OFFICIAL REPORT
AITHISG OIFIGEIL

Rural Affairs, Islands and Natural Environment Committee

Wednesday 19 January 2022

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 19 January 2022

CONTENTS

RURAL AFFAIRS, ISLANDS AND NATURAL ENVIRONMENT COMMITTEE

2nd Meeting 2022, Session 6

CONVENER

*Finlay Carson (Galloway and West Dumfries) (Con)

DEPUTY CONVENER

*Beatrice Wishart (Shetland Islands) (LD)

COMMITTEE MEMBERS

*Karen Adam (Banffshire and Buchan Coast) (SNP)
*Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP)
*Ariane Burgess (Highlands and Islands) (Green)
*Jim Fairlie (Perthshire South and Kinross-shire) (SNP)
*Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con)
*Jenni Minto (Argyll and Bute) (SNP)
*Mercedes Villalba (North East Scotland) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Professor Mary Brennan (Scottish Food Coalition)
Robin Gourlay
Geoff Ogle (Food Standards Scotland)

CLERK TO THE COMMITTEE

Emma Johnston

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Rural Affairs, Islands and Natural Environment Committee

Wednesday 19 January 2022

[The Convener opened the meeting at 09:00]

Good Food Nation (Scotland) Bill: Stage 1

The Convener (Finlay Carson): Good morning, everyone, and welcome to the second meeting in 2022 of the Rural Affairs, Islands and Natural Environment Committee. I remind committee members who are using electronic devices to switch them to silent.

Our first item of business is an evidence session on the Good Food Nation (Scotland) Bill. I welcome to the meeting Professor Mary Brennan, who is chair of the Scottish Food Coalition; Geoff Ogle, who is chief executive of Food Standards Scotland; and Robin Gourlay, who is a former adviser and lead for public sector food and drink policy for the Scottish Government and Scotland Food & Drink.

I invite Professor Brennan to make an opening statement first, followed by Robin Gourlay and Geoff Ogle.

Professor Mary Brennan (Scottish Food Coalition): Thank you, convener. It is an absolute pleasure to be with you all. Happy new year to everyone.

As chair of the Scottish Food Coalition, I am here to represent our coalition of more than 40 civil society organisations, which represent small-scale farmers and growers, academics, worker unions and charities that focus on the environment, health, poverty and welfare. As a coalition, we are acutely aware of the challenges that our food system faces, and we are deeply connected to, and work with, communities and organisations that are trying to achieve systemic change to drive a healthier, fairer and more sustainable food system for Scotland.

As a nation, we are undoubtedly at a key juncture with Covid-19, the on-going uncertainty and complexity around Brexit and, of course, the greater awareness and acceptance of the climate and nature emergencies that we now face. From that, we have learned to be more alert to the harms that are caused by our food system and its inherent fragility. We must remember that we have also learned through the past turbulent years about the many positive deliverables that the food system can offer.

I am looking forward to discussing with the committee how, through strong and courageous leadership and effective governance, we can transform the system to make it fairer, healthier and sustainable for all. We can deliver on our environmental goals. We can reduce greenhouse gas emissions, reverse our biodiversity loss and, in fact, enhance our biodiversity. We can drive better educational attainment and food education and skills, and we can make our workforces and our population at large healthier and more productive. Finally, we can drive and help to support our urban, island and rural communities in rejuvenating and embracing a strong food culture.

The Good Food Nation (Scotland) Bill is a crucial first step in Scotland's transition, but it will not be the only step. It will provide us with the enabling framework to inform future food policy and foundational legislation to help us to join up our policy activities and ensure that they are as impactful as possible.

We, at the Scottish Food Coalition, believe that it is imperative that that framework is underpinned by an independent Scottish food commission that provides advice and scrutiny, which are critical to a just transition. That is detailed in our written evidence. We believe that that commission should be a stand-alone body with a remit that reads across all food-related issues that can help national and local government to make more effective and efficient use of public and private resources.

It is imperative that the Good Food Nation (Scotland) Bill has a clear purpose. We believe that its purpose should be to take deliberate and targeted steps towards ensuring that everyone in Scotland can fully realise their right to food. We also believe that the bill should set out a small number of high-level targets to drive immediate action and to keep our focus on the direction of travel for the journey ahead. It must lay the foundation for future legislation and help to reorientate our actions and our resources towards delivering our social, environmental, economic and health goals.

Our food system offers huge potential to be unlocked. The governance of the system must be organised to reflect not only the gravity of the challenges but the scale of the positive outcomes that we can achieve. In our view, that is a legacy that we can all be proud of and can all be part of delivering.

The Convener: Thank you. I turn to Robin Gourlay.

Robin Gourlay: Thank you for giving me the opportunity to speak to the committee.

I am now semi-retired, although I work pro bono for a European non-governmental organisation. I was head of service at East Ayrshire Council, where I managed a range of services, including catering for schools and social services.

I was a member of the Scottish food and drink leadership forum, which developed Scotland's first national food and drink policy, "Recipe for Success", which was a successful policy. I was then a member of the Scottish food commission, which looked at the proposed bill and made recommendations. I also worked with Scotland Food & Drink. I would say that my specialism is public food—in other words, food in schools, hospitals, prisons, universities and so on.

The bill is very important. Although, in the past, it has been taken for granted, food has emerged as a key area of public policy. It has a huge impact on Scotland's economy. Food and drink is the largest manufacturing sector, and it has a role to play in relation to the environment and climate change and in social policy that is related to health and other aspects.

The bill can seek to address some of the conflicts that are apparent between industry, the economy, health and the environment and to align the different objectives of each of those sectors.

My final point is about the title of the bill. The "Good Food Nation" bill sounds to me like a strapline; I think that it should be called something like the food and society (Scotland) bill, as its current title underplays the importance of food to Scotland.

The Convener: Thank you. We move on to Geoff Ogle.

Geoff Ogle (Food Standards Scotland): Good morning. As the existing independent food body in Scotland, which is directly accountable to the Scottish Parliament, Food Standards Scotland has a significant interest in the subject matter of the bill and its progress through the Parliament.

We provide advice relating to food throughout the food chain, from production to consumption. Our statutory objectives, which are set out in the Food (Scotland) Act 2015, include the remit of improving the extent to which members of the public have diets that are conducive to good health and protecting the other interests of consumers in relation to food. That means that our scope in law is broad when it comes to consumer interests. The act does not limit what those interests are.

We have fulfilled our role through the provision of independent, evidence-based advice to the public, ministers and the Scottish Parliament. We are the regulator for food safety and standards, whereas on diet and nutrition our role is largely advisory.

If we are to truly become a good food nation, health improvement must be at the heart of the bill and, in our view, the trajectory for diet and nutrition in Scotland cannot be allowed to continue. The pandemic has underlined the urgency of addressing the high levels of overweight and obesity in Scotland. To reflect that need in the bill, the Scottish dietary goals must be given more prominence. Those long-standing and well-established goals are not yet in statute, and making them mandatory would give the targets and the plans teeth.

The bill could unlock changes in the food system and environment to make it easier for people to access healthy food. Given the private sector's influence, it is important that food businesses are involved in a meaningful way.

As Scotland's independent food regulator with statutory objectives across the entirety of the food chain, FSS has a key role to play in providing independent challenge, provided that the bill places the required focus on dietary health.

The Convener: Thank you. We move to questions from members. We have about 90 minutes for the session.

What do the witnesses understand as the main food-related issues that Scotland faces? We should bear in mind that, back in December 2018, there was a consultation on the legislative proposals, which were published in September 2019. A lot of the feedback noted the need for policy coherence and the need to address environmental impacts, food insecurity and public health and to support and incentivise business to play a part.

The Good Food Nation (Scotland) Bill seems pretty empty; there is not a lot in it. What is your impression of the bill? Will it address some of Scotland's food-related issues and build on the successes of the past?

I will bring in Professor Brennan first.

Professor Brennan: That is an interesting and great place to start. Undoubtedly, the Scottish Food Coalition and I are disappointed with the bill's content and ambition and its lack of scrutiny provisions and coherence. What is the core purpose of what we are trying to do? That question is at the heart of the matter. To an extent, the purpose is there and has come through the various stages. It relates to making food accessible to all, ensuring that people are able to access nutritious and affordable food that is produced in the most environmentally sustainable way possible, and ensuring that there are strong

welfare and wellbeing provisions for our land, water and sea.

We understand the principles and the primary direction of travel that we wish to go in. As it stands, the bill provides the framework or the bones for that, but it lacks clarity of purpose and clarity on scrutiny and accountability through explicit targets. I note what Geoff Ogle said about the link to the Scottish dietary goals.

We have to be brave and bold in saying that the status quo is unacceptable. We have to take direct action and shift the needle so that we improve the health environment and the social and economic conditions in which people are living, businesses are operating and the Government is governing. That is at the heart of the matter. Core to that is the need for more efficient and effective use of public resources, whether that is through subsidies or the money that is spent on public food. That is central to the argument for policy coherence and to ways of working, co-creating, collaborating and innovating.

Geoff Ogle: The convener asked about the challenges, of which there are a few. A core challenge for Scotland relates to diet and nutrition. Projections show that, by 2030, obesity levels will be at about 40 per cent among adults, and that trajectory must be turned around.

Other points relate to the food environment and to food production that involves high levels of fat, salt and sugar, which is a big challenge. There are also challenges relating to sustainability and food culture.

Our view is that, if the bill is to have impact, the national plan needs to have substance. It is worth noting that we have not had a plan before, and that the bill presents an opportunity that has not existed before. The bill must include meaningful targets and provision for independent assessment and critique as to whether those targets have been met.

In order for there to be policy cohesion at national and local levels, there must be a clear link and a collectively agreed target that is set at national level and is then reflected in local plans. There must be a clear focus on outcomes. In our view, the Scottish dietary goals should be front and centre in that regard, because they will give a clear focus and clarity on direction and outcomes.

09:15

The Convener: Robin Gourlay, before you address the previous questions, can you say whether the bill is fit for purpose? Is it anywhere close to what stakeholders wanted? We have heard about accountability, reporting and targets—none of those is included in the bill. Is it a bit premature? Should we have waited until there was a bill that covered topics that stakeholders are looking for?

Robin Gourlay: In the responses to the good food nation bill consultation, an interest in public food—food that is served in schools, hospitals and elsewhere—came out strongly. People wanted better food and better-resourced food in schools and hospitals and so on. Public food was a key issue.

Health and diet-related issues, such as obesity, were also key, as was local food. There is a sort of consensus and team effort on Scottish food, and there is pride in it. If you look at the work of Scotland Food & Drink, other industry bodies, our colleagues working in health and those working in climate, you see that there is a consensus to do something better with food. To pick up on Professor Brennan's point about policy coherence, the bill can bring a policy coherence to those different areas.

The bill has provisions for a national food plan and local food plans, involving health boards, local authorities and so on. We should not underestimate the value of that, as it is a kind of game changer. I will use the example of local authorities. Food has become a very important area of public policy. Ten years ago, that was not the case. The recent 26th United Nations climate change conference of the parties—COP26—in Glasgow showed that food is an absolutely critical issue in relation to climate change.

Let us look at local authorities and their responsibilities. If each local authority had a food plan that was of the same status or esteem as a health and safety plan, a financial plan, a community plan or a disability discrimination plan, each department in that local authority would have to consider how it addressed food. If there was a corporate food plan, every local authority function, such as economic development, planning, licensing, education and social care, would have to write into its service plan what it was doing to produce a better food landscape in Scotland.

Let us take economic development and planning, for example. At the moment, in either of those functions you would probably struggle to find the word "food" mentioned. If we want to grow the food sector through economic development, that should be a key issue. The number of food businesses in an area and the amount of land that is given to agricultural production should be key parts of planning for any local authority area.

If you asked the man in the street, "What functions do local authorities have and how could we produce a better food system through them?", he might struggle to answer, but, from our perspective, putting a statutory duty on local

authorities and health boards to identify food as a key area of policy and translate that into service plans is potentially a game changer.

If I could ask to see one thing in the bill, it would be that. It would not only elevate and promote the importance of food but address the existing conflicts between social, economic and environmental priorities. Local authority and health board food plans would produce a better society in Scotland and would tangibly affect people's lives.

The Convener: Professor Brennan would like to make a short point before we move on.

Professor Brennan: This picks up on the question that Robin Gourlay asked. I have been reflecting on this for the past few days. We must be careful. Bad legislation is probably worse than no legislation, although the bill, as drafted, does not quite fall into that category. We need to address issues of scrutiny, interconnection and policy coherence. I agree with Robin that national and local food plans, especially if they talk to each other and work in a common direction, are a game changing set of actions that we can work with. There is a fine line. I think that we can work with the existing draft bill and develop it so that it is stronger, more robust and more accountable and so that the bill outlives all of us around this table. It should progress over time.

We talk a lot about the economic value of Scotland's food and drink sector. The data that we use is fabulous—I have been reading the most recent data from the Occupational Safety and Health Administration. However, that relates only to the food manufacturing sector and it does not account for the huge value of and contribution made by businesses beyond food manufacturing, including food and beverage services. That sector offers as many businesses and more employment than production and manufacture. We should more explicitly appreciate the valuable contribution that the whole food and drink sector, right through from primary production to food service, delivers for communities and regions across the country.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): It has been interesting to listen to what you have been saying. I have been considering how we can meet policy outcomes on all the issues, including the environmental and health targets that should, apparently, be achieved through the Good Food Nation (Scotland) Bill. The Islands (Scotland) Act 2018 is an interesting example. It is framework legislation, but it goes on to set out plans to improve the lives of those who live in island communities. The committee will be looking at that.

I want to home in on what "good food nation" means. What does it mean to you, Mary Brennan?

Professor Brennan: As you might have imagined, I have that written down. For me, from the perspective of the Scottish Food Coalition, a good food nation is one that ensures that food is accessible to all, no matter where they live, whether in an island community or in the centre of Glasgow. People will be able to access nutritious food that is culturally appropriate and to afford that food without worrying unduly about when they will be able to eat or how many of them will be able to eat.

A good food nation produces food that does as little harm as possible to the environment. It produces and consumes food that is produced to the highest welfare and wellbeing standards. It looks after its natural resources: the animals, fish, watercourses and marine environments that are central to our existence.

Importantly, a good food nation is one that has vibrant and sustainable food and drink businesses, from the smallest microbusinesses through to the large multinationals, across the chain, as I said earlier.

A good food nation also brings pride to people in their food and in the enjoyment of it through everything that we are talking about.

That is what a good food nation is to me. The targets that we set on food being accessible, nutritious, affordable, healthy, environmentally sustainable and safe are central to the delivery of that. That is why the explicit targets are so important to that direction of travel and to showing that we are moving the needle in the right direction.

Rachael Hamilton: Before I let others come in on that question, I have another question for you. Do you believe that Scottish ministers will be able to set a plan with those policy outcomes and take that forward, given that section 7 passes the buck to local authorities? Will the policy outcomes that we are shaping be clear enough in the framework legislation to deliver what you have just outlined?

Professor Brennan: I have concerns about that, given the drafting in the bill as introduced. We need strong co-creation and collaboration in the development of the national and local plans, and we need collective agreement on the high-level targets.

I come back to Robin Gourlay's point. I have real faith in our local authorities. I think that there is great innovation, passion and commitment in local authorities, and they have immense tacit knowledge of what is needed in their communities.

I think that there is great commitment to moving the needle in the right direction, improving our health, social and economic outcomes, and playing our part in improving our environmental

outcomes. With careful management, with collaboration and co-creation between the national and local levels and public bodies, and with clarity of purpose on the direction of travel, delivery is possible.

The caveat is that progress will not necessarily happen quickly. We need to commit to being a good food nation for the long term. As a committee, you are being asked to start the journey, set the direction of travel, and resource, enable and empower national, local and public bodies to work together and align themselves to the principles of a good food nation.

Rachael Hamilton: Thank you, Mary.

I cannot remember exactly what my question was, so I will ask Geoff Ogle a similar question. What does a good food nation look like to you? What does it mean to you? Will the policy outcomes in the bill be delivered?

Geoff Ogle: Mary Brennan has given a very detailed answer, so I will try to be a little briefer. I agree with a lot of her response.

At a strategic level, I would make two key points in relation to a good food nation. First, we must have a positive food environment that is underpinned by a lot of things around sustainability and everything else that Mary mentioned.

Secondly, the population's interaction with food must be an informed one. People must understand not only what they are eating, but issues around production and how to cook, for example. There is a plethora of such aspects.

To me, a good food nation is a population that is informed, at ease with its diet and comfortable in its understanding of what it is consuming and why, and, most important, the impact that that has.

I do not think that the purpose of the bill can be to solve all the issues that are associated with food, such as food poverty. It is a framework bill that joins up areas that need to be joined up. The content of any national plan and, indeed, of local plans will be important. There are issues with the accountability, monitoring, visibility and transparency of all of that, but we need to be slightly cautious about the purpose of the bill and what it aims to achieve. Otherwise, the risk is that you pile into the bill things that are, effectively, the Scottish Government's job. We need to be slightly thoughtful about scope. That is how I would put it.

09:30

Rachael Hamilton: Does Robin Gourlay have any comments on those questions?

Robin Gourlay: I echo what has been said. Food education is important. Geoff Ogle talked about people being informed and comfortable with their food environment. Scotland produces some of the best food in the world but, across society, there are poor expectations around the food that is consumed. A better food environment, in which people are comfortable with food and value it, will not be achieved overnight, but that is the journey that we are on.

I want the industry to have a high reputation for producing good food. I would like that to be reflected in hospitality and tourism and people to be attracted to Scotland because of the great food that we produce.

On the climate, I would like there to be an emphasis on sustainable production, which might include organic food. Scotland produces very small amounts of organic food but, arguably, there are climate change benefits to that method of production.

The Government will be looking at the new common agricultural policy and whether there is some flexibility in it to fund some of the work that is needed if we are moving towards building a better food nation.

We should not get too hung up on targets. It is a long-term process. The bill will not be a magic bullet, but it can lay the foundation for the better food society that we want in Scotland.

The first national food and drink policy was successful. It grew the industry enormously and focused colleagues in health on the role of food in society. That was great, but we need the bill because, if we do not have it, food policy will remain a civil service-type policy. Food touches every part of, and every person in, Scotland. We keep on saying this, but it affects the environment, the economy and health. It cannot remain a civil service-type policy, with us hoping that the civil servants drive it in the right way; it must be much better connected and better founded in Scotland. The bill is one way of achieving that.

Rachael Hamilton: Back in November, George Burgess said in evidence to the committee that

"the bill focuses on the public sector",

so

"There are limitations on the extent to which Parliament can impose duties on"—[*Official Report*, *Rural Affairs, Islands and Natural Environment Committee*, 3 November 2021; c 3.]

the private sector. The committee should consider that point if some of the witnesses are suggesting that the bill should cover the private sector, convener.

Karen Adam (Banffshire and Buchan Coast) (SNP): The witnesses touched on targets. I note that Robin Gourlay said that we should not get too

hung up on them. How effective are targets, particularly at an early stage? Often, they can drive a narrative, whereas outcomes are more organic. There can be more unintended consequences that might be missed or not noted if things do not sit within targets.

With the bill representing such a vast, high-level overview, would targets be a help or a hindrance when we are looking to change a whole culture? Noting that everyone has their own view on what the priority targets should be, how can we prioritise the targets? Each witness has their own direction of travel today, on which they really want to focus. Would rigid targets not take away the essence of what the bill is supposed to be about, which is more of a guided, natural, holistic culture change?

I open that up to the whole panel.

Geoff Ogle: That is a good question. There is obviously complexity around targets, key performance indicators and so on, and there is a point about delivering what is measured. From our perspective, the Scottish dietary goals, as outcome targets, give a framework with a clear ambition and direction of travel, but they do not subsequently tie a national or local level down to how those targets are to be met.

There are nine Scottish dietary goals. I will focus on three: sugar, fat and fibre. The reductions in sugar and fat and the increase in fibre are not, and have not been for 20 years, where we need them to be. There has to be something that signals the purpose and intent. At the same time, however, we cannot have a bill with sections and sections on targets in it; there needs to be some capability and ability through planning to set directions of travel at a local level.

The difficulty that always exists with the balance between primary legislation, secondary legislation and non-statutory elements lies in allowing flexibility to meet requirements. Primary legislation is harder to change than secondary legislation.

I return to my earlier point on obesity. Obesity and all the issues that come with overweight are a health crisis now. The proportion of money that is spent on treatment for diet-related issues, rather than prevention, is a significant proportion of health spend and, in a way, it is not good health spend, as it treats the causes of a problem instead of shifting the focus towards prevention, which we need to do and which dietary goals would do. That becomes not just a health issue but an economic one. If 40 per cent of the population are overweight or obese, there will be issues around productivity.

What key outcomes do we need to change? For me, given all the points that I have made, that has to involve a healthier nation and changing the current direction of travel when it comes to the health and fitness of the population. While you should not have too many targets in the bill, you definitely need some. For us, they would cover those points.

Karen Adam: That makes my point, in a way. You are speaking about obesity and the correlation with food, but we know that one of the biggest factors in obesity is stress, which can involve social injustices and living in poverty. The obesity target is focused on food, but stress comes into play, too.

Geoff Ogle: Yes, but there is something that we do not have at the moment but which the bill, in section 4, provides an opportunity for. In other areas of interconnected policy, there is, or can be, a requirement to consider the impact on areas such as food. That is a potential advance in getting people in other areas of policy to think about the consequences of policy initiatives in particular contexts.

Robin Gourlay talked about planning earlier, so let us take planning as an example. We produced a report entitled “The influence of Deprivation and the Food Environment on Food and Drink Purchased by Secondary School Pupils Beyond the School Gate”. In reviewing a planning policy framework, one thing that people might be required to think about is what that means for the significance of particular types of food businesses and their proximity to schools. A correlation can be drawn.

I go back to my earlier point. You cannot pile all the Scottish Government’s responsibilities into the bill and say that the bill is responsible for fixing all the interconnected issues that are related to food. However, you can make other policy areas cognisant of the consequences of their policy initiatives and recognise what those might be for food policy. If there are Scottish dietary goals, or other targets, I suppose, in the bill, understanding the consequences of particular policy initiatives and their possible consequences for the outcomes that the bill is trying to achieve would be a positive advance from where we are now.

Robin Gourlay: I take the point that targets would be helpful, but that is not what the bill is about. We are talking about seeking things that will drive change in the food system rather than hitting individual targets. The bill is a framework bill that looks at the long term, coherence and resolving conflict between economy, environment and health interests and so on.

I tried to make a point earlier about local authority food plans. There could be individual targets for economic development or for the number of new food businesses created. To pick up on Geoff Ogle’s point, there could be targets for

the density of fast food outlets in a geographic area. The licensing of food businesses could be looked at. We could come up with a range of targets but, to me, the bill is about seeking the levers and drivers for change and not about hitting individual targets.

Professor Brennan: I am strongly in favour of targets, particularly a relatively small basket of targets, that communicate the essence of what we are trying to achieve, provide a focus for the direction of travel—Geoff Ogle talked about that—and require the level of policy coherence and reflection that we need so that policies that are not directly related to food do not work against what we are trying to achieve. That is the argument about aligning issues relating to planning, local procurement or procurement policy in general, poverty alleviation and inequalities. I believe that the combination of the greenhouse gas emissions targets with, possibly, procurement targets for local food and the relationship with the living wage and biodiversity are central to communicating the essence of what we are all trying to achieve.

I understand the reticence about hard targets, but we have to remember that many of the targets that we are talking about—for example, greenhouse gas emissions and food waste targets—are already in existing action plans. They are already central to the national performance framework indicators.

I find the lack of connection to the national performance framework quite baffling. Through the bill, we can contribute much to improving and driving forward progress against the indicators, whether they are indicators of healthy life expectancy, a healthy wage or food insecurity, for example.

The Convener: We will move to our next theme and to questions from Jenni Minto.

09:45

Jenni Minto (Argyll and Bute) (SNP): I thank the witnesses for their interesting set of answers to our questions. I was struck by Robin Gourlay's suggestion that the bill should perhaps be called the food in society bill. I am interested in the witnesses' thoughts on why public participation is important in preparing food plans. That participation might be from people with specific characteristics or from groups whose voices are very seldom heard.

We will start with Professor Brennan, if that is okay.

Professor Brennan: No problem. I will get the appropriate mind map in front of me.

At its core, participation is important because we can learn so much from the public—whether it is the general public, organisations or groups that represent communities with particular characteristics or the lived experiences of people in different types of households, families and organisations—about the realities, challenges, opportunities and innovations that are already happening and part of the world. In terms of first principles, that is why consultation, participation and providing space for the public voice are central. They make what we do better, inform and inspire us, and challenge our, at times, contained mindsets.

It is essential that there is also strong stakeholder engagement. The nature of the food and drink sector means that it includes very small businesses as well as large businesses. We need to understand their lived experiences and the challenges that business owners as well as workers face. There needs to be a breadth of stakeholder engagement. We need to understand where the gaps are, where the infrastructural failures are, and where market failures might be occurring. We have to build capacity for connecting stakeholders, particularly in relation to public procurement. Who are the interconnecting nodes that can help to drive local innovation and local development? Some of our great independent wholesalers are central to that by providing that capacity.

It is about being open. We should accept that the public and stakeholders have great knowledge and experience and that there is so much to learn from those voices. We, in our ivory towers—wherever they are—can only benefit from being exposed to those voices.

Jenni Minto: Will Geoff Ogle give his thoughts on the importance of public participation?

Geoff Ogle: As someone from an organisation that consults on pretty much everything that we do, I think that public participation is critical. In answering the question, I go back to the point that I made to Rachael Hamilton about the definition of good food. If we are talking about a philosophy or definition in which the interaction with food is important, the public have to participate in order to be informed, which makes consultation and communication critical. In that sense, if we want to drive change, we have to be able to take the public with us.

Given our experience, particularly in relation to some of the changes and challenges with food, we use the analogy with smoking. People pretty much understand the dangers of smoking. However, if we talk to people about the challenges with diet and the longer-term health consequences, we see that it is harder for people to make some of those connections, because they might not realise that what they eat now might translate into potential health consequences in 10 or 15 years. We have

learned that communication and engagement are crucial.

We should also try to move away from telling people what they should and should not do. There has to be an engagement process that enables people to make informed decisions and to reach conclusions themselves. You cannot just say, "Don't eat loads of sugar, because it's really bad for you." That does not resonate, and it does not land. That engagement will be crucial.

Jenni Minto: I am interested in the fact that you highlighted sugar. In your written submission, you talked about consulting the private sector, too. Having read some of Henry Dimbleby's work, I know that he proposed a couple of recommendations, including imposing tax on salt and sugar for commercial purchasers of those products.

My question follows on from Rachael Hamilton's question. What are your thoughts on how the United Kingdom Internal Market Act 2020 might impact on Scotland with regard to a choice that Scotland might want to make in that regard?

Geoff Ogle: The national plan itself does not necessarily bump up against the 2020 act, but it means that any specific policies or proposals that were going to be implemented in Scotland would have to be looked at in the context of that act, as is the case with pretty much everything that we do now. For example, if ministers want to set new conditions, restrictions or prohibitions, or maintain existing ones, they can do that in certain circumstances. However, what they cannot do is stop the sale in Scotland of food that is produced in other areas and which does not meet the requirements.

The 2020 act has some consequences not only in this area but across a range of public health measures. However, in terms of a national plan, I do not think that there is a problem; the problem relates to the specifics around it.

From our perspective—certainly in terms of food and feed—the UK frameworks process, which involves the Food Standards Agency, the Department for Environment, Food and Rural Affairs and the Department for Health and Social Care, allows for divergence where there is agreement on it or where the case for it can be made.

Essentially, we have to work through the combination of the 2020 act and the potential that is presented by the UK frameworks.

Jenni Minto: Thank you. That is helpful.

Robin Gourlay, I know that you have been involved in the issue of public participation, so I would like to get your thoughts on how public participation benefits from the plans.

Robin Gourlay: Again, I think that food education is key. The time for older people like me to have healthy diets might have passed, but food education is critical, and the Scottish Government has put a huge amount of investment into improvements to it.

We have to take the public with us. That is why food education is so important. If there were a body that could supervise the implementation of the Good Food Nation (Scotland) Bill, whether that was set up as a part of the FSA or as an independent food commission, that would be helpful. A key requirement of that body would be to engage with the public through the media and in other ways. In France, for example, a huge number of consultation groups were set up across the country to produce its equivalent legislation, which I think was called the Raffarin law.

At the end of the day, buying something is a commercial act—you purchase something as an individual. Therefore, my answer is that food education is key. Going into schools and starting young is important.

Professor Brennan: I would like to make a short additional point, just to pick up on what Robin Gourlay and Geoff Ogle have said. One of the things that I have learned from my experience—I am a social marketer by training—is that, through strong engagement in robust mechanisms such as a citizens assembly, which has been built into the Climate Change (Scotland) Act 2009, we can learn about the really good reasons why people do not necessarily follow best practice, why they do not eat as healthily as they should, and why they do not follow the recommendations. The more that we know about why it is difficult for people to do what we are asking them to do, the stronger and more nuanced will be our understanding of the reality of people's lived experience, the resources that are available to them, and the strains and stresses that they are under, which, as was mentioned earlier on, is important in terms of the interaction between stress and lifestyle decisions.

Learning from people, learning with people, collaborating and co-creating are essential to what we are doing now and to how we will do what we want to do, which is to transform the food culture and the practices in every household, business, school and organisation in the country.

The Convener: Thank you. I remind everyone that our time is limited, so it would be helpful if members and witnesses could keep their questions and answers as concise as possible.

Karen Adam: I will be brief, convener. I was interested to read about the kitchen table talks that the Scottish Food Coalition and Nourish Scotland developed and which brought people together to

talk about the issues in the way that Professor Brennan just mentioned. Are there any other activities that could be used to motivate and enthuse people and get them involved in the development of food policy?

Professor Brennan: There is a plethora of methodologies, but, as you suggest, there is often nothing better than getting into communities, sitting down with people, individually or collectively, and getting them to tell their stories and to explore what food means to them and how it fits into their everyday lives. There are different mechanisms for what is often referred to as participatory democracy or deliberative democracy. The written evidence that was submitted to the committee by Sue Davies of Which? is interesting, because that organisation has extensive experience of how that can be done, both qualitatively and quantitatively, in the short term or the long term. It is in the long term that the real power of models such as citizens assemblies comes into play.

There is a need to have a diversity of voices. Through chairing the coalition, I have learned a lot about the different issues, challenges and barriers. You have to get into communities and open your ears in places there, including abattoirs, farms, community kitchens and schools. We learn a lot from doing that.

Geoff Ogle: I am not sure that there is much that I can add to that. My thought would be that there should be good decision-making practice, which the Food (Scotland) Act 2015 defines as

"consulting people who may be affected by decisions before taking them".

The point is that you do not come up with one means of engagement; you use as many means of engagement as you can. Whether those means involve quantitative and qualitative surveys, focus groups, citizens panels or whatever, the important thing is that you do not constrain yourselves in terms of the type of engagement and the opportunities for people to contribute.

The Convener: Your submission suggests that

"an inclusive approach to the consultation"

is anticipated, but that it

"could be bolstered if the Bill required the names of all consulted to be published".

Would you like an amendment to be lodged to that effect?

10:00

Geoff Ogle: Sorry, but can you highlight the paragraph that you are talking about, so that I can familiarise myself with it?

The Convener: It is paragraph 40—the final paragraph. It states:

"We note the consultative obligations contained in the Bill and would anticipate an inclusive approach to the consultation process. This could be bolstered if the Bill required the names of all consulted to be published with the results of the consultation."

Geoff Ogle: I suppose the point is that, in making policy decisions and delivering on policy outcomes, transparency on decision making and the consultation process, and how the outcomes are reached, is important.

In general, there is an opportunity with the national and local food plans, and conceptually with the bill. Transparency is important to what we are trying to achieve. Without transparency, it will be difficult to get the change that we seek. It will be important to show the level of participation in the process, how the consultation has taken place and who has been involved.

The Convener: Does Robin Gourlay have any comments in response to Karen Adam's question?

Robin Gourlay: Not really, other than to echo what has been said. I reiterate that having different food groups go into schools is a super way of engaging, and that approach has been very impactful where it exists.

The Convener: We move to questions from Jim Fairlie.

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): I have to declare an interest, as I have had a long-term working relationship with—[*Inaudible*.]

I would like to hear the witnesses' views on the overall approach to accountability in the bill. Do we require a new body to have oversight of, and report against, the good food nation plans, or can an existing body be tasked with the job? What should the remit be, and what kind of expertise and resources will be required? Does an existing body have all those things? What are your views on Food Standards Scotland's role in overseeing the Scottish Government's food policies more generally?

Perhaps we can start with—I am sorry, but I have forgotten your name. I apologise. I am referring to the witness from Food Standards Scotland.

Geoff Ogle: It is Geoff.

Jim Fairlie: Apologies, Geoff.

Geoff Ogle: It is okay—no worries.

I suppose that it will not come as a surprise to the committee to learn that we do not support the establishment of an independent food commission under the banner of the bill. It does not seem to be

good value for Scotland to set up yet another independent body, with all the associated overhead costs. Food Standards Scotland already exists as an independent food regulator and has statutory objectives that cover the entire food chain. We are not accountable to ministers—we are directly accountable to the Scottish Parliament. What value is there in setting up yet another body?

That said, although my understanding is that ministers have not yet decided how the bill's provisions will be delivered, I note that our current level of resourcing would need to be bolstered if we were to take on the added responsibility. FSS is well versed in issues around research and evidence. We are an evidence-based organisation, and we have a lot of scientific expertise in social science, diet, nutrition and so on.

I agree with the Scottish Food Coalition and Mary Brennan that, whichever body is given the task, the engagement process and the levels of expertise that are pulled in will be key. However, as I said, I am not sure that a new body is needed for that.

Jim Fairlie: Do you have an idea of what it would cost to set up a new independent body?

Geoff Ogle: That depends to some extent on its scale and remit.

Jim Fairlie: If we go by what is planned, the scale and remit will be substantial. What would the set-up and running costs of that organisation be?

Geoff Ogle: The set-up cost for FSS was £15 million back in 2015. That had a broad remit. The cost depends on the scale and remit that we ask for. If we look at other bodies that have been set up recently, such as Scottish Forestry, we are talking about millions of pounds to set up a new body. It cannot be done cheaply.

Jim Fairlie: I know that Mary Brennan has a different opinion.

Professor Brennan: The Scottish Food Coalition has concerns. The heart of the position is non-negotiable: there must be independent oversight. Our strong preference is for a new independent Scottish food commission. There are strong and well articulated concerns about how the work required of that body would fit into and align with the existing remit and role of Food Standards Scotland. That is not resource neutral. Resources would be required to support Food Standards Scotland in taking on that role, if it could do so.

We want a slightly smaller and more agile body that is similar to, although not necessarily identical to, the Scottish Land Commission. I do not have the figures to hand, but I think that it cost about £1.2 million or £1.3 million to set up. The commission would help to co-ordinate, facilitate and monitor the Good Food Nation (Scotland) Bill and the associated plans. The commission would have to be formally required to work with other commissions and with existing agencies and bodies, including Food Standards Scotland. The two bodies could co-report and co-develop monitoring and scrutiny.

Because of the skills and breadth of expertise needed, and because of the need to go beyond dietary concerns to properly embrace environmental and food security issues, we think that a new and independent commission would be the best model. I appreciate the concerns about the financial implications, but we have to think about the long term. Geoff Ogle mentioned the move from curative to preventative. We are talking about investing in a direction of travel and in the positive deliverables that we are trying to achieve with the bill. We must ensure that there is capacity and expertise. We need to have a critical mass of organisations and individuals collaborating and cohering.

Jim Fairlie: I hear your point. It sounds to me as though that would be a smaller body that would duplicate what everyone else is already doing. A lot is already happening across the food sector. This goes back to a point that Robin Gourlay made. Mary Brennan said that we are at the start of a journey, but we are not. The change in Scotland's food culture started decades ago, and Robin Gourlay and I were at the start of that process. A huge amount of work has been done already, and many organisations are already involved. Would it not be better to find a way of using the bodies that are currently there and to get them to do the work?

There is a broad range of work to be done, and we are trying to make cultural change. Mary Brennan spoke about targets. How do we set targets that get people to change their culture or way of eating? We would have to be prescriptive. If cultural change is to be driven by targets, the Government would have to tell people to eat cheese on Mondays, fish on Tuesdays and beef on Wednesdays. This is a cultural and educational change.

Professor Brennan: That is part of it. You can use the architecture that is in place to make it more likely for people to eat cheese on Monday and beef on Tuesday without necessarily making a complete cultural change. You can utilise different systems of procurement and different environments to make certain behaviours more likely than others, or to make them easier or more convenient.

I agree that there are a lot of players out there. A lot of extremely good work is being done, much

of which has been initiated through the work that the Scottish Government, particularly the likes of Robin Gourlay, has been championing over the years. However, we do not have an organisation that draws the different strands together. It is not about replicating; it is about being able to take the systemic look that the bill proposes and to draw out the data and insights and back progress across multiple agencies and policy areas.

We have talked a lot about targets. There is obviously an evolution in indicators of progress from the perspective of food culture, food education or food skills. I really like what Geoff Ogle said about being at ease with our diet. The approach will evolve, and it might be that we generate additional indicators and refine existing indicators as we go on.

As it stands, in the policy arena for the food and drink sector, there is no coherence and collaboration at a systemic level, which is what a commission would offer. That needs to be at the heart of its remit.

Jim Fairlie: On collaboration—

The Convener: I am sorry, but I am going to have to stop you there, Jim. We are fast running out of time. Before we move on to questions from Alasdair Allan, Geoff Ogle has indicated that he would like to respond.

Geoff Ogle: I have a couple of points to make about Mary Brennan's organisation's response on the activities of a food commission. We are already doing a lot of those things. We produce an annual report and undertake research and citizen engagement and all those things. We also look at sustainability. My point is that we do not need a new organisation to do what is being done by Food Standards Scotland; it could be organised by that organisation.

As an example—this sounds a bit like a pitch for FSS, but it is meant to be illustrative—we have the Scottish food liaison committee, which brings together the 32 local authorities to talk about a range of food enforcement issues. There is no reason why there could not be a similar underpinning committee structure in whatever organisation we end up with that would do many of the things that Mary Brennan advocates. There does not have to be a new body to do that.

You have to have confidence in the body that is decided on in the end, but it does not have to be a new body, as long as you are clear about the functions that you want it to deliver.

Robin Gourlay: You know my feelings about the role of local authorities and health boards in the delivery. I see the food commission—or the FSA—providing expertise, facilitation and some monitoring, as Mary Brennan said, rather than seeing it as a body that will be set up as a panacea and that is responsible for driving all changes. It should be a facilitation body, and delivery would mainly be through local authorities and health boards.

I would have concern about the FSA's role as a science-based organisation and an enforcement organisation. The functions could sit within the FSA, but it would have to be a different sort of animal from what it is at the moment.

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): We have talked a bit about the kind of things that can be done to make sure that our aspirations in the area become a reality. As the bill develops, the monitoring of policies takes on an importance. Given that what is in the plan is as important as what is in the bill, do we need to see what is in the plan? Do we need systems of monitoring that are attuned to what is in the plan and to learn from what is in it? That question is perhaps for Mr Gourlay.

10:15

Robin Gourlay: The facilitation role brings expertise and momentum. Instead of being about targets, monitoring should be about good practice that is developed through local authority health boards and industry organisations and about catalysing and giving impetus to that type of activity.

I am less sure about targets. I could think of targets for the amount of local Scottish food that supermarkets offer, or targets on climate, sustainable production, obesity or food education, but I am more interested in driving good practice and monitoring that, rather than monitoring targets. I am trying to be brief, convener.

Dr Allan: I have a final question for Mr Ogle and Mr Gourlay. The issue has been touched on already, and I do not want to overestimate the abilities of parliamentarians or underestimate the abilities of experts but, over and above existing bodies, is there a question about whether the scrutiny—rather than the monitoring—of the success of policies should be done by elected or unelected bodies?

Geoff Ogle: Whoever does the analysis, monitoring and evaluation, it will be critical to the success of the policies. As an evidence-based organisation, it is essential that you come from an evidence perspective. There is no reason why you cannot farm out certain functions or requirements to academia, for example.

With regard to the point that Robin Gourlay made, we are not the FSA and we have a broader remit than the FSA, but neither are we just a regulator. Analysis and monitoring are essential to

the ability to evaluate whether you are making progress and to inform the decisions that you need to make. You need to have that capability somewhere. Whether that capability is in the organisation that has oversight or that organisation has the ability to commission it, that is something that you can debate and decide on.

Robin Gourlay: Whether the bodies are elected or unelected, there needs to be scrutiny and it needs to be evidence based, but the main purpose of the body is to establish and encourage good practice instead of being stuck on targets.

Beatrice Wishart (Shetland Islands) (LD): I thank the witnesses for the really interesting discussion so far. I will ask a bit more about the right to food. What do you think about including the right to food in the Good Food Nation (Scotland) Bill, as opposed to including it in a human rights bill? Do you consider them to be mutually exclusive; are there particular strengths in having the right to food in one bill, as opposed to the other? If the right to food is not formally incorporated through the bill, should the bill be strengthened to be more supportive of the right to food and, if so, how? I realise that there is quite a lot in there; I am conscious of the time.

Robin Gourlay: You have asked some huge questions. I view the right to food as a basic human right. Government has a responsibility for, and a role in, providing clean water and clean air. Food is so basic that it is essential that access to it be regarded as a human right. I am not sure whether it should be in the proposed human rights bill, but it should certainly be writ large in the Good Food Nation (Scotland) Bill.

Children's human right to food is, as a basic principle in an equitable society, very important to me. A child should be able to make it known that they are starving or in a state of poor nutrition. That seems to me to be a basic thing. In a caring Scottish society, no person—certainly, no child—should be in food poverty. As a basic human right, a person should be able to hold their hand up and say, "I need help."

Professor Brennan: At the core of the matter is that we cannot become a good food nation without commitments to introducing a right to food and to eliminating food poverty from Scotland. We will not have become a good food nation if those issues remain. That said, an issue that has been exercising me, the wider coalition and many others is whether incorporation of a right to food should go into the Good Food Nation (Scotland) Bill or, as is currently proposed, be in the human rights bill.

The options are not mutually exclusive, but, if the human rights bill is considered to be the better legislative route, we must take real care to ensure that, as Robin Gourlay requested, the commitment to, and effects of, delivering the right to food are explicit in the Good Food Nation (Scotland) Bill. The guiding principle and core purpose must be that we nourish people healthily and in a way that supports them so that they can give back as much as possible socially and economically to their communities, their households and the country as a whole.

I am torn, because the right to food is such a basic right that it needs to be incorporated as quickly as possible, although I understand the legislative motivation for including it in the broader human rights bill. My concern is that there will be a gap and that the credibility of the Good Food Nation (Scotland) Bill will be damaged if it is not explicitly positioned as being about delivering the right to food. We can also use much stronger human-rights-based language and indicators when we are working through that bill.

The other point to make is that many workers in the food and drink sector are food insecure. We must recognise the incompatibility with the right to food that is seen through our workers in the food and drink sector, from primary production through to food service, not being food secure. We cannot live with that and expect them to deliver a good food nation.

Geoff Ogle: From FSS's perspective, the bill already pays attention to the right to food through existing international law. It will require ministers to have regard to international instruments when they create a national food plan. As members will be aware, the Government identified an alternative route through its programme for government, but ultimately Parliament will decide what the right vehicle is. I return to my earlier point: we should not try to do the whole of the Scottish Government's job through the bill.

Ariane Burgess (Highlands and Islands) (Green): This has been a brilliant and illuminating discussion that has given me clarity on some points about which I have been mystified. I have a few questions. I will ask them of you all.

Should the Government require public bodies to procure a minimum percentage of their food from suppliers that are based in Scotland, and a minimum percentage of their food from organic farms?

I will do a preamble to my next question. The response from Scottish Land & Estates to the committee's consultation notes that

"consumers will need an understanding of what constitutes 'good food'".

We have touched on that already. It also states:

"This will require clear labelling and a greater understanding of the provenance of Scottish produce."

I ask the witnesses for their views on the importance and practicalities of enhanced food labelling, which could include the product's carbon footprint, the method of production for livestock products, whether the food is ultraprocessed and, potentially, other categories.

I am sorry that I am rattling through my questions. I hope that the witnesses get the gist of them. I can jog their memories.

My final question refers to the Scottish Food Coalition's consultation response, which stresses the importance of aligning

"Government business and trade policy … with the Good Food Nation goals",

so that business incentives never encourage movement away from the goals. Do Robin Gourlay and Geoff Ogle agree with that recommendation? Do any of the witnesses have suggestions for how that could be achieved in practice?

I ask Mary Brennan to start by picking up on those three questions. They are about procuring from Scotland, food labelling and business incentives that encourage the good food nation goals.

The Convener: I apologise, but we are very tight for time. Please keep your responses as concise as possible. That would be much appreciated.

Professor Brennan: In response to the first question, I say yes to local procurement and yes, in principle, to targets for organic food, but we have to exercise some caution. This is, necessarily, more about sustainable production than it is about organic production. Some countries have set organic targets that have led to a lot of importation of organic produce. The focus must be on food that is produced by sustainable systems.

We have to be careful about labelling. It is essential and plays an important role in providing key statutory information, but it is not a panacea and it will not drive food cultural change. I mentioned choice architecture; it can be used to ensure that the food that public bodies serve is in line with the principles and objectives. We have to be careful about fair-trade produce in that context.

I absolutely believe that we need to align the levers for the public sector with those that support the private sector—subsidies, business support and public food contracts—in order to deliver the good food nation objectives and so that they pull together.

Robin Gourlay: About 50 per cent of the food that is provided in hospitals and schools, for example, is Scottish and local. There should be a reasonable target of, say, 60 or 65 per cent. If that encounters legislative difficulties for some reason, the Good Food Nation (Scotland) Bill could still set it out as an aspiration, but there could probably be a real target of 60 per cent or more.

I defer to Mary Brennan on labelling. I do not have anything to add to her answer.

On food and trade policies, it is vital that we engage not only industry but supermarkets. Perhaps a target for Scottish food would not be unreasonable for them.

The food that is served in schools and hospitals should be an exemplar for a good food nation, but it will not be a game changer in driving change. The grocery bill for Scotland is something like £13 billion; the public sector's expenditure on food is £150 million, which is infinitesimal compared with what the supermarkets purchase. However, that is not an excuse—public sector food expenditure should always be an exemplar for a good food nation.

10:30

Geoff Ogle: I do not have much to add on procurement. It is necessary to understand the legal framework. There are two issues: capacity at the local level and the structural position at local authority level. The demographics, logistics and urbanisation are different, so you must be quite cautious about setting minimum objectives—although, in theory, there is no reason not to, subject to legal requirements being met.

Labelling is a complete minefield. The research that we have done suggests that most people spend about 6 seconds looking at a label and that price is the first thing that they look at. However, to go back to the points that I made earlier, I say that there is certainly an opportunity around education and enhanced food labelling, and how we use it to inform consumers.

In terms of aligning business—[*Inaudible*.]—that is one of the reasons—[*Inaudible*.]—escaping the role of the private sector. Even if we increase local supply, there will still be a massive reliance on retail, manufacturing and so on, so they must be part of the engagement process. They have to be involved in that. To be fair, there is good evidence of the private sector making a difference—for example, in relation to salt reduction—so I do not think that it is wishful thinking to say that we should look to achieve such alignment.

Ariane Burgess: Thank you.

Rachael Hamilton: The bill makes no reference to businesses. In evidence to the committee, George Burgess from the Scottish Government said:

"there are other routes through which we can look at companies and their reporting."—[*Official Report, Rural*

Affairs, Islands and Natural Environment Committee, 3 November 2021; c 3.]

How can we ensure that the private sector has a role and a responsibility under the bill, and that we support and develop Scotland's food production sectors within that framework? What do you think that George Burgess meant by "other routes"?

I will go to Mary Brennan first.

Professor Brennan: It is clear that, in drafting the bill, a decision has been made not to explicitly place requirements on private business. I am not completely sure about the reasoning behind that. However, we must remember that the private sector supplies public food, so it will be impacted by the bill and by what we are trying to achieve. We absolutely need the private sector, and we must collaborate with it by building on the many innovations that it is driving and by challenging it when it comes to reformulation, package size, labelling and packing itself.

We also need to consider the role of wholesalers and the connecting organisations that can help to reduce the entry barriers to the public procurement sphere for small and medium-sized businesses.

As to what George Burgess meant by other legislative mechanisms, he is probably the best person to explain that. There are issues around whether there might be mandatory reporting in terms of what companies are selling and the relationship to dietary goals and so on, but I will defer to Geoff Ogle and George Burgess on that.

We need to bring companies in the private sector with us. They are essential stakeholders that are delivering some great, positive innovations but, at times, they are reluctant to drive those forward.

Rachael Hamilton: Geoff Ogle, with your FSS hat on, do you analyse food budgets? Is that a possibility? We know that food procurement is dominated by larger suppliers. Do you have the ability to gather that data from local authorities to work out where the money is being spent and how taxpayers' money is being spent?

Geoff Ogle: I am sorry—do you mean on which areas local authorities are spending their money, when you talk about food budgets?

Rachael Hamilton: Yes. If a larger supplier is awarded a contract, is it analysed? For example, East Ayrshire Council awarded the tender for milk to Mossgeil Oganic Farm, but is the overall spend on food for school meals analysed? Do you have that ability or do local authorities do that?

Geoff Ogle: It could be done, but I am not aware that it is being done. Local authorities have the same rules and levels of accountability in relation to procurement as they do in relation to anything else, so any decision that they make on procurement is open to challenge from anybody who is tendering. I not aware of breakdowns to the level that you suggest of how local authorities spend their money. The advantage of having plans at the local level is that those plans can drive transparency about where expenditure is going. The potential is there, but I am not aware that it happens. That does not mean that it does not, but that I am not aware of it.

The Convener: Robin Gourlay will come in on the back of that, Rachael.

Robin Gourlay: I have spent much of my life dealing with the issues that you raise. Scotland has no contract caterers; you hear horror stories from abroad about large contracts and food coming from strange places, but that is not the case in Scotland. Procurement reforms allowed us to break down contracts into smaller geographical lots. For example, the butcher meat contract is split into 70 lots to make space for local butchers and food businesses to tender for those contracts.

I created the initiative in East Ayrshire and specifically targeted it at local suppliers. That approach is kind of purist, but it has had an impact across Scotland, so all local authorities look first at how they can tender with local suppliers. Local does not necessarily mean, for example, Lanarkshire; it probably means Scotland, but the initiative is focused on transacting business with local suppliers.

The biggest supplier is Brakes Foodservice, which supplies frozen and all sorts of other food, because it is the distributor of the food. Often, Scottish suppliers supply Brakes, which then supplies schools. Schools are in a good place in relation to working with Scottish suppliers. I could give a huge answer to that, but that is my synopsis.

Professor Brennan: Rachael Hamilton raises an excellent example. There is amazing work, as Robin Gourlay said, going on in Scottish and other local authorities, but there is no synthesis of what that means in relation to where the money is being spent on staffing and procurement. Remember that the money that local authorities get from the public purse is spent in a mixture of ways. A more systemic analysis of that across local authorities would allow us to get a much greater understanding of the local economic and social multipliers that investment in public food would result in.

Scotland Excel, which is the centre for procurement expertise that manages a lot of public food contracts, has some of that information, I am sure, but that is not being drawn out or synthesised at the national level. For me, given my

interest in school food, that is without doubt one of the perfect examples of how we can understand what is happening and why.

Robin Gourlay spoke about Brakes. I reiterate that Brakes and others have played a really important role in drawing in new local suppliers. It is not just about the headline contract owner; it is about who is supplying the food to those headline contract owners, in particular for ambient and frozen food—the big food contracts. That is a perfect case study and example of why we need to do what we are arguing for.

The Convener: Before we have a supplementary question from Jim Fairlie, I wish to ask about the FSS response, which suggested that there was an argument for national guidance on requirements for health boards and local authorities. However, if that were to increase local procurement, there may well be increased costs because of a loss of scale and so on. Where should the additional funding come from to pay for that more localised procurement that national guidance might deliver?

Robin, where should that funding come from? Should it lie directly at the door of local authorities, or should national Government look to pump prime the system?

Robin Gourlay: A large part of the funding to pay for school meals comes from Government. Food expenditure for schools is about £75 million, I think, and a lot of that comes directly from Government. There is possibly an opportunity, when we consider the new CAP, to allocate some funding to local authorities.

As for the picture of what actually happens on the ground, although local Scottish food costs a bit more, the skill of the caterer is in designing the menus to even out that cost. For instance, instead of having sirloin steak on the menu, you only have mince—you balance out the menu costs over the week.

More funding for better food, leading to better health in schools, would be great, but it is not a deal breaker, and you can rely on the skill of the caterer to ameliorate that.

Geoff Ogle: For me, it is a question of being clear about the areas in which we might need more direction. As I said earlier, each local authority area is structurally different: its population is different, the urbanisation is different and the social demographics are different, so its needs are therefore different. We are saying that there needs to be some coherence in some areas, but you also have to give local authorities the scope to make decisions that meet local circumstances. Otherwise, the risk is one of trying to run local authorities through the bill. I would be cautious.

Our point is that there has to be a thread from local to national, but you need to be clear about where that thread is. It cannot be everywhere, and you cannot be too dictatorial at a local level, because authorities will want to ensure that they are meeting their local needs. On local sourcing, capacity will always be an issue. Capacity, cost and so on will always require balancing acts. My point is that we need to be cautious about the balance between the national and the local.

The Convener: Jim Fairlie will ask a brief supplementary question before we move on to the next and final theme.

Jim Fairlie: I direct this specifically to Robin Gourlay. Earlier, Robin, you talked about having a thread and a plan through all areas of local authorities: planning, economic development, health, education and so on. I think that that is exactly how it should be planned out. We need to go into that in more depth; I hope that we can come back to it.

When you talked about the public and private sectors, you mentioned that the spend from the public sector is about £150 million or £160 million, as against £15 billion from the supermarkets. If we were to be prescriptive in getting supermarkets to source things more locally in Scotland, would we bump up against the United Kingdom Internal Market Act 2020?

10:45

Robin Gourlay: I am sorry—to be honest, I do not know the answer to that question.

Jim Fairlie: No problem. I will finish there, in the interests of time.

The Convener: We move to questions from Jenni Minto.

Jenni Minto: Thank you, convener—

The Convener: I am sorry to interrupt you, Jenni, but I see that Geoff Ogle had indicated that he would like to come in on the back of Jim Fairlie's question. I beg your pardon, Geoff.

Geoff Ogle: My response to Jim Fairlie's question is that it is difficult to know precisely whether such an approach would bump up against the internal market act. It is possible that it would, because of the issues around discrimination that exist in that act. One cannot say definitively that it would, but it might.

The Convener: Thank you. That is helpful.

Jenni Minto: I would like to broaden the discussion. Scotland's food issues are not unique; other countries are looking at policies around food. I am interested in whether the witnesses have any examples that we could look at with regard to

accountability or oversight in respect of food legislation. Perhaps Mary Brennan can start.

Professor Brennan: That is an interesting question. We can learn a lot from international examples and potentially from some internal examples. At the heart of that are countries such as Denmark—and, in a broader sense, Italy, given its strong commitment to regional procurement—that have a long-term commitment to, and that invest in, local and regional food. Denmark has taken a particular stance on driving organic consumption in procurement, and it is using a framework, integrated and collaborative working and investment in infrastructure and in science and innovation in order to drive that change. That has not happened overnight—there is an expectation that it is a long-term investment. There are also some examples of independent agencies emerging.

Whether any of those models is perfect is another debate. Many of them are in their early stages, and some are being established in countries that have either enshrined in law or made a stronger commitment to the right to food, for example. It is relatively early days in terms of how they are engaging and what they are engaging on.

To come back to some of the earlier points, we need to consider what we believe to be the essence of our good food nation policy, the principles on which we want to build it and the mechanisms and participatory processes that we want to put in place. We can learn from stronger governance and commitments.

To come back to Jim Fairlie's point, a broader point is that, although it is likely that more resources will be required, we need to think about that as an investment rather than a cost, in particular when we consider the local multiplier effect. It is about reframing what we put into public food in particular and looking at how we can generate multiple benefits from that.

Another panel member who was due to be here has an awful lot more experience in that area, so I will get some more international examples to the committee to help with that.

Jenni Minto: Thank you. Would Robin Gourlay like to add anything?

Robin Gourlay: There are international examples such as Sweden, France, Brazil and Denmark. However, truthfully, my experience is that Scotland leads in this regard. That is always mentioned, but the approach in Scotland has been slightly different. In Denmark, for example, as Mary Brennan said, it is about organic food and training. In other places, it might be about tourism or addressing food poverty. Scotland has taken a holistic, joined-up approach, which has been successful. The industry and organisations such as Scotland Food & Drink are successful, and health is well connected across the piece, as is tourism. We are joined up and the bill must take forward that coherence and momentum.

As I said, when I work in international forums, I find that Scotland is held up as more advanced in its thinking and application than other countries.

The Convener: We will move on to Ariane Burgess.

Ariane Burgess: I have asked all the questions that I wanted to ask, but I can certainly come in with more.

The Convener: No—that is quite all right. We will move to Alasdair Allan.

Dr Allan: My question is perhaps for Robin Gourlay and Mary Brennan.

We have touched on international examples and you have said that there are some success stories in Scotland. There are examples of countries that have managed to turn around their food culture. In Scotland, people raise lots of questions about the need to teach people to cook—I do not exempt myself from that criticism. There are big questions about whether a culture is developing that dissuades children and young people from going outside, seeing the environment around them and exercising, or certainly doing so unsupervised. Are there countries that can teach us about such things?

Robin Gourlay: It is the same answer, really. The Good Food Nation (Scotland) Bill is at the cutting edge. We have had political stability, which has been important. We find terrific examples in places such as Italy, but then there is political change and it all falls apart. That seems to be a pattern. However, Scotland has had a national food and drink policy since 2009 or 2010. People have coalesced around that and it has been sustained over the past 11 years, which has been a big advantage.

There are interesting examples in Sweden, Finland, France and Denmark, but they tend to be niche and address one particular aspect, which might be more organic food or better procurement. Scotland has taken a broader approach, and maybe we should be speaking more about that.

I want to answer, "We should all go to Finland and see what has happened there," but there are no countries, as far as I am aware, that have taken the broader view, which has been successful. That underlines the reason why we need a bill such as this one and should not leave food as a civil service and Government policy. Food policy will run out of steam if it is left in that environment; it has to have a statutory basis and a proper organisation to drive it forward.

The Convener: Would Geoff Ogle like to comment?

Geoff Ogle: Yes. When it comes to comparisons, two things need to be separated out, and both need to be understood in order to work out whether something translates into what we are trying to achieve. Those two things are structure and approach.

Mary Brennan talked about Italy, for example; its structure is regional but is kind of decentralised. In New Zealand or Canada, there is a clearer separation between food and health. We have to look at the structures in the countries and at the approaches that they are taking, and to understand how the structure helps, enables or disables the approach.

There is always lots to be learned, internationally, from what other countries do. I do not disagree with Robin Gourlay about where he says we, in Scotland, are. However, in applying the lessons from abroad, we have to understand the context in order to be able to translate how those lessons may be used or applied in our specific circumstances. It depends on what we look at. For example, we could look at South America and what Chile and Peru did on the labelling on sugar. They, too, have done some world-class stuff.

We should also think about what we want to look at and then find which countries to go for. Certainly, the Nordics are very strong, but we can also learn lessons from beyond the Nordics. We need to be clear about what we want to look at and then identify the countries that might best help.

Professor Brennan: I will play devil's advocate a little. Although I agree whole-heartedly with what both Geoff Ogle and Robin Gourlay have said, and although we are leading in our willingness and in taking a systems approach, we are failing from a dietary health perspective. Food insecurity and the environmental impact of food are grave issues for us. We share those issues with countries around the world, but we have some of the worst dietary outcomes in the developed world.

Yes, we have good intentions; yes, we have good approaches; and, yes, there is a lot of really interesting local innovation. However, what we need is what we are proposing, which we hope the bill will deliver: a national, collective collaboration and alignment so that we can all travel in the right direction and start to move towards improving those outcomes.

Absolutely, we can learn from other places, but Geoff Ogle is right that we have to make sense of this in a Scottish context, at both national and local levels.

The Convener: Thank you very much. Rachael Hamilton has a 10-second supplementary question.

Rachael Hamilton: Robin Gourlay, on the figure that you quoted of 50 per cent of food in hospitals and schools being procured in Scotland, does that include imported food that is reconstituted, rebadged or processed in Scotland?

Robin Gourlay: I am not sure what is behind your question—whether it concerns meat from Ireland that ends up in a Scotch pie, or whether you are thinking about pasta that is put into packets and then goes to schools.

On the 50 per cent figure that I quoted, if the invoice address is in Scotland—if the supplier is based in Scotland, and that is where the invoice comes from—the product is considered to be Scottish. That is the way that the procurement people look at that figure. I have another definition, which involves things being landed at a Scottish port or produced on land in Scotland, and so on.

To go back to your earlier question about having granular information, I had information until about 2013 but, since then, there has been no study of where local authorities and schools are buying from.

I could go on, convener, but I realise that you are very tight for time.

The Convener: Thank you very much, Mary, Geoff and Robin, for your attendance and for extending your time with us. We have run considerably over time, but we very much appreciate the information that you have given, which will be most helpful as we move forward to consider the bill in more detail.

Members will be aware that a number of submissions that were received in response to the Good Food Nation (Scotland) Bill called on the committee to write to the Local Government, Housing and Planning Committee and the Equalities, Human Rights and Civil Justice Committee, to seek their views on the bill. I propose to write to those committees to draw their attention to those suggestions and to set out this committee's stage 1 inquiry timetable. Are members satisfied that I do that?

Members *indicated agreement.*

The Convener: That is a yes. Thank you.

Subordinate Legislation

Official Controls (Temporary Measures) (Coronavirus) (Amendment) (No 3) Regulations 2021 (SSI 2021/1491)

11:00

The Convener: Our second item of business is consideration of a United Kingdom statutory instrument. I refer members to paper 3. If any member has any questions or comments, I ask them please to type R in the chat function.

Since there are no questions or comments, I ask whether members agree with the Scottish Government's decision to consent to the inclusion in UK, rather than Scottish, subordinate legislation of the provisions that are set out in the notification. Please type N in the chat function if you do not agree; otherwise, I will presume that all members agree.

No member has objected, so we are in agreement.

Members will note that the temporary measures expire on 1 July 2022. Given the short timescale that is involved in the current package of subordinate legislation on the issue, I propose to write to the Scottish Government to ask for further information about when it is intended that the policy will next be reviewed and to seek assurances that the Scottish Government will allow sufficient time for the Scottish Parliament to consider future notifications. Are members content with that suggestion? If not, I ask them to type N in the chat function; otherwise, I will presume that all members agree.

No member has objected, so that is agreed.

That concludes our business in public.

11:01

Meeting continued in private until 11:22.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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