

# CONSULTATION RESPONSE



Obesity Action  
Scotland

Healthy weight for all

## Scottish Parliament's Rural Affairs, Islands and Natural Environment (RAINE) Committee consultation on Good Food Nation (Scotland) Bill – call for views

### Response from Obesity Action Scotland Closing date: 5 January 2022

Obesity Action Scotland are a member of the Scottish Food Coalition and we support their position in this consultation. In our response, we will expand on issues raised, specifically from a health perspective.

#### ***What is your view about the scope of the Bill? What else, if anything, would you have liked to see included in the Bill? Please explain your reasons.***

The scope of the Bill is limited and inadequate, and must be expanded to truly deliver a Good Food Nation for Scotland. The Bill is an opportunity to improve the food environment in Scotland and it should set out a strategic vision for the food system in Scotland. Central to that vision must be a food system that supports easy access to healthy, nutritious and sustainable food for everyone. The Bill should interface with and support other legislation, such as the forthcoming Public Health Bill, and provide a framework and pathway for ensuring access to healthy food and overall health for all. The food system must be the foundation for delivering healthy weight in society. For over 20 years we have been missing our dietary goals as a population and our poor diet is ingrained. Only by fundamentally shifting the food system to ensure every policy and investment decision we make from farm to fork takes into account population health will we start to address this issue. We cannot call ourselves a Good Food Nation unless we are at a minimum on track to achieve dietary goals. We need a Bill that ensures that can happen. The Bill does not currently achieve this

There are several key items currently missing that we would like to see included on the face of the Bill, and other areas where it could go further. These include:

- Robust headline targets on the face of the Bill which would also be featured in each of the good food plans described. The targets help to guide future policy development and can help to inform and influence secondary legislation. Targets we would like to see included are:
  - **Halve childhood obesity by 2030.** Formalise the ambition that already exists within Scottish Government documentation to halve childhood obesity by 2030 (based on 2016 baseline). This is a key measure of childhood and future health. It is related to inequalities and rights to food issues as we know childhood obesity is clearly patterned on deprivation with a significant and growing inequality gap.
  - **Achieve the Scottish Dietary Goals by 2035.** Scottish Dietary Goals<sup>1</sup> already exist and are monitored through various established mechanisms by Food Standards Scotland. The dietary goals are based on a rigorous review of evidence to be health based and as such are the only way to measure progress towards the target of the GFN Bill that “*the most*

<sup>1</sup> Food Standards Scotland ‘What are the Scottish Dietary Goals and what are they used for?’

[https://www.foodstandards.gov.scot/downloads/Scottish\\_Dietary\\_Goals\\_-\\_Adapt\\_it\\_sheet.pdf](https://www.foodstandards.gov.scot/downloads/Scottish_Dietary_Goals_-_Adapt_it_sheet.pdf) Accessed: 18/11/2021

*intractable dietary-related diseases will have begun to decline". This target would also allow the food system and national and local food plans to understand and be accountable for dietary shifts needed for health. It will also ensure that suppliers "have developed their offering so that local increasingly equals fresh, healthy and environmentally sound".*

- The Bill states that it will "give practical effect to the right to food". As such, this should be explicitly laid out in the Bill itself, including defining what is meant by the right to food, and outlining the duties on Scottish Ministers to realise this right.
- There is very limited information on what is to be included within the good food nation plans in the Bill. There needs to be more detail to ensure coherence and consistency between national and local plans. The accompanying policy memorandum does contain some general descriptive information on the content of these plans, but this is not sufficient and such detail should appear on the face of the Bill itself.
- There needs to be a focus on the importance of healthy, nutritious, sustainable food in the Bill, including action to address price, availability and marketing on unhealthy food, particularly to children, and ensuring public procurement policies/public sector bodies are taking the lead with regards to healthy food provision in their outlets.

***What is your view of the decision not to incorporate the 'right to food' into Scots law through the Good Food Nation Bill? Please explain your reasons.***

We are disappointed that the 'right to food' will not be incorporated in Scots law through the Good Food Nation Bill.

Ensuring the right to food in law is a very important legislative tool and adds weight to the ambition for Scotland to become a healthy and sustainable good food nation. Why does the right to food matter? In Scotland, obesity is a significant issue, with two thirds of adults either overweight or obese<sup>2</sup>. Rates of obesity are higher in areas of greater deprivation, and there is a significant burden of ill-health and inequality from obesity. Evidence shows that 40% of women in the most deprived groups have obesity compared to 18% in the least deprived areas<sup>3</sup>, and, over the last decade, the percentage of children at risk of overweight and obesity has increased in the most deprived areas. Obesity is a significant cost to the NHS, at £600 million per year<sup>4</sup>. This clearly demonstrates the significant challenge and burden from obesity to Scotland and highlights the need for a right to food to form the basis of our food system.

The accompanying Policy Memorandum to the Bill states that the right to food is to be incorporated into Scots law through a broader package of human rights measures, which will form the basis of the new Human Rights Bill to be introduced during this parliamentary session<sup>5</sup>. The 'right to food' is a fundamental human right and should be central to the Good Food Nation Bill. Not incorporating it through the Bill itself is a missed opportunity to embed a rights-based approach into the core of the food system in Scotland. It runs the risk of the commitment not being fully enacted as it may get mixed up or lost in general human rights legislation, and may make it seem of less importance in relation to creating a Good Food Nation. Including the 'right to food' in the Bill would provide clarity

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<sup>2</sup> Scottish Government (2020) Scottish Health Survey 2020: volume 1, main report  
<https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2021/01/scottish-health-survey-telephone-survey-august-september-2020-main-report/documents/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report/govscot%3Adocument/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report.pdf?forceDownload=true> Accessed: 24/11/2021

<sup>3</sup> Ibid

<sup>4</sup> Scottish Government (2020). Diet and healthy weight: monitoring report 2020

<https://www.gov.scot/publications/diet-healthy-weight-monitoring-report-2020/> Accessed: 25/11/2021

<sup>5</sup> Good Food Nation (Scotland) Bill Policy Memorandum <https://www.parliament.scot-/media/files/legislation/bills/s6-bills/good-food-nation-scotland-bill/introduced/policy-memorandum-accessible.pdf> Accessed: 22/11/2021

of purpose and help to define what a food system should be and provide - delivering accessible, available, healthy, nutritious and sustainable food for all, as a basic human right.

There is also an issue with timing, which poses a significant risk to the right to food. The Human Rights Bill is significantly further behind in its progress through parliament than the Good Food Nation Bill, with the timing for its implementation uncertain. Therefore, this will cause a lag or gap in the right to food becoming law and will leave an unknown period where this right is not protected in law. If the Scottish Government are committed to tackling food insecurity and incorporating a right to food into Scots law, as they have publicly stated they are, then they should seek to do so at the earliest possible opportunity, and this would be via the Good Food Nation Bill.

If the right to food is not going to feature within the Bill itself, the Bill can help to progress the right to food, and establish it is a core principle of food policy in Scotland. The Bill needs to provide a clear pathway on what it will do to facilitate and deliver the right to food, outlining that the right to food is a human right, and to create the system and environment to ensure everyone has access to healthy, nutritious, sustainable food which promotes and delivers human and planetary health. This would include linking with other legislation and legislative areas, including legislation to tackle the price, availability and marketing of unhealthy food, tackling obesogenic environments, and supporting a Whole Systems Approach, for example. This Bill must be made forward compatible for the progression of the forthcoming Human Rights Bill.

Moreover, the legislation should go further to define exactly what is meant by the 'right to food'. Many definitions including this one from the Food and Agricultural Organisation (FAO) of the United Nations defines the right to food as access to adequate food: "*The right to adequate food is realized when every man, woman and child, alone or in community with others, has the physical and economic access at all times to adequate food or means for its procurement*"<sup>6</sup> ((General Comment 12 (Committee on Economic, Social and Cultural Rights, CESCR, 1999))). The Bill and/or accompanying human rights legislation needs to ensure that the right to food is a right to healthy, nutritious and sustainable food, and it needs to be defined in the legislation what this means. It needs to go further than simply 'adequate' food or if adequate is the term being adopted, this needs to be defined in such a way that ensures both human and planetary health. It is not clear from the Bill and supporting documents what definition the Scottish Government will adopt or adhere to in this regard.

Additionally, embedded with the 'right to food', there should also be a commitment to eliminating food insecurity. Food insecurity is defined as a "... lack of regular access to safe and nutritious food"<sup>7</sup>. Evidence shows that younger adults are more likely to experience or be at risk of food insecurity<sup>8</sup>, with 8% of adults in Scotland reporting food insecurity. This is associated with poorer wellbeing outcomes across the population. The pandemic has further exacerbated these issues, especially for children, with more families experiencing food insecurity. Enshrining a commitment in the Bill to eliminating food insecurity, as a fundamental part of a right to food, would significantly contribute to tackling these issues and help to deliver a good food nation for all.

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<sup>6</sup> Food and Agricultural Organisation of the United Nations "The Right to Food" <https://www.fao.org/right-to-food/en/> Accessed: 18/11/2021

<sup>7</sup> Food and Agricultural Organisation of the United Nations "Hunger and food insecurity" <https://www.fao.org/hunger/en/> Accessed: 22/11/2021

<sup>8</sup> Scottish Government, 'Scottish Health Survey – Telephone Survey – August/September 2020' [https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2021/01/scottish-health-survey-telephone-survey-august-september-2020-main-report/documents/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report/govscot%3Adocument/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report.pdf](https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2021/01/scottish-health-survey-telephone-survey-august-september-2020-main-report/documents/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report/govscot%3Adocument/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report.pdf)

**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?**

The Good Food Nation Bill and related plans offers the opportunity to employ a food systems approach, which is increasingly being recommended as the most effective approach<sup>9</sup>. The Bill is a framework Bill, setting out the objectives and principles for the food system in Scotland. In this regard, it is important the Bill links to and is cognisant with other food policy initiatives and legislation, including, for example, national, European and international policies and legislation to tackle price, availability and marketing of unhealthy food, which evidence shows significantly negatively contribute to creating unhealthy, obesogenic food environments<sup>10</sup>.

The Bill and Good Food Nation Plans need to extend their reach beyond food policy initiatives. It is well evidenced in the literature that to achieve a healthy food system/environment and tackle issues of overweight and obesity, there is a need to look beyond focusing on food policy initiatives, to remove siloes in current national and local policy development, and take into consideration wider social and economic determinants of health. This is evidenced in the recently published *Turning the Tide* report which outlines that new policies, commitments and accountabilities will be needed across government departments and all levels – international, national, and local – to deliver success<sup>11</sup>. Such an approach is important to ensure policies in different areas don't undermine or counteract one another or lead to unintended consequences.

Further, action to align with other major and related policy areas is essential to ensure policy coherence. Some policies can indirectly act to reduce the incidence of obesity via policy actions with other motivations. For example, policies related to climate change and health inequalities have been identified as being of particular importance in the development of strategies to tackle obesity and deliver healthy food systems<sup>12</sup>. This was explored in a 2019 report by the Lancet Commission which introduced the idea of “the Global Syndemic” – the challenges of obesity, climate change and undernutrition are closely aligned and by bringing them all together under the “Global Syndemic” concept, there is increased potential to strengthen action and also accountabilities on all three challenges<sup>13</sup>. Additionally, the National Food Strategy report<sup>14</sup> outlines the significant negative impacts of junk food and calls for a focus on breaking what it calls the junk food cycle. Importantly, it stresses that the best and most effective way to do this is through change to the food system, with structural, economic and cultural changes required at all levels. Addressing these challenges requires a comprehensive and systems-oriented approach. Cross-government, cross-sector collaboration must be a key outcome. This will ensure that key decisions that are made on food consider the impact beyond food policy and the food system.

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<sup>9</sup> 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: 17/11/2021

<sup>10</sup> Obesity Action Scotland (2021) Obesity and Promotion of HFSS Products [https://www.obesityactionscotland.org/media/1630/promotions\\_b.pdf](https://www.obesityactionscotland.org/media/1630/promotions_b.pdf) Accessed: 17/11/2021

<sup>11</sup> Association for the Study of Obesity (2021) Turning the Tide: A 10-year Healthy Weight Strategy <https://aso.org.uk/news/turning-tide-10-year-healthy-weight-strategy> Accessed: 17/11/2021

<sup>12</sup> Government Office for Science (2007) Foresight Tackling Obesities: Future Choices – Project Report, 2<sup>nd</sup> edition [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/287937/07-1184x-tackling-obesities-future-choices-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/287937/07-1184x-tackling-obesities-future-choices-report.pdf) Accessed: 24/11/2021

<sup>13</sup> 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

<sup>14</sup> National Food Strategy Independent Review (2021) The Plan <https://www.nationalfoodstrategy.org/>

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

The outcomes and indicators should be informed by and link to the Scottish Dietary Goals<sup>15</sup>, and addressing diet-related inequalities which is a primary objective of the Scotland’s Diet and Healthy Weight Delivery Plan<sup>16</sup>. They should help inform and support meeting the targets we set out in response to question one.

Given the overarching nature of the food system, as we have demonstrated throughout our response, one of the main outcomes of the Bill should be to ensure everyone has easy access to healthy, nutritious and sustainable food. This is not presently the case, with around 8% of adults in Scotland reporting food insecurity<sup>17</sup>, with even more unable to afford a healthy, varied and nutritionally balanced diet<sup>18</sup>. As highlighted, this has a significant negative impact on health outcomes, with rising levels of overweight and obesity and growing incidence of diet and weight related non-communicable diseases. The majority of adults in Scotland (66%) have overweight and obesity<sup>19</sup>.

Scotland’s National Outcomes<sup>20</sup> contain a range of indicators that are directly relevant to the food system and the Bill, and which already measure some health and obesity related behaviours. These include – healthy weight, health risk behaviours and influence over local decisions. These and other relevant national indicators should be utilised and built upon for indicators for the Good Food Nation Bill.

The Scottish Food Commission produced a report on Indicators for a Good Food Nation<sup>21</sup>. These could be further expanded and developed, in particular, to include reference to human rights and the right to food, the right to a healthy environment, and a commitment to reducing inequality and inequity.

The indicators we would like to see in the Bill should expand on and help to achieve and measure the targets we outlined earlier in our submission. To reiterate, the targets we would like to see included in the Bill are:

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<sup>15</sup> Food Standards Scotland ‘What are the Scottish Dietary Goals and what are they used for?’

[https://www.foodstandards.gov.scot/downloads/Scottish\\_Dietary\\_Goals\\_-\\_Adapt\\_it\\_sheet.pdf](https://www.foodstandards.gov.scot/downloads/Scottish_Dietary_Goals_-_Adapt_it_sheet.pdf) Accessed:

18/11/2021

<sup>16</sup> Scottish Government (2018) A Healthier Future. Scotland’s Diet & Healthy Weight Delivery Plan

<sup>17</sup> Scottish Government (2021) Food Insecurity and Poverty: Response to UN Special Rapporteur

Communication <https://www.gov.scot/binaries/content/documents/govscot/publications/progress-report/2021/02/scottish-government-response-un-food-insecurity-poverty/documents/food-insecurity-poverty/food-insecurity-poverty/govscot%3Adocument/food-insecurity-poverty.pdf>

<sup>18</sup> The Food Foundation (2021) The Broken Plate 2021: The State of the Nation’s Food System

<https://foodfoundation.org.uk/sites/default/files/2021-10/FF-Broken-Plate-2021.pdf>

<sup>19</sup> Scottish Government (2020) Scottish Health Survey 2020: volume 1, main report

[https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2021/01/scottish-health-survey-telephone-survey-august-september-2020-main-report/documents/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report/govscot%3Adocument/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report.pdf?forceDownload=true](https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2021/01/scottish-health-survey-telephone-survey-august-september-2020-main-report/documents/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report/govscot%3Adocument/scottish-health-survey-2020-edition-telephone-survey-volume-1-main-report.pdf?forceDownload=true)

<sup>20</sup> Scottish Government ‘National Outcomes’ <https://nationalperformance.gov.scot/national-outcomes>

Accessed: 08/12/2021

<sup>21</sup> Scottish Food Commission (2015) Indicators for a Good Food Nation

<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2016/06/indicators-good-food-nation/documents/food-commission-report-indicators-good-food-nation-pdf/food-commission-report-indicators-good-food-nation-pdf/govscot%3Adocument/Food%2BCommission%2BReport%2B-2BIndicators%2Bfor%2Ba%2BGood%2BFood%2BNation.pdf>

- **Halve childhood obesity by 2030.** Formalise the ambition that already exists within Scottish Government documentation to halve childhood obesity by 2030 (based on 2016 baseline). This is a key measure of childhood and future health. It is related to inequalities and rights to food issues as we know childhood obesity is clearly patterned on deprivation with a significant and growing inequality gap.
- **Achieve the Scottish Dietary Goals by 2035.** Scottish Dietary Goals already exist and are monitored through various established mechanisms by Food Standards Scotland. The dietary goals are based on a rigorous review of evidence to be health based and as such are the only way to measure progress towards the target of the GFN Bill that “the most intractable dietary-related diseases will have begun to decline”. This target would also allow the food system and national and local food plans to understand and be accountable for dietary shifts needed for health. It will also ensure that suppliers “have developed their offering so that local increasingly equals fresh, healthy and environmentally sound”.

Indicators we would like to see include:

- Affordability of a healthy and sustainable diet, which meets the Scottish Dietary Goals
- Changes in childhood BMI, tracked and monitored overtime. Currently, childhood BMI measurements are only taken in primary 1. We would like this to be extended, with the measurement also taken in primary 7, as is currently the case in England and Wales.
- Availability of healthy food options on school menus and in public buildings/settings.
- Incidence of diet related non-communicable disease.

Locally, outcomes and indicators should take into account specific circumstances and challenges in the local area, and address these, in addition to supporting achievement of the national level indicators and outcomes.

*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? Please explain your reasons.*

Given the overarching nature and importance of the national good food nation plan, there are a number of “specified functions” which should be set out in secondary legislation. These include:

- Investment decisions – where investment decisions are being taken to give a grant to a food business or food producer, for example. In this instance, it must be easier for the food businesses supporting, promoting and facilitating access to healthy food and healthier options to get access to such grants, and it should be much more challenging for unhealthy food businesses to do so. Health should be prioritised and form the basis of decision-making criteria.
- Fiscal measures – these measures can be used to incentivise healthy options. These include council tax reductions and rates reductions for businesses which support, promote and facilitate access to healthy food and healthier options, to help achieve the best food and health outcomes possible.
- Planning decisions – planning decisions both at a national and local level must have health as a key criteria<sup>22</sup> and assess the contribution of the decision to supporting easy access to healthy, nutritious and sustainable food. For example, when a planning application is submitted for a fast food restaurant or a food business selling products predominantly high in fat, salt and sugar, an assessment should be made taking into consideration a range of factors, including the number of such businesses already in the area and how available and

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<sup>22</sup> Government Office for Science (2007) Foresight Tackling Obesities: Future Choices – Project Report, 2<sup>nd</sup> edition

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/287937/07-1184x-tackling-obesities-future-choices-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/287937/07-1184x-tackling-obesities-future-choices-report.pdf) Accessed: 24/11/2021

accessible unhealthy food products are in the area. Planning applications which negatively contribute in this way should not be granted, with preference instead given to applications which support delivery of the health criteria.

- Public Procurement policies – publicly-owned bodies, institutions and services, including schools and hospitals, should be an exemplar and take the lead in ensuring the food products they serve are healthy and nutritious, and also actively limit the availability of and access to foods high in fat, salt and sugar. Evidence shows that implementation of healthy food procurement policies in public settings, such as schools and hospitals, has been shown to increase incidence of healthy eating<sup>23</sup>. The Procurement Reform (Scotland) Act 2014 placed a statutory duty on local authorities and public authorities for sustainable procurement<sup>24</sup>. However, there is no evidence of feedback in relation to this and little indication of how much this has changed procurement practices. This duty could be used as the basis of improving procurement practices in public settings for healthy food, with a stringent process of accountability, scrutiny and reporting to be in place to ensure the duty is being adhered to.

***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***

There should be an independent statutory body to oversee the implementation and operation of the Bill.

Government and public authorities 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<sup>25</sup>. We do not believe it would be appropriate for such authorities to hold themselves to account in this way and this also applies to overseeing the implementation of the Bill. There needs to be an independent statutory body responsible for overseeing implementation, with stringent powers to scrutinise, sanction, and enforce where proper and effective implementation is not taking place.

The role of the independent statutory body needs to be clearly outlined, including what it will achieve, in order to determine what the most appropriate solution would be. In other words, what the format, structure and remit of it should be. The role of the independent statutory body is to hold the government to account and ensure the Good Food Nation Bill is implemented in a way which supports delivery of a healthy weight for all, with easy access to healthy, nutritious and sustainable food that is good for both human and planetary health. This should form the basis of decision making on the body. We would support an independent body being established in the style of the Scottish Land Commission.

Other benefits of an independent statutory body include 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 relevant authorities when implementing plans, helping to ensure all relevant actors are involved in delivering a good food nation. Additionally, an independent statutory body would create a platform for public participation in food policy, overseeing a democratic and rights-based approach to food.

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<sup>23</sup> Niebylski M.L., Lu, T., Campbell, N.R., et al. (2014) *Healthy food procurement policies and their impact*, International Journal of Environmental Research and Public Health, 11(3), pp. 2608 - 2627

<sup>24</sup> Scottish Government (2016) Procurement Reform (Scotland) Act 2014: statutory guidance

<https://www.webarchive.org.uk/wayback/archive/20190316075740/https://www.gov.scot/publications/guidance-under-procurement-reform-scotland-act-2014/pages/1/>

<sup>25</sup> 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

## ***What impact will the Bill have for local authorities and health boards?***

Local authorities and health boards are rightly recognised and acknowledged as key partners in achieving a good food nation and for supporting implementation and delivery of the Bill, particularly for local food plans. Given this importance, it is imperative they are recognised in this way and they must be empowered and properly resourced to support delivery of a good food nation.

***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.***

We feel the Bill does not provide sufficient opportunities to participate.

Section 2.2 of the Bill states “The persons consulted under subsection (1)(a) are to be those who the Scottish Ministers consider appropriate”<sup>26</sup>; however, it does not state who these appropriate persons are or how they will be established. In order to ensure appropriate opportunities to participate, it is necessary for a core group of statutory consultees to be outlined on the face of the Bill and for participation opportunities, such as through calls for evidence, evidence sessions and public consultations. Detailing such information will ensure consistent and equal participation across the production of national and local plans.

At the national level, a citizens’ assembly model should be adopted, with a Scottish Food Assembly created. This approach was successfully piloted for public engagement on climate change and emissions reduction targets, in the Climate Change (Emissions Reduction Targets) (Scotland) Act in 2019, and we would like to see this approach replicated for the Good Food Nation Bill. Such an approach gives members of the public a direct role in decision-making processes and helps to improve accountability. Further, with particular regards to obesity, it is very important to hear from lived experience and the Citizens’ Assembly model would provide a platform for this lived experience to be heard and taken account of.

When providing opportunities to participate, it is important to be mindful of the language used, and to avoid stigmatisation and victim blaming, for example. This is particularly important for obesity. Weight stigma is a significant barrier to participation and access to services for many people, with profound effects on their mental and physical health, overall sense of wellbeing, can worsen inequalities and leave individuals feeling even more marginalised<sup>27</sup>. Participation opportunities in relation to the production of the good food plans should be mindful of this and take steps to ensure this is eliminated from production of the good food plans, both nationally and locally.

Additionally, the Scottish Government has a commitment to Open Government, which outlines the government’s dedication to improving its own practices relating to transparency, participation and empowerment<sup>28</sup>. This commitment needs to be met and enacted in delivery of the national good food plan, with learnings cascaded down to the local plans.

## **About us**

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

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<sup>26</sup> Good Food Nation (Scotland) Bill [As Introduced] <https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/good-food-nation-scotland-bill/introduced/bill-as-introduced.pdf>  
Accessed: 17/11/2021

<sup>27</sup> World Health Organisation (2017) Weight bias and obesity stigma: considerations for the WHO European Region [https://www.euro.who.int/\\_\\_data/assets/pdf\\_file/0017/351026/WeightBias.pdf](https://www.euro.who.int/__data/assets/pdf_file/0017/351026/WeightBias.pdf) Accessed: 24/11/2021

<sup>28</sup> Scottish Government (2019) Scotland’s Open Government Action Plan: 2018 – 2020  
<https://www.gov.scot/publications/scotlands-open-government-action-plan-2018-20/>

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