



School meals and nutritional standards

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This note summarises the main recent policy developments regarding school meals, including the revised school food standards and plans to expand provision of free school meals. The note relates to England only.

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1 Background

Nutritional standards for school dinners were first established in the 1940s in England but 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school lunches were reintroduced by the *Education (Nutritional Standards for School Lunches) Regulations 2000* (since superseded).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.

2 Revised School Food Standards: From January 2015

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, to improve the quality of school meals, as well as to take other measures such as teaching pupils about cooking and ingredients.¹

2.2 The Revised School Food Standards

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 as previously stated, academies and free schools currently do not have to adhere to the published standards. 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 *The Requirements for School Food Regulations 2014*, published on the same day, provided for these changes. 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 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 Government has said that these schools had overwhelmingly said they would adhere to the standards voluntarily:

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

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

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 from 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 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.⁷

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

⁷ 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.

Local authorities are responsible for providing free school lunches and applications must be made through the relevant local body.⁸

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 18.⁹

4.2 Free School Meals for all Reception, Year 1 and Year 2 pupils

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 takes effect from

⁸ The gov.uk website publishes [up to date information on eligibility for free school meals](#).

⁹ HC Deb 27 June 2011 c571W

September 2014 and is applicable for maintained schools, academies and free schools. [Departmental advice](#) for schools on fulfilling the new duty was published in March 2014.¹⁰

The policy of universal free school meals for infant pupils was announced by the Deputy Prime Minister, Nick Clegg, in September 2013.¹¹ Free school meals for all primary school children was a recommendation of the School Food Plan.¹² 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.

Funding information was subsequently [published](#) in December 2013:

The government will be providing revenue funding of £450 million in 2014 to 2015 and £635 million in 2015 to 2016 to the Department for Education (DfE) to fund this commitment. This is new money into the DfE budget.

It will also make £150 million of capital available to ensure that schools can build new kitchens or increase dining capacity where necessary.¹³

Capital allocations were published later in December 2013.¹⁴ The details were set out in a [letter](#) that the schools Minister, David Laws, sent to Directors of Children's Services on 23 January 2014. This stated that it would be for local authorities to prioritise capital expenditure according to their local circumstances:

Clearly, it is for you to prioritise capital expenditure according to your local circumstances. However, I hope that you will identify ways to use this funding to help schools secure the benefits of universal infant free school meals for their pupils. I would like to encourage you to consider how this funding could be used to improve school kitchen and dining facilities, and to support creative approaches to meeting the increase in demand for school food, such as through the expansion of hub kitchens. Your allocation includes an element for the voluntary-aided sector, and you will also want to consider working with colleagues in this sector as you take your plans forward. You will also shortly be notified of your maintenance allocations for 2014-15; it is for you to judge how best to use these funds to meet school needs.

We have also announced today how revenue funding for this policy will be allocated in 2014-15. After discussion with local authorities, schools and caterers, we have decided that the fairest approach is to allocate schools a flat rate of £2.30 per meal taken,

¹⁰ Department for Education, [Universal infant free school meals](#), 6 March 2014

¹¹ Department of Education, [Free school lunch for every child in infant school](#), 17 September 2013

¹² Department for Education, [The School Food Plan](#), p8-9

¹³ Department for Education, [Nick Clegg announces funding details for free school meals](#), 5 December 2013

¹⁴ Department for Education, [Capital allocations for basic need and infant free school meals](#), 18 December 2013

based on actual take-up by newly eligible infant pupils which will be measured in the Schools Census from next year. In addition, we recognise that some smaller schools will face particular challenges. We will therefore be providing transitional funding totalling £22.5million in 2014-15 for small schools, which will be provided before the start of the new academic year.

The Secretary of State and the Schools Minister also sent a [letter](#) directly to all primary headteachers about this policy. This stated that:

We appreciate that you may have concerns about the logistical challenges of feeding more children: everything from managing longer queues to adapting your dining area or kitchen. The pilot projects showed that, with commitment on all sides and good planning, none of these challenges are insurmountable. But we would like to reassure you that we are making available a package of help and advice targeted at those schools that will need it most. We will announce the full details of this package shortly.

We have allocated significant new funding to support this policy – over £1billion between 2014 and 2016, including £150million of capital funding in 2014-15 to improve kitchen and dining facilities. The details of this capital funding were published before Christmas and can be accessed [\[on gov.uk\]](#)

We have also announced today how revenue funding for this policy will be allocated in 2014-15. After discussion with schools, caterers and local authorities, we have decided that the fairest approach is to allocate schools a flat rate of £2.30 per meal taken, based on actual take-up by newly eligible infant pupils, which will be measured in the Schools Census from next year. In addition, we recognise that some smaller schools will face particular challenges. We will therefore be providing transitional funding totalling £22.5million in 2014-15 to small schools, which will be provided before the start of the new academic year. More details will be made available shortly.

Every school is different. No-one knows the individual circumstances of your school better than you, the headteacher. In addition, the role of headteachers in creating a culture and ethos around school food was crucial for the success of the universal free school meal pilots. We would therefore urge you to start as soon as possible to consider the implications of this policy for your school, such as renegotiating existing catering contracts, and how you plan to deliver it.

In doing so, you should bear in mind that the introduction of free school meals for infants is likely to lead to greater take-up of school meals in other year groups too. You might therefore want to future-proof your plans so that your school is well placed to respond to any future further increase in take-up.

Additional capital funding will be made available for academies and free schools through the Academies Capital Maintenance Fund.

The following PQ response provides information on the implementation of the policy:

John Glen: To ask the Secretary of State for Education what steps his Department is taking to ensure that all schools can provide free school meals for infant children by September 2014. [198708]

Mr Laws: The Government is providing substantial funding to enable schools to offer free meals to all infant pupils from September 2014, including over £1 billion additional revenue funding over the two years 2014 to 2016 and £150 million capital funding in 2014-15. The revenue funding includes transitional funding to small schools, worth a minimum of £3,000, which qualifying schools will be able to use to help them overcome delivery challenges.

We are also funding a national support service, run by school food experts, which is providing advice and guidance to schools that need assistance in implementing universal infant free school meals. The support includes a telephone helpline, the sharing of good practice, and an intensive face-to-face support service for schools facing significant challenges.

John Glen: To ask the Secretary of State for Education what estimate he has made of the number of schools which will be unable to provide universal free school meals for infant children from September 2014. [198709]

Mr Laws: From September, all state-funded schools in England will be under a statutory duty to offer a free school lunch to all infant pupils. Based on the feedback we are receiving, the vast majority of schools are already on track to deliver this policy and we are supporting the other schools to do so.¹⁵

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 2012.¹⁶

¹⁵ [HC Deb 10 Jun 2014 c73W](#)

¹⁶ Department for Education, [Evaluation of the free school meals pilot: impact report](#), 26 July 2012