

Introduction

Citizens Advice Scotland and its member bureaux form Scotland's largest independent advice network. CAB advice services are delivered using service points throughout Scotland, from the islands to city centres.

Citizens advice bureaux in Scotland helped clients with over 520,000 new issues in 2012/13 – more than 1,400 new issues for every day of the year. Nearly 200,000 clients brought new issues to a bureau over the year.

In April 2013, the general consumer advocacy functions of Consumer Focus and the Office of Fair Trading's responsibility for consumer-facing education transferred to the Citizens Advice service. This is part of an on-going series of reforms to the consumer landscape in which the Government intends the Citizens Advice service to become the publicly-funded voice for consumers.

We welcome the opportunity to respond to the consultation. The establishment of the new food body in Scotland represents a timely opportunity to address many of the wider food-related issues that particularly affect Scotland, including food poverty, poor diet, obesity and ill health.

Key points in the response

- The current form and scope of the FSA is a good basis for the new food body. However, we believe that the new body should be given additional leadership responsibilities in relation to food poverty and healthy eating.
- Food poverty is an area where the new body can add real value and make a difference for consumers. This could consist of a monitoring and research role, resulting in reports and recommendations to government ministers, as well as playing a leadership and co-ordinating role in helping organisations to make a difference on the ground.
- The consultation represents an opportunity to provide clarity into the complicated partnership arrangements between the FSA, the Scottish Government and the NHS. The new food body could play a leadership role in overseeing these partnerships and take a wider view of the success of the joint arrangements.
- The new body must build the consumer into its way of working, rather than running a separate strand of work. This involves developing a working relationship with consumer organisations, such as Citizens Advice Scotland and Which?, as well as talking to consumers directly.

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?

Yes

We believe that the establishment of a new food body represents a timely opportunity to address a wider range of food related issues in Scotland, particularly in the inter-related areas of nutrition and food poverty.

Food Poverty is an emotive term encompassing the impact on individuals, families and communities of a complex combination of barriers which at different times, in different locations and with differing consequences, inhibit a healthy and acceptable diet. These barriers are both physical and psychological and include access, availability, affordability, assets, awareness, aptitude, abilities, attitude, culture and skills.¹

Citizens advice bureaux, and a range of other community organisations, have reported a significant rise in the number of service users who are either struggling to afford adequate food or who are experiencing a crisis where they cannot afford food at all. A range of factors are causing this trend, including falling incomes, a rise in food prices, and benefit cuts. This represents a worsening of a situation where many families were already struggling to afford adequate food.

This situation is inter-linked with the issues of nutrition and healthy eating. Consumers who struggle to afford food are likely to struggle even more to maintain a healthy diet, even if they are aware of the key messages surrounding diet and nutrition. This has led to a trend of 'trading down' to cheaper and less healthy products, which can lead to the problems of poor diet and obesity.

There has been a strong community response to helping those in food poverty, but a lack of a co-ordinated response from national government. We believe that there is an opportunity for the new food body to lead on a national response to the growing problem, and thereby help to address one of the biggest public health problems facing the country.

We recommend that the new food body include a research function that monitors the problems associated with food poverty – including access, affordability, and personal ability – alongside a remit and responsibility to make recommendations for the Scottish Government to take further action. This could include work on mapping food poverty and identifying areas of concern, as well as assessing the impact of government reforms on access to affordable food.

More than this, however, we would want the new body to be able to make a practical difference on the ground. The new food body could act as a

¹ Community Food and Health Scotland, *Hard to Stomach*, March 2011

knowledge and information hub, which encourages and enables the development of local networks around food access and affordability. There are fantastic examples of community food initiatives across the country, but they can be disconnected from other local services while there are some areas where citizens have no access to this type of initiative. The new food body could play a role in helping local organisations explore barriers to food networks, monitor progress, and identify opportunities for collaboration. The experiences of these local networks should then inform the development and delivery of national strategy around food and health.

The remit of the new food body should not stop when a product reaches the shelves; it should extend to the ability of consumers to be able to access and afford healthy food for themselves and their families. To do this, the food body should be able to identify the problems that cause food poverty, make recommendations to ministers, and be able to support practical action to address them.

The following cases show the types of situations that bureaux are reporting in relation to food poverty:

- An East of Scotland CAB reports of a client who, due to a Job Seekers Allowance sanction of 2 weeks and because the client does not meet the criteria for a hardship payment, has had no food, gas or electricity for over a week. He described himself as desperate and in pain from hunger. He sought help from a food parcel scheme as he was not due to receive any benefit for a further 5 days. The client's on-going situation is extremely difficult due to the local housing allowance rules for people under 35 years. He has several months' rent arrears and is in fuel poverty as he has been using his Job Seekers Allowance award to make rent payments. The client's Job Seekers Allowance was sanctioned because he forgot to bring his Job Seeker's diary to his appointment. He has already received three crisis loans this year, so is no longer eligible.
- A South of Scotland CAB reports of a client who is experiencing hardship due to a delay in a benefit decision. The client was receiving Income Support as a single parent before making a joint application for JSA with her partner. When they made the application, the client's claims for Child Tax Credit, Housing Benefit, and Council Tax Benefit all stopped. Currently the client's only income is Child Benefit. It is now two weeks since they applied but they have heard nothing. When she asked about the delay she reports that they could give no reason and told her they would have to wait for the decision. The client has no money for food, so the adviser signposted the client to a local food bank. The client and her partner have a six month old baby.

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?

We welcome the partnership working that already exists between the FSA, the Scottish Government and the NHS, which should continue as much as possible. However, the establishment of the new food body represents an opportunity to look at the relationships and partnership working that currently exists and to look at ways of improving them and clarifying the roles of each party. In this sense, it would be useful for the new food body to have a leadership role on diet and nutrition, which would enable better co-ordination of joint work.

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.

As covered in more detail under question 1, we believe that food poverty is intrinsically linked with the issues of diet and nutrition. As such, the new food body should take the lead in co-ordinating work in Scotland to monitor, research, and address these issues.

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.

No comment

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.

The new food body should be able to focus its research on Scottish specific issues, at the same time as being involved in wider UK, European and international issues. It is important that the Scottish experience is understood, but this must be grounded and not divorced from other geographic areas.

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.

No comment

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.

It is important that the new food body consults a wide range of stakeholders, including consumers, consumer representative groups, and the voluntary sector.

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.

No 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.

No 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.

As covered in more detail under question 1 we believe that the new body should be given additional leadership responsibilities in relation to food poverty and nutrition.

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.

No 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.

- No 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.

We would like Citizens Advice Scotland to have a good working relationship with the new food body. The service took over the responsibility for the Consumer Direct helpline in April 2012, which is now the Citizens Advice Consumer Service helpline. Through the helpline, the service dealt with around 1,000 cases last year related to food and drink, including issues with

quality, food labelling, and misleading advertising. This evidence could be used by the new food body to inform their priorities for action.

Citizens advice bureaux advise on relatively few issues directly related to food and drink, but commonly assist clients who are struggling to afford adequate food and have a poor diet as a result. Bureaux have an excellent understanding of the issues that make a healthy diet unaffordable for many clients and the consequences this has for them. This experience can be fed into the work of the new food body.

It is essential that the new food body has a positive working relationship with the food industry, without being unduly influenced by them. Many of the potential solutions to issues that the food body could have responsibility for, including food labelling, nutrition and food poverty, can be best brought about through positive involvement of the food industry.

Given the potential overlaps between the work of the new food body and the NHS, it is important that the food body works closely with NHS Scotland, taking a strategic role.

There is a wealth of experience and ideas in the voluntary sector that can be used to inform the food body's priorities. We recommend that creative voluntary sector organisations are used as partners by the new body and their work held up as best practice.

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?

We welcome the commitment that the new food body will be 'consumer focused'. The new body must build the consumer into its way of working, rather than running a separate strand of work. This involves developing a working relationship with consumer organisations, such as Citizens Advice Scotland and Which?, as well as talking to consumers directly.

The Citizens Advice service, with its extensive local network and contact with hundreds of thousands of consumers, could be a key partner in providing information and advice. The Service recently took over responsibility for the consumer education functions of the Office of Fair Trading, and we are developing our capacity to undertake consumer education and information.

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.

We agree that the new food body's independence from Government and the food industry should be maintained. Key to this is the arrangements on

which the body is established. It is important that the work of the body is open and transparent, and that recommendations to ministers are heard and acted upon. We also believe it is important that the board of the new food body contains consumer representatives, as well as health and industry representatives.

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?