

Transcript for Good Food Nation Workshop – Relevant Authority Plans

Slide 1

Welcome to this information session on the relevant authority plans that are required by the Good Food Nation Act. The presenters are all members of the Scottish Government's Good Food Nation team.

In the introductory information you'll see we provided a link to a guide that has been published by the Scottish Government. The session will work best if you can have the guide to hand so you can see the exact text of the legislation.

Slide 2

We'll give an overview of the legislative requirements set out in the Good Food Nation Act that relate to relevant authorities.

The Act sets out that relevant authorities are all 32 local authorities and the 14 territorial health boards.

We will provide a bit of background information about each of the legislative duties and what this might mean in practice.

We will give an overview of our key learnings from developing the national Good Food Nation Plan and provide some prompts about how you might undertake the tasks required to meet your own legislative requirements.

In order to keep this session as concise as possible we have kept the information high level but if you have any questions there will be contact information at the end of the presentation.

Slide 3

Before we begin I'd like to emphasise that this is not intended to be a substitute for obtaining your own legal advice.

The session is not a prescriptive check list of tasks, rather it is intended to provide some prompts and ideas of how to prepare your own Good Food Nation Plans.

I would also say that we recognise that these are the first plans and this is a new approach to the development of joined up food policy – this is not an easy task!

There will be many lessons learned along the way, and we intend to continue sharing good practice and learning as the work progresses at both the national and local level.

We will go through the legislative requirements step by step, provide an explanation of what the duty is and provide some prompts and pointers for things to consider when developing your own plans.

We have concentrated on sections 10 to 18 of the Act as these are directly relevant to local authorities and health boards.

Slide 4

These sections of the Act trigger the duty on relevant authorities to develop a Good Food Nation Plan. Once section 10 is “commenced” or started you will need to publish your plan within a 12-month time period. As of April 2025, these sections are not yet in force: there will be plenty of notice before the 12 month “clock” starts.

Although the 12-month timeline cannot be changed, we are considering non-legislative ways to extend the time that you will have to develop your first plans. As of April 2025 these discussions are ongoing and no final decision has been made.

Even before the legislative duty kicks in there is preparatory work that could be done. For example: identifying who will lead on this work; which departments or policy areas will need to be involved; what food policy is already in existence; and where there may be gaps in information and knowledge.

There is also scope for preparatory work around indicators and measures. Each relevant authority will likely have a range of data they collect but these may be scattered across a variety of different departments and may have been developed in isolation. Early work to assess the situation and identify any gaps as soon as possible would be useful.

Slide 5

These sections of the Act set out what your Good Food Nation Plan must contain. This includes outcomes in relation to food-related issues; the policies needed to achieve these outcomes; and the indicators and measures by which progress can be assessed.

In addition, you must “have regard” to the national Good Food Nation Plan. The term “have regard” is used in several places in the legislation, it is a statutory requirement and indicates where you must give consideration to a particular thing or things. We have provided a more detailed explanation in our guide.

While you must have regard to the national Plan, this does not mean you need to copy exactly how that Plan has been drafted. Rather, you need to consider how you might draw on the contents to inform the development of your own Plan. For example, although you must have regard to the national Plan and therefore the outcomes that form part of it, you have the flexibility to develop your own outcomes that are relevant to your organisation and area.

We have been asked if it is possible to have joint plans where, for example, local authorities and health boards work together to produce a single plan. Whilst this is ultimately your decision, our recommendation is that good food nation plans are produced as stand-alone documents and not combined with those from other relevant authorities. If plans are combined there is a risk of not being able to demonstrate how you have complied with your legislative duties. We suggest that if you are considering joint plans you obtain legal advice as early as possible as to whether you will be able to meet the legal requirements.

Although joint plans may be tricky from a legislative point of view there is scope for working in partnership so that plans can reflect the issues a local authority and health board have in common. We would encourage you to explore options for partnership working though, again, this would need to be within the bounds of the legislation.

Slide 6

As well requiring the plan to set out outcomes, policies; and indicators and other measures, the Act also requires relevant authorities to have regard to food related issues and principles when preparing and determining the content of your plan. This means there will be a common thread throughout all the Good Food Nation plans, as they must all consider these same aspects. Again, our guide provides more detail on this.

Generally something to think about is how you will record that you have complied with the duty to have regard – how did you have regard? How did this regard inform decisions about the content of your Plan?

The consultation draft of the national Plan contained some examples of how we demonstrated we had regard to the various aspects of the Act.

We will continue to share our learning as the process of developing Good Food Nation plans gets underway.

Slide 7

Section 12 of the Act contains a requirement to consult on your plan. It sets out a requirement to have regard to the importance of communicating in an inclusive way, and about the importance of communicating effectively with children and young people. It does not set out exactly how this consultation should be done, allowing for some flexibility in approach. This means how this requirement is met is likely to vary between relevant authorities.

While you may be used to undertaking consultations, these legal requirements may prompt you to think about how you could undertake this particular consultation differently. Our guide provides some information on inclusive communication you may find useful.

In terms of communicating effectively with children and young people, you may have existing networks that you can tap into, or it may be that only some aspects of your plan are directly relevant to children. There are many ways this can be done, and we encourage trying innovative approaches. It will be incredibly helpful to learn what works well and to share any lessons learned to support development of future plans.

We have also included Section 18 here because is linked to consultation and communication. Whilst Section 12 sets out the communication requirements specifically for the consultation process, Section 18 sets out the need to have regard to the importance of communicating in an inclusive way for any documents required by the Act. For example, the consultation documents, the accompanying statements and the plan itself.

Slide 8

Sections 13 and 14 of the Act cover the need to have regard to the national Good Food Nation Plan and the requirement to publish a statement alongside your plan. This statement must explain how you have had regard to both the national Plan and the principles set out in the Act and how the consultation requirements were met.

The Act does not specify the format of the statement and will likely vary depending on how you have chosen to develop your plans.

As mentioned earlier; to help with the development of your statements it would be good to have a process by which you can keep track of how you have “had regard” whilst developing your Plan. Establishing a process early on will help ensure the statement clearly sets out how this legislative duty has been met.

Slide 9

This section requires relevant authorities to have regard to their own good food nation plan when they are exercising certain functions. These functions will be set out in secondary legislation, which is yet to be drafted.

In this way the specified functions give effect to the Plan, ensuring that Relevant Authorities are considering the impact that their actions will have on future policy related to food and how their actions will contribute towards achieving the outcomes in the plan

By attaching the duty to certain functions only, it allows for a more targeted and efficient approach. This avoids placing a blanket requirement on relevant authorities to consider the Plans across all activities, even where they may not be relevant.

The functions can be presented in two different ways. They can either be functions which are specified within legislation or they can be a function which falls within a specified description, for example a description of an action of government.

The SSI does not exist yet and we will consult Relevant Authorities on its content when we are beginning the drafting process.

But it would be important to start considering now how your organisation might record this “have regard” duty once the first GFN Plan has been published.

This can help to ensure that awareness of this requirement is embedded once it is commenced.

Slide 10

The Act contains reporting and review duties. Our guide contains a diagram setting out the timetable for reporting, review and revision requirements. In short, a progress report must be published two years after the relevant authority publishes its first plan and then every subsequent two years. In addition, there is a requirement to review the plans within five years of the date of publication of your Good Food Nation Plan and, if appropriate, revise your plan.

When reviewing your plan the Act sets out there is a need to have regard to any recommendations by the Scottish Food Commission.

As the Scottish Food Commission is established you will be hearing more about it, it is up to themselves to decide how to carry out their functions but it is useful to know about the role they will play during the development of future plans.

Slide 11

These sections of the Act deal with the process to be undertaken when revising your Good Food Nation Plan. In summary, you will need to carry out all the steps you undertook for the first plan in the same way for every subsequent plan.

As the work of the plans develops it is likely there will be different approaches, there is flexibility as to how you develop your plan. However, you must ensure that all the legislative duties have been met.

Taking a systems approach to developing food policy in a joined up and coherent manner is not an easy task, and it will take time to change the approach. This is to be expected and the Act is the mechanism by which we can work together to achieve the vision of Scotland as a Good Food Nation.

Slide 12

Thank you very much for listening to this session, we were only able to provide a high-level overview of the Act but I hope this has given you useful background information. As mentioned during the presentation we have a [brief guide](#) for relevant authorities, but please remember it is intended to set out the legislative requirements. It is not intended as a step-by-step process. The guidance and this presentation are the first step in the provision of information and guidance for drafting your plans.

We have also included a [link](#) to our email address, we are very happy to be contacted if you have any queries or questions so please do get in touch.