



Department
for Education

Universal infant free school meals

**Departmental advice for local authorities,
maintained schools, academies and free
schools**

March 2014

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Summary

About this departmental advice

This is departmental advice from the Department for Education. This advice is non-statutory, and has been produced to help recipients understand their obligation to provide free school meals to all infants in reception, year 1 and year 2.

Expiry or review date

This advice will be kept under review as we approach the implementation of universal infant free school meals (UIFSM) in September 2014.

What legislation does this advice relate to?

The Children and Families Bill places a legal duty on state-funded schools in England, including academies and free schools, to offer a free school lunch to all pupils in reception, year 1 and year 2. Subject to Royal Assent, which is expected in March 2014, the duty will come into force from September 2014.

Who is this advice for?

This advice is for:

- School leaders and governing bodies in all maintained schools, academies, free schools, pupil referral units and alternative provision with children in reception, year 1 and year 2
- Local authorities

Key points

- In the 2014 to 2015 academic year schools will be paid funding at a flat rate of £2.30 for each meal taken by newly eligible pupils. Initial provisional allocations will be based on an estimate of national take-up and then adjusted once the department has details of the actual number of meals taken in individual schools
- Additional one-off funding will be provided in the 2014 to 2015 financial year to small schools (those with fewer than 150 pupils in total) to help with transitional costs
- The government is providing £150 million of capital funding in the 2014 to 2015 financial year to support the rollout of UIFSM
- Targeted advice and support will be provided to schools and local authorities through the UIFSM implementation support service

Eligibility

Reception, year 1 and year 2

From September 2014 all pupils in reception, year 1 and year 2 in state-funded schools in England will be eligible for free school meals (FSMs). This will include academies, free schools, pupil referral units and alternative provision as well as maintained schools.

Eligibility criteria for other groups

Existing entitlements to free school meals for disadvantaged pupils in nursery classes and at key stages 2-4 will continue as now, based on the existing free school meals eligibility criteria.

In England, children at key stages 2-4 in state-funded schools are entitled to receive FSM if their parents or carers are in receipt of any of the following benefits:

- Income Support
- Income-based Jobseekers Allowance
- Income-related Employment and Support Allowance
- Support under Part VI of the Immigration and Asylum Act 1999
- the guaranteed element of State Pension Credit
- Child Tax Credit (provided they are not also 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

The Children and Families Bill does not change the current position for children who are registered pupils in the nursery class of a maintained school, or in a maintained nursery school. They will continue to receive a FSM if they meet the existing eligibility criteria and they are in receipt of full-time education or education both before and after the lunch period.

Young children who take up their funded early education entitlement in a private or voluntary early years provider – for example a full day care nursery, or play group – or an independent school are not entitled to a FSM even if they meet the qualifying criteria. This is because the existing FSM framework is relevant only to registered pupils in the state-funded school sector.

Meal requirements and food standards

Food Standards

Schools¹ are legally required to provide meals that comply with the School Food Standards. These standards are intended to ensure that children get the nutrition they need across the whole school day. They govern all food and drink on offer within the school and apply across the school day, including breakfast, mid-morning break, lunchtime and food served after school. We are currently [consulting](#) on a set of simplified standards, which we are proposing will come into force from January 2015.

Hot meals

The legal requirement on schools will be to provide a lunchtime meal that meets the School Food Standards, where they apply¹. We expect that pupils will routinely be offered a hot meal option.

Catering for pupils with special dietary requirements

Headteachers and school governors are best placed to make decisions in the case of pupils who have special dietary requirements, taking into account local circumstances. We expect schools to make reasonable adjustments for pupils with these requirements.

This is already the case in relation to FSMs for disadvantaged pupils and schools will be expected to take the same approach as eligibility is extended.

For advice on how to cater for pupils with special dietary requirements see the [School Food Plan's UIFSM Toolkit](#).

Packed lunches

Schools will be expected to offer FSMs to all infant pupils, but will not be expected to make take-up of meals by infant pupils mandatory. Schools have the freedom to set their own policies in relation to packed lunches, and that will not change.

¹ The standards apply to all LA maintained schools. Academies set up between 2008 and 2010 are required to comply with the existing regulations. Academies and free schools set up after 2010 are exempt. We will be introducing a requirement for new academies to comply with the school food standards regulations through their funding agreements. As part of their work implementing the *School Food Plan*, Henry Dimbleby and John Vincent are asking schools that do not have to comply with the regulations to make a voluntary commitment to do so.

Funding

Capital funding

Details of the specific capital funding available to support this policy, including allocations to individual local authorities, were published in December 2013 and are available from GOV.UK.

Local authorities will receive their capital funding in April 2014, and we would encourage schools to contact the appropriate person in their authority for information about how the money will be prioritised. The results of the most recent Academies Capital Maintenance Fund (ACMF) bidding round will also be announced shortly.

In addition, we encourage local authorities to consider how they might use their school maintenance and improvement budgets to support the delivery of UIFSM, and academies to consider how they might best approach future bids to the [ACMF](#).

Revenue funding

Revenue funding will be based on a rate of £2.30 for each meal taken by pupils who will become newly eligible for a FSM as a result of the UIFSM policy. Schools will be expected to continue to fund meals for pupils eligible for FSMs under the existing criteria in the same way that they do currently. We are introducing a new indicator on the Schools Census which will enable schools to state how many newly eligible infants (i.e. infants not eligible for free school meals under the existing criteria) are taking a FSM. This new indicator will be introduced from October 2014.

Schools will be notified of their provisional full year revenue funding allocation for the 2014 to 2015 academic year in June 2014. Local authorities will receive the first 2014 to 2015 payment for maintained schools at the end of June 2014, with academies and free schools shortly after in their next scheduled payment in early July, and newly opening academies and free schools in early September. This payment will provide funding for the first two terms of the academic year (which represents the remainder of the 2014 to 2015 financial year).

This allocation will be based on pupil data from the January 2014 Schools Census as well as planning assumptions that (i) 87% of newly eligible pupils will take meals, and (ii) those pupils will take 190 school meals in the course of a full academic year. This provisional allocation will be revised later in the academic year based on actual take-up data derived from an average of the October 2014 and January 2015 Schools Censuses and the payment for the third term of the 2014 to 2015 academic year will be adjusted accordingly.

Schools with an actual take-up rate above the assumed take-up rate of 87% will have the provisional third term payment, to be made in April 2015, adjusted upwards and those

below this rate will have it adjusted downwards. Those schools with low levels of take-up may receive no extra payment in the third term. We would expect the number of schools in this position to be very small.

The allocation methodology for the 2015 to 2016 academic year will be confirmed in due course. Our intention is that it will be based on take-up data from the Schools Census. Funding for this policy beyond the 2015 to 2016 financial year will be considered as part of the next Spending Review, along with all other government expenditure.

The department will provide detailed terms and conditions and further advice on issues such as closing schools and the year-end accounting treatment for an academic year grant.

Small schools transitional funding

We are also providing additional transitional funding for one year only, totalling £22.5 million, in the 2014 to 2015 financial year to small schools (schools with a total roll of fewer than 150 pupils according to the January 2014 Schools Census). Funding will be provided as a lump sum in June 2014. This can be spent as schools choose in support of their implementation of the policy, including for the purpose of improving kitchen or dining equipment, and will not be adjusted later to take account of take-up.

All small schools with infant pupils who were not eligible for FSM in the 2014 census will receive at least £3,000 of additional funding. Allocations will be calculated with reference to the units of funding detailed in the table below. Where that is below the minimum level the allocation will be uplifted to £3,000.

Total no. of pupils on school roll in latest census	Unit funding per non-FSM eligible infant
minimum additional funding per school with non-FSM infants in latest census data	£3,000
1-30	£210
31-60	£190
61-90	£160
91-120	£135
121-150	£100

Small school funding: examples

Example 1: A school with a total school roll of 98 pupils in the January 2014 Schools Census, with 34 infants newly eligible for free school meals, will receive in June 2014 a small school transitional funding lump sum of £4,590 (34 x £135) in addition to their revenue funding.

Example 2: A school with a total school roll of 32 pupils in the January 2014 School Census, with 11 pupils newly eligible for free school meals, will receive in June 2014 a small school transitional funding lump sum of £3,000 ((11 x £190 equals £2,090, so this is uplifted to the minimum funding figure of £3,000) in addition to their revenue funding.

Pupil premium

The basis on which pupil premium funding is calculated will not be affected by the introduction of UIFSM.

In particular, the funding for the financial year 2014 to 2015 will be informed by data collected in the January 2014 School Census. This took place prior to the introduction of UIFSM.

For the financial year 2015 to 2016, the same criteria currently used to assess FSM eligibility (i.e. receipt of qualifying benefits) will continue to be used to assess whether a pupil qualifies for the pupil premium (£1300 per child at present). Data on FSM-eligible pupils will continue to be collected by the department annually, through the School Census (for mainstream settings) and the Alternative Provision census (for non-mainstream settings).

For more advice on how schools can safeguard pupil premium funding from September 2014, see the [UIFSM Toolkit](#).

Implementation support

The Children's Food Trust (CFT) and the Lead Association for Catering in Education (LACA) have been commissioned by the department to provide a support service for schools, local authorities and caterers preparing to provide UIFSM.

This implementation support service will consist of a telephone and online advice service for all organisations requiring support, and a direct-support service for some schools.

Schools that are identified as needing direct support will have a number of options available to them, including collaborating with other schools, further telephone advice and face-to-face visits by specialist professional advisors.

The direct-support service will be available to schools that:

- currently have low levels of school meal take-up
- provide only packed lunches
- have in-house catering and are therefore unlikely to receive support from a 'parent' organisation such as a local authority or catering organisation
- are small and therefore struggle to make the school meal service break even;
- are very large, and known to have capacity issues; and / or
- prepare and transport school meals to other schools (known as 'production kitchens'). Some of these will be secondary schools

To access this support schools should first check the online resources on the [Children's Food Trust website](#). If they need further advice, they should then contact the advice service on either info@childrensfoodtrust.org.uk or by calling 0800 680 0080.

A specialist call handler will discuss the requirements of each school and, if necessary, refer them on to the most appropriate source of direct support.

Schools that meet the criteria for direct support will receive personalised support, tailored to their requirements, from the CFT; Elygra Marketing (acting for LACA) or one of the consortium's delivery partners; Food For Life Partnership; Craft of Guild Chefs; Foodservice Consultants Society International; and the Small Schools Taskforce.

Schools will not have to pay to access the advice service, the telephone support or the opportunities to collaborate with other schools. There will be a contributory charge for direct face-to-face support.

Advice and guidance is also available via the [online UIFSM toolkit](#), and at the [School Food Plan](#) website.



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