

**AGENDA ITEM**

**REPORT TO COUNCIL**

**23 NOVEMBER 2022**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

**CONSIDERATION OF THE PROVISION OF FREE SCHOOL MEALS FOR ALL PRIMARY  
SCHOOL CHILDREN IN THE BOROUGH**

**SUMMARY**

Council is invited to consider Cabinet's response to response from Cabinet to a motion submitted to Council on 22nd July 2022 about free school meals in primary schools.

**REASONS FOR RECOMMENDATIONS**

The recommended approach targets the resource to those families that need it the most and does not add additional pressure to the Council's medium term financial plan.

Referral to full Council for reconsideration is in accordance with 3.205 of the Council's constitution. "When a motion or amendment is proposed at a Council meeting, other than as a result of a recommendation or report from the Cabinet, and the motion or amendment would either involve expenditure not provided for in the budget/MTFP, or a reduction in income anticipated by the budget/MTFP, and the motion does not identify from where the required additional funding or equivalent amount of income can be provided, then the motion, or amendment, if seconded and after the appropriate Cabinet Councillor has commented upon it, must be referred without discussion to the Cabinet for consideration, prior to its reconsideration by Council."

**RECOMMENDATIONS**

Recommendation to Council:-

1. Council to call on Government to extend eligibility for free school meals to all those in receipt of Universal Credit.

**DETAIL**

**Outline of the motion**

1. The following motion, submitted in accordance with Council Procedure Rule 3.40 was considered by Council on 22<sup>nd</sup> July 2022:
2. "Stockton-on-Tees Borough Council supports every parent of children in our primary schools by providing them with free school meals. Ensuring that every child, no matter what the personal financial circumstances of their parents are; receives at least one nourishing meal a day when in school."

### **Benefits of school meals**

3. Compliance with the requirements for School Food Regulations 2014 is mandatory for all schools, academies and free schools. These school food standards are to ensure that food provided to pupils in school is nutritious and of high quality; to promote good nutritional health in all pupils; protect those who are nutritionally vulnerable and to promote good eating behaviour.
4. School meals, health and learning are strongly connected. Studies show that young people living in low-income families eat less healthily. Healthy school meals have the capacity to decrease these dietary and health inequalities by providing at least one decent, hot meal a day to school age young people growing up in low-income households. Young people growing up in lower income families have poorer educational outcomes than their wealthier peers. Providing more healthy meals to low-income students helps to close the attainment gap and reduce these inequalities.

### **Free School Meals (FSM)**

5. The Education Act 1996 requires maintained schools and academies (including free schools) to provide free school meals to eligible disadvantaged pupils who are aged between 5 and 16 years old.
6. Children may be able to get FSM if their household receive any of the following benefits:
  - Income Support
  - income-based Jobseeker's Allowance
  - income-related Employment and Support Allowance
  - support under Part VI of the Immigration and Asylum Act 1999
  - the guaranteed element of Pension Credit
  - Child Tax Credit (provided you're 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 you stop qualifying for Working Tax Credit
  - Universal Credit - if you apply on or after 1 April 2018 your household income must be less than £7,400 a year (after tax and not including any benefits you get)
7. To receive FSM, a claim must be made by the pupil, their parent or another responsible adult. School governing bodies must provide FSM to a pupil if the pupil and/or a parent meets the eligibility criteria, and a request is received. The responsibility for checking the eligibility of applicants for FSM rests with the individual school.
8. Schools and academies do not receive funding specifically designated for FSM. The schools funding formula does however take the number of disadvantaged pupils into account to support those schools with larger disadvantaged pupil numbers. Schools and academies are expected to fund the cost of FSM from their total funding allocation.

### **Universal infant free school meals (UIFSM)**

9. Since September 2014, schools and academies in England have been required by law to provide free lunches to pupils in key stage 1 (reception, year 1 and year 2). This is known as universal infant free school meals.
10. UIFSM is funded by a specific grant payable to schools and academies each year and based on actual meals taken. Each meal taken by an eligible child attracts £2.41 in funding. The basic allocation assumes that children will take 190 school meals over an academic year, providing £457.90 per eligible child.
11. There is national evidence of high take up of UIFSM, around 80% of eligible children.

## National and local context

12. FSM provision is different across the UK. In Scotland, universal free school meals are gradually being rolled out to all primary school pupils. Pupils in years 1-5 are now eligible, with the full roll-out all the way to year 7 expected to be completed by 2024. In Wales, the Welsh government has committed to rolling out universal free school meals to all primary school pupils by September 2024 using a phased approach, starting with the youngest pupils from September 2022.
13. Analysis was published by the Child Poverty Action Group (CPAG) in June 2022. Based on free school meals data released by the Department for Education, it shows that the proportion of children in poverty in England is increasing, with over 1 in 3 school age children that are living in poverty not qualifying for free school meals.
14. The North East Child Poverty Commission (NECPC) is a regional cross-sector stakeholder network. In a recent briefing from July 2022 the NECPC highlighted that the North East of England overtook London to have the highest rate of child poverty in the UK. This represents 38% of all children living in poverty, up from 37% the year before. Amongst other measures to make social security more adequate in the long term, NECPC called for the government to extend free school meals to all children in families receiving Universal Credit, to benefit those families receiving Universal Credit whose household income is more than £7,400 a year.
15. The Children and Young People Select Committee recently completed a review examining specific issues relating to child poverty, and this was reported to Cabinet in June 2022. Several recommendations were approved:
  - a. That a family poverty profile is compiled and updated annually from available data and input from those with lived experience and is used to identify a key priority for targeted action each year; an initial focus being take up of FSM for those eligible and in need
  - b. That support offered to families in poverty is enhanced, including a more integrated and visible offer for families experiencing poverty and the roll out of Poverty Proofing the School Day across all Stockton Schools
  - c. That specific interventions are put in place including healthy food through the delivery of cooking and budgeting skills in schools, linked to Healthy Schools
  - d. That, subject to funding, a new scheme is developed for those identified as in need, making sure better access to existing support (e.g., benefits and FSM) and exploring options for a voucher scheme as part of wider work on benefits access and take up
  - e. That all subsidy policies are reviewed and revised as appropriate to provide streamlined and enhanced support for families
16. The Fairer Stockton-on-Tees (FSOT) strategic framework was agreed at Cabinet in October 2021. The FSOT framework sets out a vision and ambition for reducing inequality in the Borough over the next ten years and identifies five key interventions to realise the FSOT ambition:
  - a. Tackling fundamental issues across the borough as a whole;
  - b. A focus on reducing the inequalities faced by identified disadvantaged communities;
  - c. A focus on deprived neighborhoods, and in particular building on the work in the Targeted Action Areas, focusing on these areas as the first area priorities;
  - d. A focus on the most marginalised;
  - e. An emphasis on the Council as a major employer, commissioner and purchaser

## Outline costs and implications of the motion

17. Focussing on the additional cost implications of the motion submitted to Council to support every parent of children in our primary schools by providing them with free school meals.
18. Schools and academies receive a specific grant for UIFSM. Schools and academies receive funding for FSM as part of their core funding allocation based on numbers of disadvantaged pupils as a proxy measure for FSM eligibility. Therefore, the additional cost of providing FSM to all children in primary schools is based on the number of children not eligible for FSM.

19. Using the Spring 2022 school census information shown in the table below:
  - a. Excluding those children in reception / year 1 / year 2 that are already receiving a free lunch through UIFSM
  - b. Also excluding the children in years 3-6 that are already eligible for FSM
  - c. This identifies that there are 7151 children not eligible for FSM in years 3-6

<b>Spring 2022 School Census</b>	<b>Y3</b>	<b>Y4</b>	<b>Y5</b>	<b>Y6</b>	<b>Total</b>
Number of children on roll	2457	2537	2588	2651	<b>10233</b>
Number of children eligible for FSM	721	839	771	751	<b>3082</b>
<b>Number of children not eligible for FSM</b>	<b>1736</b>	<b>1698</b>	<b>1817</b>	<b>1900</b>	<b>7151</b>

20. Using the funding rates for the UIFSM grant 2022/23. Each meal taken by an eligible child attracts £2.41. The allocation assumes that children will take 190 school meals over an academic year. This provides funding of £457.90 per eligible child.
21. The 7151 children not eligible for FSM multiplied by £457.90 per child equates to an additional cost of £3.274m per annum assuming 100% take-up. However, using UIFSM take up of approximately 80-90% the maximum cost per annum would be in the range £2.5m to £3.0m per annum.
22. It should be noted that the calculation of costs to support the motion to Council were unavailable at the time of the Council meeting, as the information on take up of FSM is not held by the Council.
23. Schools and academies would receive no additional government funding to provide FSM to non-eligible children. Therefore, the full additional cost would need to be funded by the Council.
24. In addition, there would need to be consideration, on a school-by-school basis, of the potential challenges in delivering this motion, for the schools themselves and contracted caterers. Upon implementation of UIFSM in 2014 the government recognised this could create challenges for some schools and provided additional capital funding to ensure successful implementation. Significantly expanding the number of children who would take up the offer of free school meals would create capacity issues in many schools.
25. On the basis of an additional cost pressure of £2.5m to £3.0m per annum on the Council's MTFP, the motion is considered unaffordable.

## **Proposal**

26. As outlined in paragraph 4, studies show there are clear benefits around school meals take up – the guarantee of one healthy meal per day has benefits for children around their health and ability to learn. This is particularly important for young people growing up in lower income families who have poorer educational outcomes than their less disadvantaged peers. Providing more healthy meals to low-income students helps to close the attainment gap and reduce these inequalities.
27. As outlined in paragraph 13, the analysis published by the Child Poverty Action Group (CPAG) in June 2022 shows that the proportion of children in poverty in England is increasing.
28. As outlined in paragraph 14 the North East Child Poverty Commission (NECPC), in a recent briefing from July 2022, highlighted that the North East of England overtook London to have the highest rate of child poverty in the UK.
29. In addition, the current cost of living issues are expected to have the greatest impact on the most disadvantaged families. This position is also expected to continue to worsen particularly in the winter months later this year.

30. It is proposed that the Council call on Government to extend eligibility for FSM to all those in receipt of Universal Credit, in the form of a letter to be sent on behalf of the Council lobbying the Secretary of State for Education to legislate for this.
31. This proposal is in line with the recent North East Child Poverty Commission report and would have the impact of an additional 2900 children being eligible for FSM in the Borough.
32. The proposal would also support and link directly with the aim of reducing inequalities across the Borough. This strategic intent is described in 'A Fairer Stockton-on-Tees', our strategic framework for tackling inequalities. Particularly the aspects of focussing on reducing the inequalities faced by the most disadvantaged and marginalised communities, neighbourhoods and people.
33. The proposal targets the resource to those families that need it the most and does not add to the financial challenges faced by the Council and other councils across the country.

#### **CABINET – 15<sup>TH</sup> SEPTEMBER 2022**

34. Cabinet will consider the matter at its meeting to be held on 15<sup>th</sup> September 2022 and a copy of the relevant minute extract will be made available to Members.

#### **COMMUNITY IMPACT IMPLICATIONS**

35. The recommendation would support and link directly with the aim of reducing inequalities across the Borough, as described in 'A Fairer Stockton-on-Tees' our strategic framework for tackling inequalities.

#### **FINANCIAL IMPLICATIONS**

36. Implementing the motion submitted to Council would result in an unfunded budget pressure of between £2.5m and £3.0m per annum not included in the Council's Medium Term Financial Plan.

#### **LEGAL IMPLICATIONS**

37. There are no direct legal implications for the Council arising from the recommendations.

#### **RISK ASSESSMENT**

38. This report is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

#### **WARDS AFFECTED AND CONSULTATION WITH WARD/COUNCILLORS**

39. Cabinet member for CYP (Children and Young People) has been consulted.

#### **BACKGROUND PAPERS**

40. None.

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