

Children's Rights Impact Assessment:
Version one, date: 20/05/2025

The Healthy Eating in Schools (Nutritional Standards and Requirements)
(Maintained Primary Schools) (Wales) 202X

An assessment of the Regulations and the associated Guidance on the impact on children's rights

What is being considered

Since the current [Healthy Eating in Schools \(Nutritional Standards and Requirements\) \(Wales\) Regulations 2013](#) (“Regulations”) came into force, there have been some changes to UK dietary guidelines based on recommendations from the Scientific Advisory Committee on Nutrition (SACN).

The Welsh Government intends to hold a consultation on updated Regulations for primary schools and the relevant Statutory Guidance which sets out what food and drinks can be offered in schools in May-July 2025. The plan is then to lay the Regulations in December 2025, and for this to come into force in the 2026-27 financial year.

Draft Guidance (Chapter 1) on responsibility for promoting healthy eating in primary and secondary schools will also be consulted on in May-July 2025, with a final standalone version published in December 2025.

A broader call for evidence will be held in May-July 2025 to support the continued work to update Regulations for secondary schools but these will not be laid or come into force this Senedd term.

Policy objective

Wales leads the UK in providing free school meals to all primary school children. This important step helps tackle child poverty and hunger, supports learners to achieve, and contributes toward improved health, making a real difference in schools and communities across Wales.

We currently offer:

- Free school meals for all primary pupils.
- Free and subsidised school milk.
- Free breakfasts for primary pupils.
- Free school meals for secondary pupils who need them most.

A paid meal service is also available in secondary schools.

While many factors influence children's health outcomes, evidence shows that strong nutrition standards¹, implemented as part of a whole-school approach, can significantly improve dietary habits. Strengthening these regulations is a vital step toward ensuring school food shapes lifelong healthy eating behaviours and improves health and education outcomes. [Wales Centre for Public Policy research](#) indicates school meals can:

- Raise educational achievement.
- Help develop healthy eating habits and reduce health inequalities.

¹ Anderson, M.L., Gallagher, J. and Ritchie, E.R. (2018) School meal quality and academic performance. *Journal of Public Economics*, 168, pp.81-93.

- Fight child hunger and poverty.
- Improve family finances.

In addition, the Welsh Government is committed to strengthening health outcomes and reducing health inequalities for learners in Wales, from the [Obesity in Wales report](#) we know that currently:

- One in four reception aged children (about 9,000) start school living with obesity or overweight.
- Children living in areas of higher socio-economic disadvantage face greater rates of weight issues.
- Many children's diets don't meet national recommendations.

School meals can make up a third or more of a child's weekday food intake. Good health and well-being are important to enable successful learning. We want all learners to understand the importance of a nutritious diet, the impact of their choices on their physical health and well-being, and to develop positive informed behaviours that enhance their ability to achieve, overall mood, and energy levels.

Updating the Regulations would therefore support our "[Healthier Wales](#)" goal - creating a society where people's physical and mental well-being thrives and where healthier choices become easier.

The proposed updated Regulations and Guidance are based on the latest UK Government Dietary recommendations – having worked with learners, parents, schools, governing bodies, local authority caterers, Welsh Local Government Association, dieticians, public health, Estyn and academics – to ensure that every child in Wales has access to healthier food at school.

Our updated approach aims to:

- Help all children access the food they need for a healthy diet, including those with special or medical dietary needs.
- Provide age-appropriate portion sizes to reduce food waste.
- Support schools, caterers and partners to put these new requirements into practice.
- Balance healthier food with safeguarding school favourites.
- Make it clear who is responsible for promoting healthy eating in schools and support them to fulfil this duty.

Primary Schools

This phase of the work focuses on updating Regulations and supporting Statutory Guidance for primary schools. Updating the Regulations to more closely align with current UK Dietary recommendations is the most effective way to deliver the policy intent of helping children access the food and drink they need to have a healthy diet and reach their potential, including those with special or medically prescribed dietary requirements.

To support the policy development work necessary to review the current Regulations and Guidance, expert groups were established through a Task and Finish approach. These groups reviewed the current food, drink and nutritional requirements for primary schools based on UK dietary recommendations. They also considered the current guidance that supports the promotion of healthy eating and drinking, reflecting on best practice and how roles and responsibilities could be more clearly defined.

While the focus was on achieving the greatest health outcomes, the groups also considered the deliverability and uptake of a future food in schools offer, as well as how this might impact on the sustainability and viability of school food services in Wales. The group's work helped shape proposed revisions to school food requirements for public consultation and informed the drafting of supporting Statutory Guidance.

Key proposed changes include:

- Offer more fruit and vegetables to help Welsh children get their five-a-day.
- Provide more wholegrains because evidence suggests Welsh children aren't getting enough fibre.
- Limit pastry, sweetened baked goods and desserts, and fried foods based on the latest dietary advice.
- Tailor portion sizes based on age group to help reduce food waste.
- Reduce processed meat and limit processed alternatives to fish and meat which can be high in salt and saturated fat.
- Safeguard red meat in moderation to ensure children enjoy its nutritional benefits without overconsumption.
- Prohibit sugary drinks, which are linked to obesity and tooth decay.

Together with the universal primary offer, updating the Regulations provides a further opportunity to increase access to healthier food, support the development of healthy eating habits, and ensure healthier choices are easier to make. Failing to ensure that schools foster healthy diets and provide nutritious meals can have significant consequences for [children's health and development](#). Moreover, neglecting access to healthy meals undermines wider legislative and policy objectives of [Rights of Children and Young Persons \(Wales\) Measure 2011](#) and the [Well-being of Future Generations Act 2015](#).

In addition, we know that the universal primary offer has increased demand for special diets in primary schools and we recognise the importance of ensuring every learner has access to a healthy and nutritious food offer at school, regardless of their healthcare needs. We also know that current Guidance does not adequately address when food and drink that are deemed 'medically prescribed dietary requirements' should be provided, as well as other relevant dietary considerations. This area, therefore, has also been considered as part of our review.

Secondary School

Extensive work is being undertaken to review the Regulations for secondary schools. The context is different to that in primary schools as much of the food service is hand-held, 'grab and go' items provided at morning break and lunchtime. A different approach is necessary for secondary schools, with short-term support required to help secondary provision to continue to improve, and more data required on consumption habits to fully understand where the biggest impact can be made to work towards healthier provision over the medium to long term. Food service is shaped by a range of factors including:

- Children coming to school hungry having missed breakfast.
- Pupils not wanting to wait until lunchtime to eat.
- Limited opportunities to sit down and eat a meal due to dining size/space constraints.
- Reduced lunch breaks where time to eat and long queues for service competes with time for socialising/lunch time clubs.
- Wide range of choices at mid-morning and lunch that can be purchased in unlimited combinations make it difficult to balance in terms of nutrition.

We will continue to review the Regulations for secondary schools through collecting more information and data, as well as undertaking additional engagement through the public consultation. Given our understanding, and the importance placed by young people on issues of autonomy regarding food choices, we require more time to hear young people's views on secondary school food. We will hold a call for evidence on secondary school food during the consultation period. However, updated Regulations for secondary schools will not be laid in this Senedd term. The existing Regulations and accompanying Guidance will continue to apply.

Gathering evidence and engaging with children and Young People

[Around one in four children \(about 9,000\) start school each year overweight](#), with levels worse in our most deprived areas. In Wales, the diets of many children and young people fall short of national dietary recommendations and this is having a negative impact on their current and future health and well-being.

School meals can account for a third or more of a child's weekday food intake and continue to provide an important opportunity to increase access to healthier food, and to support the development of healthy eating habits.

Scientific Advisory Committee on Nutrition (SACN)

There have been some revisions to UK Government dietary recommendations since the regulations were introduced in 2013.

Specifically, following the [SACN Report on Carbohydrates and Health](#), there was a significant reduction in the recommended intakes of free sugars to provide no more than 5% of dietary energy. The term free sugars has replaced the term Non-Milk Extrinsic Sugars (NMES) and describes the types of sugar we eat too much of –

added sugars and sugars naturally present in fruit juice and honey etc. It does not include sugar found naturally in milk, fruit and vegetables. Not reflecting this updated definition in the Regulations could lead to negative impacts on achieving appropriate energy intake to maintain a healthy weight. Additionally, it could counter efforts to reduce dental cavities in children which in turn has a [negative impact on maintaining a healthy weight, growth and quality of life](#).

There is strong [evidence that eating sufficient fibre is associated with a lower risk of heart disease](#), stroke, type 2 diabetes and bowel cancer. Failing to align school food regulations with daily fibre recommendations risks poorer health outcomes, increasing the burden of preventable chronic diseases. To increase fibre consumption, we are proposing that schools offer 50% wholegrain bread, brown rice, and wholemeal pasta, while encouraging the use of wholemeal flour in both sweet and savoury dishes.

Most people in Wales [eat more saturated fat than is recommended](#). Reducing saturated fat reduces the risk of cardiovascular disease and coronary heart disease events, lowers total, LDL and HDL cholesterol and improves indicators of glycaemic control. Ensuring school food regulations restrict the availability of foods high in saturated fats will contribute to prevention of diet-related ill health and chronic diseases.

Recommendations include limiting the consumption of red and processed meat. UK Government dietary advice was revised, following the SACN review on Iron and Health, to limit red and processed meat in our diet to [no more than 70g per day as it may increase the risk of colorectal cancer](#). The beneficial nutrients provided through red meat in moderation are acknowledged in our proposals.

Welsh Government evidence gathering

To support the policy development work necessary to review the Regulations and Guidance, expert groups were established through a Task and Finish approach with a range of partners including learners, schools, governing bodies, local authorities, dietitians, public health, Estyn and academics. The groups assessed whether the current regulations and guidance for primary schools are fit for purpose, considering evidence on what is currently being consumed, recommendations from the SACN committee and the [Eat Well Guide](#), alongside issues such as practicality, affordability, deliverability and take-up.

Health was the key policy driver and discussions focused on aiming for the optimal wherever possible. In some instances, food waste, reduction in take-up of school food on certain days and the impact on the viability of the catering service were considered. The proposals put forward have been shared in advance with catering providers, Public Health Wales and the supply chain to allow proper consideration by those who will have a key role in delivery and supporting realisation of our wellbeing objectives through this work.

Children's Commissioner

The Children's Commissioner for Wales' office undertook a review of the existing evidence in the school food space. In particular, [the Commissioner conducted an engagement exercise](#) with children and young people around healthy eating and school dinners in March 2024. A summary of the findings is set out below:

- 490 children and young people aged between 7 and 18 answered the survey while a further 1250 children took part in groups, with teachers and youth workers submitting a summary of their views. They also received responses from 19 local authorities.
- 51% children said they had school dinners regularly whilst 40% said sometimes. 43% said they thought school meals were healthy whilst 48% said they were sometimes healthy.
- Positive themes were identified regarding the current school lunch such as the taste of the meal and the choice available.
- Negative themes included small portion sizes, and the quality of the food provided.

Nesta

With the roll-out of the universal primary offer across Wales, [Nesta identified an opportunity to help change eating habits amongst children in Wales for life](#). On average, school meals have been shown to contain less sugar, saturated fat and total calories than packed lunches. Therefore, a considerable improvement to children's diets may be made by shifting more children from eating packed lunches to eating school meals if they can be made to be appealing and appetizing to learners. Nesta's work also identified the importance of trust in the school food offer, which in part is informed by understanding that the food provided is of high quality.

Engagement with Children and Young People

Children in Wales were commissioned by the Welsh Government in 2024 to conduct focus group sessions in primary schools. Focus groups with learners were held in Flintshire and in Lampeter. Children's perspectives on school meals were central to the engagement; exploring their preferences, perceptions of quality, portion sizes, food presentation, and the nutritional balance of their meals. Through a series of engaging, child-centred activities, data was collected to gain an understanding of how children experience school dinners and where improvements could be made. The findings indicate that while the quality of school meals is generally rated well, there are concerns regarding lack of choice, inconsistent portion sizes, and the availability of fruit and vegetables. Children's preference for familiar, comforting

foods is evident, but there is also interest in expanding the menu to include a greater variety of options. Children in Wales suggested a number of improvements - increasing meal variety; standardising portion sizes; enhancing nutritional offerings, managing food waste more transparently and revisiting special diet requests. These recommendations have been taken into account, particularly in the design of further engagement with children during the public consultation.

Further, local authorities have been encouraged to undertake their own engagement with their learners following the sharing of the proposed regulations in September 2024. Local level engagement with learners has been undertaken.

Also, an engagement session was hosted by Welsh Government officials in November 2024 with a cluster of seven secondary schools in Flintshire. The engagement found a good response covering food requirements, nutrition and the physical environment in which school meals were delivered. Comments included emphasis on more fruit and vegetables, less packaging, more sociable environments for eating, bigger portions, salad bars, more wholegrain being a good idea, the importance of educating students in healthy cooking, seasonal food, and better queueing system etc. This feedback is being considered as a part of the evidence gathering regarding the secondary Regulations review.

Primary school children will be specifically consulted with on these revised food requirements and nutritional standards. There will also be an easy read version of the consultation document and targeted engagement activity for learners. Secondary school children will also have the opportunity to respond to the call for evidence during the consultation.

Analysing the evidence and assessing the impact

Through our understanding developed through pre-consultation engagement we propose the main positive impacts of updating the Regulations and Guidance will be:

- **Health Benefits:** Offering all learners in primary school with a healthy, nutritious meal every day will have long-term health benefits.
- **Behaviour and Attainment benefits:** Contributing towards realising longer term benefits by instilling early in life healthy eating habits and attitudes that children will carry into adulthood, raising the profile of healthy eating across the whole school, increasing the range of food pupils eat and improving social skills and wellbeing at mealtimes.
- **Food and Health inequalities:** Supporting our efforts to tackle health inequalities and playing an important role supporting all learners to reach their full potential.
- **Support the local economy:** Combined with our universal primary offer we are encouraging procurement practices that support the Welsh food supply chain.

- **Aligns to our Future Generation aspirations:** Creating an opportunity for all primary age children to share and enjoy a healthy, nutritionally balanced meal together. We hope to maximise the benefits of our investment in children's health and wellbeing, learning, and in their social skills.

We recognise there are challenges that will need to be monitored and reviewed throughout the initial implementation of the new Regulations and Guidance and beyond, these include:

- Ensuring there is sufficient school infrastructure, workforce capacity and food supply to support delivery of the updated Regulations and Guidance.
 - Maintaining high quality provision and supporting the supply of Welsh food onto the school plate.
 - Meeting specific needs of learners with specific dietary requirements and to develop inclusive menus in relation to the school food provision.
 - Monitoring the risk that the full benefits of universal free school meals may not be realised if fewer learners are taking up the offer.
- **How does your proposal enhance or challenge children's rights, as stipulated by the UNCRC articles and its Optional Protocols? Please refer to the [articles](#) to see which ones apply to your own policy.**

This Child Impact assessment has considered the policy proposals to review the Healthy Eating Regulations alongside pre-engagement with children and an extensive consultation exercise to hear from children from May to June 2025.

There are significant positive impacts from changes to school meals so that they are nutritionally balanced and reflect the latest UK Government dietary recommendations. This will potentially have long-term impacts on children and their families, for example, through preventing health inequalities and improving educational engagement. Overall, the review could have a significant positive effect enhancing children's rights, in particular:

- **Article 6** (life, survival and development) Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential. This policy proposal will increase access to healthy food for children which will improve child development and contribute towards them achieving their full potential.
- **Article 24** (health and health services) Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy. This policy proposal will directly increase children's access to nutritious food and education on health and wellbeing.
- **Article 27** (adequate standard of living) Every child has the right to a standard of living that is good enough to meet their physical and social needs and

support their development. Governments must help families who cannot afford to provide this. This policy is part of a programme of food in schools which increases access to food for families who cannot afford it and improves the standard of food to support child development for all primary school learners.

However, there exists a potential conflict of rights if **Article 13** (right to freedom of expression) is interpreted in a way which considers that the new food requirements could limit a child's choice to certain food provisions. However, on balance, ensuring that the food offer in primary schools reflects the latest health recommendations enhances children's rights rather than diminishes them.

There is also a potential negative impact on disabled children, some ethnic minority children, some children with religious beliefs and children living in socio-economic disadvantage who might not have their needs considered within new menu design and therefore more likely to not take up the offer of a free meal. These children are also more likely to be living in socio-economic disadvantage so it could have a disproportionate impact on their access to food.

These impacts will be mitigated through providing clarity in the Guidance on how schools and local authorities should work with learners and their families to develop inclusive menus and consider any further support or adjustments in relation to accessing the school food provision.

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
Article 1 (definition of the child) Everyone under the age of 18 has all the rights in the Convention	x	x	<p>The review of food requirements and nutritional standards initially applies only to primary school children so enhances rights for children aged 3-11.</p> <p>Not updating the Regulations and Guidance for Secondary Schools could lead to inequity of provision between the school phases with older learners (ages 11-18) not being able to access a school meal which reflects the latest UK Government dietary recommendations.</p> <p>However, proposals to gather more data and engage more</p>

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
			closely with Secondary learners before introducing Regulations for this phase of education will strengthen any proposals introduced at a later date.
<p>Article 2 (non-discrimination) The Convention applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities or any other status, whatever they think or say, whatever their family background</p>	x		<p>Current Guidance does not adequately address when food and drink can be adjusted to meet the needs of learners with a dietary requirement because of their race, religion or cultural beliefs. Updated Guidance will support learner's rights not to be discriminated.</p> <p>There is a small risk that learners could be negatively impacted if the local authority or school is unable to meet their specific needs. We hope to learn more through planned consultation activity.</p> <p>There is also a risk that this right could be challenged for disabled children, children from some ethnic minorities and with some religious groups if their needs are not considered in new menu design.</p>
<p>Article 3 All organisations concerned with children should work towards what is best for each child.</p>	x		<p>The revised regulations will bring both food requirements and nutritional standards for primary school children closer aligned to the latest scientific and dietary guidelines. The Guidance will outline how organisations can enhance the way they work together and their roles towards improving access to healthy food for children.</p>

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
Article 6 All children have the right of life. Governments should ensure that children survive and develop healthily	x		Updating the Regulations and Guidance is likely to have a positive impact on the health, child development, and wellbeing for primary school children who will be offered a nutritionally balanced meal which reflects the latest UK Government Dietary recommendations.
Article 12 (respect for the views of the child) Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life	x		Primary school children will be specifically consulted with on these revised food requirements and nutritional standards. There will also be an easy read version of the consultation document and targeted engagement activity for learners. Secondary school children will also have the opportunity to respond to the call for evidence during the consultation. Additionally, Children in Wales have been carrying out engagement with both primary school and secondary school children to identify their views and needs.
Article 13 (freedom of expression) Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law.	x	x	Although children will be provided an opportunity to have their say on the food requirements, it will mean that once the new Regulations are laid they will not be free to pick some food provisions that were previously available but are now limited or withdrawn from the school meal offer. This could be perceived as impacting on their right to freedom of expression and choice.

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
<p>Article 14 (freedom of thought, belief and religion) Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.</p>	x		<p>Current Guidance does not adequately address when food and drink can be adjusted to meet the needs of learners with a dietary requirement because of their race, religion or cultural beliefs. Updated Guidance will support learner's rights not to be discriminated and provide clarity to local authorities/schools that they should work with learners and parents to design menus that respond to the needs and consumption habits of their local community.</p> <p>There is a small risk that learners could be negatively impacted if the local authority or school is unable to meet their specific needs or does not consider them within menu design meaning that some ethnic minority children, disabled children and children from socio-economic disadvantage are less likely to take up the offer of a free meal and reduce access to healthy food. We hope to learn more through planned consultation activity.</p>
<p>Article 15 (freedom of association) Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights</p>	x		<p>Schools, school governors and caterers strive to provide optimum environments for children to meet and socialise with other children.</p>

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
Article 17 (access to information from the media) Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them.	x		Through the curriculum and the whole school approach, those involved in the school food system, as well as learners, will be encouraged to source information on healthy eating that will help inform their development. This is further highlighted within the Guidance.
Article 24 Children have the right to good quality healthcare and to clean water, nutritious food and a clean environment so they will stay healthy.	x		Updating the Regulations and Guidance is likely to have a direct positive impact on a child's access to nutritious food, as well as the health and wellbeing for primary school children who will be offered a nutritionally balanced meal which reflects the latest UK Government Dietary recommendations.
Article 27 Children have a right to a standard of living that is good enough to meet their physical and mental needs.	x		As above
Article 28 Education should develop each child's personality and talents to the full. It should teach children to respect their parents, their own	x		By linking food offered in school to the curriculum (a whole school approach to food) children may be taught about healthy living; locally sourced food and engagement with the local supply chain in schools will support learning about the

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
and other cultures and the environment			local and global environment. Further, encouraging the learner's voice to be heard in relation to school menus and dining room environment will help to develop a deeper connection with food and their own and others food cultures. This is an expression of the whole school approach.
Article 29 Children's education should help them fully develop their personalities, talents and abilities. It should teach them to understand their own rights, and to respect other people's rights, cultures and differences. It should help them to live peacefully and protect the environment.	X		As above

Ministerial advice and decision

In MA/LN/5227/24 the Cabinet Secretary agreed the legislative timetable to review, update and implement new Regulations and Guidance and that the legislation be made and laid before the Senedd within this term of government.

The impact of the proposals on children's rights will be incorporated into future ministerial advice following analysis of the consultation feedback. This will ensure that the welfare and rights of children have been fully considered, and any identified issues addressed.

Communicating with Children and Young People

We will be consulting on proposals to update the Regulations and this will be open to all children and young people. An easy read version and a children / youth friendly version of the consultation document in plain English will be prepared to support this engagement.

Alongside the consultation we will be engaging specifically with children and young people, through a range of online and in person focus groups. The aim is to gather feedback on the proposed changes from a wide range of demographics of children and parents/carers. The suggested sampling framework for focus groups will prioritise deep engagement with children and young people from across different communities and protected characteristics, to better understand dietary needs and preferences in specific contexts. This will be designed to add value to the consultation exercise, providing reflections on unintended consequences for relevant stakeholders.

Monitoring and Review

Following a final decision on the policy as a result of the public consultation and the making of new Regulations, methods of evaluation will be considered and will be essential in measuring the impact of this new policy.

A range of opportunities exist that can be used to support monitoring and evaluation of any changes. These include existing education and health data-sets and indicators which can be compared over time, the independent evaluation of the universal primary free school meals commitment, data on public procurement, market insight, engagement and social listening.

The CRIA will be continually reviewed and updated to reflect changes.