

Report for: Cabinet, 19 January 2021

Title: Expansion of Free School Meals Eligibility

Report authorised by : Rachel Surtees, Assistant Director for Strategy, Communications, and Delivery

Lead Officer: Jean Taylor, Head of Policy
Hugh Smith, Policy and Equalities Officer

Ward(s) affected: All

**Report for Key/
Non Key Decision:** Key Decision

1. Describe the issue under consideration

- 1.1 This report seeks approval from Cabinet to initiate an expansion of eligibility for free school meals to defined groups of primary school pupils who are not currently eligible for free school meals from Summer Term 2021.

2. Cabinet Member introduction

This council's guiding ambition is to create a fairer and more equal borough. I'm proud that we are now introducing an expansion of free school meals in Haringey, taking a major step towards meeting that ambition, towards making education what it should be – a common experience, with no children divided from their peers by what they do or don't pay for at school.

34% of families and 40% of children in Haringey live below the poverty line. Thousands of households in our community struggle with food poverty, fuel poverty and other basic living costs – and often have to make trade-offs between each of them. It goes without saying that no one should have to do so.

The cost of food has risen steeply in the last decade, just as wages have flatlined or even fallen for poorer families. Haringey's anti-poverty efforts – coordinated between the council and the community – are designed to lower costs and raise incomes for our most deprived residents. That's why the council has rapidly expanded its food security programme in recent years, why we've expanded payment of the London Living Wage – and it's why we are choosing to expand free school meal provision.

The number of children who can claim free school meals from the government has fallen dramatically in the last ten years. Less than a fifth of Haringey pupils now receive a free school meal, down from a third in 2010.

Many of those who have lost their eligibility now struggle with the cost of school meals and some have switched to less healthy packed lunches. Many are living on the cusp of free school meal eligibility – the ‘just about managing’ families – who may easily slip into poverty.

This expansion of free school meals is just a first step, but it is also an urgent step. We are living through a pandemic that has and will continue to push people out of work and into poverty, with very real consequences for hunger and nutrition.

So we are expanding free school meals in Haringey above and beyond what the government offers. We’re starting by targeting groups of children that are most in need – those in social housing with a parent on Universal Credit (and legacy benefits), those in private housing receiving Discretionary Housing Payments and those with No Recourse to Public Funds (NRPF) status. We are also creating an emergency fund to cover the cost of school meals for children whose parents fall into short-term financial distress.

At the same time, to help raise the quality and nutrition of school meals we will start talking to schools about how some, or indeed many Haringey schools, could possibly begin to procure meals together – potentially through a council-owned provider or a jointly-owned co-operative between the council and local schools, replacing currently outsourced catering contracts with a non-profit enterprise based in the local community.

Coordinating the procurement of school meals has the potential not just to improve the bargaining power of schools, lowering costs and raising quality, but also to build wealth within the community (creating jobs and increasing wages) by spending local budgets with local suppliers.

The expansion of free school meal eligibility is just one strand of Haringey’s response to food poverty. A free school meal is of course just one meal in the day and so our wider efforts to reduce hunger and improve nutrition look at how we can support families *outside* of school time too. Our upcoming Food Security Strategy will set out how we do this – and how we intend to do more.

We are ambitious about what we can achieve as a council, about the impact that we can make on poverty and inequality in our borough. This policy will support hundreds of children with free school meals, making an enormous difference to their lives and as the Cabinet Member for Children, Education and Families I’m really pleased to support them.

3. Recommendations

3.1. It is recommended that Cabinet approves:

- a. the implementation of an expanded Free School Meals (FSM) offer for the following priority groups of children:
 - i. Children aged 7-10 in families who live in temporary accommodation, Council housing, or social housing and claim

- Universal Credit or legacy benefits but who are not currently eligible for FSM
 - ii. Children aged 7-10 in families who claim Discretionary Housing Payments (DHP) to help cover housing costs while experiencing financial hardship who are not currently eligible for FSM
 - iii. Children aged 7-10 in families with no recourse to public funds
 - iv. Children whose parent(s) may temporarily find themselves in financial need.
- b. the expanded FSM provision for the period April 2021 to April 2023 in accordance with MTFS 2021/2026.
- c. the discretionary FSM fund for schools, as set out at para.6.15.
- d. that the above recommendations are subject to Full Council approval of the annual budget for 2021/2022 and MTFS 2021/2026.
- e. the period of the expanded FSM provision be subject to review and evaluation, the findings of which will be brought back to Cabinet for a further decision prior to budget setting in April 2023.

4. Reasons for decision

- 4.1 This proposal expands free school meal eligibility to approximately an additional 650 children between the ages of 7 and 10. These children live in families who are structurally disadvantaged as a result of high housing costs, low incomes, and gaps in the benefits system. They are:
- Children aged 7-10 in families who live in temporary accommodation, Council housing, or social housing and claim Universal Credit or legacy benefits but who are not currently eligible for FSM
 - Children aged 7-10 in families who claim Discretionary Housing Payments (DHP) to help cover housing costs while experiencing financial hardship who are not currently eligible for FSM
 - Children aged 7-10 in families with no recourse to public funds
- 4.2 The discretionary element will fund an additional 25,000 meals over the course of the school year which would be over and above those benefiting from the expanded eligibility criteria described above. This would be sufficient for an average of 140 pupils per day. It is likely that these will be hot meals in school rather than vouchers.
- 4.3 Taken together, the expanded eligibility and the discretionary fund can be expected to support 790 children per day.
- 4.4 The additional FSM support approach recommended in this report has been built into the 2021/26 MTFS plans for the next two financial years. The

financial section below describes the budget provision made. The Council's position in future years will be reviewed before the end of the two year period as part of the Council's business planning and budget/MTFS setting. This will take account of the Council's financial position; the experience gained and learnings from the review and evaluation of the impact of the policy; and any changes to the national policy landscape in relation to the level of support for an expanded national provision of free school meals.

5. Alternative options considered

5.1 Do Nothing

The Council would not take steps to expand free school meal eligibility for children in Haringey primary schools. This would curtail the possibility of achieving the policy objective. It would mean that the Council would not meet the Borough Plan commitment referenced at para.6.7.

5.2 Universal Free School Meals at Key Stage 2

The national arrangement is that government provides funding to schools for them to provide free school meals based on an eligibility criteria. While there has been some exceptional additional funding for local authorities via the Winter Grants scheme grant, which has allowed this Council to fund some additional meals support in school holidays during this covid affected period, local authorities are not specifically funded to support free school meals, but expanded free school meals are important for our borough because of the disadvantages we face. Because of this and despite the funding pressure on the council, it is putting in more money for the expansion of the free school meals provision.

6. Background information

Food Insecurity

- 6.1. The circumstances through which families find themselves unable to provide a nutritious meal for their children are many and complex. Food insecurity is a consequence of deprivation, caused by financial insecurity and other social and physical factors such as the accessibility and availability of healthy, affordable food.
- 6.2. Over the last decade, rising living costs, low wages, job insecurity, and changes to the welfare system have increased the number of people experiencing food insecurity. Physical and social factors such as inability to access supermarkets, lack of space to store or prepare food, and low levels of knowledge or skills relating to food preparation can also contribute to food insecurity.
- 6.3. Food insecurity has both significant short- and long-term impacts. Food insecurity can result in diet-related ill-health, with associated conditions including diabetes, cancer, cardiovascular disease, obesity and malnutrition. Food insecurity has a profound link to poor mental health and those experiencing food insecurity are more likely to report depression and anxiety.

For children, food insecurity can have adverse impacts on physical and mental health, concentration at school, aspirations and social participation. This can negatively affect attainment and children's future social and economic outcomes.

- 6.4 Uptake of FSM among eligible households in Haringey is high, at 91.9%. By comparison, the highest uptake among neighbouring boroughs is 93.7%, in Islington. The lever of increased promotion of existing entitlement to FSM can therefore only achieve marginal gains in preventing hunger at school among Haringey pupils. An expansion of FSM provision is therefore considered necessary to achieve the objective of ensuring that no child is hungry at school because their parent cannot afford to pay for a nutritious meal for them.
- 6.5 The Department for Work and Pensions has made additional financial support available via the Covid Winter Grant scheme that will support the provision of free school meals during the holidays until the end of March 2021. It is widely anticipated that this support will be replaced by an expansion of the Department for Education's (DfE's) Holiday Activities and Food programme from Easter 2021 onwards. Therefore, this decision only relates to food provision during term-time.

Food Insecurity among Children in Haringey

- 6.6. Central government is responsible for the design and administration of our social security system: local authorities do not have statutory responsibilities for welfare ('benefits') and do not receive any funding to perform this function. Under national free school meals provision, all children in Reception, Year 1 or Year 2 who attend a state-funded school are entitled to free school meals. From Year 3 onwards, children are only entitled to free school meals if they or their parents or guardians receive Universal Credit (or a range of legacy benefits or tax credits), and have net earnings of less than £7,400 a year.
- 6.7 An objective was set in Haringey's Borough Plan 2019-23 to initiate an expansion of free school meals. Subsequently, the Haringey Fairness Commission recommended in its final report, on the basis of evidence received during the Commission process, that the Council's Expanded Free School Meals Working Group "prioritise the provision of free school meals to children of families with NRPF."
- 6.8 There is clear evidence of food insecurity and need for additional provision of food for children in families who are struggling financially. The Council's emergency food provision during the early stages of the Covid-19 pandemic highlighted the extent of food insecurity in Haringey that is attributable to low income and temporary hardship.
- 6.9 Being hungry at school is detrimental to children's learning, development, health, and wellbeing. Children from the most disadvantaged backgrounds are at greatest risk of experiencing hunger at school, and the effects of hunger widen the gaps in attainment and wellbeing between these disadvantaged children and their more affluent peers . Preventing hunger at school is therefore a means of tackling inequality, promoting social mobility, and helping children fulfil their potential.

- 6.10 A local position on free school meal expansion, developed in partnership with schools, will be an important bridging measure to address the gaps in the current national provision. It will help to ensure continued, dignified and sustainable access to healthy and affordable food for those who need it; and be an important step in making Haringey a fairer more equitable borough.
- 6.11 The proposals set out here are concerned with getting support to where it is most needed. In addition to those with no recourse to public funds (NRPF), the policy will expand provision to households who are currently on the edges of eligibility for free school meals (3.1.2), applying the following eligibility criteria:
- Children living in temporary accommodation, Council housing, or social housing and whose parent(s) claim Universal Credit or legacy benefits
 - Children whose families live in the private rented sector and claim Discretionary Housing Payments from Haringey Council to cover shortfalls in housing costs
- 6.12 The free school meals policy recognises that periods of financial hardship can have a long tail of effect that can stretch beyond the time that a family may be entitled to receive any of the benefits set out above. Therefore, if a child becomes eligible for a free school meal based on the criteria described above, they will receive this entitlement for the duration of that school year.
- 6.13 This proposal expands free school meal eligibility to approximately 650 additional children between the ages of 7 and 10. These 650 children include the following groups:
- Children aged 7-10 in families who live in temporary accommodation, Council housing, or social housing and claim Universal Credit or legacy benefits but who are not currently eligible for FSM
 - Children aged 7-10 live in families who may claim Discretionary Housing Payments (DHP) to help cover housing costs while experiencing financial hardship who are not currently eligible for FSM.
 - Children aged 7-10 currently known to the Council who have no recourse to public funds (NRPF). N.B. this figure will not reflect the total number of families with NRPF in Haringey
- 6.13 It is noted that there is a high degree of food insecurity among private rented sector tenants, which may increase in the coming months in the context of an increase in unemployment and a decrease in opportunities in the labour market. A large portion of this need will be addressed by expanding FSM eligibility to children in private rented households that claim DHP. A number of households in the private rented sector that do not claim DHP experience food insecurity, and the Council plans to provide a discretionary fund for schools to respond to this need and support children from these households.
- 6.14 In addition, our policy position also aims to take into account the significant and continuing uncertainty that families have faced since the outbreak of the pandemic. The discretionary element of the fund will enable schools to directly

and easily access support for children whose parent(s) temporarily find themselves in a position in which they are unable to afford to feed their children nutritious meals. This approach will also allow some degree of flexibility if there is a greater than expected level of need.

- 6.15 This proposal also provides for a discretionary fund that will enable teachers and other school staff to respond quickly and easily to need that they identify within their schools. It is anticipated that this discretionary fund will be used to address short-term need for families who find themselves in temporary financial hardship (e.g. for families waiting for receipt of universal credit, or who have experienced sudden job losses). Importantly, it will allow the Council to respond more flexibly to unanticipated increases in need in the borough. The value of the discretionary fund will provide 25,000 meals per year, which is on average 140 per school day.

Principles

- 6.16 Our policy position follows these principles:
- Our approach must be designed in a way that explicitly acknowledges the role of national government in providing social security and the rapidly evolving national support offer relating to free school meals specifically
 - Is specific about which families are at greatest structural disadvantage under the current system and prioritises support to where we identify gaps or inadequacies in the current FSM offer
Is pragmatic and deliverable, taking into account the Council's resource constraints, and schools' capacity and capability to administer the discretionary element of this scheme
 - Seeks to use available resources as effectively as possible to achieve maximum impact in the prevention of hunger at school among children whose parents cannot afford nutritious meals
 - Is based on assessment/evidence of where our investment is likely to have greatest impact and be most effective in terms of delivery

Approach to Delivery and Next Steps

- 6.17 The next step will be to engage with local schools on the most appropriate and effective means of delivering the expansion of eligibility for free school meals. This engagement will be undertaken on the assumption that the Council will have responsibility for putting in place the processes needed to ensure that free school meal entitlement is expanded to the groups outlined in 6.13, ensuring that these are ready to be operationalised by Summer Term 2021. It will aim to reach an agreement on how the discretionary element of the policy will operate, including decision-making processes on entitlement and cessation, durations of entitlement to free meals, and referral mechanisms into additional sources of support for families.

- 6.18 As part of the upcoming engagement, we will engage further with schools about how meals are currently procured and delivered. As it stands, each school in Haringey procures meals separately – either from a private company, a voluntary organisation, or an in-house team. Many schools have a contract in place with a catering company (in several cases with the same company). These contracts will expire on different dates in the forthcoming years. A number of local authorities have facilitated a joint procurement of school meals across some or all of the schools in their borough. In some, a joint contract with a private provider has been agreed. In others there is a contract with a voluntary or non-profit provider. Some have created a local authority trading company or a co-operative between schools. We will gauge interest among schools in a coordinated approach to meal procurement and explore a range of potential models with them, including a local authority trading company or co-operative. As a first step, we will review when meal contracts are due to expire at different schools to establish how many schools could potentially join any coordinated procurement.
- 6.19 The proposals have been developed with the principles noted above in mind, particularly the need to locate support where it is likely to have the greatest impact. As such, it includes a discretionary element of the fund in recognition of the important position that teachers and school staff have in identifying and responding to families experiencing temporary financial hardship.
- 6.20 Noting the Council's resource constraints and the objective to ensure sustainable access to healthy and affordable food, delivery of an expanded free school meals offer will be integrated with services that work to support families to move into a position where they can afford to pay for nutritious meals for their children. In consultation with schools prior to delivery of the expanded offer in April 2021, the Council will identify how the Early Help service and the Connected Communities programme can reach and work with parents of children in receipt of the expanded offer. The Early Help service works with families to increase their ability to manage difficulties in the future and to reduce their reliance on long-term services and support. The Connected Communities programme works to improve access to council and voluntary services and sources of support and advice on matters including housing, benefits, household finances, and employment. By reaching families in this way, the Council can deliver earlier help and more timely support. Equally, engagement with schools may highlight opportunities to integrate an expanded free school meals offer with existing school-based support mechanisms.
- 6.21 The Council is committed to ensuring the effective delivery of the commitment to ensuring that no child is hungry at school because their parent cannot afford to pay for a nutritious meal for them. For this reason, it is committed to undertaking formative and periodic evaluation of the delivery and impact of the scheme, against what is expected to be an evolving policy context. This evaluation will inform ongoing design and delivery, and will also support the collection of evidence which can be used in lobbying activity, making the case for expansion of free school meal entitlement in line with our policy aim.

7. Contribution to strategic outcomes

- 7.1. The proposal to expand eligibility for free school meals supports the following Haringey Borough Plan outcomes and objectives:

Outcome 5: Happy Childhood. All Children across the borough will be happy and healthy as they grow up, feeling safe and secure in their family, networks, and communities

Objective 5b: All children and young people, whatever their background, will achieve to the best of their abilities

Objective 5c: Children and young people will be physically and mentally healthy and well

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

There is an existing budget of £50,000 for free school meals. Furthermore, there is a growth proposal for £300,000 for 2021/22 and 2022/23 in the proposed MTFS budget to go before Full Council in February 2021.

The provision of school meals for children in families with no recourse to public funds (NRPF) and families on low income but above the eligibility threshold for free school meals is estimated to cost £285,000 over the school year.

The discretionary provision for temporary need is estimated to cost £65,000 and support, on average, up to 140 pupils per day.

Procurement

The content of this report is noted, there are, however no immediate procurement ramifications

Legal – Head of Legal Services (Social Care & Contracts) and Deputy Monitoring Officer on behalf of Interim Monitoring Officer

Under Section 512 [*Provision of meals etc at schools maintained by [local authorities].*] of the Education Act 1996, the Council has the power to provide milk, meals and other refreshments to registered pupils and others being educated at maintained schools and to children receiving 'relevant Early Years education'. The power to provide school lunches becomes a duty, either if that service is requested by a person entitled to free school meals or if it is 'not unreasonable' for that service to be provided.

Under Section 512 ZA [*Power to charge for meals etc*] the Council may charge for most school meals but not if they have to provide those meals free of charge. Under s 512ZB [*Provision of free school lunches and milk*] the following groups are entitled to free school meals at maintained schools and academies

- all reception, Year 1 and Year 2 pupils at maintained schools are entitled to free school lunches. This is sometimes called 'UFSM' or Universal Infant Free School Meals
- Pupils in receipt of, or whose parents are in receipt of, one or more of the following benefits:
 - Universal Credit (provided you have an annual net earned income of no more than £7,400, as assessed by earnings from up to three of your most recent assessment periods)
 - 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 guarantee 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 four weeks after you stop qualifying for Working Tax Credit

Section 512 above, gives the Council powers to provide free school meals to the recommended groups where they do not fall within the category above.

Equality

The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

The proposed decision is to expand eligibility for free school meals to defined groups of primary school children as set out in para.4.3. The objective of the proposed decision is to prevent hunger among children at school, which disproportionately affects children from low income households and which can result in educational and health inequalities. As such, the proposed expansion of eligibility for free school meals represents a measure to address known inequalities and meet the needs of disadvantaged children where they differ from their less disadvantaged peers.

Due to the intersectional nature of deprivation in Haringey, an expanded free school meal offer can be expected to benefit BAME children and those from

families where one or more adults has a limiting health condition or disability. There are no reasonably foreseeable negative impacts on any individual or group that shares the protected characteristics arising from the proposed decision.

9. Use of Appendices

None

**10. Local Government (Access to Information) Act 1985
Categories of Exemption**

None