

CONSULTATION QUESTIONS

1: Should the scope of the new food body extend beyond the current scope of the FSA in Scotland? If yes, what specific extensions of scope would you suggest, and why?

1.1 Overview

NHS Health Scotland (HS) welcomes the creation of a New Food Body for Scotland, building on the current strengths, achievements and guiding principles of the existing FSA in Scotland.

We strongly endorse the consultation's assurances that the New Food Body will be independent from both Government and the Food Industry, and will continue to safeguard Scotland's health by building on the excellent work of FSAs in the areas of scientific expertise, food safety, hygiene, inspection and regulation.

NHS Health Scotland agrees that it is timely to establish much greater clarity with regard to future roles, responsibilities and leadership for food and health in Scotland. We agree that such agreements should be done formally and reviewed with regularity. As a result, we hope to build strong relationships with the New Food Body, ensuring the most efficient and effective use of public resource as well as maximising the shared impact of our work.

In terms of the New Food Body's potential scope, Health Scotland appreciates the openness of the Scottish Government to innovative ideas that will increase the new body's efficiency and effectiveness. In doing so, we hope this focus on scope will also ensure that a new agency is fashioned in accordance with the specific needs of Scotland's food industry and the circumstances faced by Scottish consumers, particularly its most disadvantaged groups.

1.2 Scope

As Scotland's national public health agency with an explicit remit to improve health by tackling its inherent inequalities, HS welcomes the opportunity to take stock of its own organisational roles, responsibilities, and partnership arrangements, particularly in relation to diet and nutrition as a result of this consultation process. However we note that separating the work on any one area of health improvement from others risks multiple initiatives for the same audience leading to consumer confusion and duplication of effort

The idea of a single national public health agency for Scotland is worthy of further exploration. At present the responsibility for a range of public health functions is spread across a number of agencies at both national and local level. Whilst the integration of this effort maybe desirable, it would be a

major undertaking to review the situation, analyse current gaps or duplication of effort, and propose cost effective options for implementation. HS would be supportive of this consultation recommending such a review, but suggest the need for significant and separate consultation. As one of the existing national public health agencies, HS would welcome taking part in such a review.

1.3 Complementary Roles of NHS Health Scotland

Health Scotland's Corporate Strategy, *A Fairer Healthier Scotland*, sets out its role, direction and priorities till 2015. With a key focus on tackling the biggest challenge to Scotland's health, health inequalities, Health Scotland has a highly skilled workforce with expertise in public health and health improvement as well as a broad range of complementary areas ranging from learning and workforce development to social marketing, IT, publishing and communications. Such a diverse staff resource enables the organisation to work with and reach a wide range of key audiences, particularly those working directly with Scotland's most disadvantaged groups, which have some of the worst health outcomes in Europe.

Examples of HS' food and health work include:

- An extensive portfolio of work on maternal and infant nutrition including the publication of guidance and input to policy
- Health Scotland also co-ordinates a wide range of multi-agency and professional networks including the *Food and Health Alliance*, the *NHS Public Health Nutrition Network* and the *Scottish Infant Feeding Advisors Network*.
- Being the host organisation for the Scottish Government funded Community Food and Health (Scotland) and the Healthy Living Award in recognition of its understanding and commitment to tackling diet related inequalities as well as its core role in the management and delivery of complex national initiatives and programmes.
- On behalf of Scottish Government HS continues to manage the *Cooking Bus* project for schools and communities and the *Scottish Grocers Federation Healthy Living Programme* for convenience stores.
- The development of targeted and appropriate healthy eating resources based on the evidence based messages provided by FSAS for many years. It directly supports the NHS and Early Year's settings by translating food and health information in appropriate and meaningful ways to meet the diverse needs of communities across Scotland.
- Its programmes of research and evaluation have included scoping work on food culture and the impact of practical food skills work -

FSAS has played an important part in both.

- Development of work around vitamin D, the healthy weight outcomes framework and workforce development plan

1.4 Providing Functional Support

The recent transfer of Community Food and Health (Scotland) and the Healthy Living Award to HS has highlighted the ability of HS to provide strong functional support around areas such as evaluation, web, publishing, learning and workforce development, and social marketing as well as the core HS function of developing and managing national projects. An assessment of the strategic alignment of these projects with HS' strategy *A Fairer Healthier Scotland* has been done and agreed by our Board. For these key strategic and operational reasons, HS would wish to retain its current role with all four national food projects, and notes that further changes in management and location would be hugely costly and disruptive to business continuity. We see no reason to review this arrangement in the short to medium term.

1.5 Working Together to Improve Scotland's Health

Health Scotland is committed to working in the most appropriate joined up ways with all our partners to address the complexity of public health problems in Scotland. In doing so, together we add value and draw on each other's strengths, experience, connections and expertise. Health Scotland has had a long and fruitful relationship with the existing FSAS in many spheres of shared food related activity, and would want to build and expand on our joint working into new areas as appropriate with the new agency. As the consultation suggests, this could include sharing aspects of our work on alcohol, obesity and most recently food poverty.

In terms of food poverty, a New Food Body may be well placed to track and analyse food purchasing data in relation to income, learning key lessons from the recent work in Ireland. Such work would benefit from early consultation with partners including the Poverty Alliance.

We also agree that a new agency could extend its scope into areas such as the environment, food claims and sustainability, but again if appropriate and relevant to do so.

In principle, therefore, Health Scotland is supportive of amending the scope of the new agency in accordance with the changing food related needs of Scotland – as long as the approach finally taken does not risk separating efforts in one aspect of public health from others such that the overall effort becomes disjointed e.g. it does not make sense to completely separate work on food from alcohol or physical activity, but there is a case for different agencies playing different parts across shared agendas. Indeed, the value of having cross-functional and cross topic programmes within Health Scotland is well illustrated by its maternal and infant nutrition programme, which is based within the HS Early Years' Team. By working

across teams internally and with a range of external partners, this programme has helped integrate food and health messages as a key aspect of parenting across a much broader agenda, including the Parenting Strategy and the Early Years Task Force. We would wish to preserve our ability to integrate food across our broader programmes of work, while recognising the valuable contribution that a new food agency can bring to this existing approach.

2: Should the new food body and the Scottish Government continue the arrangements for independent and partnership work on diet and nutrition set out in Annex A? If not, what changes would you suggest, and why?

2.1 Building on Arrangements for Independent and Partnership Work

NHS Health Scotland would wish to build on the current arrangements for independent and partnership work on diet and nutrition as set out in Annex A, while welcoming further discussion about the most effective way of creating formal arrangements to support future activity. The continuation of the Scottish Government-led Food and Health Delivery Forum seems critical to this process, ensuring the on-going strategic planning and co-ordination of food policy and practice development between all key players, including Health Scotland and the New Food Body for Scotland.

3: Are there any additional roles, responsibilities or functions in respect of diet and nutrition that you think the new food body could take on to help deliver an improvement to the health of the people in Scotland? Please give details and reasons.

3.1 Additional Roles, Responsibilities and Functions

HS recognises the major strengths of the current Food Standards Agency in Scotland (FSAS) in terms of its scientific expertise; its leadership on the food and nutritional aspects of public health, including the provision of independent advice to Government; its engagement with industry, such as the Food Industry Group and the SG Voluntary Framework that is currently in development; and its key contributions to a range of food and nutrition advisory groups, including Community Food and Health (Scotland), the Cooking Bus, and the Healthy Living Award.

Health Scotland would endorse many of the suggestions made in the consultation, but note that in the broad areas of children's diets and food poverty there is potential for overlap or duplication with existing work of other organisations, including HS, if specific roles in these areas were not first defined. This underpins the need for establishing clarity between the new food body, HS and others

3.2 Working Co-productively for Food and Health

We recommend the exploration of a split in responsibility along functional lines such that HS could work with the New Food Body in a co-productive

manner, similar to HS's current relationships with partners in the Scottish Public Health Observatory (ScotPHO). ScotPHO is a collaboration, which is co-led by NHS Health Scotland and Information Services Division Scotland. A similar collaborative approach with the New Food Body in certain aspects of work, such as in public health nutrition, could promote integration and improved impact while minimising the economic and performance risks associated with re-location of staff and business functions.

3.3 Weighing up the Risks and Benefits

As indicated in the consultation paper, expansion of the new agency's scope would need to take into account the likely high economic costs (re-location, re-training, pension transfers and administrative costs, rebranding etc) as well the impact on staff performing these roles within existing agencies, including HS, who would not be in a position to re-locate. We support the consultation's recommendation for negotiation of any proposed change, and would want to work co-operatively throughout this process. We would recommend, however, that a full cost-benefit analysis was first undertaken to ensure there is a strong economic case as well as a business case for the expansion of the new agency's scope.

4: What steps do you think could be taken to ensure the new food body is able to access the best available independent expert advice it needs to underpin its work on food safety and public health nutrition in Scotland? Please give reasons.

4.1 Linking with Existing Professional Independent Networks

While it is out with the scope of Health Scotland to comment on how best to access independent expert advice on food safety, the new food body could access expert advice on public health nutrition via Scotland's Public Health Nutrition Network, which HS currently co-ordinates and provides secretariat support. Other professional networks, which it could seek independent advice from, would be the Scottish Public Health Nutrition Group (co-ordinated by the British Dietetic Association), the Association for Nutrition, and the Scottish Colloquium on Food and Feeding.

5: Do you consider that the new food body should focus its research and surveillance activities on issues that are particularly pertinent to Scottish citizens or should it also contribute to science and evidence programmes on wider issues which have relevance to the UK as a whole? Please give reasons.

5.1 Developing a Dual Focus with Scotland Prioritised

It is the opinion of Health Scotland that the New Food Body should focus its research and surveillance activities on issues that are pertinent to Scottish citizens first and foremost, but also having the scope to contribute to science and evidence programmes on wider issues, which have relevance to the UK as a whole.

Indeed, there are areas of dietary research, particularly in relation to the

food chain, where an international focus for the agency would also be valuable to Scotland, such as being part of the recently drafted WHO European Action Plan for Food and Nutrition. However, the correct balance needs to be struck to ensure that the new body's main priority is addressing Scottish needs and issues, especially the continued surveillance of the Scottish diet across the whole life course. This learning, however, can feed into wider work where capacity allows.

6: Do you agree that the new food body should be responsible for the coordination of all Scottish Government funded research on food safety and public health nutrition? What steps could be taken to raise the profile of the new food body as a research funder across the UK and beyond? Please give reasons.

6.1 Co-ordination of Scottish Government Funded Research

To avoid any potential conflict of interest for the New Food Body if tasked to both undertake research while simultaneously co-ordinating the allocation of Scottish Government research funding, the New Food Body could be a member of a wider partnership group, potentially led by the Chief Scientists Office, to co-ordinate the allocation of government funds. Agencies that could also be involved might include other Scottish Government departments, Health Scotland as well as input from academic and practitioner sectors. As well as allocating SG funds, this partnership could play a role in securing funds from other UK and wider European funding bodies to boost available funds for Scottish research into food safety and public health nutrition. It could also work to identify the research gaps in Scotland and utilise its combined expertise to address unmet research needs.

7: Do you have any further suggestions for how the new food body could establish a strong independent evidence base for food safety, food standards and nutrition policy? Please give reasons.

7.1 Establishing an Independent Evidence Base

Working in close partnership with public and academic sectors where expertise exists in these broad aspects of nutrition related policy and practice will be critical to establishing a strong independent evidence base that will strengthen over time. We would encourage that the new food agency works with others to take a holistic approach to improving Scotland's diet, recognising the breadth and complexity of diet within a wider population health and wellbeing agenda. We would encourage that it works with others to develop and utilise an evidence base that is equally broad and spans a wide range of disciplines in addition to nutrition science. Health Scotland can also share a wealth of work with the new food agency to support the translation of its evidence for its use in policy and practice. For example, the *Knowledge into Action* and *Evidence Informed Decision Making* programmes led by Health Scotland are approaches, which could help the new agency clarify the purpose of its evidence base and help

define how it can best be developed and utilised.

8: Do you consider that the new food body would require any further statutory powers, in addition to those that the FSA already has, to equip it to deal effectively with incidents such as the recent horse meat substitutions, and to prevent such incidents happening? Please give reasons.

8.1 Out With Remit

The new food body's roles in food safety and standards are critical to public health, but are essentially health protection issues and out with Health Scotland's remit for comment.

9: Do you have any further comments about how the new food body might ensure that it can deal effectively with contraventions of food standards and safety law? Please give reasons.

9.1 Out With Remit

The new food body's ability to deal effectively with contraventions of food standards and safety law are critical areas in safeguarding public health, but are again out with Health Scotland's remit for comment.

10: Should the new food body take on any roles and responsibilities not currently fulfilled by the FSA in Scotland? If yes, please give details and reasons.

10.1 New Roles and Responsibilities

We would suggest that there is potentially a greater role that could be played by the new food body in addressing the need for a more sustainable and secure food system for Scotland.

We previously highlighted a potential contribution the new food body could make to helping measure and track food poverty in Scotland and note that the proposed role for the new food body could be strengthened with respect to inequalities. As the lead agency for reducing health inequalities, Health Scotland brings expertise in how universal work can risk increasing inequalities and looks forward to working with the New Food Body to help embed inequalities sensitive approaches and Health Inequality Impact Assessment into all aspects of its work.

11: Please tell us your views about these suggestions for changes to the delivery of official food and feed controls. Do you think that the new food body should work in a different way with local authorities? Please give reasons.

11.1 Out With Remit

This is an area out with the scope of Health Scotland to usefully comment.

12: Do you have any views on how the new food body should assure delivery of official controls and meet the relevant EU obligations? Please give reasons.

9.1 Out With Remit

This is an area out with the scope of Health Scotland to usefully comment.

13: Are there any additional or alternative relationships that you would suggest that would help the new food body achieve the Scottish Ministers' objective of longer, healthier lives for the people of Scotland? Please give details and reasons.

13.1 No further comments

We have no further suggestions or comments.

14: Do you have any suggestions about how the new food body can engage effectively with consumers, both in developing policy and providing information and advice?

14.1 Sharing Effective Practice in Consumer Engagement

We welcome the commitment of the new food body to developing a strong consumer focus and we look forward to sharing practice from HS' long standing expertise in social marketing and its understanding of community development approaches to improving health.

Health Scotland also benefits from its strong relationships with Scotland's Third Sector and many community health organisations working directly with Scotland's most disadvantaged communities through its resourcing of and close working with the Community Health Exchange (CHEX) and Voluntary Health Scotland.

In addition to now being home to Community Food and Health (Scotland) with its extensive expertise in effective approaches to consumer engagement, Health Scotland also co-ordinates the Food and Health Alliance, which is another mechanism to listen to and learn from the real experience of a broad range of consumers as well as different parts of the food chain.

Health Scotland is committed to helping shape the new food body's practice in this area by sharing its own learning and access to networks, and again would welcome working together co-productively in this area to ensure common messages and approaches engage the Scottish population as a result.

15: Do you agree with the suggested approach to ensuring the new food body's independence from Government and the food industry? Do you have any further suggestions for how the new food body could best establish and maintain its position as an arms length part of Government? Please give reasons.

15.1 Full Endorsement

HS commends the willingness of Scottish Government to ensure the New Food Body's independence in this complex area where there are some major conflicting interests. This can only be in the public interest and Health Scotland fully endorses such an ambitious commitment.

16: Do you have any further comments, or suggestions, on the creation of a new food body for Scotland that are not covered by any of the previous questions?

16.1 Concluding Remarks

Health Scotland has no further specific comments or suggestions.

Thank you for this opportunity to shape such an important development for Scotland. Health Scotland looks forward to continued discussion beyond the consultation process, and for further opportunities for involvement.