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Charging for food and drink provided in maintained schools

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Guidance

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Charging for food and drink provided in maintained schools

Audience	Local authorities, governing bodies and headteachers in maintained schools.
Overview	This document provides advice for local authorities and governing bodies on the use of the power, under the Education Act 1996, to charge for food and drink provided in maintained schools.
Action required	It is recommended that local authorities and governing bodies of maintained schools consider this guidance.
Further information	Enquiries about this document should be directed to: Pupil Wellbeing Branch Support for Learners Division Department for Education and Skills Welsh Government Cathays Park Cardiff CF10 3NQ e-mail: WELLBEINGshare@wales.gsi.gov.uk
Additional copies	This document and further summary information can be accessed from the Welsh Government website at www.wales.gov.uk/educationandskills
Related documents	School Standards and Organisation (Wales) Act 2013 www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?lId=3633

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Status of guidance

This non-statutory guidance provides advice for local authorities and governing bodies on the power, under the Education Act 1996, to charge for milk, meals and other refreshments provided to learners in maintained schools.

Introduction

Background

Prior to May 2013, local authorities and governing bodies of maintained schools in Wales were allowed, under the Education Act 1996, to charge for food and drink provided to persons in maintained schools. However, where they did charge they had to charge every person the same price for the same quantity of the same food or drink item. This lack of flexibility in the local authority's and school's pricing structure prevented them from introducing policies to help families with several children at school or to encourage the take-up of school meals. There was also no cap on the amount that local authorities or schools could charge for providing food or drink in schools.

School Standards and Organisation (Wales) Act 2013

The School Standards and Organisation (Wales) Act 2013 ('2013 Act') changed the position by amending the Education Act 1996 to remove the requirement on local authorities and governing bodies to charge every person the same price for the same quantity of the same food or drink item¹.

The effect of the amendment means that from 5 May 2013 local authorities and schools that wish to charge for food or drink provided in schools can implement a variable pricing structure ('flexible charging').

The 2013 Act also makes provision to prevent local authorities and schools from charging a price exceeding the cost of providing the food or drink item.

This change in legislation does not affect the provision of free school meals (and free milk) to eligible learners.

What is flexible charging?

There is no definition of the term 'flexible charging' in the 2013 Act. However, the legislative change is intended to increase the take-up of healthy school meals by allowing flexible prices to be charged and other promotions to be employed to attract more customers (learners, parents and carers), without compromising quality or value for money.

¹ Section 91 of the School Standards and Organisation (Wales) Act 2013 amended sections 512ZA(1A) and (2) and 533(3A) and (4) of the Education Act 1996.

Examples of how flexible charging can be used

The power to charge for food and drink provided to learners in maintained schools is optional. Therefore, it is a matter for local authorities and schools to determine whether or not to use the power. Where they choose to use the power they can employ flexible charging strategies. Local authorities and schools that establish and implement flexible charging strategies could market ideas and price promotions in a way that was not allowed in the past to help increase the take-up of school meals.

There are various examples of how flexible charging can be used in practice. Local authorities and governing bodies could:

- charge less for school meals provided to children of families on low incomes who are not eligible for free school meals, in order to encourage them to take school meals
- employ stepped payment charges for families with more than one child at a particular maintained school – so they pay full price for one child having a school lunch, less for a second child, and even less for a third
- provide a free school meal to the second or third child of all families for a fixed period (a month or even a term for example)
- provide discounts by themes, timeframes or for whole year groups. For example, they could start the term with a half-price offer for a week and then increase the price in steps, or offer a year group a free meal for a fixed period to gauge take-up, or offer themed menus at discounted prices for a week to mark any religious or cultural occasion, etc.
- employ different pricing options for set meals, to suit different budgets, e.g. 'meal deal' options such as healthy grab bags, or three meals for the price of two, etc.

Some examples will clearly take more administration and planning than others. It is best for schools to work with their local authority and catering providers to develop a workable plan.

Why use flexible charging?

Flexible charging has the potential to have a positive impact on school learners by reducing and removing barriers and inequalities that may currently exist. The change could, for example, benefit learners in their first year at a new school where local authorities decide to provide meals free of charge for a limited period to encourage those learners to try school meals. Although the flexible charging period may be temporary, the aim would be for learners to habitually take a healthy school meal and that healthy eating habits remain with them for life.

There are many other beneficial reasons to use flexible charging – some of these are outlined below.

- To increase the take-up of school meals – price and the perception of what is good value for money are key factors in a family’s decision about whether to opt for school meals. Therefore, the ability to vary pricing structures is essential to, and can be highly effective in, persuading parents/carers to choose school meals for their children; by doing this you can spread fixed costs more efficiently. In turn, this helps to make the service more affordable in the longer term.
- To promote and market your school to families – if they can see that your lunch service is popular, it’s one way to show off what life is like outside the classroom at your school.
- To improve the whole school meal service, including the dining facilities, the dining environment, the speed of service and the quality of the food.
- To support local and national issues, e.g. diversity (celebrating themed foods from different cultures), or local obesity prevention strategies that may be employed in an area focusing on developing long-term healthy attitudes to food.
- Making school meals more affordable is a good way to help families in your area cope with the pressures of rising household costs and unemployment.
- To support child poverty strategies, to widen access to school meals for those in greatest need.

For consideration prior to employing flexible charging strategies

There are a range of factors for local authorities/schools and catering staff to consider prior to introducing flexible charging strategies. Some of these are outlined below.

- Costs – flexible charging or discounting promotions usually means extra investment in the early stages, so you will need to think about how you will cover these costs in the short term.
- Capacity – your price promotion is very likely to increase sales. Will there be enough staff to cope with the increased demand? Will they need any more training? Is there enough physical space, equipment and time so that all learners who want a school lunch can have one?
- Support – do you have support from all involved? Headteachers, teaching staff, caterers and lunchtime supervisors should all be actively involved. Local authority and other catering providers need to understand the aim of the intervention and can help with planning. Price promotions may mean a need for more administration time – have you

accounted for this? Is there scope to consider operating the promotion(s) over more than one school or a cluster of schools to share the administration support?

- Planning – have you split the promotion into manageable chunks/activities? You could consider using a project management or scheduling technique to keep you on track and monitor progress.
- Data collection – do you have the data collection skills and resources required to measure and report accurately on the impact of your promotion? You could consider ways in which you can build data collection into your planning process.
- Evaluation – what impact will the promotion have on other schools in the area or the local authority in general? You could consider carrying out an equality impact assessment for this.

This is not an exhaustive list.

Planning a flexible charging strategy

While it is a matter for local authorities and schools to determine the content of the flexible charging strategy, it should, as a matter of good practice, include:

- figures outlining projected costs
- an explanation of what you plan to do
- background details – what the position is now, why you want to implement the strategy and what you hope to achieve
- an outline schedule of required tasks – who will carry them out and by when
- how the end result will be measured
- how you will maintain customers' interest in the long term.

If you require something more formal over a larger area, you could develop a detailed business plan for your flexible charging strategies. This would enable you to ensure that your proposals are efficient, sustainable and a success.