

Right to Food (Scotland) Bill

Introduction

A proposal for a Bill to incorporate the right to food into Scots law.

The consultation runs from 25 November 2021 to 16 February 2022.

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

No Response

About you

Please choose whether you are responding as an individual or on behalf of an organisation.
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

No Response

Please select the category which best describes your organisation

Public sector body (Scottish/UK Government/Government agency, local authority, NDPB)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

NHS Board

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your Full Name or the name of your organisation. (Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

NHS Ayrshire & Arran

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

Aim and Approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").

Q1. Which of the following best expresses your view of the proposal to incorporate the right to food into Scots law?

Fully supportive

Please explain the reasons for your response.

NHS Ayrshire & Arran believes the government has a duty to make sure everyone can afford and enjoy a healthy and sustainable diet, the people producing the food have safe working conditions and receive a fair wage, and food is produced in a way that respects animals and the environment. Putting the right to food into Scots law would make it more likely that the Scottish Government prioritises wellbeing of people & environment in decisions on the food system.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

NHS Ayrshire & Arran believes that legislation is required to reduce food insecurity and to improve population health. We note a driver of unhealthy weight and poor diet is poverty. An example of lifting the people out of poverty may be to change the benefit/welfare system. However, the Scottish Government currently does not have the power to change the welfare system and this power resides with UK Government and therefore the impact Scottish Government has on food insecurity may not be sufficiently influential. A significant impact could be achieved by working with the UK Government.

Furthermore, we recognise a change to any part of the system (reducing food insecurity and improving people's health) can be seen as a change to the whole system. It is vital to make sure other parts are aligned with that change to ensure effective implementation.

Q3. Which of the following best expresses your view on an independent statutory body being given responsibility for overseeing and reporting on progress towards realising the right to food?

Fully supportive

Please explain the reasons for your response.

NHS Ayrshire & Arran believes the creation of an independent statutory body can review and question the Government's plans, provide guidance, gather evidence, and hold the Government accountable for delivering its duties.

Q4. Should an independent body be given responsibility for overseeing and reporting on the right to food, do you think it should be:

An existing body (if so, please state which body in the comments box)

Please explain the reasons for your response.

NHS Ayrshire & Arran hold concerns around another statutory body being established; adding to the currently complex landscape, the cost to set-up, new links needing to be forged, and the need to be well resourced. An existing body such as Food Standards Scotland will require to be given additional powers to deliver the ambitious actions being set out for whole-system change.

Q5. Which of the following best expresses your view of enshrining a right to food into Scots law as a priority in advance of, and in a manner which is compatible with, any further Scottish Government legislation on wider human rights?

Fully supportive

Please explain the reasons for your response.

We believe there are a number of advantages of doing this:

- The Bill will accelerate the right to food into Scots law. We realise the Scottish Government have made a wider commitment to human rights in the future however this may take a prolonged period of time.
- If the Bill were to be enshrined by legislation, it needs to be acted upon regardless of who is in Government.
- Help to make sure that human rights are at the centre of all of the Government's decisions on the food system
- Establish an independent statutory body to review and report on the Government's work and ensure that its plans and decisions are scrutinised
- Put duties on the Scottish Government and public bodies to set targets and measure its progress on making sure everyone enjoys their right to food

However, there may be disadvantages:

- The Scottish Government does not have the powers to make potential changes to the benefit system which can have an impact on lifting people out of poverty. This resides with UK Government.
- We believe the Bill needs to be all encompassing of the food system (including workers' rights, animal welfare, access to land, food waste) rather than primarily focusing on food insecurity.

Q6. Which of the following best expresses your view of placing responsibility for guaranteeing the right to food on the Scottish Government?

Fully supportive

Please explain the reasons for your response.

The proposed Right to Food Bill recognises that it is the Government that has the responsibility to deliver the right to food for everyone in Scotland.

Covid-19 Pandemic

Q7. What impact do you consider the effects of, and response to, the Covid-19 pandemic has had on the need for a right to food to be incorporated into Scots law?

Increased the need for the Bill

Please explain the reasons for your response.

Reports from various third sector organisations including among others The Food Foundation and The Trussell Trust have highlighted the increase in the number of people who are food insecure since the start of the pandemic. Furthermore, the pandemic has widened inequalities among certain groups including people from Black, Asian and minority ethnic groups and those living with a disability.

Financial Implications

Q8. Taking into account all those likely to be affected (including public sector bodies, businesses and individuals etc), is the proposed Bill likely to lead to:

some increase in costs

Please indicate where you would expect the impact identified to fall (including public sector bodies, businesses and individuals etc). You may also wish to suggest ways in which the aims of the Bill could be delivered more cost-effectively.

NHS Ayrshire & Arran recognise the purpose of the Bill is a long term investment in the food system so will need to be realistic around both short term and long terms impacts. Long term change is needed and therefore it is worth investing in. A reduction in cost for businesses may apply if the responsibility for the right to food were placed within an existing body as opposed to a new body.

Equalities

Q9. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation?

Positive

Please explain the reasons for your response. Where any negative impacts are identified, you may also wish to suggest ways in which these could be minimised or avoided.

The right to food is about improving the food system for the benefit of everyone in Scotland. Equality is at the heart of the right to food. We know that certain groups in society are more vulnerable to issues such as unfair employment practices, low wages or reliance on inadequate social security benefits. Improving these issues will have a positive impact on those vulnerable people who suffer the most from these inequalities.

Sustainability

Q10. In terms of assessing the proposed Bill's potential impact on sustainable development, you may wish to consider how it relates to the following principles:

- living within environmental limits
- ensuring a strong, healthy and just society
- achieving a sustainable economy
- promoting effective, participative systems of governance
- ensuring policy is developed on the basis of strong scientific evidence.

With these principles in mind, do you consider that the Bill can be delivered sustainably?

Yes

General

Q11. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

No