

## Recommendation 4 of the National Food Strategy: extending eligibility for Free School Meals

### Purpose of report

For direction.

### Summary

This item will consider recommendation 4 of the [National Food Strategy](#) (NFS), to extend eligibility for Free School Meals (FSM) in England and move to the automatic enrolment of pupils eligible for FSM, rather than relying on applications from families.

It is proposed that this extension is achieved through raising the household earnings threshold from £7,400 to £20,000 per year and extending eligibility to children whose parents are undocumented or have No Recourse to Public Funds.

The Department of Farming and Rural Affairs is due to respond with a Food Strategy White Paper in approximately 1 month.

#### Recommendation/s:

That CYP members give their view and decide the LGAs position on Free School Meal eligibility, with particular reference to the National Food Strategy recommendations.

#### Action/s:

- Continue to work with the Department for Food and Rural Affairs (DEFRA), the Department for Education (DfE) and the Department for Work and Pensions (DWP) on this issue.
- Develop key policy lines based on member's comments and steer.
- Submit a response to the upcoming Food Strategy White Paper consultation, based on member's direction.

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## **Recommendation 4 of the National Food Strategy: extending eligibility for Free School Meals**

### **Background**

1. In 2019 Henry Dimbleby was commissioned by the government to produce the [National Food Strategy](#), the first independent review of the national food system since World War Two. The objective of the NFS is to consider how to ensure the food system delivers sustainable, healthy, and affordable food, regardless of where people live or their income.
  - 1.1 [Part 1](#) of strategy was published in July 2020 and provided recommendations for the government to address food insecurity and hunger in the face of the Covid-19 pandemic. The government responded to Part 1 and committed funds to increase the value of Healthy Start vouchers and to extend the Holiday Activity and Food (HAF) programme to all children eligible for FSMs.
  - 1.2 [Part 2](#) of strategy was published in July 2021 and included fourteen specific recommendations to transform the food system to provide better health and environmental outcomes for population and planet.
  - 1.3 The NFS spans multiple policy areas, so we have been working closely with public health, environmental and procurement colleagues to ensure the LGA is taking a cross-cutting approach to food policy.
  - 1.4 This paper will focus on recommendation 4 of the NFS Part 2. This calls for; the earnings threshold for eligibility to be increased from £7,500 to £20,000 per year; for all 16 to 18-year-olds plus children whose parents have no recourse to public funds or are undocumented, be eligible for FSMs (subject to the same earnings threshold), and that all pupils entitled to FSM be automatically enrolled to receive the benefit.
  - 1.5 These three combined policies would entitle approximately 1.1 million more children to FSMs in England and would cost £544 million per year for 3 years.
  - 1.6 It should be noted that the NFS position on FSM eligibility has changed since Part 1. It was previously recommended that eligibility be extended to all households in receipt of Universal Credit. As this was estimated to cost £790 million per year for 3 years, it was decided that the cost was too high in a time where public finances are under pressure.
  - 1.7 The current earnings threshold of £7,400 per year applies to all parents and carers in receipt of Universal Credit. The rate is the same across England and

has remained unchanged since its introduction in 2018. The NFS has chosen £20,000 as a suggested threshold to try and capture as many children at risk of food poverty as possible.

### **Background on current FSM application process**

- 2 Presently, legislation requires parents and carers to make a request for a free school meal prior to gaining eligibility.
  - 2.1 In the vast majority of authority areas parents and carers with children at maintained schools apply for FSMs either online and directly to the council or via paper form, which are supplied by schools. Councils can then establish eligibility using the DfE online Eligibility Checking System.
  - 2.2 A very small number of councils have not developed an online application form, so only accept applications directly from school and not from parents or carers themselves.
  - 2.3 Parents and carers with children attending an academy ordinarily need to apply to the academy itself, and not to the council.
  - 2.4 However, some academies choose to fund the council to process their FSM claims, so parents and carers in these circumstances need to apply to the council, and not the academy.
  - 2.5 Schools and councils have told us that this creates a difficult and complex landscape for parents and carers to navigate.
  - 2.6 It also makes it hard for councils to run take up campaigns, as the messaging around where to apply can be confusing and act as a deterrent to applications.
  - 2.7 [The government estimates that around 11% of FSMs go unclaimed.](#)
  - 2.8 [It is thought that the reason FSMs are unclaimed is multifaceted and could be due to a combination of factors, including lack of awareness or confusion over the eligibility criteria, the perceived associated stigma, and the inappropriateness of the school food offered.](#)

### **Response to recommendation 4**

- 3 There has been broad support for all fourteen recommendations of the NFS from organisations across the food and education sector.

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- 3.1 [The LGA has previously supported both Part 1 and Part 2 of the NFS](#) and in December 2021 released a statement encouraging collaborative work to take forward the recommendations as part of a whole-systems approach to improving communities' health, wellbeing, and resilience.
  - 3.2 The LGA has no existing lines or position on the three specific recommendations relating to extending FSM eligibility or automatic entitlement.
- 4 [The End Child Food Poverty Coalition](#), a group of thirty third sector organisations that are led by the Food Foundation, have publicly supported recommendation 4 and continue to campaign on the matter.
  - 4.1 In In September 2021, footballer Marcus Rashford, supported by the End Child Food Poverty Coalition, launched the ['#WriteNow' campaign](#). This encouraged the public to write to their MP to show support or recommendation 4 in full.
  - 4.2 Some members of the coalition have the ultimate objective for universal FSM but remain in agreement with the NFS recommendation and see it a minimum step towards achieving this means.
- 5 DEFRA and DfE will be jointly responding to recommendation 4 in the White Paper. We have been meeting with both departments regularly and it appears that a change to the earnings threshold will be an unlikely outcome due to lack of ministerial support.
  - 5.1 In February 2022 the Secretary of State for the DWP told MPs that extending eligibility for all households in receipt of Universal Credit was also not something currently being considered by the Inter-Ministerial Group on the cost of living, of which she is the chair.
- 6 However, DfE already have an existing team looking into the possibility of automatically enrolling pupils entitled to FSM. They have indicated that this is the most viable area for change at present and could potentially be picked up in the White Paper consultation phase.
  - 6.1 There has been previous parliamentary activity on automatic entitlement to FSM, including the [Free School Meals \(Automatic Registration of Eligible Children\) Bill 2015-16](#). This was introduced under the Ten Minute Rule and suggested councils should be required to use Housing Benefit data to automatically register pupils entitled to FSM.
  - 6.2 As Universal Credit is now the primary benefit for most working-age households, automatic entitlement would now largely rely on DWP data instead.

### **The case for extending eligibility**

- 7 FSMs can help build a more equal education setting. Evidence suggests that providing [free school meals can contribute to an overall healthier diet](#), especially for students living in socioeconomically disadvantaged households. [FSMs have also been linked to improving attention and performance of children from low-income backgrounds.](#)
  - 7.1 A study conducted by the University of Leeds in 2020 found that only 1 per cent of primary school packed lunches met the nutritional standards in the UK.
  - 7.2 As most schools are required to follow Nutritional Standards for school lunches, an overall policy to increase the number of children entitled to FSM could therefore contribute towards closing the [attainment gap](#) between disadvantaged children and their peers, by allowing more children from low-income households to access the health and educational benefits of FSMs.
- 8 FSMs could help to address the wider and growing societal issue of food insecurity. Food insecurity is described by the Food and Agricultural Organisation of the United Nations as [“lack of access to enough safe and nutritious food for normal growth and development and an active and healthy life”.](#)
  - 8.1 A [survey by the Food Foundation](#) found that 2.5 million children experienced food insecurity in January 2022 (11.6% of households with children).
  - 8.2 It is predicted that this figure could rise due to the current cost of living pressures being experienced by households across England.
  - 8.3 The NFS conducted analysis of DWP data and found that extending eligibility to all households earning less than £20,000 could reach up to 73 per cent of families experiencing food insecurity.
  - 8.4 As the current earnings threshold for FSM eligibility is set at £7,400, automatically enrolling all children currently entitled to FSM is likely to quickly reach families experiencing immediate income-related food insecurity.
- 9 FSM is a benefit worth £440 per child per year. Extending eligibility could represent a meaningful saving for many households on a low-income who are currently ineligible. This could be particularly pertinent at a time where some household budgets are being reduced by the cost of living pressures.

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- 10 Adopting the NFS recommendation to extend eligibility of FSMs to children who are undocumented or living in households subject to NRPF would help protect disadvantaged children facing extreme poverty.
- 10.1 There are an estimated 400,000 children who are undocumented or are subject to NRPF in the UK. [Having an immigration status that prevents access to welfare benefits can result in these children experiencing destitution when their parents or carers are unable to find or retain work.](#)
- 10.2 In recognition of this, the government temporarily extended FSM eligibility for children with NRPF during the pandemic.
- 10.3 However, by adopting the NFS recommendation to permanently extend FSM access to these households could go a long way in creating a more sustainably equal education system, where all children can profit from the health and educational benefits of FSMs.

### **The case for introducing automatic enrolment**

- 11 Introducing automatic enrolment for pupils who are currently entitled to FSMs under the existing criteria could be a relatively straightforward 'quick win' for the 11% of estimated children without a claim.
- 11.1 Our calculations show that introducing automatic enrolment could mean up to 215,000 more children receive the FSMs they are entitled to.
- 11.2 A proportion of Pupil Premium funding is allocated to schools based on the number of children who are currently receiving FSMs or have been in receipt at any point in the last 6 years.
- 11.3 Therefore, our calculations show that automatically enrolling eligible children for FSMs could mean up to an additional £250 million of Pupil Premium funding being made available to help schools reduce socioeconomic inequalities and level up the education system.
- 11.4 The much welcomed Holiday Activities and Food programme (HAF) is only available to children in receipt of FSMs. This means that up to 11% of children that are eligible for HAF are not able to access it, due to their unclaimed FSM award.

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11.5 Automatic entitlement could therefore increase the number of children benefiting from free healthy meals and educational activities during school holidays, which are often a pressure point for low-income households.

11.6 Councils and schools have told us that they put a huge amount of time and resources into running take up campaigns for FSMs. Although we have been told that these are mostly successful, automatic entitlement would serve as a cost saving for schools and councils, who are already operating on limited budgets.

### **Other considerations**

12 To establish automatic entitlement to FSMs, DfE have confirmed that government would need to create an electronic system that is capable of matching data sets from different departments, such as Universal Credit information.

12.1 DfE have told us that there is currently a project looking explicitly into the feasibility of this and the team involved are keen to understand what councils' role would be if automatic enrolment was introduced.

12.2 The costs involved in building this system would be funded by the DfE.

12.3 Councils currently process the majority of FSM applications and are funded to do so by the DfE. As automatic enrolment would require councils to only process complex cases or where data is unavailable, it is likely that this funding would be significantly reduced.

13 As FSM claim rates are linked to other funding streams, such as Pupil Premium, there would be substantial associated costs to extending FSM to a further 1.1 million children. If these are deemed too high by government, the NFS recommends introducing another formula to calculate the allocation of Pupil Premium funding.

13.1 Schools and children would be impacted by any changes to this formula and would need to be properly consulted before any changes were made.

### **Implications for Wales**

14 There are no implications for Wales as the strategy applies only to England and FSM policy is a devolved matter.

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**Financial Implications**

15 There are no financial implications for the LGA

**Next steps**

16 The Children and Young People Board is asked to;

16.1 Discuss and consider the recommendation to extend FSM eligibility.

16.2 Agree the position the LGA should take on increasing the earnings threshold to £20,000, including children who are undocumented or subject to NRPF, and automatically enrolling pupils entitled to FSMs.