

Draft Updated Guidance on Green Claims: How to Make a Good Environmental Claim

SSE response

1 Introduction

SSE is pleased to have the opportunity to respond to this consultation on the Draft Updated Guidance on Green Claims.

We believe that guidance in this area will be helpful, and fully support the three key steps to making a good environmental claim. Subject to the specific points discussed below, the quick guide covers the key points well.

It is useful to have more detail and examples in the full guidance, but the draft currently is perhaps too long and strays into more general areas such as customer education when it should remain focussed on environmental claims. It becomes clear in the detail that this is a difficult area to cover without errors in some examples and contradictions in the text. This illustrates the point that there must be flexibility and common sense in the way organisations are expected to present green claims.

2 Answers to specific consultation questions

2.1 Part 1 - Proposed Guidance on Green Claims

Q1 Overall, is this guidance helpful? Are there any particular aspects of this guidance where more detail or advice would be helpful?

There are helpful elements to the guidance, in particular the core 3 steps to a good environmental claim, but overall we feel that it is too prescriptive which may have a negative effect on the provision of green products and services.

The guidance should be more concise and avoid straying into related areas (see response to Q5).

Q2 Do you think there is a need to produce additional guidance for particular sectors? Why? Why not?

This could potentially lead to more prescriptive and onerous requirements on the sectors. In the case of energy supply, the independent Green Energy Supply Certification Scheme already exists and additional sector guidance might result in unnecessary duplication of effort. We would suggest that the over arching guidance should be sufficient to convey the principles of the scheme.

Q3 Is this guidance user-friendly? What should the final format of the document look like?

The contents section is clearly laid out in a logical manner which means the document is easy to use.

Q4 Do you agree with the proposed aims and scope of the updated guidance?

Broadly yes.

It is vital that aspirational claims are fully substantiated in order to make them real for the customer and avoid misuse.

Looking at the total lifecycle of a product or service can add confusion for the customer. We maintain that an element of common sense is required and it should be acceptable to make a claim about one element of that lifecycle providing it is clearly explained and substantiated.

Q5 Do you agree with these wider considerations? Are they helpful? Are there any others that should be included in this guidance?

No. The guidance should focus on the core steps required to make a good environmental claim. Whilst we accept that these wider considerations are important topics in their own right, they should be dealt with separately.

If wider considerations are included, we would make the following specific points:

- The suggestion that a claim should resonate with the consumer is subjective. There is a broad scale of understanding and engagement. Part of the role of communication is to raise awareness of new products and emerging technologies along with concepts that the consumer may not yet be familiar with;
- The suggestion that environmentally sustainable options should be discounted or rewarded may be unrealistic. These technologies are often more expensive than the alternatives and these costs are generally passed on to the consumer; and
- The suggestion that companies could reduce the prominence or availability of less environmentally sustainable alternatives may also be unrealistic in many cases, for a variety of different reasons but including for example, business model and financial structure. The point of green claims is to drive green behaviours by encouraging a genuine environmental concern, rather than creating an artificial platform by adjusting the price and availability of alternatives.

Q6 Do you think it is important to understand/consider the overall environmental impact of a product, service or organisation before making an environmental claim?

SSE believes that organisations should be able to concentrate on the aspect of the claim being made. It is unrealistic to assess an entire organisation, or even manufacturing process in great depth, and still make the claim relevant and meaningful for the consumer. If the rules are too onerous it makes it much harder to engage consumers in the green arena.

We feel that it could be unhelpful to expect the business to define its legal or regulatory obligations before or when making a claim in every case. If the claim is a statement of fact, is honest and truthful and can be substantiated then this should be sufficient. A good example of this from an energy supplier's point of view would be insulation offers. We are required to reduce domestic carbon emissions through the Carbon Emissions Reduction Target (CERT), and might do this by selling subsidised insulation to customers. Although this is in response to a regulatory obligation, it seems entirely reasonable to sell insulation to customers based on environmental benefits.

Q7 Do you agree with the guidance and examples on relevance? Do you know of any others that could be helpful?

In some communications it may be feasible to explain regulatory relevance to certain claims. However it could also add unnecessary length to copy and qualifiers and create further confusion. If a company has invested £1 million in renewable electricity generation and that is a statement of fact that can be substantiated, then that should be acceptable. To then demonstrate how this investment fits with the Regulatory framework of the industry goes too far in our opinion.

Q8 Are there any legislative requirements that you consider need to be stated in an environmental claim?

SSE maintains that providing claims are truthful and substantiated then they should be acceptable.

Q9 Given the high use of vague terms like “environmentally friendly” should we include the following guidance on vague terminology to promote robust and consist in standards if/when they are used?

Many terms such as ‘green’ or ‘greener’ and ‘eco’ are in everyday use and it would be impossible to remove this type of language from common vocabulary. Taking the Eco Button as an example, which powers down appliances; we do not believe that the consumer thinks that this button has been produced as part of a carbon free process, by a carbon free manufacturer, but more that the device offers the benefit of reducing energy consumption which in turn is beneficial for the environment.

The environmental claims made should be capable of explanation and substantiation. If the claim draws a comparison then this needs to be explained but we do not believe that a well explained claim should be disallowed on the basis, for example, that the product is not the best overall available.

SSE believes that it is important to apply common sense to consumer’s expectation.

SSE absolutely agrees that claims should not contain false information.

We believe that if the claim is literally true then that should be acceptable. We believe that it is acceptable to say that recycled content has been increased by 50% if this is true. Advertisers cannot be expected to compensate for misinterpretation of the words on the page by the consumer. Indeed, general understanding of statistics is poor and the type of misunderstanding illustrated by this example is endemic in newspaper articles and other media. Different levels of incremental improvement can still be valid and valuable. The guidance should not pass judgement on what level of improvement is acceptable and what is not.

Q10 Is the guidance on ensuring that claims are truthful and accurate helpful?

Some of the guidance in our view is too detailed and prescriptive. It also recommends comparisons that are not necessarily relevant to the claim which could cause additional confusion.

Some of the advice appears to be conflicting. An example of this is where it is suggested that all copy relating to the claim appears in the body copy, on the one hand, and on the other that copy relating to the claim could be carried on a website link.

The example given of the reduction in the carbon footprint of a sports bag by 30% being equivalent to boiling a kettle 50 times is a poor one, as it is not clear how full the kettle is. It might be better to state that it is equivalent to boiling enough water for 50 cups of tea, for example (depending on the altitude of the kettle, of course).

Q11 Can you highlight any terminologies where you consider clearer definition of these terminologies is important?

SSE would suggest that the term ‘carbon footprint’ could benefit from a detailed description. In addition we would be interested to receive clarification on where nuclear sits in the green energy debate.

Q12 Is the guidance around the use of language and terminology helpful? Do you have any research or guidance of your own about consumer understanding of environmental terminologies that could inform this guidance?

We should avoid the assumption that the consumer doesn't understand environmental messages, however we agree with the need for clear terminology and language.

Q13 Do you have any better examples relating to comparative claims?

No.

Q14 Is the guidance on imagery realistic? What type of imagery do you think is “appropriate” in environmental claims?

SSE agrees that the imagery should not mislead, so for example you should not show a wind turbine on a piece about nuclear. However more general, supplementary imagery should not necessarily be interpreted literally.

Q15 Do you agree with the guidance on “assurance of accuracy”? Are there other examples of standards or best practice or guidance that should be referred to in this section?

Yes.

Q16 Do you agree with the guidance on claims about future environmental performance?

Yes.

Q17 Do you agree with the guidance and principles outlined on third party labelling?

SSE agrees that labelling schemes should have to comply with the guidance in the same way as other organisations.

2.2 Part 2 – Defra’s Quick Guide to making a Good Environmental Claim

Q1 Does this guide help to provide a quick overview of the key principles when making an environmental claim?

Yes.

Q2 Is there enough detail in this summary? Or is there too much detail? How could it be improved?

Yes,

Q3 In practice, do you think you would just refer to this “quick guide”, or the full guidance as well?

Probably both.