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**REPORT TO: EDUCATION, CHILDREN'S AND LEISURE SERVICES  
COMMITTEE ON 25 JANUARY 2023**

**SUBJECT: FREE SCHOOL MEALS ALLOWANCE – SECONDARY PUPILS**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND  
FINANCE)**

**1. REASON FOR REPORT**

- 1.1 The report is to inform the Committee of the current process of when the free school meal allocation is added to pupils' accounts and approve the plan to alter the timing of the allocation.
- 1.2 This report is submitted to the Committee in terms of the Council's Scheme of Administrative section (III) (D) (1) relating to functions of the Council as Education Authority within the terms of relevant legislation with regard to nursery, primary, secondary, and further education; community learning and development and to determine the Council's policies in regard thereto.

**2. RECOMMENDATION**

**2.1 It is recommended that Committee:-**

- (i) note the contents of this report; and**
- (ii) approve the change to the timing of the allowance as set out in Paragraph 7.3 option 2.**

**3. BACKGROUND**

- 3.1 A petition was received on the 18 February 2022 from a student from Buckie High School on behalf of the young people in Moray, raising concerns that pupils entitled to free school meals can't access their allowance until after break time. They raised concerns that not eating during morning sessions undermines a child's ability to learn due to their empty stomach. The petition requested that the Free School Meal (FSM) allowance be added to the pupils meal account before morning break instead of before lunchtime.
- 3.2 A Committee report was requested to be prepared by officers for discussion as it is important that the voice of the young people are heard.

- 3.3 Due to the impact of the cost of living crisis on families there have been concerns raised about the potential of young people being hungry during the school day. If a pupil is hungry this will have an impact on the pupil's wellbeing and affect their learning ability.
- 3.4 All of the secondary schools in Moray have either a breakfast club or brunch club (the latter is in place at one school due to the timing of transported pupils arriving at the school). Some clubs are run all week and others are on specific days of the week. The clubs are funded in numerous ways such as, donations, grants from local businesses, Pupil Equity Funding (PEF) and the foodbank.
- 3.5 The Catering Service have trialled a scheme called too good to throw out where any food items that haven't been sold at the end of lunch and catering cannot use it for anything the next day, it is packaged, labelled in line with Natasha's law and instructions to reheat if necessary. It is then given to the education staff to either have a pick up point or distribute to any pupil they feel require this support. The trial went extremely well at Elgin High and has now been implemented in 2 further secondary schools Buckie High and Forres Academy. Keith Grammar, Speyside High and Lossiemouth High will be starting in January 2023. The scheme will be rolled out to the final 2 secondary schools by the beginning of February 2023.

#### **4. FREE SCHOOL MEALS ALLOWANCE**

- 4.1 The Education (Scotland) Act 1980 states that the authority:
- must provide a school lunch free of charge to any pupil who is eligible for Free School Meals (FSM);
  - may provide other food and drink to pupils. It can do this free of charge or make a charge.
- 4.2 The provision of FSM for all pupils is based on specific eligibility criteria through the authority's Benefits team and this is updated to the cashless catering system by Education Business Support team. The Catering service should not be aware of who is entitled to FSM as per the Schools (Health Promotion and Nutrition) (Scotland) Act 2007 to protect the identity of those receiving FSM. The Catering Manager has access to the information for monitoring purposes only and relies on the information on the system being up to date.
- 4.3 The Scottish Government does not provide specific funding to the authority for Free School Meals, however, there are two elements of the General Revenue Grant (GRG) where statistical calculations are completed relating to Free School Meals. These financial terms can be used to calculate an estimate that £270k was received in the GRG for this year in relation to FSM (varies annually but the figure is typically within this region). The school meals provision for our authority costs £3.8m each year (this is 22/23 budget which is before the pay awards and any other adjustments that maybe required). £2.4m income is received from pupils paying for school meals (22/23 budget figure).

- 4.4 The purchase price of a school meal or items that can be purchased in a secondary school is set to be attractive to families and older pupils to encourage uptake with the current allowance in a secondary school being set at £2.40. It does not reflect the cost of providing the meals. Currently an average secondary school meal costs £6.06 to provide. This includes food and staffing. Pre Covid the costs per meal were closer to £4 per meal. The Food and Drink in Schools (Scotland) Regulations were altered in 2020, and this coupled with rising food costs have both had an impact on the cost base.
- 4.5 For pupils who are entitled to FSM in a secondary school the allowance of £2.40 is credited to their Young Scot Card daily to enable them to purchase lunch. This value enables them to purchase a main meal and a soup or sweet, however pupils have the ability to spend the allowance on any combination of items up to that value.
- 4.6 Currently the allowance for FSM is added to a pupil's account after morning break and before lunch. Any balance not used is cleared from the account after lunch. The allowance is added to the accounts automatically whether the pupil is in attendance or absent from school. All secondary school pupils have access to a pre-order app where pupils can pre-order lunch with the allowance before the money is allocated to the account as the pupil doesn't receive the order until lunchtime. Any money that is credited by the parent or pupil to the account is not cleared at the end of the day.
- 4.7 Below is a table that shows the number of pupils that are entitled to FSM and one week's typical sample uptake of the allowance.

Table 1

School	Number of Pupils entitled to FSM	Uptake for week ending 04/11/22
Buckie High	96	29%
Elgin Academy	79	24%
Elgin High	122	33%
Forres Academy	99	43%
Keith Grammar	42	31%
Lossiemouth High	53	47%
Milnes High	35	49%
Speyside High	35	37%

## 5. **SCHOOL MEALS PROVISION**

- 5.1 Food and Drink in Schools (Scotland) Regulations require that all meals must meet the regulations and pupils are encouraged to opt for a balanced meal including 2 portions of vegetables and a portion of fruit to ensure the food taken is nutritionally sound and meets the calorific requirements for lunch.

- 5.2 There is a difference to food choices that are available at break time and lunchtime. On offer at break time there is a selection of drinks, pancakes, scones, sandwiches, muffins, fruit pots and toast however on a Friday there is slightly more offered due to the short day. The range is extended to offer items like panini/pizza slice. At lunchtime there is a wider range on offer including main meal, soup, hot snack i.e. pasta in sauce, hot grab and go items i.e. beef burger in a bun, deli bar where the pupils can have baguettes/sandwiches/rolls made to order and also salad boxes plus there is a selection of fruit and sweet items available. All the items offered need to comply with the Food and Drink in Schools (Scotland) Regulations 2020.
- 5.3 The current cashless system within the secondary schools does not allow pupils to go into arrears. At present if a pupil does not have any money they would inform someone within the school who would inform the cook on site that the pupil requires lunch then this is recorded manually. If the pupil did not pay for the lunch within the week this is highlighted to the Guidance Teacher. However the meal is usually paid for within a few days either by the pupil or the school. If a pupil presents themselves to catering staff that they have no funds for lunch then the pupil is given lunch and the above process is followed for the funds that are owed.

## **6. MATTERS FOR WIDER CONSIDERATION**

- 6.1 Based on the information set out above it is suggested that the focus of attention should be threefold:
- encourage greater uptake of Free School Meals. With an average of only 35% of eligible pupils taking up their Free School Meal, improving uptake has the potential to create significant benefit in tackling the potential issues around hunger;
  - continue to support the work of schools in providing Breakfast Clubs using sources of funding such as PEF, charitable organisations and Parent Council funds;
  - trial of adding school lunch credit to Young Scot cards in a manner that enables some expenditure at morning break, without detriment to the requirement to provide a lunch – as set out below.
- 6.2 The Cost of Living Working Group is looking at the first two points raised in 6.1 and this report relates to the third point.

## **7. OPTIONS**

- 7.1 This report is to consider altering the timing of the allowance to be added to pupils Young Scot Cards for them to be able to purchase food at break time if they chose to do so.

- 7.2 Option 1 - Do not change the timing of the allowance and clear any unused allowance after the lunch service. This would ensure that the authority are carrying out their statutory duty as FSM pupils would have funds to purchase a lunch.
- 7.3 Option 2 – Change the allocation of the FSM allowance to before the morning break service and clear any money of the allowance left after lunch service daily. Benefits of this option is the pupils are encouraged to eat every day and attend school every day. Pupils could for example purchase a pancake at break time then a hot snack and milkshake at lunch time within this allowance. There are many combinations available to choose from that are within the FSM allowance. A risk is a pupil spends all their allowance at break time and still presents themselves at lunch time requiring a meal or they go without a meal at lunchtime which could present problems if no meal is available from home. Other local authorities that provide this service have indicated that this is a low risk however this would potentially require extra funding. Pupils have to identify themselves as a pupil in receipt of FSM which they might not feel comfortable with. The current cashless catering system would allow for this to happen quite easily.
- 7.4 Option 3- Move the FSM allowance to be added daily after morning break and allow any allowance that hasn't been spent to roll to the next day or until the Friday then clear any balance on a Friday afternoon. Benefits with this option is that there is less of a risk of a pupil not having any funds for lunch time. Also allows the pupil to purchase items to take home especially at the end of the week. However this would require pupils to understand how to budget their allowance. The risks with this option are that pupils can build up their allowance which could add complications as such trying to give meals to friends whether wanting to or being pressured too. Building up the allowance also means they are missing out on food on some days. There is some potential for accessing an unreasonable amount of food on one day that would have a negative impact on the Food and Drink in Schools (Scotland) regulations 2020. The current cashless catering system does not have the capability to roll the unspent FSM allowance over to the next day. The cashless catering system is nearing its end of life and the catering department will be looking at purchasing and installing a new system within the next 18 months. The functionality to enable Free School Meal funds to roll over can be written into the specifications on the tender for the replacement. The supplier can make changes to the current system but this would require approximately £7K of unbudgeted funding to complete this alteration with an implementation date of 4 months. If the funds were to be rolled over manually it would take approximately 1 hour per school per day to complete this task which has an impact on administrators, therefore this option is not recommended at this point in time.

- 7.5 Whichever option is approved will be monitored for a minimum period of 3 months to assess the impact and report back to Committee if required. This should also include a review of current breakfast club attendance and uptake which may impact on food hunger. In addition, it would be worth analysing the extent to which school funding is being used to support the payment of lunches and whether or not this has increased or decreased during the pilot period.

## **8. ADDITIONAL INFORMATION**

- 8.1 Pupils are informed of how FSM works within secondary school in numerous ways, pupils are shown a video about the secondary catering service which has a section that explains how the FSM are added to the pupils account, this is also available on the Catering page of the Moray Council website. There are posters within the canteen to explain when money is added and taken off the accounts and also information on the pre order app.
- 8.2 Table 2 below summarises a recent survey and discussion carried out by ASSIST Facilities Management which is the Association for all the Facilities Management providers within Scotland's 32 Local authorities. In regards to when FSM allowance is added to accounts and if other funding is being used. Out of the 32 authorities 19 answered.

Table 2

<b>Time FSM allowance is added to accounts</b>	<b>Number of Authorities</b>
First thing i.e. before breakfast	8
Before Morning Break	6
Before Lunch	5
Do you add any additional funding for break time	2
Funding used for additional funding at break time	Pupil Equity Funding (PEF)
Can the additional funding be rolled on to lunch	No
Do you find pupils have spent the full allowance at break time	Not often as the Pupil is responsible for managing their allowance/budget.
How is the lunch funded if FSM allowance has been spent	Comes from the school
Do you allow the FSM allowance to rollover to the next day	No

## 9. **SUMMARY OF IMPLICATIONS**

### **(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

Reflective of priorities within the Corporate Plan with particular regard to (3) provide a sustainable education service aiming for excellence and (4) day to day service delivery in line with council values of ambitious, improving and responsive. With regards to the 10 Year Plan (Local Outcomes Improvement Plan LOIP), (2) building a better future for children and young people in Moray through equity of learning experience offered across Moray's schools.

### **(b) Policy and Legal**

The Education (Scotland) Act 1980 provides that

1. The authority must provide free lunch to qualifying pupils. and
2. The authority is given the additional power to provide other food and drink to qualifying pupils or indeed any other pupils either free of charge or on payment. This additional power can be exercised any time and on such conditions as the authority thinks reasonable.

Food and Drink in Schools (Scotland) Regulations 2020 require all meals must meet the regulations and pupils are encouraged to opt for a balanced meal including 2 portions of vegetables and a portion of fruit to ensure the food taken is nutritionally sound and meets the calorific requirements for lunch.

### **(c) Financial implications**

There are potential implications if significant numbers of pupils spend their FSM allowance at break-time and still request a lunch. Whilst this is currently funded by the school as an exceptional matter, there is a small risk that this would materialise as a budget pressure. This will be monitored and will be reported back to committee if it becomes a problem that would require funding or an alteration to the mechanism for providing Free School Meals.

### **(d) Risk Implications**

Pupils realise that if they spend their FSM allowance at break time, they can also receive a meal at lunchtime. If this happened there would be a financial impact. Pupils could purchase items for other pupils willingly or perhaps be persuaded to.

With Option 3 there is a risk of pupils accessing an unreasonable amount of food on one day that would have a negative impact on the Food and Drink in Schools (Scotland) regulations 2020

With Option 2 there is a risk that pupils purchase a morning snack, and then are hungry at lunchtime but do not approach school staff in order to access a lunch.

**(e) Staffing Implications**

No staffing implications.

**(f) Property**

No property issues.

**(g) Equalities/Socio Economic Impact**

Options 2 and 3 can contribute to a reduction of negative impacts that are a result of socio-economic inequalities.

**(h) Climate Change and Biodiversity Impacts**

No climate change issues.

**(i) Consultations**

Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development, Head of Education Resources and Communities, Chief Financial Officer, Head of Governance, Strategy and Performance, Legal Services Manager, Committee Services Officer (T Sutherland), and Equalities Officer have been consulted and their comments incorporated into this report.

**10. CONCLUSION**

- 10.1 The FSM allowance can be moved for pupils to use at break time however if a child has spent all the allowance and still requests a lunch we are legally required to provide a lunch for them. The extra allowance for the lunch would require funding.**
- 10.2 The recommendation is that the FSM allowance is moved to be used at break time and any allowance left after lunchtime is cleared daily. Where a lunch was needed then the extra allowance would require funding. Education would be required to inform pupils/parents of the change and encourage pupils to budget their allowance.**

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Background Papers:

Ref: SPMAN-524642768-824