



Food Insecurity and Poverty



Human Rights

Ministerial Foreword



The need for practical action to end food insecurity and tackle poverty has never been greater.

That message has been highlighted in a strongly worded letter sent jointly to the UK Government by two United Nations Special Rapporteurs.

The letter, which has been made public by the UN, is from the special rapporteurs responsible, respectively, for the right to food and for human rights and extreme poverty. It presents a stark picture of deepening food insecurity, poverty and injustice in the UK.

Professor Michael Fakhri and Professor Olivier De Schutter are eminent and hugely experienced international experts. Their human rights analysis of the severe economic and social impact of the Coronavirus pandemic on low-income families is as necessary as it is timely and telling.

The evidence has long been clear that food insecurity is driven primarily by lack of income. Low pay, insecure work, and inadequate and unreliable social security provision mean that people can often be unable to put food on the table. Many have to resort to food banks for help. That is unacceptable in a country as prosperous as Scotland.

Researchers, food charities and independent experts have all highlighted the damaging impacts of UK Government welfare cuts and austerity in creating and worsening food insecurity.

The Scottish Government has also repeatedly raised concerns directly with UK Ministers. Universal Credit and other UK Government policies have caused financial hardship for thousands of families and individuals. Increasing numbers of people across Scottish society have been forced to seek emergency food aid in recent years. Meanwhile the two-child limit has further impoverished families and contributed to a rise in child poverty.

I am therefore pleased that Professor Fakhri and Professor De Schutter have exercised their mandates as UN Special Rapporteurs in order to draw further attention to the alarming increase in food-insecure households in the UK and to underline the need for concerted action to ensure every member of our society has access to adequate food.

In Scotland we have adopted a human rights approach to tackling poverty and food insecurity.

We are taking bold steps to address child poverty, including the introduction of the new Scottish Child Payment. The new Scottish Child Payment is in addition to the range of support already offered to households with younger children through Best Start Grant and Best Start Foods. Together, this package of benefits provides around £5,000 of support by the time a child turns six.

But I am acutely conscious of the additional and unforeseen impacts of the COVID-19 pandemic. These have exacerbated the social and economic dislocation already caused by a decade of austerity and welfare reforms imposed by the UK Government.

The crisis gives us further reason to challenge traditional assumptions and ways of working. Change for the better is happening in Scotland, and we can do so much more. The Scottish Government wants to build on our existing progress and to create a fairer, more equal Scotland in a way that meets the challenges of a post-pandemic world.

There is no question that big challenges lie ahead. Alongside welfare cuts, the wider economic uncertainties caused by the pandemic and by EU Exit mean that many more households in Scotland may struggle to afford the basics. Demand for help from food banks is predicted to rise significantly.

If Scotland is serious about tackling food insecurity, we have to confront the reasons why people are forced to turn to food banks.

The UK Government needs to recognise that endemic poverty is neither accidental nor inevitable. Social security is a fundamental and inalienable human right. The safety net which it provides has never been more important. Nor has it ever been more scandalous and unnecessary that so many adults and children in our society are continuing to go hungry.



AILEEN CAMPBELL

Executive Summary

Context

This Scottish Government position statement responds to concerns identified by the **United Nations Special Rapporteurs on the right to food** (Professor Michael Fakhri) and **on extreme poverty and human rights** (Professor Olivier De Schutter) in a joint communication sent to the UK Government in August 2020.

The UN Special Rapporteurs requested a formal response from the UK Government within 60 days and the text of their letter was subsequently made publicly available on the UN website in early October 2020¹. To date the UK Government has, regrettably, still not responded to the UN.

This statement is therefore being published to put on record Scotland's distinctive approach to the human rights concerns raised by the two UN Special Rapporteurs. The statement outlines Scotland's approach to tackling food insecurity, the actions taken in response to the Coronavirus (COVID-19) pandemic, and our aims and ambitions for ending hunger by 2030.

Scottish Government's approach to tackling food insecurity

The Scottish Government takes a human rights approach to tackling food insecurity founded on principles of dignity and respect. This is part of our overall strategy to tackle inequalities and build a fairer, more equal Scotland. Our estimated investment to support low income households was £1.96 billion in 2019-20, with investment targeted at children living in poverty of £672 million. Scottish Government actions on food insecurity sit across several policy areas and are focused on measures to:

1. Prevent food insecurity through increased incomes

We recognise that food insecurity is driven by insecure and insufficient incomes and that measures to tackle these drivers are necessary in order to address the problem. Actions cut across the three main mechanisms of child poverty reduction, as outlined in the first Tackling Child Poverty Delivery Plan.

First, our approach to **improving incomes through work** is laid out in our **Fair Work Plan** and includes our commitment to promoting the **real Living Wage**. Our **Gender Pay Gap Action Plan** has over 60 actions to tackle the root causes of the gender pay gap and advance economic equality for women. Through our new **Parental Employability Support Fund**, we are supporting parents to access and progress in work and increase their incomes.

Second, **reducing household costs** includes measures to improve access to advice on income maximisation and savings on outgoings through the **Money Talk Team**, as well as the massive expansion of universally funded **Early Learning and Childcare**.

¹ [UN Special Rapporteurs Joint Communication on Food Insecurity in the UK](#)

Third, we are using limited powers to **maximise incomes from social security** through our new social security system that is founded on principles of dignity and respect. **Best Start Grant** and **Best Start Foods** provide support in the early years, while the **Scottish Child Payment** will be available for families on low income benefits with children under 16, paying the equivalent of £10 a week for each eligible child.

The Scottish Government continues to raise concerns with the UK Government regarding welfare cuts, policies that are making people poorer and causing hardship, and the failures of Universal Credit to provide an adequate safety net. Eighty-five percent of benefit spending remains with the UK Government including income based benefits and state pension.

2. Improve dignified and ‘cash first’ food insecurity responses

To help reduce the need for emergency food aid, **improving referral pathways** between local services is vital so that those facing income crisis **have access to the Scottish Welfare Fund**, as well as advice and income maximisation.

Through the **Fair Food Fund** we are supporting community organisations to move away from emergency food aid as the primary response and to develop more dignified models which promote choice, participation and community development and support pathways out of crisis.

3. Coordinate action on food policy

Scotland’s **Good Food Nation** policy provides the high level ambition and cross-government coordination to ensure people have access to affordable, locally produced and nutritious food. Scottish Ministers will develop a **new non-statutory statement on food policy**. This statement, led by the **Ministerial Working Group on Food** will build on recent experience of COVID-19 response, and will consider rights, security, production and availability of food.

Beyond this, the **National Taskforce for Human Rights Leadership** is exploring a new statutory human rights framework for Scotland and a Bill to incorporate the **UN Convention on the Rights of the Child** into Scots Law is expected to be passed by the Scottish Parliament before the end of the current parliamentary session.

The Scottish Government's response to food insecurity during the COVID-19 pandemic

The Scottish Government has now committed more than £0.5 billion in social protection since the onset of the pandemic, including more than £130 million targeted at tackling food insecurity. This has included:

- A total of £87.6 million to local authorities, supported by Scottish Government guidance, to support those struggling to access or afford food, including Free School Meal provision over the school holidays up to and including Easter 2021.
- Provision of grocery packages of essential supplies for those at extreme clinical risk (the shielded group), until the end of July 2020 totalling £50.28 million.
- Considerable investment in national and local third sector and community food responses, totalling over £15 million.

Our £100 million Winter Plan for Social Protection, includes a £100 COVID Winter Hardship Payment for each child eligible for free school meals on the basis of low income – supporting an estimated 156,000 children and young people.

The Scottish Government has promoted a '**cash first**' (direct cash transfer) approach to tackling food insecurity. For people who have been able to access food shopping safely, we recognise the importance of ensuring they are able to afford to buy the food and other essentials they need. That is why we provided local authorities the flexibility to offer their allocation of COVID-19 funding as cash support where appropriate, as well as making an additional £22 million immediately available to local authorities for the Scottish Welfare Fund.

Recovery and Renewal: addressing food insecurity beyond the pandemic

The direct and indirect impacts of the pandemic have been devastating individuals and communities across the whole of Scotland. We are committed to addressing these impacts by building on existing progress to create a fairer, more equal Scotland in the post-pandemic era.

An expert Social Renewal Advisory Board and related policy circles, including one on access to food, were set up to capture learning and drive progress. The Board published their report "If Not Now, When?" on 21st January 2021, including recommendations on how Scotland can learn from the pandemic experience and take action to build a more equal and socially just society.

Beyond this, the Scottish Government will continue to call on the UK Government to take urgent action to address shortcomings of the UK welfare system and insecure labour market exposed by the pandemic and make the changes needed to protect all from food insecurity.

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Introduction

Purpose

1. This Scottish Government position statement has been produced in response to concerns identified in a joint communication sent to the UK Government by the **United Nations Special Rapporteurs on the right to food** (Professor Michael Fakhri) and **on extreme poverty and human rights** (Professor Olivier De Schutter).
2. The communication from the Special Rapporteurs, sent on 5 August 2020, requested a formal response from the UK Government within 60 days. The text of their letter was subsequently made publicly available on the UN website in early October 2020². A copy of the letter can also be found in the Annex to this position statement.
3. Regrettably, as of early February 2021, the UK Government has still not responded to the concerns raised by the two UN Special Rapporteurs.
4. The Scottish Government has therefore taken the decision to independently put on record Scotland's distinctive approach to the human rights concerns, and international obligations, highlighted in the UN letter. This statement outlines the action Scotland is taking to tackle food insecurity and to secure the right to an adequate standard of living. It also sets out our priorities and ambitions for ending hunger by 2030 in line with the Sustainable Development Goals³.
5. We are clear that a human rights approach to tackling food insecurity requires co-ordinated action to improve household incomes. In this statement we therefore highlight the importance of initiatives which address the financial drivers of food insecurity and the need to take bold measures in order to tackle child poverty.
6. The statement also describes Scottish Government action to ensure that our response to food insecurity is consistent with the principle of human dignity.
7. We recognise the critical importance of autonomy and choice and are promoting access to cash in a crisis, in a conscious move away from an approach based simply on the provision of emergency food aid.
8. We recognise too that the COVID-19 pandemic has had considerable social and economic impacts on households and has created particular challenges in relation to food access. This statement provides details of the measures put in place by the Scottish Government to overcome both physical and financial barriers to accessing food which have been exacerbated by the pandemic.

² [UN Special Rapporteurs Joint Communication on Food Insecurity in the UK](#)

³ [UN Sustainable Development Goals: Goal 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture](#)

9. The Scottish Government is clear that realising the right to food is about more than simply ensuring financial and physical access to food. Meeting the challenge also requires concerted action to address nutritional and cultural needs, food safety and the overall sustainability and resilience of our food system.

10. There is insufficient space in this position statement to address these vitally important dimensions to the right to food in detail and the focus of this current document is necessarily on the immediate and pressing concerns of food insecurity and poverty identified in the Special Rapporteurs' joint communication. It is nonetheless important to recognise that effective long-term solutions cannot be developed in isolation. The right to food can only be fully guaranteed by addressing the availability, accessibility, acceptability and quality of food in an integrated and systematic manner, and by recognising the indivisible, interdependent and interrelated nature of all human rights.

Devolved and Reserved Responsibilities

11. It is the responsibility of the UK Government, acting on behalf of the UK as a whole, to submit a formal response to the issues raised by the UN Special Rapporteurs⁴. This reflects the role which the UK Government plays in representing the UK as the State Party to relevant international human rights treaties. Under the current constitutional settlement, international relations of this kind are a reserved matter.

12. The Scottish Government is however responsible for devolved matters in Scotland and fulfilled its own obligation, in the Autumn, to provide devolved contributions to a draft UK response. The Scottish Government therefore wishes to make clear that it regrets the delay in responding to the UN Special Rapporteurs.

13. This statement also makes clear that the overall approach taken by the UK Government to the concerns identified in the UN communication diverges significantly from that adopted in Scotland in devolved policy areas.

14. In particular, the UK Government approach, in our view, is founded in a profound misunderstanding of the causes of poverty and of food insecurity. Moreover, it is inconsistent not only with our analysis of the principal policy challenges but with important core values - of fairness, respect and dignity - promoted by the Scottish Government. In our assessment, UK Government policy does not properly prioritise compliance with human rights and is frequently in direct conflict with the principle of human dignity.

15. This statement helps to clarify where these areas of difference exist and puts on record the distinctive approach to protecting, respecting and fulfilling human rights which has been adopted in Scotland.

⁴ The UN website provides a search facility which can be used to find communications sent to the UK by UN Special Rapporteurs, together with the corresponding UK Government response [UN Communication search \(ohchr.org\)](https://www.ohchr.org/en/press-releases/2019/04/uk-government-response-un-special-rapporteurs-joint-communication)

Context and Background – Human Rights and the United Nations

16. UN Special Rapporteurs are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. Their work is a central element of the United Nations human rights machinery and covers all aspects of human rights: civil, political, economic, social and cultural⁵.

17. Special Rapporteurs exercise their mandates in a variety of ways, including by undertaking country visits. They act on individual cases and in relation to concerns of a broader, structural nature by sending communications to States in which they bring alleged violations or abuses to their attention. Annual reports are submitted to the Human Rights Council and to the United Nations General Assembly.

18. In their August 2020 joint communication, Professor Fakhri and Professor De Schutter drew particular attention to:

- the deepening level of food insecurity among low income households in the UK, in particular for families with children, and the lack of comprehensive measures to ensure their access to adequate food;
- reports of an alarming increase in food-insecure households with children as a result of COVID-19; and
- the need to provide for access to adequate food through a more comprehensive social protection scheme.

19. They also noted that:

- the economic and social consequences of the COVID-19 pandemic have been particularly severe for low-income households in the United Kingdom;
- income losses arising from the COVID-19 crisis have significantly contributed to an increase in the number of persons who are food insecure (in large measure because other expenses such as for housing, energy or transport cannot be compressed);
- almost 1 in 5 persons had cut down meal sizes or skipped meals during the months of April and May 2020, due to not having enough money;
- levels of food insecurity are almost 250 percent higher than they were prior to the lockdown, with approximately 4.9 million adults and 1.7 million children currently food insecure; but that
- even before the COVID-19 crisis, food insecurity in the UK was on a rising trend and one of serious concerns facing low-income households.

20. Concerns relating to food insecurity and poverty in the UK have previously been raised by UN committees and UN Special Rapporteurs in the context of United Nations scrutiny of the UK's performance against international human rights standards.

⁵ [OHCHR | Special Procedures of the Human Rights Council](#)

21. In 2016, the **UN Committee on Economic, Social and Cultural Rights** expressed concerns about the lack of adequate measures in the UK to address the increasing levels of food insecurity and malnutrition, as well as to reduce the reliance on food banks. The Committee made detailed recommendations in relation to both poverty and the right to food⁶.

22. In 2018, the **previous UN Special Rapporteur on human rights and extreme poverty** (Professor Philip Alston) undertook a visit to the UK (including Scotland) at the conclusion of which he observed that it is:

“patently unjust and contrary to British values that so many people are living in poverty. This is obvious to anyone who opens their eyes to see the immense growth in foodbanks and the queues waiting outside them, the people sleeping rough in the streets, the growth of homelessness, the sense of deep despair [and] unheard of levels of loneliness and isolation.”

“The experience of the United Kingdom, especially since 2010, underscores the conclusion that poverty is a political choice. Austerity could easily have spared the poor, if the political will had existed to do so. Resources were available ... that could have transformed the situation of millions of people living in poverty, but the political choice was made to fund tax cuts for the wealthy instead.”⁷

23. The Scottish Government welcomed Professor Alston’s subsequent report and conclusions and issued a statement in May 2019⁸ in which it welcomed his:

“devastating analysis of the UK Government’s austerity measures [and his description of] the policies pursued since 2010 as retrogressive and in clear violation of the country’s human rights obligations.”

and went on to make clear that:

“The Scottish Government agrees with Professor Alston’s assessment that the UK Government must reverse the many policies it has pursued that are increasing poverty and inequality ... [It] must take heed of this report and make the radical changes necessary to provide support to people and to actively take action to tackle poverty and inequality in the UK.”

⁶ [Treaty bodies Download \(ohchr.org\) UNESCR Concluding Observations \(Document E/C.12/GBR/CO/6\)](#)

⁷ [OHCHR | Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights](#)

⁸ [Extreme poverty and human rights: response to UN Special Rapporteur - gov.scot \(www.gov.scot\)](#)

The Scottish Government's approach to tackling food insecurity

24. The Scottish Government takes a human rights approach to tackling food insecurity founded on principles of dignity and respect as part of our overall approach to tackle inequalities and poverty. Our estimated investment to support low income households was over £1.96 billion in 2019-20.

25. We recognise food insecurity as a lack of access to adequate or appropriate food due to a lack of resources, and we are committed to actions which address the structural causes of the problem. In doing so, we recognise that some households are impacted disproportionately by barriers to accessing food and that different households have different food needs. We are clear that no one should go hungry or have to rely on emergency food aid and are committed to ending the need for food banks in Scotland. We have committed to achieving the **Sustainable Development Goals** which include **Goal 2: Ending Hunger**.

26. In 2015, stakeholders came together at the request of the then Cabinet Secretary for Social Justice, Communities and Pensioners' Rights to set the policy direction for tackling food insecurity in Scotland. The report of the independent working group on food poverty, **Dignity: Ending Hunger Together**⁹ made 19 recommendations to better understand, prevent, respond and invest in food insecurity.

27. It also identified four dignity principles to underpin action on food insecurity. This report laid the foundations for current Scottish Government policy. It made clear the need to improve incomes in order to prevent food insecurity, and to strengthen the crisis response through improved access to cash and advice, as well as investing in the community food sector.

28. Scottish Government actions on food insecurity sit across several policy areas and are focused on measures to:

- Prevent food insecurity through increased incomes;
- Improve dignified, holistic and 'cash first' food insecurity responses that create pathways out of crisis; and
- Coordinate action on food policy.

29. Our commitment to address food insecurity is embedded within several key policy frameworks to tackle poverty and inequality in Scotland, including the **Fairer Scotland Action Plan**¹⁰ and the **Tackling Child Poverty Delivery Plan**¹¹, which sets our action to delivery progress on the ambitious targets set within the **Child Poverty (Scotland) Act 2017**¹².

⁹ [Report of the Independent Working Group on Food Poverty - Dignity: Ending Hunger Together in Scotland - gov.scot \(www.gov.scot\)](http://www.gov.scot/Report-of-the-Independent-Working-Group-on-Food-Poverty-Dignity-Ending-Hunger-Together-in-Scotland)

¹⁰ [Fairer Scotland Action Plan - gov.scot \(www.gov.scot\)](http://www.gov.scot/Fairer-Scotland-Action-Plan)

¹¹ [Every child, every chance: tackling child poverty delivery plan 2018-2022 - gov.scot \(www.gov.scot\)](http://www.gov.scot/Every-child-every-chance-tackling-child-poverty-delivery-plan-2018-2022)

¹² [Child Poverty \(Scotland\) Act 2017 \(legislation.gov.uk\)](http://legislation.gov.uk/Child-Poverty-Scotland-Act-2017)

30. The Scottish Government's approach to food insecurity recognises that the right to food is about much more than availability of sufficient calories and that the accessibility, acceptability and quality of food matter. In tackling food insecurity we consider financial and physical access to food that is safe, nutritious and culturally appropriate.

31. The right to food can only be fully guaranteed by addressing the availability, accessibility, acceptability and quality of food in an integrated and systematic manner, and by recognising the indivisible, interdependent and interrelated nature of all human rights.

Preventing food insecurity through increased incomes

32. We recognise that food insecurity is driven by insecure and insufficient incomes and that measures to tackle these drivers are necessary in order to address the problem.

33. That is why the Scottish Government has taken a range of actions to improve the financial security of low income households. This includes setting in statute the ambition to eradicate child poverty in Scotland through the **Child Poverty (Scotland) Act 2017**. The first **Tackling Child Poverty Delivery Plan**, covering the period 2018-22, outlines three main drivers of child poverty reduction:

- Increasing household incomes through work;
- Reducing household costs; and
- Maximising incomes through social security.

34. Our approach also puts a strong focus on improving the life chances of children living in poverty now, mitigating its damaging effects through the likes of the **Scottish Attainment Challenge**¹³.

Increasing incomes through Work

27. Employment law and responsibility for setting all levels of the National Living Wage and National Minimum Wage is reserved to the UK Government. However, the Scottish Government continues to encourage every organisation, regardless of size, sector, or location to ensure all staff receive a fair rate of pay for the work they do and support the real Living Wage Campaign; this campaign is an independent movement of businesses, organisations and people who believe a hard day's work deserves a fair day's pay. The **real Living Wage** is paid to all workers over 18 years old and is set at a rate of £9.30 per hour (2019-20).

¹³ [Schools: Pupil attainment: closing the gap - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultations-policies/schools/pupil-attainment-closing-the-gap/)

35. In line with this the Scottish Government has taken a number of distinct steps to promote the real Living Wage, including leading by example and becoming a **real Living Wage Accredited Employer**; promoting the **Scottish Business Pledge**¹⁴, which is helping to both raise the profile of the real Living Wage and get more businesses on board by requiring signatories to pay the Living Wage alongside a range of other commitments that support **Fair Work**, including on equality, flexible working and avoiding inappropriate zero hours contracts. The Scottish Government has supported payment of the real Living Wage in its **Public Sector Pay Policy** since 2011. This is a decisive long term commitment to those on the lowest incomes. The Public Sector Pay Policy acts as a benchmark for other workforces.

36. To help increase family incomes through work, we are taking broad ranging action to help parents to enter and progress in the labour market and to make workplaces fairer and to tackle inequalities. This includes investment in our new **Parental Employability Support Fund**, offering holistic support to help parents address barriers to employment and/or progression in work, supporting them to increase their income and lift them and their families out of poverty, reducing the risk of food insecurity.

37. Through **No One Left Behind**¹⁵, delivered in partnership with Local Government we are working with key partners across the public, third and private sectors to implement transformational change which supports those furthest from the labour market to progress towards fair and sustainable work. This will be achieved by creating an employability system that is easier to navigate, more integrated and aligned with other services, and that has user voices at its heart.

38. The need for better paid flexible work is felt most acutely by those experiencing higher levels of poverty, for example women, (and in particular, lone parents and mothers). That is why we have funded Timewise to deliver a **Fair Flexible Work Programme for Scotland**. This initiative is designed to benefit the specific priority family groups identified within the **Tackling Child Poverty Delivery Plan** for whom access to better paid flexible work is evidenced to be a key factor in helping them to raise their household earnings.

¹⁴ [Scottish Business Pledge](#)

¹⁵ [No One Left Behind: next steps for employability support - gov.scot \(www.gov.scot\)](#)

39. Fair Work is a key driver for achieving sustainable and inclusive economic growth and a wellbeing economy and is at the heart of our economic recovery. The Scottish Government's ambition – shared by the Fair Work Convention – is for Scotland to be a Fair Work Nation by 2025. The **Fair Work Action Plan**¹⁶, published in February 2019, sets out the approach we are taking to embed fair work practices within workplaces across Scotland. Our commitment to workplace equality and fair pay is reflected in our flagship Fair Work First policy and our active promotion of the real Living Wage. **Fair Work First** is about rewarding and encouraging employers to adopt fairer work practices – focusing on particular challenges in the labour market that can be improved to make a real difference to people, businesses and the economy. We are asking employers accessing grants, funding and contracts awarded by and across the public sector to commit to:

- Appropriate channels for effective voice and employee engagement, such as trade union recognition;
- Investment in workforce development;
- Action to tackle the gender pay gap and create a more diverse and inclusive workplace;
- No inappropriate use of zero-hours contracts; and
- Payment of the real Living Wage.

Reducing household costs

40. To help families reduce household costs, we are investing £2 billion to support the massive expansion of universally funded **Early Learning and Childcare (ELC)** to 1,140 hours – for all 3 and 4 year olds, and for two year olds who stand to benefit most – a target date for completion of the expansion will be set by the end of 2020. This provision of childcare also helps enable parents to access employment.

41. We have supported the development of a flexible childcare model to make childcare more accessible and affordable for low income families. This includes a toolkit designed to support other ELC providers develop and embed flexible provision within their own services. Since its launch in February 2020, nearly 240 providers across Scotland have signed up to use the toolkit.

42. Significant investment is also being made in the delivery of affordable homes, including those for social rent which we know plays a major role in reducing poverty. The Scottish Government has now delivered nearly 96,000 affordable homes since 2007 the majority for social rent. Our commitment to housing continues as outlined in the draft **Infrastructure Investment Plan**¹⁷ which sets out planned capital investment of over £2.8 billion over 5 years from 2021, to deliver more affordable and social homes in the coming years.

¹⁶ [Fair Work Action Plan – mygov.scot](https://www.mygov.scot/fair-work-action-plan)

¹⁷ [consultation on draft infrastructure investment plan 2021 2022 to 2025 2026 - gov.scot \(www.gov.scot\)](https://www.gov.scot/consultation/investment-plan-2021-2022-to-2025-2026)

43. The Scottish Government has taken steps to mitigate UK Government welfare reforms that impact on household costs for those on low incomes, including committing over £60 million towards **Discretionary Housing Payments (DHPs)** to help people who are affected by the Bedroom Tax. We have also increased the funding for other DHPs which provides housing support for people affected by UK Government welfare reforms including the Benefit Cap and Local Housing Allowance. This has risen from £10.9 million to £18.9 million, as a direct result of the impact of the pandemic.

44. The **Council Tax Reduction (CTR)** scheme in Scotland means nobody has to suffer hardship because they have lost the ability to pay their council tax. The scheme assesses a household's income and other factors, and can reduce council tax liability by up to 100% (meaning a household pays no council tax). Just over 500,000 households received some level of CTR in August 2020. On average CTR recipients saved over £700 a year (over £13 per week). The Scottish Government continue to promote take up of CTR as part of the Money Talk Team service. In the first 21 months of delivery those who used the service gained over £570,000 in terms of CTR they were entitled to but had not applied for.

45. In addition to these cost-saving measures, investment continues in services such as the **Money Talk Team**, to provide advice to help people to maximise their incomes and access the best value deals for goods and services; as well as welfare mitigation, advice and debt services.

Maximising incomes through social security

46. The Scottish Government is building a social security system in Scotland that treats people with dignity, fairness and respect. Eight benefits have now been introduced since 2018, five of which are brand new, three replace previous UK benefits, and all of which are increase support or eligibility. This includes strengthened support through **Best Start Grant** and **Best Start Foods**¹⁸ in the early years. From 12 August 2019, Best Start Foods has replaced the UK Healthy Start Voucher scheme in Scotland, providing direct financial support to families on low income benefits to purchase healthy foods. Best Start Foods targets support for families in the crucial early years, throughout pregnancy up until a child turns three.

47. We have ended the stigma associated with the previous UK Healthy Start Voucher scheme by introducing a pre-paid card that works in the same way as a regular bank card. The Best Start Foods scheme has also increased payments for families from £3.10 to £4.25 a week; improved choice by including a wider range of foods for families to purchase and increased access to a wider range of retailers by removing the need for retailer registration. We are trusting families to make the best informed choices ensuring access to healthy foods that many struggle to afford.

¹⁸ [Information on Best Start Grant and Best Start Foods - mygov.scot](https://mygov.scot)

48. The Best Start Grant has been welcomed by families. The three payments aim to tackle the impacts of child poverty and give children the best start in life by providing financial support to eligible parents and carers during key transition points in children's early years:

- the **Pregnancy and Baby Payment** helps with expenses associated with pregnancy or with having a new child;
- the **Early Learning Payment** helps with the costs of early learning around the time a child might start nursery; and
- the **School Age Payment** provides financial support around the time a child is first old enough to start primary school.

49. The Best Start Grant represents significant additional investment by the Scottish Government in comparison to the UK Government's Sure Start Maternity Grant (SSMG) provision which it replaces. An eligible two-child family will receive Best Start Grant payments totalling £1,900 in their children's early years; £1,400 more than the SSMG.

50. A critical measure in terms of maximising income from social security is the introduction of **Scottish Child Payment** – a new benefit, to be delivered by Social Security Scotland, designed to tackle child poverty head on.

51. The Chair of the **Scottish Commission on Social Security**, Dr Sally Witcher, has described this ground-breaking payment as potentially representing the difference between “a child going hungry or not”.

52. Scottish Child Payment will be available for families on low income benefits with children under 16, paying the equivalent of £10 a week for each eligible child by the end of 2022. This is subject to data on qualifying benefits being received from the Department for Work and Pensions to allow us to make top-up payments. However we have introduced the payment early for families with children under six because we know from evidence that almost 60% of children in poverty live in a family with a child under six. Applications opened in November 2020, with the first payments made from the end of February 2021.

53. The Scottish Government has explicitly rejected the model adopted by the UK Government. Unlike the UK approach, the Scottish system does not impose any cap on the number of children a family can claim for. Eligible families with two children under six will receive up to £1,040 per year, while eligible families with three will receive up to £1,560.

54. The latest **Scottish Fiscal Commission** report forecasts that Scottish Child Payment in the first full year of payment (2021/22) could support up to 163,000 children. This tells us that this support is needed now more than ever. The investment in Scottish Child Payment in 2021/22 is forecasted at £68 million.

55. The Scottish Child Payment has been developed to directly tackle child poverty and is expected to have a positive impact on children's rights as set out in the **UN Convention on the Rights of the Child** in particular the right to an adequate standard of living (Article 27) and to benefit from social security (Article 26).

56. We have endeavoured to make it as straightforward as possible for low income families to access their entitlements and have offered families the opportunity to apply for the Scottish Child Payment at the same time they apply for Best Start Grant and Best Start Foods. The Scottish Child Payment together with Best Start Grant and Best Start Foods will provide over £5,200 of financial support for families by the time their first child turns six. For second and subsequent children this package will provide over £4,900.

57. The Scottish Government **reports annually on progress to tackle child poverty**, with the most recent of these published in August 2020, summarising activity across 2019-20¹⁹. The report also provides the first estimates of spend targeted at children in low income households in 2019-20, which stands at over £672 million – an increase of £144 million on 2018-19.

58. While these actions by the Scottish Government are making a vital difference to low income households in Scotland, our overall ability to tackle poverty is limited by the constraints of devolved competence. **The Scottish Government has direct control of only 15% of the Department for Work and Pensions' total spend on benefits in Scotland.** All income replacement benefits remain reserved to Westminster.

59. The Scottish Government has repeatedly raised serious concerns with the UK Government in relation to welfare benefits in Scotland. In particular we have made numerous requests for key changes to Universal Credit and have highlighted the growing body of evidence which shows that Universal Credit is not working for many recipients and is often causing additional hardship for those who are reliant upon it. In addition we have urged the UK Government to reverse their policies on benefit sanctions which push people to emergency aid including food banks; the benefit cap which disproportionately impacts on families with children, particularly sole parents; and, the child cap on benefits which affects families with three or more children.

60. Recent Scottish Government analysis indicates that, as of May 2020, over 6,000 households in Scotland have had their benefit capped, with each household losing out on an average of £2,600 per year²⁰. The same analysis found that just over 4,000 of those households with capped benefits included lone parents and their children. Both prior to and during the COVID-19 pandemic, we have repeatedly called upon the UK Government to lift the benefit cap and to abolish the two-child limit and its associated rape clause. The Scottish Government has used its devolved powers to create new benefits that do not have a benefit cap, nor are they limited to the number of children that can be claimed for.

¹⁹ [Tackling child poverty: second year progress report \(2019-2020\) - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultation-papers/collections/documents/Tackling-child-poverty-second-year-progress-report-2019-2020.pdf)

²⁰ [Scottish Government published summary of official data on Universal Credit claimants in Scotland \(PDF PowerPoint Presentation\) \(www.gov.scot\)](https://www.gov.scot/resources/consultation-papers/collections/documents/Scottish-Government-published-summary-of-official-data-on-Universal-Credit-claimants-in-Scotland-PDF-PowerPoint-Presentation.pdf)

61. We have also used our powers to offer people in Scotland more control over how they receive their Universal Credit award, with households having the opportunity to receive twice-monthly Universal Credit payments or to have the housing element of their award paid directly to their landlords. These are known as the Universal Credit Scottish choices, delivered on behalf of the Scottish Government by the Department for Work and Pensions. These are intended to provide households, including those with children, more control over the money that they receive in their Universal Credit payment so that how they are paid better suits their household budgeting and needs. These flexibilities have been positively received, with just under half of people who offered the choices taking up either one or both. In May 2020 there were 32,600 people taking up the Direct Payment to Landlord and 68,800 people taking up the More Frequent Payment.

62. The Scottish Government is also working to deliver further flexibility for Universal Credit recipients in Scotland. We are working with the Department of Work and Pensions to develop a new policy that will offer couples the choice to split their household's payment of Universal Credit into individual payments, in an effort to provide independent incomes that reflect the needs and responsibilities of each person.

63. The Scottish Government strongly agrees with the UN Special Rapporteurs. It is unacceptable for those who are in receipt of Universal Credit to be pushed towards reliance on emergency aid, including food banks or the Scottish Welfare Fund. We also agree with the 2018 report from the UN Special Rapporteur on extreme poverty and human rights who said UK levels of child poverty were "not just a disgrace, but a social calamity and an economic disaster".

Promoting dignified and ‘cash first’ responses to food insecurity

64. We recognise the importance of ensuring that people have access to cash in a crisis so that they can buy essentials like food and energy. The **Scottish Welfare Fund**²¹, is a national scheme, underpinned by Scottish Government guidance and administered by local authorities. It can provide **Crisis Grants** where an individual is facing a disaster or emergency situation, and where there is an immediate threat to their health or safety or that of their family. It can also provide **Community Care Grants** that cover the cost of essential household items to enable a settled life in the community.

65. The **Statutory Guidance**²², which local authorities must have regard to when assessing applications, encourages a holistic approach to ensure applicants are referred or signposted on to local services that may provide advice and help, including help to meet needs which cannot be supported through the Welfare Fund. This includes income maximisation and budgeting advice, such as that offered by the Money Talk Team.

66. From March to August 2020, there were around 149,000 applications for Crisis Grants, an increase of 41% on the same period of 2019. Crisis Grant expenditure by local authorities was £9.4 million, 53% higher than the same period of 2019. We provided an immediate additional £22 million funding to the Scottish Welfare Fund at the onset of the pandemic, followed by further £20 million flexible funding and are maintaining close contact with local authorities to monitor and support the provision of grants.

67. The Scottish Government recognises and values the important role which community groups have in providing food and other support for people experiencing food insecurity. We are working with local groups as well as with national food aid organisations to respond to food insecurity in ways that promote dignity and help to move away from emergency food aid as the primary response. We are committed to improving referral pathways between local services so that those facing income crisis have access to the Scottish Welfare Fund as well as advice and income maximisation that can help reduce the need for emergency food aid.

68. We increased our £1 million a year **Fair Food Fund**²³, to £1.5 million in 2018-19, and to £3.5 million in 2019-20. The Fund supports communities to develop more dignified models which promote choice, participation and community development such as community meals, cooperatives and growing projects. It also promotes the development of pathways out of crisis, including strengthened access to income maximisation and wider services to help address the causes of food insecurity. This approach has been further promoted through our flexible, multi-year **Investing in Communities Fund**.

²¹ [Scottish Welfare Fund - mygov.scot](https://www.mygov.scot)

²² [Scottish Welfare Fund: statutory guidance May 2019 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/statutory-guidance/2019/may/pages/12.aspx)

²³ [Information on the Fair Food Fund - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/information-on-the-fair-food-fund/pages/1.aspx)

Coordinating action on food policy: Scotland's Good Food Nation Ambition

74. Scotland's **Good Food Nation policy**³² provides the high level ambition and cross-government coordination to ensure people have access to affordable, locally produced and nutritious food. Our programme of measures – published in September 2018 and updated in November 2019³³ – confirms the important work being done across the Scottish Government to deliver on our Good Food Nation ambition and demonstrates that legislation is not the only way to ensure action. Our Good Food Nation ambition, like all Scottish Government action, will continue to be informed by our international obligations.

75. The Good Food Nation vision is for the people of Scotland to take a keen interest in their food, knowing what constitutes good food, valuing it and seeking it out whenever they can. This starts with young people who we want to see armed with the knowledge and opportunity to understand where their food comes from and to make the right choices throughout their lives. The Scottish Government launched the Good Food Futures programme in June 2019, which aims to provide an overarching coordinated and end-to-end approach to the delivery of food education³⁴ to young people and encourage careers in the food industry.

76. Scottish Ministers are working to develop a new non-statutory statement of policy on food. This work will be led by the Ministerial Working Group on Food and will be informed by the statutory provisions that were proposed for the Good Food Nation Bill, the drafting of which was well advanced when, owing to the COVID-19 pandemic, the decision was taken not to introduce it this parliamentary session. This statement will build on recent experience of COVID-19 response, and will consider rights, security, production and availability of food.

77. The Ministerial Working Group on Food was established to provide cross-government leadership to co-ordinate action on food relevant to achieving a Good Food Nation. Members work collectively to drive progress across portfolios by providing strategic direction, tackling complex issues and sharing best practice.

³² [Good Food Nation policy - gov.scot \(www.gov.scot\)](http://www.gov.scot)

³³ [Good Food Nation - programme of measures: 2019 update - gov.scot \(www.gov.scot\)](http://www.gov.scot)

³⁴ [Food and drink education - gov.scot \(www.gov.scot\)](http://www.gov.scot)

Incorporation of international human rights treaties

78. The Scottish Government is committed to ensuring that Scotland demonstrates clear leadership on human rights. That is why the First Minister established an **Advisory Group on Human Rights Leadership**, which reported in December 2018.

79. The **National Taskforce for Human Rights Leadership**³⁵ is currently taking forward recommendations from the Advisory Group, including proposals for a new statutory framework for human rights in Scotland. As part of this work, the Taskforce has undertaken wide ranging engagement with public bodies, civil society organisations and other interests to determine what will go into the framework. The Taskforce is currently considering the approach it will take to specific rights. In doing so, it will address civil, political, economic, social and cultural rights, including measures to protect against poverty and to secure the internationally-recognised right to food. It will also examine environmental human rights including, in particular, the right to a healthy environment.

80. The Scottish Government has also committed to incorporating the **UN Convention on the Rights of the Child** (UNCRC) into domestic law by the end of the current parliamentary session (i.e. by late March 2021).

81. On 1 September 2020, the **UNCRC (Incorporation) (Scotland) Bill**³⁶ was introduced in the Scottish Parliament and parliamentary scrutiny is now at an advanced stage. Incorporation of the UNCRC is central to making Scotland the best place to grow up. It seeks to ensure that there is a proactive culture of everyday accountability for children's rights across public services in Scotland. This will mean that children, young people and their families will experience public bodies consistently acting to uphold the rights of all children, across the whole of Scottish society. Public authorities, including Scottish Ministers, will be under a statutory duty not to act incompatibly with the UNCRC rights and rights holders will be able to challenge public authorities in the courts in the event that the actions of state institutions result in breaches of their UNCRC rights.

³⁵ [National Taskforce for Human Rights Leadership - gov.scot](http://gov.scot) (www.gov.scot)

³⁶ [United Nations Convention on the Rights of the Child Incorporation Scotland Bill – Bills \(proposed laws\) – Scottish Parliament | Scottish Parliament Beta Website](#)

The Scottish Government's response to food insecurity during the COVID-19 pandemic

82. The COVID-19 pandemic led to considerable worry about household food security – a survey by Food Standards Scotland in May 2020 found 25% of people were either very worried or somewhat worried about their household not being able to afford food in the next month.³⁷

83. The COVID-19 crisis also created new challenges in relation to physical access to food, particularly for those groups at high clinical risk and who were temporarily asked not to leave their homes. It has been of vital importance that all individuals have access to adequate food and the barriers that caused food insecurity are mitigated and addressed. That is why the Scottish Government made considerable investment in providing on-going support for food access through our communities funding package, which included ensuring free school meal replacement was available to eligible pupils during periods of remote learning.

Access to food and other essentials

84. On 18th March 2020 the Cabinet Secretary for Community and Local Government, Aileen Campbell, announced an initial investment of £350 million in a package of support for communities and households affected by the pandemic. This included an initial £70 million **Food Fund** to support people facing physical and financial barriers to accessing food. Scottish Government has now committed over £130 million to tackle food insecurity caused by the pandemic. This has included support in the following areas:

Support for those at highest clinical risk

£50.3 million was invested in our nationally coordinated response for those at highest clinical risk of COVID-19, known as the 'shielded' group who were asked to isolate in the first months of the pandemic. This provided funded grocery packages, containing essential supplies, until the end of July 2020. Work was also done with retailers to make priority online supermarket delivery slots available.

A **National Helpline** was established for anyone concerned (shielding or otherwise) which connected callers to local sources of support, including support to access food and other essentials.

³⁷ [Food insecurity data from Food Standard's Scotland survey May 2020 \(PDF slides\) \(foodstandards.gov.scot\)](#)

Support for others struggling to afford or access food and other essentials

85. £87.6 million has been made available to local authorities in Scotland to provide support for at-risk groups from April 2020 - March 2021, with a focus on those facing financial barriers to accessing food, including the provision of free school meal support over the school holidays up to and including Easter 2021. This support also enabled local partners to support older people and those with long-term health conditions who were not in the shielded group but were asked to take additional precautions and may have faced difficulties accessing food.

86. The Scottish Government issued **Guidance to Local Authorities**³⁸ on the delivery of this funding. This highlighted the importance of a 'cash first' approach to food insecurity caused by a lack of income, and provided flexibility to use the Fund to best meet emerging local needs and circumstances. The guidance included a set of guiding principles, such as multi-sectoral joined up approaches and the importance of "whole household whole need" responses which did not look at issues in isolation but considered the wider context of an individual's life. Local authorities worked closely with the third sector, community groups and local businesses to support home delivery, provide financial help, and meet dietary requirements. Scottish Government officials have engaged closely with local authorities to develop shared practice, monitor this spend and provide advice and support.

87. For people who have been able to access food shopping safely during the pandemic, we recognise the importance of ensuring they are able to afford to buy the food and other essentials they need. This approach is founded on the principles of respect and dignity. That is why we provided local authorities the flexibility to offer their allocation of funding as cash where appropriate. An example of this cash first approach in practice is provided by Moray Council which established a new **Flexible Food Fund** providing people who were struggling financially, particularly new Universal Credit claimants, with a cash grant alongside income maximisation and debt support.

88. Furthermore, in March 2020 we significantly increased investment in the **Scottish Welfare Fund**, distributing £22 million to meet demand for urgent financial support arising as a consequence of COVID-19. This is in addition to the £35.5 million already provided to support people in need through the Scottish Welfare Fund. We recognise that people with no recourse to public funds are unable to access crisis support through the Scottish Welfare Fund because it is restricted under UK Government immigration rules. By providing local authorities with flexibility in how they use additional funding allocated during the pandemic, they are able to support people living in our communities on the basis of need not immigration status.

89. Considerable investment has also been made in national and local third sector and community food responses to the pandemic, totalling over £15 million. Funded activities have included shopping services, food and activity packs and meal delivery, alongside wider social and emotional, as well as practical support. We have sought to retain this emphasis on dignity through our COVID-19 response funding.

³⁸ [Coronavirus \(COVID-19\): Food Fund guidance for local authorities - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultation-papers/coronavirus-covid-19-food-fund-guidance-for-local-authorities/)

90. Funding to the third sector included £2.1 million to **FareShare** to purchase food for distribution to local food hubs and community groups. This helped bolster local responses during a period of significant disruption to food sourcing. However our commitment, shared by partners and outlined elsewhere in this report, is to move away from food aid responses to food insecurity caused by financial drivers. Where food purchasing is required, we recognise that this may provide an opportunity to further examine and enhance local food system resilience and should be tailored as far as possible to meet diverse needs.

91. We have partnership working in place with national food aid organisations and throughout the pandemic Scottish Government officials have held regular discussion with **FareShare**, **Trussell Trust** and the **Independent Food Aid Network**. This partnership will also be crucial in our transition to recovery and renewal and our ambition to end the need for emergency food aid.

92. Additional support has been provided to households on low incomes and people at risk of homelessness or social isolation over the winter months December 2020 to March 2021. The Winter Plan for Social Protection aims to help households cope with the winter weather and economic impacts of the pandemic and the UK's Exit from the EU. Key elements of the Plan include:

- £22 million for low income families including £16 million to provide the families of an estimated 156,000 children in receipt of free school meals a one-off £100 COVID Winter Hardship Payment;
- £23.5 million to help vulnerable children through additional support for residential and care homes, social work, and the Children's Hearing system;
- £15 million for the Communities and Third Sector Recovery Programme to support the work of local organisations;
- £5.9 million to promote digital inclusion for older people, support social isolation and loneliness and to promote equality;
- £7 million to help people who are struggling to pay fuel bills; and
- £5 million to help those at risk of homelessness find a settled home.

Free School Meals support during the pandemic

93. The Scottish Government recognises that **free school meals** are a key support for low income families during term time, and provides on average a saving of £400 per year per child for every family in receipt of free school meals. Prior to school closures the Scottish Government estimated that approximately 122,000 were eligible for free school meals.

94. The unprecedented situation with remote learning due to Covid-19 led to new approaches being put in place by Scottish local authorities to ensure that: eligible pupils continued to receive free school meals or alternative support; that newly eligible pupils also received this support; and, that the support was expanded to cover school holidays.

95. At the outset of the pandemic, we outlined the benefits of cash-based support but recognised that flexible approaches were required for local authorities to enable them to ensure that all eligible children were able to receive a free school meal or alternative support. In doing so, we took account of factors such as the geography of Scotland and the fact that local authorities have to meet the needs of diverse communities, across urban, rural, island and remote communities.

96. We issued guidance to our local authority partners on 26 March 2020 to ensure appropriate care and support was provided to vulnerable children, this included guidance on the provision of free school meals during remote learning. We also introduced, as part of the educational continuity directions, a regulation to require alternative provision (e.g. other food and drink, vouchers or cash) to be provided to eligible pupils when a local authority was unable to secure the continued provision of free school meals.

97. From April 2020, the Scottish Government has provided over £37 million specifically for the continued provision of free school meals and alternatives up to and including the Easter holidays in April 2021, reaching over 170,000 eligible children and young people. Local authorities in Scotland have predominantly fulfilled this responsibility through direct cash payments and the provision of vouchers, alongside the provision of meals to those attending school.

98. We recognised that families financial circumstances may change as a result of the impact of COVID-19 and we worked closely with local authorities during this time. Local authorities were able to utilise an existing power, granted through the **Education (Scotland) Act 1980**, which gives discretion to offer free school meals to families who do not receive any of the qualifying benefits which would normally entitle them to free school meals but where they are experiencing financial hardship due to exceptional circumstances. This included any changes to circumstances which may have been brought about by the COVID-19 pandemic.

99. This discretionary power also provides local authorities with the ability to provide free school meals to all families with **No Recourse to Public Funds**, where a situation of this nature has been brought to their attention. The Scottish Government has included this on our advice page on free school meals on our national webpage.³⁹

100. In addition to funding for free school meals and alternative support, the flexible funding provided through the communities funding package has enabled local authorities to target further wraparound support to low income families, including those with young people eligible for free school meals.

101. In recognition of the higher cost of living many households experience during the school holidays, the Scottish Government has committed in Programme for Government to further exploring with the Convention of Scottish Local Authorities (COSLA) what support can be provided during the school holidays in future.

³⁹ [Information on Free School Meals in Scotland - mygov.scot](https://www.mygov.scot/free-school-meals)

Recovery and Renewal: addressing food insecurity beyond the pandemic

102. COVID-19 has exposed the pre-existing vulnerabilities and shortcomings of the UK welfare system and the reliance of the UK economy on low paid, insecure work. The UK Government should use this as an opportunity to fix these longstanding issues. During COVID-19 we have seen that the UK Government is capable of making rapid adjustments to existing systems - including increasing Universal Credit, Working Tax Credit and the Local Housing Allowance.

103. However, it has also indicated that these positive changes will not be retained for the longer term and are intended only as temporary responses to the pandemic. The Scottish Government believes this to be a mistake and has urged the UK Government not only to make the changes permanent but to reflect more broadly on the lessons learned during the pandemic.

104. The direct and indirect impacts of the pandemic have been devastating for individuals and communities across the whole of Scotland. The extent of these impacts provides further reasons to challenge traditional ways of working and to identify ways in which significant further improvements can be made for the future. There has been much positive work to build upon, including the rapid, creative, cross-sectoral responses put in place at a local level to support access to food during the crisis. We are committed to building on existing progress to create a fairer, more equal Scotland in the post-pandemic era.

105. The Scottish Government recognises that independent and objective advice from leading experts, together with civil society partner organisations and individual rights-holders with direct lived experience will be essential in order to face the challenge of ensuring long-term social renewal over the coming months and years.

106. That is why we set-up an expert **Social Renewal Advisory Board**⁴⁰ and related policy circles to capture this learning and drive progress. A specific policy circle on access to food has contributed to these discussions. This circle contains key stakeholders from across civil society and the public sectors with expertise in responding to food insecurity at a local and national level. The Social Renewal Advisory Board's report "If Not Now, When?"⁴¹ was published on 21st January 2021 and contains wide ranging recommendations for how Scotland can learn from the pandemic and take action to build a more equal and socially just society.

107. In our **Programme for Government**⁴², published on 1st September 2020, we recognised the value of coordinated partnership working across sectors in response to food insecurity caused by the pandemic, and we committed to work with the Board to consider how this can be further developed going forward.

⁴⁰ [Social Renewal Advisory Board - gov.scot \(www.gov.scot\)](https://www.gov.scot)

⁴¹ [Social Renewal Advisory Board report: January 2021 - gov.scot \(www.gov.scot\)](https://www.gov.scot)

⁴² [Protecting Scotland, Renewing Scotland: The Government's Programme for Scotland 2020-2021 - gov.scot \(www.gov.scot\)](https://www.gov.scot)

108. If we are to achieve our ambitious goal of ending hunger by 2030, it will require sustained and focused efforts to address poverty and inequality in Scotland. We must be bold in our actions to improve public services, working in partnership with local communities to provide meaningful pathways out of poverty and support to address financial, social, emotional and psychological impacts. It will also require cross-government action on food policy, as currently being taken forward by the **Ministerial Working Group on Food**, aligning the social, health, environmental and economic priorities to create a more just food system in Scotland. The values of kindness, dignity and compassion, which are at the heart of Scotland's National Performance Framework, must drive our food insecurity policy development if we are to achieve real and lasting change.

Annex

Joint communication from the UN Special Rapporteur on the right to food and the UN Special Rapporteur on extreme poverty and human rights – 5 August 2020

Mandates of the Special Rapporteur on extreme poverty and human rights; and the Special Rapporteur on the right to food

REFERENCE:
AL GBR 8/2020

5 August 2020

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on extreme poverty and human rights and Special Rapporteur on the right to food, pursuant to Human Rights Council resolutions 44/13 and 32/8.

In this connection, we would like to bring to the attention of your Excellency's Government information concerning **the deepening level of food insecurity among low-income households, particularly families with children, and the lack of comprehensive measures to ensure their access to adequate food.**

At the outset, we would like to welcome the recent announcement of your Excellency's Government on 16 June 2020 to establish a £120 million "Covid Summer Food Fund"¹ to extend the existing food voucher scheme to provide food to approximately 1.3 million children over the summer holiday. We commend continuous efforts of your Excellency's Government to immediately address severe economic and social consequences of COVID-19 on low-income families and recognize that this is a formidable challenge for many Governments facing such an unprecedented crisis. We also note the first review by the Government of the National Food Strategy, issued on 29 July 2020.

The purpose of this letter, however, is to draw the attention of your Excellency's Government to the reports of an alarming increase in food-insecure households with children as a result of COVID-19 and to engage in a dialogue with your Excellency's Government on the need to provide for access to adequate food through a more comprehensive social protection scheme.

Context – COVID-19 and Food Insecurity

The economic and social consequences of the COVID-19 pandemic have been particularly severe for low-income households in the United Kingdom. According to the official statistics, in Great Britain, the pandemic has resulted in reduced income levels for approximately 8.6 million people and 2.6 million people are struggling to pay for essential goods and services, such as food and energy.² In part because other expenses such as for housing, energy or transport cannot be compressed, income losses arising

¹ <https://www.gov.uk/guidance/covid-summer-food-fund>

² Office for National Statistics, Personal and economic well-being in Great Britain: May 2020, <https://www.ons.gov.uk/peoplepopulationandcommunity/wellbeing/bulletins/personalandeconomicwellbeingintheuk/may2020>

from the COVID-19 crisis have significantly contributed to an increase in the number of persons who are food insecure: households living in poverty sacrifice on meals because they have no other option if they want to stay off the streets.³ A recent survey conducted by the Food Standards Agency indicates that almost 1 in 5 persons had cut down meal sizes or skipped meals during the months of April and May, due to not having enough money.⁴ It has been reported that levels of food insecurity are almost 250 percent higher than they were prior to the lockdown, with approximately 4.9 million adults and 1.7 million children currently food insecure.⁵

Even before the COVID-19 crisis, food insecurity was on a rising trend and one of serious concerns facing low-income households. In 2016, the UN Committee on Economic, Social and Cultural Rights expressed concerns about the lack of adequate measures adopted by Your Excellency's Government to address the increasing levels of food insecurity and malnutrition, as well as to reduce the reliance on food banks.⁶ In 2017, between 8 and 10 percent of households in the United Kingdom were food insecure, rising from 28 percent to 46 percent of low-income adults between 2004 and 2016.⁷ The former Special Rapporteur on extreme poverty and human rights, who visited the United Kingdom in 2018, pointed out that austerity policies implemented since 2010 had devastating consequences on low-income households and directly contributed to an increase in poverty, homelessness and rough sleeping, and food insecurity.⁸ Over the past years, the number of people who rely on food banks has dramatically increased. Food bank use increased almost four-fold between 2012–2013 and 2017–2018, and there are now over 2,000 food banks operating in the United Kingdom, compared to only 29 at the height of the financial crisis in 2008.⁹

The COVID-19 crisis has deepened food insecurity that many households in vulnerable situations were already facing. Evidence indicates that families with children, who were already living in poverty before the crisis, have been particularly affected and plunged into deeper hardships. Reports suggest that parents with children who were living in poverty before the crisis are around 50 per cent more likely to have lost their jobs than those with children but not in poverty.¹⁰ According to the abovementioned

³ Rachel Loopstra, Vulnerability to food insecurity since the COVID-19 lockdown, 14 April 2020, https://foodfoundation.org.uk/wp-content/uploads/2020/04/Report_COVID19FoodInsecurity-final.pdf

⁴ The number of people (or people in their households) who had cut down meal sizes or skipped meals due to not having enough money was 18% in April and 16% in May. Food Standards Agency, Covid-19 Consumer Tracker Waves 1 and 2 (June 2019), <https://www.food.gov.uk/sites/default/files/media/document/covid-19-consumer-tracker-report.pdf>, at 7.

⁵ Food Foundation, Food Foundation Polling: fourth survey – seven weeks into lockdown (22 May 2020), <https://foodfoundation.org.uk/vulnerable-groups/>

⁶ Committee on Economic, Social and Cultural Rights, Concluding observations on the sixth periodic report of the United Kingdom of Great Britain and Northern Ireland, E/C.12/GBR/CO/6 (2016), para. 53.

⁷ Food Standards Agency, Covid-19 Consumer Tracker Waves 1 and 2 (June 2019), <https://www.food.gov.uk/sites/default/files/media/document/covid-19-consumer-tracker-report.pdf>, at 8.

⁸ Report of the Special Rapporteur on extreme poverty and human rights, Visit to the United Kingdom of Great Britain and Northern Ireland, A/HRC/41/39/Add.1 (2019).

⁹ Ibid, para. 22.

¹⁰ Joseph Rowntree Foundation and Save the Children, A lifeline for our children: Strengthening the social security system for families with children during this pandemic (June 2020), <https://www.jrf.org.uk/file/55316/download?token=zdQGDbBp&filetype=briefing>, at 3.

survey by Food Standards Agency, food insecurity is particularly a concern for households with children, along with younger age groups (notably 16-24 years old) and those with a physical or mental health condition; furthermore, households with a child were “significantly more likely to have used food banks or food charities” to access food.¹¹ That survey was finalized before the Covid-19 crisis hit: all the available indicators point to the fact that the situation has worsened since.

Free School Meals (FSM), food voucher system and other support to address food insecurity

We are aware that the UK Government has in place a number of measures aimed at providing food to those in vulnerable situations, such as children from low-income backgrounds. One such measure is the Free School Meals (FSMs) program providing for free lunches at school to children whose parent or care giver is in receipt of qualifying welfare benefits. The average cost of providing a child with a meal during the school year is estimated at £437, which is a considerable expense for low-income families.¹² The FSM regime has thus become a vital means for many low-income families to ensure that their children have at least one nutritious meal per day. However, it has been long pointed out that the FSM regime is not adequate in terms of coverage to effectively address child hunger and food insecurity. In England, the FSM system covers 1.3 million children, but large numbers of children living in food-insecure households are reportedly ineligible to receive free school meals. Such children include, for instance, children whose parents have “No Recourse to Public Funds” (“NRPF”) due to their immigration status, and children who have become ineligible for FSMs after the Government restricted the eligibility to families on Universal Credit with net earning below £7,400 per year.¹³ In 2016, the UN Committee on the Rights of the Child expressed concerns about “the lack of comprehensive data on child food security” and about research findings indicating that “...currently available programmes, such as free school meal programmes, may not be effectively responding to child hunger”.¹⁴

We are also aware that, in response to the COVID-19 crisis and following school closures on 20 March 2020, the UK Government introduced a food voucher scheme, in order to ensure that those children who received FSMs continue to have access to meals. We understand that the scheme provided qualifying families with vouchers worth £15 per week per eligible child, which can be redeemed in a number of supermarkets and other shops. We have received many reports, however, indicating that the voucher scheme was fraught with technical and practical problems that prevented eligible families from using the vouchers to buy food.¹⁵ Among the problems were: technical glitches; delays in families receiving the vouchers; difficulties for many families to understand how the

¹¹ Food Standards Agency, Covid-19 Consumer Tracker Waves 1 and 2 (June 2019), <https://www.food.gov.uk/sites/default/files/media/document/covid-19-consumer-tracker-report.pdf>

¹² Sustain Briefing: Right to Food and Universal Free School Meals, February 2020.

¹³ Sustain Briefing: Right to Food and Universal Free School Meals, February 2020.

¹⁴ Committee on the Rights of the Child, Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland, CRC/C/GBR/CO/5 (2016), para. 66(b).

¹⁵ Human Rights Watch, UK: Children in England Going Hungry with Schools Shut, 27 May 2020, <https://www.hrw.org/news/2020/05/27/uk-children-england-going-hungry-schools-shut>

voucher system worked, because of their limited language skills, internet access and digital skills; the inability of some supermarkets to process the vouchers at checkout; and the inability to redeem the vouchers at low-cost or independent shops and markets preferred by low-income families.¹⁶ A survey carried out after 5 weeks of lockdown found that that 500,000 children who were having FSMs before lockdown were still not receiving a meal substitute.¹⁷ While it has been reported that some of the technical problems have been fixed and that the system has improved, questions remain as to whether and how the existing problems on the user's end would be addressed, in order to ensure that all eligible families receive meal substitutes.

We acknowledge that, notwithstanding the shortcomings of the food voucher system, the Government has taken some positive steps to expand its reach. As noted above, the Government has announced an extension of the food voucher scheme over the six-week summer holiday and also recently allowed some categories of children with NRPF to be eligible for the FSM system, so that they could receive meal substitutes through the food voucher system. While we welcome these important steps, concerns with respect to the inadequate coverage of the FSM system remain. In this regard, we note that the first review of the National Food Strategy has recommended an expansion of FSMs to 1.5 million more children between 7 to 16-year-olds in households receiving Universal Credit benefit, as well as a nationwide expansion of holiday hunger schemes.¹⁸ The holiday hunger schemes are currently state-funded in 16 local council areas and only reach 50,000 children, when around 3 million children are reportedly at risk of hunger during the school holidays. As far as children with NRPF are concerned, it has been pointed out that it would still leave out many categories of children with NRPF who are equally in need for support. Furthermore, the extension is expected to be a temporary measure, ending as soon as schools reopen.

Beyond the food voucher system, the Government has taken action to increase support available to low-income households following the COVID-19 crisis. The Government has increased the standard allowance of Universal Credit by £20 per week and also expanded its coverage,¹⁹ in response to a record-high increase in the number of claims for Universal Credit. However, these measures are reportedly far from sufficient in ensuring that all children in need receive adequate food, as the increase in amount is not adapted to the number of children in beneficiary households. The existing restrictions in Universal Credit, such as the two-child limit and the benefit cap, also continue to negatively affect families with more than 2 children. Recent research shows that 43 per cent of families with children claiming Universal Credit or Child Tax Credit have cut back on food as a result of the COVID-19 crisis, and 72 per cent of those families had cut

¹⁶ Ibid.

¹⁷ Food Foundation Polling: Third survey – five weeks into lockdown, <https://foodfoundation.org.uk/vulnerable-groups/>

¹⁸ National Food Strategy: Part One, <https://www.nationalfoodstrategy.org/wp-content/uploads/2020/07/NFS-Part-One-SP-CP.pdf>, at 56.

¹⁹ For instance, eligibility requirements for certain claimants, such as the self-employed, have been eased. Department for Work and Pensions, Universal Credit: 29 April 2013 to 9 April 2020 (19 May 2020), <https://www.gov.uk/government/publications/universal-credit-29-april-2013-to-9-april-2020/universal-credit-29-april-2013-to-9-april-2020>

back on essential items, including food, utilities, and children’s needs such as books and toys.²⁰

The Government has furthermore pledged to distribute £63 million to local authorities in England to assist those struggling to afford food and other essentials due to coronavirus.²¹ While this is an important positive step, we have heard concerns as to whether the additional funding would be properly ring-fenced to address food insecurity among children, particularly in light of budget shortfalls that many local councils are facing due to COVID-19.

Given these shortcomings of the existing measures and the profound impact of COVID-19, people have increasingly turned to food banks and many other parts of the charitable sector, which is reportedly under severe strain.²² The use of food banks, which is often used as a proxy indicator for levels of poverty and food insecurity, has soared following the COVID-19 crisis. In the month of April 2020, the Trussell Trust has reported that the provision of emergency food parcels has increased by 89 per cent and that the number of families with children receiving parcels has almost doubled, compared to the same month last year.²³ They have clearly stated that it is unsustainable to “indefinitely meet an unprecedented level of increased demand” and called on the Government to consider a new income support scheme to low-income families, as well as the suspension of the benefit cap and the two-child limit on benefits: financial hardship, not the sudden pressure on the charity sector, is the root of the problem.²⁴ Similarly, the first part of the National Food Strategy has reportedly noted that “...the best way to tackle food poverty is to tackle poverty”, rather than relying on food banks and other emergency measures.²⁵

The overall picture that emerges from the information we have received is that the measures in place have not gone far enough to contain the effects of COVID-19 on food insecurity of low-income households, particularly families with children. The decade of austerity has already left low-income families vulnerable to food insecurity even before

²⁰ Joseph Rowntree Foundation and Save the Children, A lifeline for our children: Strengthening the social security system for families with children during this pandemic (June 2020), <https://www.jrf.org.uk/file/55316/download?token=zdQGDdBp&filetype=briefing>, at 12.

²¹ Ministry of Housing, Communities & Local Government, Department for Environment, Food & Rural Affairs, Department for Work and Pensions, and Victoria Prentis MP, £63 million for local authorities to assist those struggling to afford food and other essentials (11 June 2020), <https://www.gov.uk/government/news/63-million-for-local-authorities-to-assist-those-struggling-to-afford-food-and-other-essentials>

²² Andrew Mackley et al, Coronavirus: Support for household finances, The House of Commons Library Briefing Paper Number 8894, 22 June 2020, <https://commonslibrary.parliament.uk/research-briefings/cbp-8894/>

²³ The Trussell Trust, UK food banks report busiest month ever, as coalition urgently calls for funding to get money into people’s pockets quickly during pandemic (3 June 2020), <https://www.trusselltrust.org/2020/06/03/food-banks-busiest-month/>

²⁴ Patrick Butler, Food banks' stark warning to government: we can't do this alone, The Guardian (15 May 2020), <https://www.theguardian.com/society/2020/may/15/food-banks-warning-government-poor-families-coronavirus>

²⁵ National Food Strategy: Part One, <https://www.nationalfoodstrategy.org/wp-content/uploads/2020/07/NFS-Part-One-SP-CP.pdf>, at 55.

the COVID-19 crisis. It is our view that the deepening level of food insecurity can only be addressed through more comprehensive measures that address the existing structural deficiencies in the FSM system and other measures aimed at alleviating poverty and food insecurity, rather than piecemeal efforts of a temporary nature, designed to specifically address the negative impact of COVID-19.

In this context, we take this opportunity to recall the United Kingdom Government's obligations to fulfil the right to an adequate standard of living, including adequate food. As a State Party to the International Covenant on Economic, Social and Cultural Rights, the United Kingdom Government is under an obligation to make every effort to make use all available resources to satisfy minimum essential levels of economic, social and cultural rights, even in times of severe resource constraints.²⁶ The obligation to fulfil these rights, including the right to food, entails an obligation to ensure that all individuals can afford adequate diets, or to provide food directly, if people do not have the means to purchase food.²⁷ While taking note of a number of measures and efforts undertaken by the United Kingdom Government to provide for food and necessary resources to ensure food security, we are concerned that they are not adequate and comprehensive enough to counter the rising trend in food insecurity and the devastating impact of COVID-19, which has exacerbated hardships already experienced by many low-income households. Reliance on the charitable sector to provide for food is not the answer and surely cannot become a permanent part of the social protection system. In our view, it is ever more critical and urgent to consider overhauling the existing restrictions in the welfare regime – such as the benefit cap and the two-child limit – that pose obstacles for low-income families to ensure an adequate standard of living for their members, and to take concrete steps towards establishing a universal and comprehensive social protection system. We also would respectfully call on your Excellency's Government to recognize the right to adequate food in its domestic legal framework and give effect to it by ensuring that the welfare system is designed and implemented on the basis of the full respect for human rights.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comments that you may have on the above-mentioned allegations.
2. Please provide information on whether the United Kingdom Government would consider providing families eligible for the food voucher system with alternative support, such as cash payments, in view of the difficulties they reportedly experience in using the vouchers?

²⁶ Committee on economic, social and cultural rights, General comment No. 3 (1990): The nature of States parties' obligations (art. 2, para. 1, of the Covenant) (E/1991/3), para. 10..

²⁷ Committee on Economic, Social and Cultural Rights, General Comment No. 12 (1999): The right to adequate food (art. 11) (E/C.12/1999/5), para. 15.

3. Please provide information on whether the United Kingdom Government plans to extend the Free School Meals (FSM) system to broader categories of children whose parents fall belong to the “No Recourse to Public Funds” (NRPF) category and whether the extension would continue when the schools reopen.
4. Please provide information on how the United Kingdom Government regularly monitors and assesses the effectiveness of policies and programmes on child food security, in the implementation of the recommendation of the Committee on the Rights of the Child? We would appreciate being provided with a copy of such an assessment, if available.
5. Please provide information on how £63 million allocated to local authorities in England would be used to assist those struggling to afford food and other essentials due to the impacts of the COVID-19-related economic downturn.
6. Please provide information as to whether the Government is considering amending the regulations on Universal Credit, so that the benefit amount responds to the number of children in beneficiary households and provides for an adequate level of support to satisfy their needs, particularly children’s?
7. How does the Government plan to address the deepening level of food insecurity, taking into account recommendations contained in the first part of the National Food Strategy?

This communication and any response received from your Excellency’s Government will be made public via the communications reporting [website](#) after 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency’s Government’s to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

Olivier De Schutter
Special Rapporteur on extreme poverty and human rights

Michael Fakhri
Special Rapporteur on the right to food



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