



Education
Funding
Agency

Free meals in further education

Departmental advice for further education funded institutions

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About this departmental advice

1. This is departmental advice from the Education Funding Agency (EFA). This advice is non-statutory, and has been produced to help recipients understand their obligation to provide free meals to disadvantaged 16 to 18 year old students in further education (FE) funded institutions.

Expiry or review date

2. This advice relates to the 2014 to 2015 academic year. The EFA will keep the guide under review during the academic year.

What legal duty does this advice relate to?

3. Maintained school and academy sixth forms are already required by the Education Act 1996 to provide free meals to disadvantaged students who are aged over 16.

4. From September 2014, this requirement is being extended to disadvantaged students following FE courses at the range of FE funded institutions. Funding Agreements have been amended to place a legal duty on institutions to comply with this requirement.

Who is this advice for?

5. This advice is for institutions providing further education funded via the EFA.

Key points

- Free meals must be made available for all eligible students from September 2014.
- In the 2014 to 2015 academic year, institutions will receive funding at a rate equivalent to £2.41 per student per meal taken. Initial allocations will be based on students being matched as previous recipients of free school meals at the age of 15, and subsequent adjustments will be made on a lagged student number basis.

Eligibility for free meals

Institution eligibility

6. To be eligible for a free meal, students must be enrolled in further education provision funded via the Education Funding Agency at:

- general further education colleges, including specialist colleges
- sixth form colleges
- commercial and charitable providers
- higher education institutions (HEIs) with 16 to 19 funding from the EFA
- independent specialist providers (ISPs)
- local authorities (LAs) and FE institutions directly funded for 16 to 19s
- Skills Funding Agency (SFA) only traineeship 16 to 18 providers
- European Social Fund (ESF) only institutions
- 16 to 19 academies and free schools
- 16 to 19 only maintained schools

Student eligibility

7. Students must be aged between 16 and 18 on 31 August 2014 to be eligible for a free meal in the 2014 to 2015 academic year. Students who turn 19 during their study programme will remain eligible for a free meal until the end of the academic year in which they turn 19 or to the end of their study programme, whichever is sooner.

8. Students aged between 19 and 25 who are subject to a Learning Difficulty Assessment (LDA) or Education Health and Care Plan (EHC Plan) and ESF students aged between 16 and 18 on 31 August 2014 are also entitled to a free meal while attending their provision if they meet the eligibility criteria.

9. The following groups of student are not eligible for a free meal:

- students aged between 14 and 16 (these students are already covered by different provision, ie Free School Meals (FSM))
- students aged 19 or over at the start of their study programme, unless they have an LDA or EHC Plan
- apprentices, including those with an LDA or EHC Plan

10. Free meals are targeted at disadvantaged students. For the purposes of eligibility for free meals, 'disadvantage' is defined by the students being in receipt of, or having parents who are in receipt of, one or more of the following benefits:

- Income Support
- income-based Jobseekers Allowance
- income-related Employment and Support Allowance (ESA)
- support under part VI of the Immigration and Asylum Act 1999
- the guarantee element of State Pension Credit
- Child Tax Credit (provided they are not entitled to Working Tax Credit) and have an annual gross income of no more than £16,190, as assessed by Her Majesty's Revenue and Customs
- Working Tax Credit run-on - paid for 4 weeks after you stop qualifying for Working Tax Credit
- during the initial roll out of the benefit, Universal Credit

11. A student is only eligible to receive a free meal when they, or a parent/guardian on their behalf, have made a successful application to the institution where they are enrolled (see paragraph 13).

12. Students must also satisfy the residency criteria set out in the EFA 'Funding regulation' guidance for the 2014 to 2015 academic year. This document can be found at: [16 to 19 education: funding guidance.](#)

Verification of student eligibility

13. The student, or their parent/guardian, must submit an application to the institution where they are enrolled. Institutions should develop their own process for dealing with free meals applications. Some may wish to use a paper application form, whilst others may wish to provide an on-line application option.

14. As part of the application, institutions must ask the student (or their parent/guardian) to provide evidence of the award of the qualifying benefits set out in paragraph 10, for example an award notice or letter from the Department of Work and Pensions (DWP) or HMRC. Institutions may want to consider using a combined application form and process for free meals and the 16-19 Bursary.

Allocations to institutions

15. In the 2014 to 2015 academic year, institutions will receive funding based on students being matched (by the EFA) as previous recipients of free school meals at the age of 15.
16. We have matched the institution's 2012 to 2013 ILR data with the Free School Meals at 15 eligibility data from the 2012 to 2013 Young People's administrative dataset. The process scans all ages within institutions' data.
17. We then applied the institution's retention factor (i.e. that used in the mainstream allocation) to reflect the historic student drop-out rate within a particular institution.
18. We used the mode of attendance profile of each institution to determine how many of the potentially eligible students attend on either a full-time or part-time basis. Two rates were applied, one for each of these categories, in generating the allocation.
19. Taken together, these steps produced an estimate of the number of free meals that will be taken at each institution in academic year 2014 to 2015. In the event of FSM data not being available, for example because the institution is new or does not have historical data, we used a local authority average to determine the potential number of students eligible for free meals.
20. A funding rate equivalent to £2.41 per student per meal was then applied to generate each institution's allocation.
21. This is the first year of free meals allocations and we have no lagged institution data to use – this is why we have used matched data from the Young People's Administrative Dataset (YPMAD). In the longer term, we will use each institution's lagged data, based on their ILR return on the number of eligible students who claimed a free meal, to generate allocations.
22. Because we cannot use lagged institution data in the 2014 to 2015 academic year, we have reserved a small contingency fund and will look at the actual number of eligible students who are claiming a free meal, as declared at R04 return without uplift.
23. Where there is a major discrepancy in the numbers actually claiming and the numbers used in the allocations methodology, we will use the contingency fund to make in-year adjustments subject to affordability.
24. Where the EFA receives business cases from individual institutions, these will be logged for review in December and January alongside the data declared in the R04 return.
25. If institutions do not have eligible students, they should contact the EFA to return their free meals allocation.

26. Free meals funding for the 2014 to 2015 academic year will be paid to institutions in two parts: approximately two thirds in September 2014 and up to one third in April 2015.

27. As institutions are already permitted to use up to 5% of their 16 to 19 Bursary Fund allocation for the administrative costs associated with verifying student eligibility (receipt of qualifying benefits, household income assessment, etc) no further administrative contribution may be taken from the free meals funding allocation.

28. However, we will provide **one-off funding** in the 2014 to 2015 academic year for start-up costs to enable institutions to put facilities and processes into place, for example, to arrange the supply of vouchers for meals etc.

29. There will be no end of year reconciliation of free meals funding. Instead, the EFA will analyse data returned by institutions via the Individualised Learner Record (ILR) and generate future allocations on a lagged student number basis.

The provision of free meals to students

30. Institutions are required to make provision for free meals to eligible students (ie those who are in receipt of the qualifying benefits and who make a successful application for free meals) for each day that the student attends their study programme where this is appropriate. To further illustrate this, for example, if a part time student attends for five days a week, 9am to 3pm, for part of their course then the institution should provide five free meals. Similarly, if a full time student has two days a week when they only attend 9am to 10am, then the institution does not have to provide meals on those days.

31. Institutions should encourage and support students in making healthy food choices and should also, where practical, seek to offer hot food options. Many caterers will be able to advise on suitable healthy options to offer students; further sources of information are provided in paragraph 57.

32. Institutions are expected to provide a meal free of charge to eligible students, or to fund the free meal via an electronic credit or voucher which can be redeemed on-site or off-site where institutions have made arrangements with nearby food outlets. Electronic credits and vouchers must be worth a minimum value of £2.41.

33. If an institution determines that it is necessary to enhance the £2.41 free meals funding rate, i.e. to provide a meal with a greater value, from the 16 to 19 Bursary Fund or other sources, they have the discretion to do so.

34. However, institutions must consider the value for money and reasonableness of such an enhancement to the £2.41 rate and must be able to justify this, particularly if they choose to make a significant variation from this amount.

35. The overwhelming majority of students will require a free meal at lunch time to fit in with usual study/attendance patterns. However, institutions may exceptionally choose to make provision for a free meal at an alternative time, for example, as a breakfast, depending on the study pattern of individual students.

36. Institutions must ensure that they also make free meals provision for students on days when they are off-site as part of their study programme, for instance attending a work placement or work experience. Wherever possible, institutions should provide a voucher that can be used at a nearby food outlet or make arrangements with the work placement or work experience provider to provide a meal.

37. The expectation is that a meal, voucher or credit will be provided to eligible students. However, this may not be practical in some situations. Institutions will therefore be permitted to offer cash in the following exceptional circumstances.

- Students attending institutions which meet all of the following criteria:
 - have fewer than 50 students in total on roll
 - do not have catering or kitchen facilities on site

- have no suitable food outlets locally that will agree to take part in a credit or voucher scheme
- Students who are off-site – for example undertaking work placement or work experience as part of their study programme – where the host organisation is unable or unwilling to provide a meal and there is no suitable food outlet locally that will accept a voucher.

38. Institutions may also be able to make cash payments outside the above circumstances. Requests must be submitted to EFA for consideration and approval. Full details of this process and the form institutions should complete and return to the EFA can be found at [Application to make cash awards to students](#).

Catering for students with special dietary requirements

39. Institutions are best placed to make decisions in the case of students who have special dietary requirements, taking into account local circumstances. Institutions are expected to make reasonable adjustments for students with these requirements.

40. The [School Food Plan's UIFSM toolkit](#) was developed to help schools implement universal free school meals for infant pupils, but it contains advice on how to cater for pupils with special dietary requirements, which may be helpful to institutions.

Free meals and the 16 to 19 Bursary Fund

41. Institutions are only permitted to use the free meals funding allocated to them by the EFA to support students who meet the free meals criteria as set out in paragraph 10.

42. As set out at paragraphs 33 and 34, if an institution determines that it is necessary to enhance the £2.41 free meals funding rate, i.e. to provide a meal with a greater value, from the 16 to 19 Bursary Fund or other sources, they have the discretion to do so.

43. However, if institutions choose to enhance free meals funding from the 16 to 19 Bursary Fund, they must ensure that they continue to provide sufficient support from that scheme to support students facing the range of barriers to participation (the cost of transport, books, equipment etc.). Free meals funding should not be enhanced to the detriment of these other needs.

44. Students who are eligible for a free meal may also receive additional support from the 16 to 19 Bursary Fund, if the institution assesses that they meet the criteria for a defined vulnerable group bursary or that they are facing significant financial barriers to participation and require additional support from their discretionary bursary allocation.

45. Institutions should, however, ensure that the provision of a free meal or the funding provided to the student for the free meal is considered when assessing their need for support – this point applies both to the vulnerable group bursary and discretionary bursary.

46. Equally, institutions may use discretionary bursary funds, as they can now, to provide meals to students who are not eligible for free meals as described in paragraph 10 but for whom the absence of regular meals is providing a barrier to their participation and achievement

Communication, governance and monitoring

Raising awareness of free meals

47. Institutions are responsible for ensuring that their students are aware of the eligibility criteria for free meals and should encourage students who think they meet the criteria to make an application for a free meal.

48. Institutions should ensure that their free meal provision is clearly set out for students and parents, for example by publishing a statement on their website, providing information at enrolment days, sending letters home to parents, etc.

49. Students do better in their studies when they have access to proper, regular meals. Institutions are therefore encouraged to support students in the making of healthy food choices by making them aware of relevant information and guidance (see also paragraph 57).

Individualised Learner Record (ILR)

50. Institutions must complete the new 'free meal' field in the ILR to provide information of the take up amongst the number of young people eligible for free meals. This data will be used to inform future allocations.

51. When completing the field, institutions must ensure that they only record students who are eligible and have taken up the free meal. Students who may have received funding for meals by means of a discretionary 16 to 19 Bursary Fund award should not be recorded in the free meals field. Students who receive Free School Meals (FSM) i.e. 14 to 15 year old should continue to be reported in the existing field.

52. The EFA will analyse data returned by institutions via the ILR and generate future allocations on a lagged student number basis.

Management information returns

53. The EFA will send institutions that are not required to complete the ILR a separate management information return in December 2014.

Audit and scheme protection

54. Institutions should maintain accurate and up to date records that:

- evidence which students receive free meals funding
- confirm student eligibility for funding
- demonstrate appropriate use of funds

55. It is the responsibility of individual institutions to decide what evidence they accept and how recent it is. However, they must ensure they can evidence that only students who meet the eligibility criteria for free meals each year receive them.

56. Administration and allocation of free meal funding will be subject to the institution's normal governance and audit regimes. Free meals funding is also subject to assurance as part of the normal assurance arrangements for 16 to 19 education and training. Institutions should note that, following an audit, funding may be recovered where free meals payments are found to have been made where the student was ineligible for a free meal.

Further information

57. Further information about healthy eating to help with further education free meal provision is available from the following websites.

- The Children's Food Trust (formerly known as the School Food Trust) has produced guidance for schools, which institutions will also be able to use to help them set up a process for dealing with FE free meal applications. The 'Free School Meals Matter Toolkit', and 'A quick guide to free school meals' are available on the Trust's website: [Children's Food Trust](#).
- Information about healthy eating, including recipes, is available at [Change4Life](#) and [NHS](#).



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