



## City of Westminster

## Cabinet

**Meeting:**

Cabinet

**Date:**

12<sup>th</sup> December 2022

**Classification:**

General Release

**Title:**

Universal Free Lunch offer for primary pupils in Westminster

**Wards Affected:**

All

**Policy Context:**

It is proposed that as a result of the Cost-of-Living crisis, the Council supports schools to make a meal offer available to all primary aged pupils in Westminster during term time.

**Key Decision:**

Yes

**Financial Summary:**

The total estimated cost of the provision of a universal meal offer for primary aged pupils over term time from January 2023 to the end of the 2023/24 academic year is £2,781,784

**Report of:**

Sarah Newman, Bi-Borough Executive Director of Children's Services

## **2. Executive Summary**

- 2.1. It is proposed that as a result of the Cost-of-Living crisis, especially when considering the rise in inflation and the cost of food, the Council supports schools to make a meal offer available to all primary aged pupils in Westminster during term time.

## **3. Recommendations**

- 3.1. Due to the Cost-of-Living Crisis, it is recommended that Cabinet approves (subject to approval of the Fairer Westminster investment proposal) a total of £2,781,784, for January 2023 to July 2024 to enable schools to develop a universal meal offer to primary pupils. This will be funded from earmarked reserves.
- 3.2. The provision of a universal meal offer for all primary pupils will be reviewed in 2024 and any continuation of the provision from September 2024 will be embedded in the Children's Services base budget as part of the medium-term financial planning process.

## **4. Reasons for Decision**

- 4.1. The UK inflation rate reached 10.1% in September. Real wages have fallen at the fastest rate in the UK since records began. The price of food rose by 9.8% in the year to June and the poorest tenth of households are effectively experiencing an inflation rate of 10.6% because they spend a greater proportion of their income on food and fuel. With food inflation rising faster than the Consumer Price Index (CPI), London's child poverty rate and food insecurity is expected to increase.
- 4.2. The Cost-of-Living crisis is one of the greatest challenges currently facing the city council and other Local Authorities. In Westminster, around a quarter of households across the city (approximately 32,000 households) are particularly vulnerable to rises in living costs, with some people facing extreme hardship. At a meeting of Full Council on 21st September, Westminster City Councillors approved a motion to declare a Cost-of-Living Emergency, stating that the scale of the challenge needs "urgent and substantial action" from the Council, Government and others with the ability to help.
- 4.3. The impact on children and young people is a real concern, and we have growing evidence of families in Westminster finding themselves unable to cover the costs of basic necessities. Schools tell us that they are seeing a lot more families struggling, including those not eligible for FSM, which is manifesting in what they can afford to put into a child's lunchbox, for example. Schools feedback indicates that a scheme to expand FSM, whether just at KS2 or across secondary as well, would be beneficial.

- 4.4. FSM play a crucial role in ensuring that all eligible children can eat a healthy and nutritious meal, which in turn supports their ability to learn and improves their mental health.
- 4.5. A large number of people currently find themselves just above the existing threshold for FSM and yet struggling to manage, and that in the current economic climate that situation is becoming more urgent. 19% of UK households with children have experienced food insecurity in the past month.

## **5. Background, including Policy Context**

- 5.1. At present all children in Reception, Year 1 and Year 2 in state funded schools, free schools and academies in England receive Universal Free School Meals irrespective of the family's financial circumstances. This provides a hot meal during term time which is fully funded by central government.
- 5.2. Beyond KS1, access to FSM is conditional, based on a set of statutory eligibility criteria, the aim of which was to ensure that the most vulnerable children and families would benefit. In order to be eligible for FSM, a pupil or their parents must be in receipt of one or more of the following benefits:
  - Universal Credit (provided the household has an annual net earned income of no more than £7,400)
  - 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 they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
  - Working Tax Credit run-on
- 5.3. In Westminster, 16,585 households receive Universal Credit (UC) which represents 13% of all households in Westminster (130,000). 4,881 (29%) of UC households have children living in those households.
- 5.4. In May 2022 22,108 pupils attend WCC primary and secondary schools. Of these children, 7,895 are currently eligible for FSM (3645 in primary and 4250 in secondary). Of the Primary school children currently eligible for FSM, 3026 are resident in WCC and of the secondary children eligible for FSM, 2,314 are WCC residents.
- 5.5. 8,800 children in WCC live in households in receipt of UC. If all these children are going to a WCC School, 89% of them are already in receipt of a Free School Meal.

- 5.6. In order to cover the 11% of children living in households in receipt of UC but who are not currently eligible for FSM, we would require an uplift of funding for a further 905 pupils. An option has been set out to target 10% of those pupils currently not entitled to FSM but who are in receipt of UCt.

### ***Policy Context***

#### **The National Picture**

- 5.7. The issue of FSM provision has been attracting significant media attention at a national level. The government's Environment, Food and Rural Affairs committee heard evidence on the topic at its meeting on 18 October and there are growing calls for nationwide expansion of Free School Meals. Several teachers' unions, Voluntary and Community Sector groups, and high-profile voices in the food and hospitality industry, have all backed this position.
- 5.8. Doubt has been cast on the suitability of the existing FSM eligibility criteria in current times. It has been highlighted that a large number of people currently find themselves just above the existing threshold for FSM and yet struggling to manage, and that in the current economic climate that situation is becoming more urgent. A survey commissioned by The Food Foundation in April 2022 found that 19% of UK households with children had experienced food insecurity in the past month<sup>1</sup>, while data from the Child Poverty Action Group (CPAG) suggests that 1 in 3 of England's school-age children living in poverty (800,000) miss out on FSM at the moment.

#### **London Benchmarking**

- 5.9. Four Local Authorities in London, have established an enhanced meal offer for term time only. These four boroughs are; Tower Hamlets, Southwark, Newham and Islington. All four are providing an offer to KS2 only at this time.

#### **Current Provision in Westminster**

- 5.10. Westminster currently provides FSM in line with the statutory requirements, i.e. provision at KS1 is universal, while in the remainder of primary school and in secondary schools (i.e. KS2 and above), and in nurseries, the national eligibility criteria apply. Westminster's current FSM offer is therefore provided at no direct cost to the council, as the statutory level of provision is funded directly by central government. At this time, 36% of children in WCC meet the eligibility criteria.
- 5.11. FSM vouchers have also been provided to FSM eligible pupils during holidays since December 2020, funded via DWP's Household Support Fund and earlier iterations of this grant. The value of these vouchers are £3 per day per pupil and the decision was recently taken in Westminster to increase the value to £3.50.

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<sup>1</sup> YouGov Food Insecurity Tracking poll, Round 10 (April 2022) [Food Insecurity Tracking | Food Foundation](#)

- 5.12. Holiday Activity and Food provision is also available to FSM eligible pupils during Easter, Summer and Christmas holidays, funded via DfE. Locally, Westminster enhanced the offer over the summer to support children who fell short of the FSM eligibility criteria and we funded an October 2023 half term programme.

### ***Proposal***

- 5.13. It is proposed to fund state schools £2,781,784 from January 2023 to July 2024 (based on Key stage 2 roll numbers) to provide a universal meal offer to all primary aged pupils during term time in Westminster. See appendices for Options Analysis.
- 5.14. The Council will allocate funding to schools from January 2023 until the end of the 2023/24 academic year based on the number of primary aged pupils who are on their school roll and not currently eligible for the Government's Free School Meals programme.
- 5.15. The methodology used to determine the funding for each school will be £3 per pupil per day over 190 days in an academic year.
- 5.16. Once the funding allocation for each school has been determined, after taking account of the October 2022 census, the Council will write to schools setting out their allocation and the number of pupils that will be supported. Given that schools will need to mobilise catering services and make the necessary arrangements to ensure all primary aged pupils have an offer, the Council will give schools time to mobilise these services so that an offer can commence in early January 2023.
- 5.17. The Council will then transfer the funds to each school on a per pupil basis, enabling schools to make the necessary catering arrangements.
- 5.18. The Council will set out that this funding is for a fixed term only as it is directly linked to the cost of living crisis.

## **6. Financial Implications**

- 6.1. The total estimated cost of the provision of a universal meal offer for primary aged pupils over term time from January 2023 to the end of the 2023/24 academic year is £2,781,784, the breakdown of which is shown below. This funding is subject to the approval of the Fairer Westminster investment proposal. The estimated cost is based on provisional Autumn 2022 census data. As primary pupil numbers are falling the required allocation for a universal meal offer may reduce in line with the pupil roll reductions. There is however a risk that Westminster parents will stop applying for free school meals as this offer is now free and universal, which would result in an increased cost to the Council.

Description	Cost per pupil	Academic days	Total number of Pupils	Total Cost £
January to July 2023 (Spring and Summer Terms)	£3	123	2,856	£1,053,864
2023/24 Academic Year	£3	190	2,856	£1,627,920
Contingency for potential increases	n/a	n/a	n/a	£100,000
<b>Total</b>				<b>£2,781,784</b>

- 6.2. A contingency of £100,000 has been included. The reasons for this are that we won't have final Autumn 2022 census data until early December and to mitigate the potential risk that WCC parents will stop applying for Free School Meals because the offer is free and universal, resulting in an increased cost to the borough.
- 6.3. The cost of this provision will be covered from earmarked reserves. If, after review, it is decided that the provision will continue beyond the 2023/24 academic year, the cost of the universal meal offer will be embedded into the Children's Services base budget as part of the medium-term financial planning.

6.4.

## 7. Legal Implications

- 7.1. The Education Act 1996 places a duty on maintained schools, academies and free schools to provide free school meals to pupils of all ages that meet the criteria set out in paragraph 4.2 of the report. The Council can rely on its powers under s1 Localism Act 2011 to provide the offer proposed.
- 7.2. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

## 8. Carbon Impact

- 8.1. There is likely to be carbon impact as a result of this initiative. Research shows that the average kg CO<sub>2</sub>e per meal is estimated to be at 0.62. This new proposal is estimated to enable 2,856 pupils on top of those children already receiving FSM via the Government's scheme. This would equate to 1,713.6kg per day or 536,356.8kg per year in terms of carbon impact.

## **9. Equalities Implications**

- 9.1. The equality implications of this initiative are expected to be positive for those of the following protected characteristics; Young Children, and Families on Low Incomes.
- 9.2. It is not expected that any groups with protected characteristics will be negatively impacted by this initiative.
- 9.3. A full Equalities Impact Assessment is available upon request.

## **10. Consultation**

- 10.1. The Cost-Of-Living Crisis was a recurring theme during the consultation and engagement pieces which fed into the Children and Young People's Plan 2023-2026.
- 10.2. Officers have met with the Westminster Heads Executive Forum to inform them of the council's ambition to implement this extension of the school meal offer and gain their views and feedback.

Ahead of the start of January, the Council will be writing to all primary schools to set out how the initiative will work in practice, this will also address some anticipated Frequently Asked Questions. As part of the messaging, schools will also be invited to complete a short survey to help the council to understand how they plan to implement the initiative as well as feedback any comments or queries they have.

- 10.3. The council will ensure that there are designated points of contact for the scheme to ensure that any emerging queries can be raised by schools and responded to promptly.
- 10.4. The council will also be setting up Question and Answer Workshops for schools, including one to take place in December and another to take place in early January. This will enable schools to put questions to the Council about scheme will be implemented and overseen.

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<sup>2</sup> Sodexo, (August 2022), [Helping students to understand the carbon footprint of school meals](#)

**If you have any queries about this Report or wish to inspect any  
of the Background Papers, please contact:**

**Annabel Saunders – Annabel.Saunders@rbkc.gov.uk**

## APPENDICES

### 1. Option Analysis

In forming this recommendation, a number of options to extend the meal offer were explored. These are summarised in the table below.

OPTION	DESCRIPTION	COMMENTARY		ESTIMATED ANNUAL COST
		Benefits	Disadvantages	
1	Term time only – primary <i>NB this is additionality; excludes existing Universal FSM for KS1 See below table for calculation</i>	Establish a universal meal offer to all primary school children during term time	Lowest cost of the 'extension' options. All primary age children would receive a healthy meal at school during term time.	No coverage during school holidays. No coverage at secondary school age, so some families in poverty would still go unsupported.
2	Term time only – primary and secondary	Establish a universal meal offer to all primary and secondary school children during term time	All primary and secondary age children attending Westminster schools would receive a healthy meal at school during term time.	Higher cost than Option 1 No coverage during school holidays Benefits a higher proportion of non-residents than primary-only provision.
3	Term time and holiday - primary	Establish a universal meal offer to all primary school children during term time <i>and</i> during the school holidays	All primary age children receive a healthy meal once a day both in and out of term time, which supports struggling families in a more comprehensive way.	Increased cost compared to term time only options. Risk of some overlap with school holidays food programme. No coverage at secondary school age, so some families in poverty would still go unsupported. Offering a holiday offer is out of step with other LAs offering an enhanced meal offer
4	All – term time and holiday, primary and secondary Establish a universal meal offer	Establish a universal meal offer to all primary school children <i>and</i> all secondary school children, both during term time <i>and</i> during the school holidays	The most complete response to potential need in the cost of living crisis. Schools' preferred option.	Highest cost of all the extension options. Establishes a very high financial baseline for ongoing provision. Potential overlap with existing holiday offers Offering a holiday offer is out of step with other LAs offering an enhanced meal offer
5	Resident-only options	Any of the above options could be targeted for Westminster residents only; non-	Less costly than a universal (resident and non-resident) offer.	Would be highly complex and potentially unfeasible for schools to administer. Potential reputational risk associated with withholding
				Maximum of £4.52m (if primary and secondary)

OPTION	DESCRIPTION	COMMENTARY		ESTIMATED ANNUAL COST	
		Benefits	Disadvantages		
	resident pupils excluded		support from our non-resident school pupils. Potential for stigmatisation by singling out non-residents. Schools do not favour a resident only approach and prefer a school population approach.		
6	Provide FSM equivalent to all Children in households accessing Universal Credit	Widen FSM offer to include all children of families claiming Universal Credit; this could be done at primary and/or secondary schools and for term-time only or include holidays	Represents an uplift on current offer without being a commitment to universal provision (i.e. less costly). Potential to be more targeted to those children/families that are most in need. Likely to be a more financially sustainable option.	Not feasible to administer under current circumstances, because we do not have access to the DWP UC claimant data. This is held by central government only. Does not capture families not in receipt of UC but nonetheless struggling. Reputational considerations connected with offering comprehensive coverage that other LAs. Possibly stigmatising?	
7	20% uplift to schools for pupils not eligible for FSM	Provide an additional 20% on existing FSM funding from the Government, to a wider cohort not currently eligible for FSM (based on 20% uplift to non FSM eligible cohort)	Represents an uplift on current offer without being a commitment to universal provision (i.e. less costly). Potential to be more targeted - our schools generally have good insight into the relative levels of need among families regardless of benefits entitlement. Better reflects the diverse range in levels of deprivation across different schools. Likely to be a more sustainable option.	May still fail to capture some families that are struggling. Reputational considerations connected with offering less comprehensive coverage than other LAs. May be challenging to administer and would be reliant on schools.	<b>Term time</b> Primary: £0.44m Secondary - £0.91m Both - £1.35m  <b>Holiday and Term time</b> Primary - £0.68 Secondary - £1.22m Both - £1.908m
8	10% uplift to schools for pupils not eligible for FSM	Provide an additional 10% on existing FSM funding, to include pupils who are also in receipt of Universal Credit but not qualifying for FSM (based on 10% uplift to non FSM eligible cohort)	Represents an uplift on current offer without being a commitment to universal provision (i.e. less costly). Potential to be more targeted - our schools generally have good insight into levels of need among families. Better reflects the diverse range in levels of deprivation across different schools.	Reputational considerations connected with offering less comprehensive coverage than other LAs. May be challenging to administer and would be reliant on schools local assessment of need.	<b>Term time</b> Primary - £0.2m Secondary - £0.45m Both - £0.67m  <b>Holiday and Term time</b> Primary - £0.34m

OPTION	DESCRIPTION	COMMENTARY			ESTIMATED ANNUAL COST
		Benefits	Disadvantages		
		Likely to be a more sustainable option.			Secondary - £0.61m Both - £0.95m
9	'Do nothing' option	No change to existing provision; remain at statutory minimums	Zero cost to the council	Does not respond to cost of living crisis and difficulties affecting many families in Westminster Reputational risk when other LAs are extending their provision Negative impacts on various council priority outcomes (young people's health and wellbeing, attainment in schools, etc)	No cost to the council

#### Costs of providing FSM to primary aged pupils 2022-23 in term time only

	Residents			Non-Residents			All Pupils		
	FSM	Non-FSM	Total	FSM	Non-FSM	Total	FSM	Non-FSM	Total
Primary (Yr 3 to 6)	1645	2164	3809	370	692	1062	2015	2856	4871
Costs term time	-	£1,233,480.00	-	-	£394,440.00	-	-	£1,627,920.00	-

#### Notes:

- *Term time is calculated as 190 days per year.*
- *All costs assume £3 per pupil per day.*
- *School holidays are calculated as 66 days per year and term time, 190 days per year.*
- *Primary holiday costs include supporting infant pupils receiving Government funded Universal Free school meals*
- *Primary term time costs are for non-FSM eligible KS2 pupils only.*

#### Additional Considerations

##### Resident vs. Whole school population

It may be particularly complex if we were to move to a two-tier model for residents and non-residents. Schools have voiced that they will find it too burdensome to implement a universal meal offer for 'in borough' children only. Meanwhile, if implementing a universal meal offer changes through/via schools, it would be very challenging to support children who are residents but going to out of borough schools as we do not hold child level data for this cohort.

##### Primary vs. secondary

Within secondary schools, out of 12,216 pupils in total 51% of those are residents and 49% non resident. The percentage of residents in our primary school population is much higher at 78% of the school population. This means that any enhancement of a meal offer in Westminster's secondary schools would benefit a large number of non-residents.

#### **Risk of reduced funding for schools via the Pupil Premium Grant (PPG)**

If families are receiving FSM equivalent support they have less incentive to formally submit an application for the government's FSM. This can lead to an associated overall decrease in funding to schools, as it artificially reduces their number of 'visible' FSM-eligible children. FSM eligibility directly links to the level of Pupil Premium Grant that schools receive and funding received via the Dedicated Schools Grant (FSM). Colleagues in Southwark, where provision is currently universal throughout primary schools, have reported this concern.

#### **Ability to target provision**

Options for a universal meal offer carry the risk that they will provide a meal offer to pupils/families who are not struggling financially. In a time of constrained resources, this may present an argument against taking a non-targeted approach. That said, targeting inevitably adds complexity at the point of implementation, and in some cases we lack the necessary data and resources to isolate the appropriate target groups (e.g. Universal Credit claimants, the details of whom we do not hold at the council).

## **2. Social Value Considerations**

The Public Services (Social Value) Act 2012 calls for all public sector commissioning to factor in economic, social and environmental well-being in connection with public services contracts. In Westminster this duty is in part exercised through the Council's Responsible Procurement & Commissioning Strategy and how we incorporate responsible procurement into all aspects of our procurement cycle.

Consideration has been given to whether social value contributions from third-party providers in the borough, could be used to part fund the proposals in this report. However, after careful consideration, it was concluded that this is not feasible as there is no pooled social value financial fund which could be utilised to fund universal services. In the last year, a total of c£140K of financial commitments have been made from suppliers, however, this has been used to support specific local community projects delivered by VCS organisations.

*NB: For individual Cabinet Member reports only*

For completion by the **Cabinet Member** for Young People, Learning and Leisure

**Declaration of Interest**

I have <no interest to declare / to declare an interest> in respect of this report

Signed:

Date:

NAME: **TIM ROCA**

State nature of interest if any:

*(N.B: If you have an interest, you should seek advice as to whether it is appropriate to make a decision in relation to this matter)*

For the reasons set out above, I agree the recommendation(s) in the report entitled

Universal Free Meal offer for primary pupils in Westminster and reject any alternative options which are referred to but not recommended.

Signed:

Cabinet Member for Young People, Learning and Leisure

Date:

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, City Treasurer and, if there are resources implications, the Director of People Services (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed

from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

## **Appendix A**

### **Other Implications**

- 1. Resources Implications**
- 2. Business Plan Implications**
- 3. Risk Management Implications**
- 4. Health and Wellbeing Impact Assessment including Health and Safety Implications**
- 5. Crime and Disorder Implications**
- 6. Impact on the Environment**
- 7. Equalities Implications – See section 13**
- 8. Staffing Implications – See section 13**
- 9. Human Rights Implications**
- 10. Energy Measure Implications**
- 11. Communications Implications**
- 12. Counter Terrorism and Security Implications – See section 13**

Note to report authors: If there are particularly significant implications in any of the above categories these should be