

MAYOR'S EXECUTIVE DECISION MAKING

Wednesday, 26 March 2014


Mayor's Decision Log No. 57

1. FREE SCHOOL MEALS FOR PRIMARY AGE PUPILS (Pages 1 - 16)

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<p>Individual Mayoral Decision Proforma</p> <p>Decision Log No: 57</p>	 TOWER HAMLETS
<p>Report of: Robert McCulloch-Graham</p>	<p>Classification: Unrestricted</p>
<p>Free School Meals for Primary Age Pupils</p>	

Is this a Key Decision?	Yes
Decision Notice Publication Date:	18 March 2014
General Exception or Urgency Notice published?	Yes General Exception Notice Required.
Restrictions:	N/A

EXECUTIVE SUMMARY

43% of the Tower Hamlets primary school population is eligible for statutory free school meals. Since September 2013 a local initiative has provided a free school meal for Reception and Year 1 pupils who are not otherwise eligible. From September 2014, this local scheme will be replaced by a Department for Education national scheme (known as Universal Infant Free School Meals – UIFSM), funded from specific grant, to provide a free school meal for Reception – Year 2 pupils who are not otherwise eligible.

This report considers the Health and Wellbeing considerations in promoting greater take-up of primary age pupils taking a nutritional meal at lunchtime. It then seeks a decision on whether a new local scheme should be introduced from September 2014 – July 2015 (one academic years) to provide free school meals for all Year 3 – Year 6 pupils who are not otherwise eligible at an estimated total cost of **£2.675m** for one academic year.

There is currently no funding to meet this estimated cost, the precise level of which depends on take-up and on overall primary pupil numbers, as well as the intended length of this local scheme. A decision to proceed will, therefore, require an update to the Medium Term Financial Plan. **Moreover, this will require a virement of more than £1m, so it will require a Council decision to come into effect.**

DECISION

1. Confirm that a local scheme for free school meals for primary age pupils (Year 3 – Year 6) who are not otherwise eligible for statutory free

school meals be introduced from September 2014 to July 2015 at a total estimated cost of £2.675m.

2. Agree that the costs of this initiative be funded from corporate reserves and for corporate reserves to be reinstated to currently agreed levels by 2016/17 through additional savings in future years.
3. Seek Council agreement to vire resources to allow this proposal to proceed.

APPROVALS

1. (If applicable) Corporate Director proposing the decision or his/her deputy

I approve the attached report and proposed decision above for submission to the Mayor.

Signed  Date 26/3/14

2. Chief Finance Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

Signed  Date 26/3/14

3. Monitoring Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

(For Key Decision only – delete as applicable)

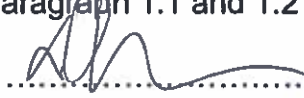
I confirm that this decision:-


(a) has been published in advance on the Council's Forward Plan OR
(b) is urgent and subject to the 'General Exception' or 'Special Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed  Date 26/3/14

4. Mayor

I agree the decision proposed in paragraph above for the reasons set out in paragraph 1.1 and 1.2 in the attached report.

Signed  Date 26/3/14

Executive Mayor Decision 26 th March 2014	 TOWER HAMLETS
Report of: Robert McCulloch-Graham	Classification: Unrestricted
Free School Meals for Primary Age Pupils	

Lead Member	Councillor Oliur Rahman, Cabinet Member for Children's Services
Originating Officer(s)	David Tully / Michael Hales
Wards affected	All Wards
Community Plan Theme	A healthy and supportive community
Key Decision?	Yes

Executive Summary

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Recommendations:

The Executive Mayor is recommended to:

1. Confirm that a local scheme for free school meals for primary age pupils (Year 3 – Year 6) who are not otherwise eligible for statutory free school meals be introduced from September 2014 to July 2015 at a total estimated cost of

£2.675m.

2. Agree that the costs of this initiative be funded from corporate reserves and for corporate reserves to be reinstated to currently agreed levels by 2016/17 through additional savings in future years.
3. Seek Council agreement to vire resources to allow this proposal to proceed.

1. REASONS FOR THE DECISIONS

- 1.1 To ensure that all primary age pupils have access to a healthy, nutritional meal at lunchtime.
- 1.2 To complement the DfE's Universal Infant Free School Meals initiative, by extending it to include all junior age pupils.

2. ALTERNATIVE OPTIONS

- 2.1 Not to provide the initiative at all at this time.

3. DETAILS OF REPORT

3.1. Health and Wellbeing considerations

- 3.1.1 A healthy, balanced diet is essential for children's health and well-being. Research confirms that healthy eating habits in the years before school are very important because they influence growth, development and academic achievement in later life.
- 3.1.2 A recent review of health inequalities by Marmot, Fair Society, Healthy Lives: Strategic Review of Health Inequalities in England post-2010, identifies the early years as a crucial time to intervene to reduce health inequalities across the life course. Quality of early years experiences can have a fundamental impact on all aspects of human development, physically, emotionally and intellectually.
- 3.1.3 Encouraging breastfeeding and ensuring that children eat well in their early years are key to ensuring that they achieve their potential, and help prevent them becoming overweight and obese.
- 3.1.4 This approach also helps to reduce the risk of serious diseases such as heart disease, diabetes, stroke and cancers in later life.
- 3.1.5 Good nutrition is important for all children to:
 - ensure that they get the right amount of energy (calories) and nutrients needed while they are growing rapidly
 - ensure that they do not consume too much energy (calories), which may lead to children becoming overweight or obese

- encourage them to eat a wide variety of foods and develop good dietary habits to take with them into later childhood and beyond.

3.1.6 Currently in England:

- Over a fifth of children are either overweight or obese by the time they join reception class in primary school
- Type II diabetes, which usually appears in adulthood, is starting to be seen among some overweight children.
- Dental health is poor in many young children
- Cases of rickets are appearing more frequently
- More than one in four young children in the UK may be at risk of iron deficiency, which is linked to slower intellectual development and poor behaviour in the longer term

3.1.7 In recent years, changes in children's diets have affected their nutrient intakes with some children eating foods that are low in energy, iron, zinc and vitamin A, and high in saturated fat, sugar and salt. In addition, many young children also eat fewer than the recommended five portions of fruit and vegetables each day.

3.2 Arrangements for the provision of school meals

3.2.1 In Tower Hamlets, all maintained primary schools (with the exception of Christchurch and St Peter's Primary Schools) have lunchtime meals provided by the Council's in house provider, Contract Services. Sir William Burroughs Academy plus free schools in the borough make their own arrangements.

3.2.2 42% of primary pupils in Tower Hamlets are already eligible for a free school meal because the family income is below the level of £16,190 for the statutory scheme. Since September 2013, pupils in Reception and Year 1, who are not otherwise eligible, have been able to access a free school meal, funded from the Public Health Grant. This arrangement continues until the summer of 2014 and from September 2014 the Department for Education are introducing a national Universal Infant Free School scheme (UIFSM), funded from specific grant, to provide a free school meal for all pupils in Reception – Year 2 that are not otherwise eligible.

3.2.3 For 2014/15 the school meals service is operating on the basis of schools meeting the full cost of statutory free school meals from formula funding in their budget share. In the summer term, the last term of the local initiative for Reception – Year 1 pupils, the Public Health Grant will pay £2.30 per meal. The full cost of primary paid meals is a combination of £1.90 from each pupil taking a meal and a supplementary 40p per meal from the school, again from their formula budget share.

3.2.4 Nursery age pupils have not been featured in either the current local initiative or the DfE initiative from September 2014. Nursery age pupils are not eligible to be considered for statutory free school meals unless they are occupying a full-time nursery place. Indeed nursery education is not statutory schooling. Officers have not put forward proposals to include nursery age pupils. While

some nursery settings may be able to accommodate a rapid increase in the number of meals provided at lunchtime, not all will, particularly some of the private, voluntary and independent providers who mainly provide part-time early years education. Moreover, it is envisaged that due to the nature of the facilities in many nursery settings and the real need to offer a “family style” service to this age group the inclusion of nursery age pupils in the current Mayor’s Meals Scheme is not practical. Officers agree that the appropriate starting point for any free schools initiative is the one chosen by the DfE: Reception Year-group.

3.2.5 Details of the DfE UIFSM initiative have been published in March 2014. They indicate that schools will receive a specific grant for each Reception – Year 2 pupil not otherwise eligible. The DfE’s planning assumptions for this are that the rate per meal is £2.30 (identical to the rates being used in Tower Hamlets for primary school meals) and that they expect 87% of pupils to take up this facility. A specific grant will be provided to each school, based on their take-up.

3.3 Numbers of pupils likely to benefit and the costs

3.3.1 The latest dataset available is the January 2014 pupil census. In Table 1 below, it indicates that 42% of primary age pupils were eligible for statutory free school meals. **Table 1** identifies how pupils in the January 2014 census would be categorised if the proposed September 2014 arrangements were to be in place.

Table 1: January 2014 Primary Pupil Census – analysis by proposed September 2014 FSM status

	Eligible for New Proposed Local FSM	Eligible for Universal Infant FSM	Eligible for Statutory FSM	Total
Reception		2,023	1,276	3,299
Year 1		2,070	1,317	3,387
Year 2		1,932	1,393	3,325
Year 3	1,888		1,369	3,257
Year 4	1,779		1,294	3,073
Year 5	1,763		1,397	3,160
Year 6	1,605		1,415	3,020
Total	7,035	6,025	9,461	22,521
Percentage	58%		42%	100%

3.3.2 There is always going to be a difference between the numbers of pupils eligible and the numbers of pupils who take-up a free school meal. 100% uptake is unlikely due to pupil absences, special diets and parental/pupil choice. Using the DfE planning assumption that 87% of eligible pupils will take a meal, this would suggest that the cost of the new proposed local FSM scheme would be 7,035 x 87% x £2.30 per day x 190 school days = **£2.675m**.

- 3.3.3 It is very difficult to gauge the number of pupils who are likely to benefit from a scheme such as this. The figures will vary school by school, year-group by year-group. It is possible that take-up would be as low as 80% (suggesting a full-year cost of £2.459m), but in some authorities who have free school meal pilot schemes the uptake has been reported as high as 92% (suggesting a full-year cost of £2.828m).
- 3.3.4 Pupil numbers, particularly in primary are rising, so the total number of primary age pupils will also be a factor in the total cost of the initiative.
- 3.3.5 On the basis of the latest pupil number data, more than 7,000 individual children would be eligible to benefit from this initiative if it were to be introduced. Around 60% of pupils not eligible for free school meals take a paid meal, although the figures will vary from school to school and year-group to year-group. On the basis of the DfE planning assumption that 87% would take-up a free school meal if it were offered, this would suggest that, of the 7,035 pupils eligible 6,120 (87%) would take up a free school meal, of which 4,221 would benefit from a meal they had previously paid for and 1,899 would have a meal instead of some alternative lunchtime arrangement (eg a packed lunch).

3.4 Other considerations

- 3.4.1 If there was a decision to proceed with an initiative to provide free school meals to Year 3-6 across the Borough consideration would need to be made and funding made available to invest in the additional light and heavy equipment. The existing Mayors' Meal Scheme and the approaching UIFSM scheme have been able to be absorbed by nominal investment to the existing service. However many kitchens are now approaching capacity and additional heavy equipment would be required along with light and service equipment if the anticipated numbers of additional meals were to become a reality. A review of each site would need to be made to assess the needs of each kitchen and a budget drawn up.
- 3.4.2 Schools would also need to consider, as they are having to for the start of the UIFSM project in September, if their dining room is currently big enough to sit all the pupils in one sitting or whether they will need to introduce staggered lunchtimes – some schools currently in pilot areas have four separate sittings staggered over a two hour lunch break. For this to happen school timetables will have to be changed and queuing issues tackled at an early stage along with the school considering additional supervisory staff in the dining hall.
- 3.4.3 With the increase of foodstuff procurement and dependent on the contract conditions of the LCSG (London Contract Supply Group) contracts in place there may be some small efficiencies in the food costs element of meals.
- 3.4.4 Contract Services would need to reassess the staffing structures in each site and recruit additional Kitchen Assistants and probably an additional Area Manager (PO2). This would be funded from the £2.30 per meal.

- 3.4.5 Schools will be required to ensure that they provide accurate and timely meal records detailing the demand by year group and if pupils are entitled under the statutory free school scheme or even though recovering a free school meal would have previously been expected to pay (due to not meeting the necessary criteria). It is likely that all pupils will be required to apply for meals and then their parent's personal financial position assessed so that Pupil Premiums are not affected.
- 3.4.6 Contract Services have recently introduced tablet recording processes in to the kitchens in which they operate to detail on a daily basis the meal number break down which are then emailed to schools for their agreement on a weekly basis prior to invoices being raised at each month end. This system must be supported by schools to maintain the cash flow of Contract Service's trading accounts.
- 3.4.7 The introduction of free school meals to all primary pupils may have a knock on effect to secondary meal uptake too as parents find they are able to contribute more towards lunchtime meals for any older children they have in their household.
- 3.4.8 Consideration would need to be made on how long the commitment is to any scheme as the initial start costs would need to be recouped over a number of years it is expected.
- 3.4.9 The Public Health Team would have oversight of this initiative so that the health and wellbeing benefits of the scheme can be monitored and evaluated.
- 3.4.10 There is no funding for this proposal, so funding will need to be allocated if it is agreed to proceed.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. The direct costs of this initiative are estimated to be up to **£2.675m** in a full academic year. This is higher than the estimated additional cost reported to full council in February and the reasons for this are detailed in section 4.3 below.
- 4.2. The financial implication of the proposal will span three financial years and the impact on each year is detailed in **Table 2**:

Table 2: Profile of costs for this initiative and the savings required to balance the Medium Term Financial Plan (MTFP)

Year	2014/15	2015/16	2016/17	Total
Cost of Initiative	£1.783m	£0.892m	Nil	£2.675m
Savings Required to maintain MTFP.		-£1.338m	-£1.338m	-£2.675m

- 4.3. So, for financial year 2014/15 (i.e. from September 2014 to March 2015), the estimated cost would be £1.783m (i.e. 2/3rds of the full-year cost – based on the number of school days). In the financial year 2015/16, the last term of the scheme would cost £0.892m for the period April 2015 – July 2015. The actual costs will be dependent on actual pupil numbers, the number of school days and the level of take-up. These figures are marginally higher than ones provided to Members in the budget setting process for two reasons:
- These revised figures are using the latest available pupils census (January 2014), rather than the October 2013 census which was used for forecasting costs in earlier proposals for Members; and
 - The publication of the details of the DfE’s Universal Infant Free School Meals guidance, allowed the adoption of their planning assumption of 87% take-up, whereas previously around 80% had been used.
- 4.4. The cost of this proposal will need to be funded through the use of general reserves. However, this will require additional savings beyond that already flagged within the current MTFP, to be identified to ensure reserve balances are reinstated back to agreed levels by 2016/17. Additional savings of £1.338m would be required in each of the following years, 2015/16 and 2016/17 (see **Table 2** above).
- 4.5. This initiative would also qualify as one that could be funded from the Public Health grant. However, services funded by grant are currently undergoing a review process designed to realign existing council services and deliver efficiencies that would contribute towards existing savings targets. Thus decisions to utilise Public Health grants should await outcome of the review. Any plans to utilise Public Health grants to fund this scheme is likely to result in additional savings having to be found from general fund services.
- 4.6. There are likely to be costs on schools associated with what might be a stepped change in the number of pupils accessing a meal at lunchtime, but these will vary from school to school and no estimates are readily available. Food, catering staff, management, supervision, and light equipment (e.g. crockery, kitchenware) costs would be expected to be met from within the £2.30 per meal price. Lunchtime supervision would not be covered by these costs and will vary from school to school, but would have to be met from schools’ own budgets.
- 4.7. There may need to be some capital investment if school facilities are insufficient to meet the requirements and the DfE has allocated £0.748m school meals capital grants for Tower Hamlets (including £0.157m for VA schools) for 2014/15, which might be used to deliver this.
- 4.8. The virement arising from the recommendation in this report would allocate funding to vote A51 Public Health.

5. LEGAL COMMENTS

- 5.1. Under the Financial Procedure Rules in the Council's Constitution rule 3.3.1 of the Financial Procedure Rules in Part 4 of the Constitution "All individual virement proposals that exceed £1m require the approval of full Council".
- 5.2. The LA or governing body of every maintained school must not charge for anything unless they have drawn up a statement of general policy on charging. The policy will cover optional extras, such as after school clubs and holiday play schemes. Neither the governing body nor the LA may make a charge unless they have decided upon a charging and remissions policy, which should be kept under regular review.
- 5.3. Section 512 of the Education Act 1996 (as amended) states that LAs may provide registered pupils at their schools with milk, meals or other refreshment. On request they are to provide school lunches. Where school meals are provided the LA must charge for what is provided, and this is to be the same for all, save for exempted pupils. School lunches (and milk if provided) are to be free of charge for pupils whose parents (or who themselves) receive income support, or an income-based jobseeker's allowance or qualify under some other exemption.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. This initiative aims to ensure that all primary age pupils have equal access to a nutritional meal at lunchtime, in order to promote a healthy lifestyle.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 Contract Services, Tower Hamlets' in-house catering provider, continually seek improve the impact that their services offered have on the environment. Some examples of this work is illustrated below:
 - Wherever possible food is prepared on site within the school environment utilising the latest most efficient catering equipment. Where there are unsuitable, inappropriate or inefficient facilities available on site the meals are prepared at the Toby Lane Central Production Unit (CPU) and transported hot utilising a small fleet of vehicles. The use of the CPU and the careful planning of a generic menu allows approximately 1800 meals to be prepared together reducing energy costs.
 - An electric delivery vehicle has been trialled with very positive results and with the added advantage of zero emissions. Working with colleagues in the Transport Department Contract Services are currently tendering to replace some of the diesel fleet with electric vehicles.
 - Through the involvement with the London Contract Supply Group procurement model food is sourced wherever possible as locally as possible. All meat except some lamb is UK sourced and of Red

Tractor standard and in the past six months there has been an increased use of organic, local sourced, Fair Trade and seasonal fruit and vegetables – this has permitted Contract Services to obtain the Soil Association’s Food for Life Silver Catering Mark (this is becoming the standard for excellent school catering). In addition to this all eggs used in all sectors of the business are free range.

- The cleaning materials used with the catering (and cleaning) sectors of the business are continually monitored by the management team to ensure new materials are sourced when available which have a reduced impact on the environment.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1. There are risks associated with demographic changes and take-up, which mean that precise numbers and, therefore, costs of this initiative can only be estimated.
- 8.2. There is a risk that practical difficulties, particularly with the physical capacity and adaptability of dining spaces and kitchen facilities, could require investment to overcome.
- 8.3. The Department for Education use statutory free school meal data as a deprivation index in funding schools, including for the Pupil Premium. There is a danger that parents (and schools) see no incentive to register for the statutory scheme if free meals are provided without registering. Officers and schools have had to address these issues with the current local scheme and will continue to do so.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 None

10. EFFICIENCY STATEMENT

- 10.1 This proposal will result in a stepped change in the number of meals provided each day in Tower Hamlets schools. Nonetheless, the framework for delivering meals in all primary schools is already in place and systems of operation have developed over many years, with the recent experience of a local scheme for free school meals for Reception and Year 1 pupils assisting further. Contract Services are able to use their spending power to procure good deals for food prices.
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EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

Name of 'proposal' and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	Free School Meals for Primary Age Pupils
Directorate / Service	Education, Social Care and Wellbeing
Lead Officer	Robert McCulloch-Graham
Signed Off By (inc date)	David Tully (20th March 2014)
Summary – to be completed at the end of completing the QA (using Appendix A) (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; background-color: green; margin-right: 10px;"></div> <div> <p>Proceed with implementation</p> <p>As a result of performing the QA checklist the Free School Meals Proposal does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p> </div> </div>

Page 13

Stage	Checklist Area / Question	Yes / No / Unsure	Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	YES	
b	Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)? Is	YES	From an overview of the proposal and the supporting evidence there has been no identified negative impact on any

	there information about the equality profile of those affected?		<p>of the 9 Protected Characteristics.</p> <p>This proposal will positively impact all school children as it will provide free school meals for all Year 3 – Year 6 pupils who are not otherwise eligible.</p> <p>89.3% of the school population were classified as belonging to an ethnic group other than White British compared to 26.6% in England overall (London figure is 69.3%)¹.</p> <p>We provide meals suitable for pupils who have special dietary needs in some schools – this includes Halal meat. However, the provision of religious/culturally specific dietary requirements is a decision taken by the Governing Body of the specific school.</p>
2	Monitoring / Collecting Evidence / Data and Consultation		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	YES	The Tower Hamlets Children and Families Plan 12-15 contains in depth demographic data on the local population for children and young people.
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	YES	Yes, Tower Hamlets Children and Families Plan 12-15
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	YES	The Public Health Team would have oversight of this initiative so that the health and wellbeing benefits of the scheme can be monitored and evaluated.
c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	YES	The proposal has been informed by local and national research including Department of Education Guidance and The Marmot Review.
3	Assessing Impact and Analysis		
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?	YES	

¹ Source: DFE – Pupils and their characteristics – January 2013 – this refers to state funded primary, secondary & special schools combined.

b	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?	N/A	This proposal will positively impact all school children as it will provide free school meals for all Year 3 – Year 6 pupils who are not otherwise eligible.
4	Mitigation and Improvement Action Plan		
a	Is there an agreed action plan?	N/A	
b	Have alternative options been explored	YES	
5	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the implementation of the proposal?	YES	
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	YES	The Public Health Team would have oversight of this initiative so that the health and wellbeing benefits of the scheme can be monitored and evaluated.
6	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	YES	

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