

BDA Scotland Board summary of responses to Scottish Government Consultation on Good Food Nation Proposals for Legislation

Consultation question 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?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Please explain your answer.

BDA Scotland Board strongly supports the Scottish Government vision for Scotland, by 2025, 'to be a Good Food Nation where people from every walk of life take pride and pleasure in, and benefit from, the food they produce, buy, cook, serve and eat each day'. This ambition combines the aspirations relating to Scottish Government's strategic objectives of a wealthier, fairer, healthier, safer & stronger, and greener nation which also includes a commitment to streamline resources.

BDA Scotland Board strongly supports efforts to enshrine a 'right to food' in law. We believe that nobody, irrespective of age or cultural tradition, should lack either access to adequate food and fluid to keep them active and healthy and/or sufficient support to enable them to eat and drink. The International Covenant on Economic, Social and Cultural Rights recognises the right to an adequate standard of living, as well as the 'fundamental right to be free from hunger'. The 'right to adequate food' includes not only the absence of malnutrition, but to the full range of qualities associated with food, including safety, variety and dignity, in short all those elements needed to enable an active and healthy life.

BDA Scotland Board supports the requirement for Scottish Ministers to set out a statement of policy on food and to review this statement every five years. We also support the requirement for reporting every two years on implementation, along with the necessity to inform on the indicators or measures of success. We welcome the

statutory requirement to have regard to relevant international obligations and guidance, especially in light of uncertainties and potential disruptions brought by Brexit.

BDA Scotland Board endorses the proposed statutory duties and requirements placed on specified public authorities. We recognise the importance of a combined approach to ensure the full ambition of the Good Food Nation is realised with targeted joint efforts and priorities across government and public sectors.

It is notable that this consultation was published at the same time as two other food related consultations. To be a truly whole nation movement will require a sustainable cross government strategy with full inclusion and participation by all Scottish Government departments. The BDA Scotland Board would be keen to ensure that Scottish Government is working towards a joined-up approach to food policy across its departments.

In addition, in September 2018, Scottish Government published the Good Food Nation Programme of Measures 'which highlights the many different activities we are doing, or plan to do, across Government to further our vision and aims as a Good Food Nation.' We are concerned that some of these activities are not being communicated locally, possibly due to the huge range of food related activity that is underway. We would encourage Scottish Government to take steps to ensure that local public health and healthcare professionals are aware of all these activities.

Consultation question 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?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Please explain your answer.

The focus of the legislation framework proposes placing responsibilities on Scottish Ministers and selected public bodies with regard to food to be in line with the principles and practices of the Good Food Nation policy. Whilst BDA Scotland Board supports this proposal we also question which ones will be 'selected', and we are concerned that the legislation is restricted to 'public bodies'. We believe that larger companies should be required to play a clearer role. We have difficulty in

understanding how private companies and businesses will adequately contribute to the delivery of the Good Food Nation ambition without such a requirement. We appreciate the importance of keeping processes simple but are apprehensive that without legislative requirements, private companies and businesses may not fully engage or commit. We would encourage the Scottish Government to consider ways in which the private sector might be able to provide these commitments collectively (e.g. through representative bodies), as we recognise that smaller companies may struggle to meet these requirements.

Leading by example may not be enough to secure commitment from the private sector. The Scottish Food Commission recommended placing similar requirements on private food related businesses which, makes sense given the influence of the private sector on consumer food access and choice as either raw ingredients or ready-to-eat meals and snacks. We are therefore concerned that Scottish Government prioritises concern for the additional costs on food businesses operating in Scotland and considers it would unfairly disadvantage them compared to their competitors. Where is the evidence and what consideration has been given to how this could be managed?

BDA Scotland Board recommends the SG reconsider the suggestion from the Scottish Food Commission to place similar requirements on private food-related business. We urge at the very least, some type of legislative requirement for the private sector to ensure engagement and commitment.

Consultation question 3:

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

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Please explain your answer.

As detailed under question 2 response, BDA Scotland Board considers strong accountability from all sectors including the private sector, is imperative for the Good Food Nation ambition to be successful. Existing bodies have statutory functions and duties in relation to the food system and environment, and a joined-up approach is essential to ensure comprehensive reporting across the range of food issues, and to help maintain the impetus for implementation of change. BDA Scotland Board does not see how the proposed oversight arrangements will achieve this.

We are disappointed the Scottish Food Commission is considered to have fulfilled its remit and therefore was disbanded last year. We agree there may not be need for an independent statutory body to be established to oversee the Good Food Nation policy. However, we would like to suggest there is a role for the Scottish Food Commission to continue, not as a statutory overseer, but to provide independent evidence-based advice, and published reports giving independent scrutiny to the success of the Good Food Nation. The members of such a commission could be expanded or rotated to ensure continuing expertise and oversight.

Consultation question 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 agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Please explain your answer.

BDA Scotland Board acknowledges there is a wide range of policy areas which have a direct or indirect impact on the food system. It makes good sense to ensure there is targeted legislation relating to the food system across these policy areas. We appreciate legislation is not essential to delivering action and legislation is not the only way in which the Good Food Nation ambitions can be achieved.

We agree with the intention that legislation would be helpful to underpin key measures and activity on the Good Food Nation policy and should be simple and clear. To this end we support the proposal for general framework principles to be set out in primary legislation, allowing more detailed provisions to be described in secondary legislation. We appreciate targeted secondary legislation provides greater flexibility which should allow for and enable effective developments around the Good Food Nation ambition.

The only caution we raise to this approach is the potential risk of unnecessarily lengthening timeframes if legislation gets clogged in the system, resulting in delayed progress and outcomes. We would therefore welcome a clear legislative timetable to accompany the overall primary legislative framework.

Additional Comment:

Registered dietitians are qualified and regulated health professionals that assess, diagnose and treat dietary and nutritional problems at an individual and wider public-health level. Dietitians make use of the most up-to-date public health and scientific research on food, health and disease which they translate into practical guidance to enable people to make appropriate lifestyle and food choices. The majority of dietitians in Scotland are employed by NHS Scotland and their practice and services are aligned to the ultimate aim of improving the nutritional wellbeing of the Scottish population and Scotland's population sub-groups. Therefore, BDA Scotland Board would welcome the opportunity for further dialogue with Scottish Government to co-determine how dietitians can become champions for the Good Food Nation and provide support to build the evidence base around its aspirations.

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