



BRIEFING PAPER

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School meals and nutritional standards (England)

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One page briefing

Nutritional standards are in place for school meals in England, aimed at ensuring that the food provided to pupils in school is nutritious and of high quality, and at promoting good health and eating behaviour amongst pupils. Following an independent review of school food conducted by the founders of Leon restaurants in 2012-13, revised school food standards were produced and have been in force since January 2015.

The standards apply to:

- all local authority maintained schools
- pupil referral units
- academies that opened prior to 2010
- academies and free schools with agreed funding from June 2014
- non-maintained special schools

Academies that opened from 2010 and agreed funding prior to June 2014 are not bound by the standards, although the previous Government stated that almost all of these schools would adhere to the standards voluntarily.

Funding for school meals is provided as part of the Dedicated Schools Grant.

Free school meals are provided for children whose parents receive certain benefits (or who are on those benefits themselves):

- Income Support
- Income-based Jobseekers Allowance
- Income-related Employment and Support Allowance
- Support under Part VI of the *Immigration and Asylum Act 1999*
- The guaranteed element of State Pension Credit
- Child Tax Credit (provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
- Working Tax Credit run-on – paid for 4 weeks after a person stops qualifying for Working Tax Credit
- Universal Credit

Free school meals may also be available to pre-school children and those in school sixth forms. Local authorities are responsible for providing free school lunches and applications must be made through the relevant local body.

Since September 2014, free school meals have been provided for all children in Reception, Year 1 and Year 2. Concerns have been raised that, as schools receive Pupil Premium funding for pupils registered for free school meals, this additional provision may reduce schools' funding if parents do not register their children for meals they receive as a matter of course. There were reports in autumn 2015 that this universal provision could be withdrawn as part of the November 2015 Spending Review, but the Review committed to maintain the funding. However, some support funding for smaller schools has ended.

This briefing summarises the main recent policy developments regarding school meals, including the revised school food standards and the expansion of free school meals provision.

The briefing relates to England only.

1. Background

Nutritional standards for school dinners were first established in the 1940s in England but were abolished in 1980. Subsequently, the *School Standards and Framework Act 1998* gave the Secretary of State the power to make regulations prescribing nutritional standards and other nutritional requirements for school meals. It also placed a duty on LEAs and the governing bodies of schools maintained by LEAs, when they provide lunches, to provide them for registered pupils in line with the standards. In April 2001, statutory nutritional standards for school lunches were reintroduced by the *Education (Nutritional Standards for School Lunches) Regulations 2000* (since superseded).

Research carried out in 2004 by the then Department for Education and Skills (DfES) and the Food Standards Agency showed that while schools and caterers responded positively to the standards, in practice, children and young people continued to make unhealthy choices. Statistics from the Annual Health Survey for England 2004 showed that the levels of obesity for children had risen over the previous 10 years. Ongoing concerns led to the publication in 2004 of the DfES's guidance, *Healthy Living Blueprint for Schools*, and the Government's white paper, *Choosing Health: Making Healthy Choices Easier*.

In March 2005 the then Labour Government announced a series of measures to improve school meals, which were followed in May 2006 by the announcement of new nutritional standards for school meals. The [*Education \(Nutritional Standards for School Lunches\) \(England\) Regulations 2006*](#) introduced these changes. Over the following years, interim standards for school lunches and other school food (such as in tuck shops and breakfast clubs) were developed and replaced by final standards in September 2009.

The School Food Standards were subsequently further revised under the Coalition Government, with new standards coming into force in January 2015.

2. School Food Standards

2.1 The School Food Plan

In April 2012, the then Education Secretary, Michael Gove, asked John Vincent and Henry Dimbleby, the founders of Leon restaurants, to conduct an independent review of school food. In July 2013, Vincent and Dimbleby published the [School Food Plan](#), which provided a wide range of steps for schools to increase the take-up of school meals, improve the quality of school meals, and take other measures such as teaching pupils about cooking and ingredients.¹

2.2 Revised School Food Standards: since January 2015

Development

The [School Food Plan](#) included proposals for revised food standards, intended to be easier to implement and enforce. The Plan stated that if the new standards were agreed to be effective from a practical and nutritional standpoint, the Secretary of State had agreed to make them mandatory across all types of school.² The Government ran a [consultation](#) on revised standards between March and April 2014.³

In June 2014, the Secretary of State [announced](#) a new set of standards for food served in schools, alongside the Government response to the spring consultation.⁴ The announcement stated that the revised standards were “designed to make it easier for school cooks to create imaginative, flexible and nutritious menus. They will be mandatory in all maintained schools, and new academies and free schools.”⁵

Application

[The Requirements for School Food Regulations 2014](#) provided for the reformed standards. The regulations came into force on 1 January 2015.

The Government published [advice](#) for schools on the new regulations on 8 January 2015. It applies to:

- all local authority maintained schools
- pupil referral units
- academies that opened prior to 2010
- academies and free schools with agreed funding from June 2014
- non-maintained special schools

The School Food Plan website provides a [summary](#) of what should be provided (e.g. one or more portions of fruit every day; a portion of meat or poultry on three or more days each week, or a portion of non-dairy

¹ Department for Education, [The School Food Plan](#), 30 July 2013

² *Ibid.*, p9

³ Department for Education, [Revised standards for food in schools](#) [accessed 2 July 2014]

⁴ Department for Education, [Revised standards for food in schools – Government response](#), 17 June 2014

⁵ Department for Education, [New school food standards](#), 17 June 2014

protein on three or more days each week for vegetarians). A [practical guide](#) is also provided.

Academies that opened from 2010 and agreed funding prior to June 2014 are not bound by these standards, which are not part of their funding agreements. The previous Government said that an overwhelming majority of these schools had told them they would adhere to the standards voluntarily:

John Cryer: To ask the Secretary of State for Education, how many (a) academies and (b) free schools that opened between September 2010 and August 2014 have not voluntarily signed up to the school food standards to date.

David Laws: The Department for Education does not hold this data.

Revised school food standards regulations for local authority maintained schools, academies that opened prior to September 2010 and academies and free schools in England entering into a funding agreement from June 2014 will come into effect on 1 January 2015.

The authors of the School Food Plan are encouraging academies and free schools to commit voluntarily to the new standards. 99% of those academies which responded to a survey by the School Food Trust in 2012 said they were committed to following the new food standards. All academies and free schools signing their funding agreements from spring 2014 are required to adhere to the new, less bureaucratic school food standards.⁶

In March 2016, the Local Government Association [stated](#) that almost two thirds of the academies not required to follow the standards had not signed up to do so. The LGA recommended that the Government act to ensure that all schools were required to meet the standards.⁷

⁶ [PQ 214314 \[Academies: Food\], 17 November 2014](#)

⁷ [Local Government Association, 2,500 academies yet to sign up to healthy school meal standards, 22 March 2016](#)

3. Funding for School Meals

3.1 The School Lunch Grant (2008-11)

The School Lunch Grant was a specific, ring-fenced grant made to local authorities and schools until March 2011. Its aim was to increase the number of children eating healthy school meals by helping schools and councils keep down the price of a school lunch. It could only be used in four ways – to:

- Pay for ingredients for school lunch;
- Pay labour costs of catering staff;
- Buy small pieces of kitchen equipment, for example microwaves, ovens, combi-ovens, mixers etc.;
- Pay for the nutrient analysis software required to assess whether a menu meets the national school lunch standards and the expertise to operate the software.

3.2 Funding for School Meals since April 2011

The Government removed the ring-fence from the funding of school meals after the School Lunch Grant ended in April 2011. The following response to a Parliamentary Question sets out the then Government's position:

Nick Gibb: The funding for schools provided through the school lunch grant has not been abolished, but continues to be available through the Dedicated Schools Grant in 2011-12. This will allow schools to make their own decisions about the use of this funding. This is in line with the Government's drive to devolve responsibility for making decisions about the best use of resources to professionals in schools. Consistent with our philosophy of reducing bureaucracy and increasing the professional autonomy of schools, we have no plans to collect information from individual local authorities of the impact of freeing up resources in this way.⁸

⁸ HC Deb 28 Jun 2011 530 c760-1W

4. Free School Meals

4.1 Eligibility

Parents do not have to pay for school lunches if they receive any of the following:

- Income Support
- Income-based Jobseekers Allowance
- Income-related Employment and Support Allowance
- Support under Part VI of the *Immigration and Asylum Act 1999*
- the guaranteed element of State Pension Credit
- Child Tax Credit (provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
- Working Tax Credit run-on – paid for 4 weeks after a person stops qualifying for Working Tax Credit
- Universal Credit

Children who get any of the above benefits in their own right (i.e. they get benefits payments directly, instead of through a parent or guardian) can also get free school meals.

Children under the compulsory school age who are in full-time education may also be able to get free school meals.

Free school meals are available to pupils who attend sixth forms attached to a maintained school, as long as the course of study began before the pupil reached age 18. Pupils who study in sixth form colleges, Further Education colleges or other providers are not entitled to free school meals, although individual colleges may provide them.

Local authorities are responsible for providing free school lunches and applications must be made through the relevant local body.⁹

Free School Meals in Academies and Free Schools

An answer to a Parliamentary Question on 27 June 2011 set out the position on the provision of free school meals in academies and free schools:

Nic Dakin: To ask the Secretary of State for Education whether (a) free schools and (b) academies will be required to provide free meals to eligible post-16 students. [59974]

Mr Gibb: Free schools and academies are governed by a funding agreement with the Secretary of State. The funding agreement provides the framework within which these schools operate and requires free schools and academies to provide free school meals to eligible pupils aged up to 18 years. This requirement also applies to pupils in these institutions who are aged 19 or over, if their course of study began before they attained the age of 18.¹⁰

⁹ The gov.uk website publishes [up-to-date information on eligibility for free school meals](#).

¹⁰ HC Deb 27 June 2011 c571W

4.2 Universal Infant Free School Meals (UIFSM)

Introduction, funding, and advice for schools

Section 106 of the [Children and Families Act 2014](#) makes provision for free school meals to be provided for all pupils in Reception, Year 1 and Year 2. This duty took effect from September 2014 and is applicable for maintained schools, academies and free schools. [Departmental advice](#) is available for schools on fulfilling the new duty, including funding information, most recently revised in July 2015.¹¹

The policy of universal free school meals for infant pupils (UIFSM) was announced by the then Deputy Prime Minister, Nick Clegg, in September 2013.¹² Free school meals for all primary school children was a recommendation of the School Food Plan.¹³ The [announcement](#) stated:

The government will fund schools in England to provide every child in reception, year 1 and year 2 with a hot, nutritious meal at lunch time. The aim is to improve academic attainment and save families money – over the course of a year the average family spends £437 on school lunches per child.

Universal free school meals for primary school pupils were a key recommendation in a recent review of school food produced independently for the Department for Education. The review found that, in pilots where all children have been given a free school dinner, students were academically months ahead of their peers elsewhere and more likely to eat vegetables at lunchtime instead of less healthy food like crisps.

At the same time, the government will extend free school meals to disadvantaged students in further education and sixth form colleges. Free school meals are currently available only for eligible students at school sixth forms.

Concerns: school funding implications

Concerns were raised during the last Parliament about potential implications of the introduction of universal free school meals for infant children on school funding.

Schools receive Pupil Premium funding for children who qualify for free school meals, and were concerned about missing out on this funding if parents did not register for meals that their children now received as a matter of course. See for instance:

- BBC News, [Free school meals threat to poor pupil funds, say heads](#), 20 March 2014
- Guardian, [Schools policy 'car crash' sows confusion among parents](#), 11 January 2015

In October 2015, the House of Commons Public Accounts Select Committee stated in a [report](#) on Funding for Disadvantaged Pupils that

¹¹ Department for Education, [UIFSM: guide for local authorities and schools](#) [accessed 13 August 2015]

¹² Department of Education, [Free school lunch for every child in infant school](#), 17 September 2013

¹³ Department for Education, [The School Food Plan](#), p8-9

problems around the identification of disadvantaged pupils could become more acute with the introduction of Universal Credit:

Universal Credit, which will see five benefits combined into one, means the end of the current basis for determining free school meals and therefore Pupil Premium eligibility. The Department does not yet know how it will identify disadvantaged pupils following Universal Credit's introduction, and there is relatively little time to find an answer. There has also been substantial variation in the level of under-claiming between local authorities. In 2013, in some areas more than 30% of eligible pupils did not take up their free school meals entitlement compared to 0% in other areas. The Department told us that it wanted to target local authorities where under-claiming was high, so that schools do not miss out on funding because parents fail to claim.¹⁴

An [article](#) discussing the Committee's report on the National Association of Head Teachers' website noted that the NAHT was "in discussions with the Department about how eligible children could be identified through the benefits system and data sharing, rather than by their parents having to come forward."¹⁵

Spending Review 2015: confirmation of continued funding

There were a number of press reports in September 2015 stating that the Chancellor's Spending Review on 25 November 2015 would include the removal of the current provision of free school meals for all children in Reception, Year 1 and Year 2. See, for example:

- Guardian, [Cuts could serve up an end to free healthy school dinners for infants](#), 1 September 2015
- Independent, [Free school meals for infants 'set to be scrapped' under Osborne's spending review](#), 20 September 2015

An [article](#) in the Guardian on 20 September stated that Labour were opposed to the removal of the provision.¹⁶

A [petition](#) against the potential removal on the Parliamentary website had at the time of writing attracted over 40,000 signatures. The Government had responded to the petition, stating:

The Government is currently conducting a Spending Review across all its programmes. Therefore, every policy across Whitehall is being reviewed as part of this process and no decisions have yet been taken.¹⁷

Sharon Hodgson raised the issue with the Prime Minister on 28 October 2015. The Prime Minister responded that the Government would be keeping the policy:

¹⁴ House of Commons Public Affairs Select Committee, [Funding for Disadvantaged Pupils](#), 9 October 2015, HC 327 2015-16, conclusions and recommendations para 5

¹⁵ National Association of Head Teachers, [MPs weigh into fairer funding debate](#), 9 October 2015

¹⁶ Guardian, [Labour warns children would go hungry if universal free meals scrapped](#), 20 September 2015

¹⁷ UK Government and Parliament Petitions, [Keep Universal Infant Free School Meals in England](#) [accessed 13 October 2015]

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The Prime Minister: I am immensely proud that it was a Government I led that introduced that policy... I am proud of what we have done, and we will be keeping it.¹⁸

The Chancellor's [Spending Review](#) in November 2015 included confirmation that funding for universal infant free school meals would be maintained.¹⁹

Funding for 2016/17 and Withdrawal of UIFSM support service

The Department for Education [webpage on UIFSM](#) was updated on 29 January 2016. Funding information for 2016/17 was set out as follows:

2016 to 2017 academic year

Schools will continue to receive £2.30 per meal.

We'll base their total allocation on the average number of meals they record in the October 2016 and January 2017 [school censuses](#). We'll announce final allocations in June 2017.

The update information also stated that the Department had "Removed information about the UIFSM support service because it has been discontinued." The support service was additional funding provided for smaller schools to help them provide UIFSM. The change prompted some press discussion – see for instance the report in [Schools Week](#) on 3 February 2016.²⁰

The following PQ from 2014 from the then Schools Minister, David Laws, sets out that funding provided for UIFSM in small schools in England (those with fewer than 150 pupils) was intended to be transitional:

David Laws: We recognise some smaller schools will face particular challenges in implementing universal infant free school meals. We have therefore allocated an extra £22.5 million transitional funding in 2014-15 to help schools with 150 pupils or fewer to implement the policy. Each qualifying small school received a minimum of £3,000. This is on top of the £2.30 per meal taken which all schools have been given for their newly eligible infants.²¹

A more recent PQ from the Parliamentary Under Secretary of State Sam Gyimah also referred to the funding for small schools as transitional:

Sam Gyimah: The Department for Education allocated £1 billion for the provision of universal infant free school meals (UIFSM) between 2014-16 financial years. In addition, we have allocated £184.5 million of capital to enable schools to improve their kitchen and dining facilities, and £32.5 million in transitional funding for small schools.²²

The minimum of £3,000 funding provided in 2014-15 was reduced to £2,300 for all qualifying schools in [2015-16](#).

¹⁸ [HC Deb 28 Oct 2015 c342](#)

¹⁹ HM Treasury, [Spending Review and Autumn Statement 2015](#), November 2015, para 1.164, p44

²⁰ Schools Week, [DfE ends universal infant free meals small school support grant](#), 3 February 2016

²¹ [PQ 906349, 1 Dec 2014](#)

²² [PQ 11448, 15 Oct 2015](#)

4.3 Free School Meals Pilot 2009-2011

In September 2008 the then Labour Government announced a free school meals pilot for primary school children in deprived areas. The trial was designed to investigate whether free meals for all primary school children in a deprived area would raise academic and behavioural standards, and reduce obesity and improve health generally. An [evaluation](#) of the pilot, which was carried out in Newham and Durham, was published in July 2012.²³

²³ Department for Education, [Evaluation of the free school meals pilot: impact report](#), 26 July 2012

5. Breakfast clubs

Schools are not required to provide breakfast clubs, although many do so.

5.1 Magic Breakfast

[Magic Breakfast](#) deliver breakfasts under a [contract with the Department for Education](#) to set up breakfast clubs in schools where over 35% of pupils are eligible for free school meals and there was no previously existing breakfast provision. This provision was introduced as part of the [School Food Plan](#) published in July 2013 by the Department For Education and the founders of Leon restaurants, whom the Education Secretary had asked to conduct an independent review of school food. Chapter 10 of the Plan (pages 112-119), provides further context for the measure, and information on the impact on schools and pupils of children attending without receiving a proper breakfast.

The Magic Breakfast website provides further information on its [impact](#).

The most recent response to a Parliamentary Question on Government support stated:

Sam Gyimah: Magic Breakfast currently receive central government funding from a contract with the Department for Education. The objective of the project is to set up and run 184 breakfast clubs in schools where 35% or more children are eligible for free school meals, to ensure that children are fed and are at school on time and ready to learn. Magic Breakfast are required to develop plans to enable the breakfast clubs to be self-sustaining beyond the contract period. The project is being externally evaluated.

The value of the contract is £1.087m, of which £518,523 has so far been paid. This is the only central government funding currently provided to Magic Breakfast in England. Any funding in Scotland, Wales or Northern Ireland would be a matter for the relevant governments. The Department does not hold a breakdown of contract expenditure by parliamentary constituency.²⁴

Magic Breakfast are also involved in breakfast club projects with the [Mayor's Fund for London](#).

5.2 IFS and National Children's Bureau report on impact

In November 2016, the Institute for Fiscal Studies and the National Children's Bureau published the results of a [study into the impact of breakfast clubs](#), with largely positive findings about their impact.

The study found that children in year 2, where schools had been offered support to open a breakfast club made the equivalent of two months' additional progress in reading, writing and maths over the course of a

²⁴ [PQ 14580, 6 November 2015](#)

year. Pupils in year 6 made had similar gains in English, with smaller positive effects reported on maths and science attainment.²⁵

The report also found that:

- Gains were likely to be the result of the content or context of the school breakfasts, rather than of increasing overall breakfast consumption;
- Pupil absences declined as a result of breakfast club provision;
- Behaviour and concentration in the classroom improved substantially.

The report stated that these gains had been achieved at relatively low cost, albeit with fairly low take-up rates. It also noted that attainment levels rose more amongst children from less disadvantaged (non-FSM) backgrounds, rather than for those eligible for FSM.²⁶

5.3 Number of breakfast clubs

The former Department for Children Schools and Families collected data on extended school services up to 2010. These could include breakfast clubs at schools. They only published the number of schools meeting the extended services 'offer' by whatever method, not separate data on different types of services ([Percentage of schools providing access to extended services as at June 2010, DfE](#)). Since 2010 the Government has not collected data on any extended services (see, for instance, [PQ 177104 \[on after school clubs\] 25 November 2013](#)).

The latest *Childcare and early years survey of parents* found that 6% of families (with children aged <15) used breakfast clubs in 2012 and this equates to around 300,00 families or 360,00 children. Those aged 5-11 were most likely to attend a breakfast club (7% v 4% for all aged 0-14). [Childcare and early years survey of parents: 2012 to 2013](#), DfE

Research for breakfast cereal manufacturer Kellogg's estimated that 85% of schools across the UK had a breakfast club in early 2014; up by 45% since 2008. Rates varied from 96% in Wales to 91% in the North East, 89% in the North West and London and 72% in Scotland. You can find more detail at: [Kelloggs Breakfast Club Audit](#)

²⁵ Institute for Fiscal Studies, [Breakfast clubs work their magic in disadvantaged English schools](#), 4 November 2016

²⁶ Ibid.

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