

Consultation Response



Good Food Nation (Scotland) Bill December 2021

Background

Voluntary Health Scotland (VHS) is the national intermediary and network for voluntary health organisations in Scotland. We work with our members and others to address health inequalities and to help people and communities live healthier and fairer lives. Access to food is synonymous with public health and is something our members have consistently expressed a great interest in. VHS therefore welcomes the opportunity to contribute to this process.

The food system in Scotland faces several challenges. One factor of the whole food system is consumption, and Scotland is experiencing increasing obesity rates. Poor diets are one of the leading causes of ill health in Scotland, with over 65% of adults aged 16-64 (that is one in four adults) either overweight or obese compared to 62% of the European population. Obesity is reported to reduce life expectancy by an average of three years, or eight to ten years for severe obesity. There is a higher prevalence of obesity amongst people living in deprivation, particularly among women, children, older age groups, black and minority ethnic groups, and people with disabilities. Obesity adversely affects almost every part of our body and has been recognised as the single biggest public health challenge we face. Obesity can increase the risk of a number of physical and mental health conditions, such as Type 2 Diabetes, 11 different types of cancer, cardiovascular disease, Alzheimer's disease, depression, stigma and social isolation.

Another significant challenge in the food system is an increase in food insecurity often referred to as food poverty. Food insecurity is defined as the 'inability to consume an adequate quality or sufficient quantity of food for health, in a socially acceptable manner, or the uncertainty that one will be able to do so'. The pandemic has shone a light on the prevalence of food insecurity and the impact this can have on families. Almost [one in four](#) (240,000) children are officially recognised as living in poverty with two thirds of children in in-work poverty (both before and after housing costs), living in households with at least one member in paid work. It is recognised that households with low incomes spend a greater proportion of their household income, almost twice as much, on food and non-alcoholic drink compared to wealthier households and are often forced to prioritise calories over nutrients.

There is a missed opportunity in this Bill to address these two key areas, especially the right to food. There is potential for this legislation to play a significant role in creating a Good Food Nation, however at this stage it falls short of this ambition.

Question 1. What is your view about the scope of the Bill?

The Bill as presented is not far reaching enough in scope or ambition, with no commitment to make necessary systemic changes to our food system or to hold Ministers accountable. As it stands, we are concerned that the narrow scope of the Bill makes it inadequate to address a range of public health issues, including:

- the opportunity to prevent, mitigate or reduce Scotland's high levels of health inequalities
- food insecurity, and the impact of poor nutrition or malnutrition on health and wellbeing
- obesity and its impact on disease including cancers, diabetes, high blood pressure, heart disease and stroke.
- dental caries in children and the relationship with poor nutrition, including over-consumption of sugar
- access to good nutrition in institutional settings such as hospitals, care homes, prisons and schools

A Good Food Nation Bill should be a strong framework Bill to provide the foundation for Scotland to reform our food systems and shape subsequent food-related legislation and policy such as the Public Health Bill, Circular Economy Bill, and Agriculture Bill. The Bill should define the right to food, with a duty on Ministers to realise this right and also link the duties set out in the Bill to giving practical effect to the right to food.

There should also be included a small number of high-level targets based on the Sustainable Development Goals similar to the Fuel Poverty and Climate Change Acts in 2019. The Bill should establish a new Scottish Food Commission, similar in scope and operation to the Land Commission to provide independent scrutiny on decisions on food policy and measures to improve the food system.

The framework provided by this Bill must ensure that the right to food is realised in Scotland and that the Scottish Government can be held accountable on making Scotland a Good Food Nation for all.

Question 2. What is your view of the decision not to incorporate the 'right to food' into Scots law through the Good Food Nation Bill?

The right to food must be central to the Good Food Nation Bill, so that local and national Government and other public bodies are responsible for ensuring that every person has access, in a dignified and culturally appropriate manner, to nutritious, sustainable and safe food at all times. This Bill can help to progress the right to food in the following ways:

- Include clear and strong language (as was done on the face of the Social Security (Scotland) Act 2018) defining the right to food and framing policy from a rights based approach.

- Include clear duties on Ministers (as was done in the Children and Young People (Scotland) Act 2014) to keep under consideration whether there are any ways of further the Right to Food and to report to Parliament.
- Explain and provide a framework for the linkages between the national and local food plans proposed in the Bill and the principles of the Right to Food.
- Establish an independent and statutory Food Commission to oversee the work of the Scottish Government in delivering upon the Right to Food. The Equality, Human Rights and Civil Justice Committee should examine this aspect of Bill to explore how the Good Food Nation Bill can advance human rights protection with regard to food in Scotland.

More needs to be done to explicitly and practically embed food as a human right into every stage and process of our Scottish food system. The [core pillars](#) of the right to food are that food must be:

- Accessible both financially and geographically
- Adequate, meeting dietary needs, being free from harmful chemicals, and being culturally appropriate – including the means of how we access it
- Available through access to land and other resources, processing, distribution and marketing and the sustainability of the food system into the future - including its contribution to and resilience to climate change

Question 3. How should the Bill and/or the Good Food Nation plans link to other food policy initiatives, for example the current process of producing a Local Food Strategy, and addressing global impacts of food and drink supply chains – for example taking up any of the Global Resource Initiative recommendations?

The Good Food Nation Bill should establish high-level policy principles and objectives for fixing Scotland's food system, providing the overarching framework for what a Good Food Nation means in practice. This should then inform and underpin all future food-related legislation and policy – including but not limited to the 2023 Agriculture Bill, the Circular Economy Bill, the Environment Bill and future public health measures on food.

A Local Food Strategy should be shaped by the purpose and principles set out in a Good Food Nation Bill to provide policy coherence across local authorities and to avoid a situation where different areas receive different public services.

Question 4. What outcomes, indicators and policies should Scottish Ministers and ‘relevant authorities’ include in their Good Food Nation plans? Please explain your reasons

A small number of ambitious and achievable targets should be set out on the face of the Bill. These signal a clear direction of travel and call for resources and policies to be aligned to achieve them - just like the 2045 net zero target.

Health related targets might include commitments to:

- End severe household food insecurity by 2030
- Half childhood obesity by 2030
- Achieve the Scottish Dietary Goals by 2030

One of the key roles of an independent food commission is to work with both national and local government to develop and refine a core set of robust and practicable targets. Targets and indicators should be closely aligned with human rights, not least the right to food and the right to a healthy, non-obesogenic environment.

Question 5. The Bill requires that Scottish Ministers and ‘relevant authorities’ must, when exercising a specific function or a function falling within a specific description, have regard to the national good food nation plan. Those ‘specified functions’ will be set out in secondary legislation. In your view, what should those functions be?

The national food plan by definition must read across many Scottish Government directorates – and should have implications for how directorates allocate their resources. As such, the Health, Social Care and Sport Committee, the Equalities, Human Rights and Civil Justice Committee and the Local Government and Communities Committee should input into the development of the Good Food Nation Bill, as it is entirely relevant to their remits.

An independent food commission should work with both national and local government to identify secondary legislation that will build upon the framework legislation and deliver on the objectives of the Bill.

Question 6. The Bill does not provide for a body to oversee how the Scottish Government and ‘relevant authorities’ are implementing the Bill; what is your view on this? Please explain your reasons.

The Good Food Nation Bill should legislate for a new Scottish Food Commission to provide expert advice and scrutiny to the Scottish Government, and help ensure Scotland’s journey to becoming a Good Food Nation is fair for everyone.

A statutory food commission reads across all food-related issues, from the rights of migrant fisheries workers to community food-growing, from the unhealthy food environment to agroecology, from ending the need for food banks to the wider impacts of pesticides.

The Scottish Food Commission should be a stand-alone body, reporting and being accountable to Parliament. It should include a number of commissioners with a range of experience and skills who represent a breadth of interests and lived experiences. The process for appointing commissioners should be transparent. It would take a 'systems' approach, recognising the need for joined-up policy across departments and between local and national government.

Activities could include:

- Undertaking research and make recommendations based on evidence and current progress towards targets.
- Producing an annual report on the state of Scotland's food system and progress made on realising the right to food
- Facilitating and supporting partnership working to drive food systems change
- Supporting a dynamic process of citizen engagement and public consultation at both national and local level.

Question 7. What impact will the Bill have for local authorities and health boards?

Local government and health boards will deliver many of the practical actions to deliver a Good Food Nation, for example, tackling food insecurity, improving public food, shaping the food environment, supporting the local food economy, influencing regional land use and reducing food waste. Much of this effort is conducted in partnership with the third and community sectors, including local community food initiatives, health charities, and voluntary organisations that tackle homelessness, poor housing, and poverty including fuel poverty. It is important that local authorities and health boards are adequately funded to deliver on these objectives and to invest in their third and community sector partners. Such public funding should be viewed as an investment, not as an additional cost. In developing and implementing their food plans, local authorities and health boards should have duties similar to the national Government to deliver on the right to food. They should also use a common set of targets.

Question 8. Does the Bill provide for opportunities to participate in the production of national and local good food nation plans? You may wish to consider, for example, how the views of vulnerable people or those whose voices are seldom heard would be sought.

As it stands, the Bill does not provide opportunities to participate in the production of national and local good food nation plans.

A Good Food Nation Bill must encourage active participation by stakeholders at both a local and national level (for example a Citizens Food Assembly). Relevant authorities should use accessible and inclusive communication to work with people with lived experience in the design of food plans and implementation, including

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formats such as Community Languages, BSL, Braille, Moon, Easy Read, clear and large print, and paper formats.

Additionally, the Scottish Government should be required to engage with communities and populations whose right to food and hence their health outcomes are most at risk. These include, for example: people living in poverty; refugees and asylum-seekers; homeless people and those in temporary accommodation; people living in care homes or prison; disabled people and those with long-term conditions, especially those who rely on social care providers for access to food. In order for Scotland to truly become a Good Food Nation, participatory policy and governance is essential.

Conclusion

There are a number of Scottish Government policies and strategies that have an impact on the food environment, from a range of different portfolios. It is important that the scrutiny of this Bill goes beyond the Rural Affairs, Islands and Natural Environment Committee and gathers input the Health, Social Care and Sport Committee along with the Equalities, Human Rights and Civil Justice Committee. The climate and agriculture agenda is often considered separate to the health agenda, when both are intrinsically linked. The effects of climate change on agriculture and the price of food will have a real impact on people's access to food. This will have implications for people's diets and health outcomes alongside the prevalence of food poverty.

The right to food must be made central to the Good Food Nation Bill, so that local and national Government and other public bodies are responsible for ensuring that every person has access, in a dignified and culturally appropriate manner, to nutritious, sustainable and safe food at all times. At present the Bill misses this opportunity to help tackle one of the key determinants of health inequalities in Scotland, it must be more ambitious.

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