

Scottish Government's consultation on Good Food Nation Proposals for Legislation

Consultation Response from Obesity Action Scotland

Closing date: 18 April 2019

- 1. To what extent do you agree with the framework proposals for Ministers and public authorities to prepare statements of policy, have regard to them in the exercise of relevant functions, and report on implementation, with regard to international obligations and guidance?**

Agree

OAS agree that the Ministers and all public authorities that have relevant food-related functions (including local authorities and health boards) should prepare 'statements of policy on food'. These statements should cover food production and consumption issues, and include not only matters outlined on page 6 of the consultation but also health (National Performance Framework category), diet-related diseases as clearly specified in the Good Food Nation Vision aims (1), and diet-related inequalities which are a primary objective of the Scotland's Diet and Healthy Weight Delivery Plan (2).

We agree that the Scottish Ministers should be required to consult on the draft statement of policy on food and acknowledge responses in shaping the final statement.

This framework legislation must enable and require cross-government and cross-sector collaboration. Therefore it is crucial to specify how ministers and public authorities will collaborate on the development of policies that affect the food system. Cross-government, cross-sector collaboration must be a key outcome of this new responsibility. This will ensure that key decisions that are made on food consider the system and the impact from health to environment and beyond.

We feel that for framework legislation to be effective, ministers and public authorities must be required to comply with rather than to have regard to the 'statement of policy on food' in the exercise of their relevant functions. We had excellent policies in Scotland but many of them have not been adequately implemented (3). Clear implementation of the statements of policy on food, and not only regard to them, is the key.

The statements of policy on food should include measurable indicators, specify monitoring strategies and identify resources needed to deliver the actions. We agree that a reporting cycle of 2 years and a revision cycle of 5 years is reasonable, and that reports should be produced against the targets set out in the bill and the 'statement of policy on food' in addition to any international obligations and guidance adopted by Scotland (such as the Sustainable Development Goals). Reporting should be open and transparent. We also strongly feel that each new revision must be laid before Parliament for scrutiny and approval, rather than simply for information.

Public kitchens should set an example for others to follow, serving food and providing a dining experience that is healthy, sustainable, desirable and valued. We therefore agree that it would be helpful for public authorities to produce their own food plans, with the aim of outlining their

contribution to the aims and ambitions of the Good Food Nation legislation and the national statement on food policy. However, we would like to see greater clarity on the resources available to public authorities to take on this additional piece of work.

- (1) Scottish Government (2018) Good Food Nation Programme of Measures.
- (2) Scottish Government (2018) A Healthier Future. Scotland's Diet & Healthy Weight Delivery Plan.
- (3) Obesity Action Scotland (2016) Report Card "Obesity in Scotland Six Years Later".
<http://www.obesityactionsotland.org/newspress-releases/slow-progress-limited-success-requires-more-effort/>. Accessed on 25/03/2019

2. Whilst we do not plan to require all sectors to prepare statements of policy on food, they do all have a role to play in achieving our Good Food Nation ambition. To what extent do you agree that Government should encourage and enable businesses in particular to play their part?

Agree

Although we agree that Scottish Government should encourage and enable businesses to play their part, as this would be better than no action, we would rather see the Food Commission's recommendation to place a statutory duty on food oriented businesses to produce, publish and report on a Good Food Nation Policy (1). There is learning from the recent voluntary schemes such as Public Health Responsibility Deal in England and Supporting Healthy Choices in Scotland showing while some businesses may implement changes, not all of them will, and this will put those that do implement changes at disadvantage (2,3). Both schemes overall showed little effect and a series of consultations on regulatory actions are now taking place in Scotland, England and on the UK level (4,5).

Businesses that deal with food include farms, crofts, fisheries, processors, retailers, social enterprises, hospitality, and catering, as well as waste management. The proposal not to include businesses into this legislation is likely to diminish the effects of the proposed legislation. The validity of the argument that such a duty would place significant additional costs on businesses operating in Scotland should be tested and compared with the modelled cost (shorty and long-term) to the society of not including businesses in this legislation and the potential costs to health and the environment.

Scotland has the opportunity to harness the innovation and development potential of becoming a Good Food Nation. At a time when food and food issues are increasingly in the spotlight, Scotland has a chance to lead the way and show that economic benefits for farmers and businesses can be created through the production and delivery of nutritious foods using environmentally sustainable production methods (6).

Nordic countries demonstrated how important businesses are in the whole systems approach to improving food system. Over the past 10 years, the Nordic governments, through the New Nordic Food Programme have collectively taken a new approach that seeks to change the food culture and consumption patterns of their people. This initiative however, came from businesses, and businesses are central to it. The New Nordic Food Manifesto was created by chefs in 2004 and is summarised in ten points on purity, season, ethics, health, sustainability and quality (7). Government policies played a key role in promoting a new and more sustainable Nordic cuisine to international fame but others played their part including world-renowned chefs and the private sector. Through public-private partnerships, product innovations and reformulation these new ideas are being incorporated in everyday life in the Nordic countries (8).

Without everyone involved success will be limited and efforts of those involved (Scottish Ministers and relevant public authorities) will be undermined by actions of those not involved (businesses according to the current proposals).

- (1) Scottish Food Commission (2019) Recommendations from the Scottish Food Commission for the implementation of, and content for, the Scottish Good Food Nation Bill. Scottish Government.
<https://www.gov.scot/binaries/content/documents/govscot/publications/corporate-report/2019/01/scottish-food-commission-final-report/documents/food-commission-final-report-december-2017/food-commission-final-report-december-2017/govscot%3Adocument>. Accessed 25 March 2019
- (2) Food Standards Scotland (2016) Diet and nutrition: Proposals for setting the direction for the Scottish diet. Paper for the Board Meeting 20 January 2016.
- (3) Swinburn B, Kraak VI, Allender S, et al (2019) The Global Syndemic of Obesity, Undernutrition and Climate Change: The Lancet Commission report. *Lancet* 393(10173):791-846
- (4) The Scottish Government (2018) A Healthier Future: Scotland's diet and healthy weight delivery plan.
- (5) The UK Government (2018) Chapter 2 of Childhood obesity: a plan for action.
- (6) Hawkes, C. and Parsons, K. (2019) Policy Brief 31. Connecting food systems for co-benefits: How can food systems combine diet-related health with environmental and economic policy goals? World Health Organization Regional Office for Europe, Geneva.
http://www.euro.who.int/__data/assets/pdf_file/0007/387070/policy-brief-31-austria-eng.pdf?ua=1
- (7) Nordic Co-Operation. New Nordic Food. <https://www.norden.org/en/new-nordic-food>
Accesses 25 March 2019
- (8) Wood A, Gordon LJ, Rööf E et al (2019) Nordic food systems for improved health and sustainability. Baseline assessment to inform transformation. Stockholm Resilience Centre.
https://www.stockholmresilience.org/download/18.8620dc61698d96b1904a2/1554132043883/SRC_Report%20Nordic%20Food%20Systems.pdf

3. To what extent do you agree with the proposed approach to accountability of Scottish Ministers and specified public authorities?

Strongly disagree

Strengthening of accountability systems for policy actions to address co-existing problems of obesity, undernutrition and climate change is one of the key messages from the most recent report of the Lancet Commission on Obesity (1): “The challenges facing action on obesity, undernutrition, and climate change are closely aligned with each other. Bringing them together under the umbrella concept of The Global Syndemic creates the potential to strengthen the action and accountabilities for all three challenges. Our health, the health of our children and future generations, and the health of the planet will depend on the implementation of comprehensive and systems-oriented responses to The Global Syndemic”.

Government, public authorities and powerful private-sector actors need to be held to account through the measurement of policy implementation, evaluation of policy impact and actions’ impact, and examination of political, economic, sociocultural and commercial barriers to and enablers of the policy (1,2). We do not believe that it would be effective for public authorities and Scottish Ministers to hold themselves to account.

We believe that only an independent statutory body could objectively oversee the Good Food Nation policy, its cross-departmental reach and cross-societal impacts. Such a statutory body would

not only report on the state of the food system but also, importantly, focus on the policy coherence across Government and support alignment of targeted legislation with a framework bill. This would enable Parliament to scrutinise future statements/plans and progress effectively. Additionally, an independent statutory body would create a platform for public participation in food policy, overseeing a democratic and rights-based approach to food. Most of the above could not be offered by reporting from the Scottish Ministers or public authorities. This may not necessarily be a new statutory body as responsibilities could be added to existing bodies. Mapping of current roles and responsibilities of statutory organisations involved in the sector may identify a suitable organisation for such a responsibility.

- (1) Swinburn B, Kraak VI, Allender S, et al (2019) The Global Syndemic of Obesity, Undernutrition and Climate Change: The Lancet Commission report. *Lancet* 393(10173):791-846
- (2) Swinburn B, Kraak V, Rutter H, et al (2015) Strengthening of accountability systems to create healthy food environments and reduce global obesity. *Lancet* 385(9986):2534-45

4. To what extent do you agree with the proposal for targeted legislation relevant to specific policy areas as an alternative to a single piece of legislation?

Strongly disagree

We strongly disagree with the proposals for only targeted legislation relevant to specific policy areas. Moreover, it is not clear from the consultation document which policy areas Scottish Government think that we need targeted legislation for. Targeted legislation will have a place for specific issues but we believe the food system is such an important system and cross cutting issue that a Good Food Nation Bill is required.

The Good Food Nation Programme of Measures listed the relevant current and planned activities across the five key areas identified by the Food Commission (health, social justice, knowledge, environmental sustainability and prosperity), proving that a lot is happening (1). At the same time it highlighted lack of any coordination between the areas across the whole food system. This lack of coordination is exactly why a single cross-cutting overarching piece of legislation is needed.

In stark contrast to targeted legislation, one piece of overarching legislation, such as a Good Food Nation Bill, offers the opportunity to employ a food systems approach, which is recommended by growing number of organisations, academics and world experts in this field (1,2,3,4,5,6,7). Such food systems framework can enable policy coherence across agriculture, nutrition, health, trade, climate and the environment in both businesses and Government (4).

In fact, the recent report from the Food and Agriculture Organization, the International Fund for Agricultural Development, The United Nations International Children's Emergency Fund, the World Food Programme, and the WHO (8) produced the following recommendations:

1. Developing sustainable diets by taking an integrative food systems perspective to deliver health and wellbeing, linked to transformation towards the circular economy and bioeconomy
2. Enabling transformation to a healthy diet and good nutrition
3. Understanding food production and utilisation issues, covering considerations of efficacy, sustainability, climate risks, and diversity of resources
4. Capitalising on opportunities coming within range in the biosciences and other rapidly advancing sciences
5. Addressing the linkages between food, nutrition, energy, water, and health
6. Promoting activity at the science–policy interfaces and reconciling policy disconnects
7. Consolidating and coordinating international science advisory mechanisms

One of the main reasons for the single piece of legislation is the alignment of policies, so they do not undermine each other or work against each other. Using an example from the Good Food Nation Programme of Measures: Scotland is the UK's leading fishing nation landing 464,000 tonnes of sea fish and shellfish worth over £559m in 2017. However, as a nation we should be eating five times more oily fish as we do currently to meet Scottish Dietary Goal for oil rich fish (140g per person per week) (9). Currently, there is no policy or legislation able to highlight such discrepancy and suggest solutions. Sectoral targeted legislation would never offer or achieve this.

The ultimate aim of one piece of legislation offering alignment of policies are co-benefits for all the policy areas (1). An excellent illustration of this was given by Prof Corinna Hawkes and Dr Kelly Parsons in their recent briefing for the WHO European Observatory on Health Systems and Policies: "food systems could combine the goals related to diet-related health, environment and economy if they involved farmers, entrepreneurs, small- and medium-sized enterprises and big businesses generating jobs and creating equitably-shared wealth for themselves and local and national economies by producing, distributing, trading, processing, marketing and selling nutritious foods aligned with dietary guidelines to European citizens at affordable prices, using a skilled and decently paid workforce and environmentally-sustainable methods and processes that protect biodiversity, water, soils and air and minimize environmental health risks, food waste and greenhouse gas emissions, with high standards of animal welfare" (1).

We do agree that secondary or targeted legislation will be necessary, but they should be driven by and fit into the overall ambition and headline targets of a Good Food Nation Bill.

- (1) Hawkes, C. and Parsons, K. (2019) Policy Brief 31. Connecting food systems for co-benefits: How can food systems combine diet-related health with environmental and economic policy goals? World Health Organization Regional Office for Europe, Geneva.
http://www.euro.who.int/__data/assets/pdf_file/0007/387070/policy-brief-31-austria-eng.pdf?ua=1
- (2) Swinburn B, Kraak VI, Allender S, et al (2019) The Global Syndemic of Obesity, Undernutrition and Climate Change: The Lancet Commission report. *Lancet* 393(10173):791-846
- (3) Fears R, Canales C, ter Meulen, et al (2019) Transforming food systems to deliver healthy, sustainable diets the view from the world's science academies. *Lancet Planetary Health*
[https://doi.org/10.1016/S2542-5196\(19\)30038-5](https://doi.org/10.1016/S2542-5196(19)30038-5) Accessed 27 March 2019
- (4) Bhunnoo R (2019) The need for a food-systems approach to policy making. *Lancet* 393(10176):1097-98
- (5) Global Food Security Programme (2018) A food systems approach to policy for health and sustainability. Centre for Food Policy, City, University of London.
<https://www.foodsecurity.ac.uk/publications/a-food-systems-approach-to-policy-for-health-and-sustainability.pdf>. Accessed 26 March 2019
- (6) Willet W, Roskstrom J, Loken B, et al. (2019) Food in the Anthropocene. *EAT-Lancet* Commission on healthy diets from sustainable food systems. *Lancet* 393:448
- (7) Food Foundation (2019) The Broken Plate. Ten vital signs revealing the health of our food system, its impact on our lives and the remedies we must pursue.
<https://foodfoundation.org.uk/publication/the-broken-plate-report/> Accessed 26 March 2019
- (8) Food and Agriculture Organization, International Fund for Agricultural Development, The United Nations International Children's Emergency Fund, World Food Programme, World Health Organization (2018) The state of food security and nutrition in the world 2018.
<http://www.fao.org/3/I9553EN/i9553en.pdf>. Accessed 27 March 2019
- (9) Barton K, Masson L, Wrieden W (2018) Estimation of Food and Nutrient Intakes from food purchase data in Scotland 2001-2015. Food Standards Scotland.
https://www.foodstandards.gov.scot/downloads/D19-01_Final_Draft_Report_2001-2015_-_Following_Peer_Review_150818.pdf. Accessed 25 March 2019

Obesity Action Scotland provide clinical leadership and independent advocacy on preventing and reducing overweight and obesity in Scotland.

For any enquiries relating to this submission, please contact Lorraine Tulloch Lorraine.tulloch@obesityactionsotland.org or Anna Gryka-MacPhail anna.gryka-macphail@obesityactionsotland.org