- are carried out to the highest standard;
- adopt updated methodologies and infrastructure shared with the UK Government; and
- maintain broad alignment with the recast EU EPBD, in particular through introduction of a new onsite audit and inspection regime to verify the accuracy and reliability of certificates.

The overall intended outcome is to maintain a functioning EPC system which remains an integral part of the property market (whenever a property is advertised for sale or let), which consumers can trust, and which delivers high quality, accurate, reliable, and relevant information to help them make decisions on the energy efficiency and contribution to net zero of their property.

Policy development process

We have confirmed a comprehensive package of reforms to modernise and improve Energy Performance Certificates (EPCs). This follows three public consultations from 2021 to 2025 and an internal review. These reforms aim to make EPCs more accurate, user-friendly, and aligned with Scotland's net zero targets.

Who EPC Reform affects

The EPC reforms will primarily impact property owners, landlords, and tenants, as they will receive updated, more relevant information through a new rating system and redesigned certificates. Although when EPCs are required will remain unchanged, the reduced validity period and new ratings will provide clearer insights into a property's energy performance and alignment with net zero goals.
EPC assessors and Approved Organisations will also be directly affected, as they must adapt to new methodologies, quality standards, and governance structures. Estate agents, solicitors, and mortgage lenders will need to understand the new system to ensure compliance and accurate advice during property transactions.

Installers and manufacturers of energy efficiency and heating products will see changes in how their technologies are assessed and reflected on EPCs, with the potential to influence consumer choice. Local authorities, as enforcement bodies, will continue their role but are not expected to face increased enforcement burdens. Finally, government programmes, academics, and researchers that rely on EPC data will need to adjust to the new system, though access to data will continue under updated regulations.

The Scope of the EQIA

Summary of EQIA Framing Exercise Results

The EPC reform will affect people, those involved in property transactions in Scotland. Therefore, an EQIA is required.

A framing exercise was held on 9 June 2025 to review evidence gathered to date. This involved economic advisers, social researchers, and policy officers to assess the scope and impacts of EPC reform.

The exercise concluded that a full EQIA is necessary due to the potential implications for equality rights, despite limited public input on equality issues during consultations.

Next Steps

The EQIA record summarises engagement since 2021. It considered both potential positive and negative impacts. It identifies any required mitigating actions. The EQIA Results will be published alongside the regulations.

Data, Evidence, and Consultation for EQIA

The Equality Evidence Finder was used to identify relevant data across all protected characteristics.

In existing literature, some evidence related to age and energy efficiency was found, however this does not directly relate to the reform of EPCs. The Scottish House Condition Survey 2019[18] found Older households are less likely to live in energy-efficient homes than other groups.

Language Comprehension Accessibility Issue

The requirement for moderate English literacy to engage with EPC documentation may present barriers for individuals whose first language is not English, those with literacy-related disabilities, and others with limited literacy skills. These barriers may disproportionately affect people with protected characteristics under race, disability, and age. Mitigation measures such as translated materials, plain language summaries, and alternative formats should be considered.

Public Engagement Activities

A range of consultations, interviews, and workshops were conducted to explore equality impacts:

- Scottish Firms Impact Test interviews for the EPC Reform 2023 Consultation

[18] Scottish House Condition Survey 2019

    - Seven interviews were held with a range of organisations directly and indirectly impacted by EPC Reform, ranging from small traders and business enterprises through to those with global reach
    - All participants were asked 18 open questions including a focused question on equality rights
- Energy Performance Certificate reform consultation 2023 workshops
    - Domestic Reform (14 August 2023)
    - Non-Domestic Reform (29 August 2023)
    - Quality Standards & Assurance and the Future of EPCs (04 October 2023)
    - Consumers (11 October 2023)
    - Breakout sessions provided attendees the chance to consider equality rights issues
- BRIA interviews for consultation on lodgement fees, penalty charges and on-site audits
    - Eight interviews were held with a range of organisation directly and indirectly impacted by EPC Reform and ranging from small traders and business enterprises through to those with global reach
    - A dedicated interview section highlighted equality rights and related Island, data and socio-economic issues and welcomed feedback
- EPC lodgement fees and penalty charges consultation workshops
    - A dedicated consultation section highlighted equality rights and related Island, data and socio-economic issues and welcomed feedback
- Engagement with Age Scotland to consider issues for older people (which did not identify any negative impacts at this stage).
- Engagement with consumers through multiple rounds of user testing of redesigned certificates. The final website and EPC designs will meet all accessibility legal requirements.
- Responses to equality-related questions are documented in the EQIA Record.

Key Findings

Summary

There were limited direct equality rights' impacts identified in our engagement related to EPC reform. This does not mean there are not relevant issues. We will monitor the impact of the reforms as they are introduced to evaluate any unexpected equalities impacts.

There are potential equalities impacts around access to the digital EPC Register, and ensuring proper access and routes of support for groups that may be vulnerable and will need specific consideration as EPC reform continues.

Most issues raised were in relation to general issues around energy efficiency and communicating with the public across various demographics.

In addition, some stakeholders raised equalities impacts related to the EPC Register and certificate, i.e. issues around digital exclusion, potential accessibility issues, and communication of complex information.

Recommendations and Conclusion

EPC & register redesign

A key issue arising from the EQIA process is relates to the accessibility of the new EPC Register and Certificate. It is necessary that the Register and Certificate account for the potential equalities impacts related to access and understanding of information. These include potential difficulties for some older adults or people with visual impairments in accessing digital EPCs.

To address these issues, in advance of new regulations coming into force, we will continue to iterate designs and engage with users to inform this work. We will complete user-centred research to:

- Update the online website as part of EPC Register updates
- Move to a web-based format, building on the modular designs to date
- Test how best to communicate new ratings systems
- Investigating the potential for an interactive tool to encourage people to consider retrofit options

The updated designs have received positive feedback from users including that the new certificate design is more modern, the introduction of graphics makes it easier to understand and that the new ratings can be quickly identified.

The EPC Register and redesigned Certificate will meet all legal accessibility requirements as a minimum. The redesigned EPC and EPC Register website will provide clear signposting to consumers for further support for energy efficiency improvements and how to escalate concerns should they have any about their EPC assessment process. The language comprehension and accessibility issues identified will be included in this work.

EPC Communications Strategy

We are at the early stages of developing the communications strategy for EPC reform. We will work with communications colleagues to include key stakeholder groups to make sure they are included in the development process. Their input will help ensure our communicates reach everyone who has an interest in the EPC.

The EQIA process has helped identify groups that may particularly benefit from our communications strategy. Our Communications team has experience in reaching protected groups and audiences.

In developing our marketing strategy, we will work to understand the challenges in reaching protected groups and ensure the marketing strategy addresses their communication needs.

Describing how Equality Impact analysis has shaped the policy making process

This policy has been developed with full regard for the results from the EQIA. Specific equalities questions were included within the public consultation workshops and interviews with stakeholders. These were tailored to consider equality issues in the context of the policy. Officials contacted a wide range of equality stakeholder groups and welcome their participation in policy development and monitoring.

Due to the findings contained within this record, no further changes were required to the policy itself, as no negative impacts were recorded. Through the process we have taken steps to ensure that the policy does not have a negative impact on any people or communities with regards to their protected characteristics.

Monitoring and Review

No additional equality issues were identified within this EQIA for further attention outside of existing plans. We will continue to monitor and review our work for any potential impacts to equality rights and produce updated EQIA records and results documents when any impacts are identified.

Policy sign off

Originally developed:	July	2023 – December	2023
Refresh conducted:	January	2024 – March	2024
Final EQIA 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

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

Minister responsible: Stephen Gethins MSP, Minister for Europe, External Affairs and Energy
Date: 24 August 2026

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

Scottish Government
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