



# City of Westminster

<b>Meeting or Decision Maker:</b>	Cabinet Member for Children and Public Protection
<b>Date:</b>	26 June 2024
<b>Classification:</b>	General Release
<b>Title:</b>	Universal Free Meal Offer in Westminster
<b>Wards Affected:</b>	All
<b>Policy Context:</b>	
<b>Key Decision:</b>	Yes
<b>Financial Summary:</b>	Significant impact/expenditure
<b>Report of:</b>	Sarah Newman, Bi-Borough Executive Director of Children's Services

## **1. Executive Summary**

- 1.1. The Greater London Assembly (GLA) is extending its Free Lunch Scheme for all primary aged pupils in London to include the 2024-25 academic year. This report seeks to formally accept the funding from the GLA and make payments to primary schools across the borough so that they can implement the GLA's scheme.
- 1.2. This report also seeks to extend the Council's own offer for free meals on a permanent basis for as long as the GLA's offer is in place. This will provide local Westminster pupils in Key Stage 3 (KS3) attending secondary school as well as nursery pupils aged 3 and 4 years old and targeted 2-year-olds a free school lunch.
- 1.3. The estimated total cost of these offers is expected to be c.£2.9m, with £1.3m being funded by the GLA and £1.56m funded by Westminster City Council (WCC). Fluctuations in census numbers are expected and general trends show that numbers on rolls are dropping in Westminster and across London which may lead to a reduction in how much this offer costs the Council.

## **2. Recommendations**

- 2.1. It is recommended that the Cabinet Member for Children and Public Protection approves the following recommendations:
  - £870,646 is allocated to nurseries in Westminster City Council to develop a universal meal offer based on £2.55 per meal to nurseries for academic year 2024-25 and as set out in this report.
  - £694,260 is allocated to state funded secondary schools in Westminster City Council to enable them to provide a Free Lunch Offer to resident pupils in KS3 (Years 7-9) for the academic year 2024-25 and as set out in this report.
  - That the Nursery and KS3 offers are made permanent on condition that the GLA continues to fund the universal Primary Free School Meal Offer.
- 2.2. It is recommended that the Cabinet Member for Children and Public Protection accepts the GLA's allocation which is still to be confirmed. The Council will transfer this to primary schools based on a £3 per pupil per day for non-FSM pupils so that schools are able to implement a free lunch offer for all school pupils.

## **3. Reasons for Decision**

### Cost-of-Living

- 3.1. When the universal Free School Meal offer for children attending state funded Primary Schools was originally conceived, the Cost-of-Living crisis was one of the greatest challenges facing residents and it continues to be a high priority. 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 21 September 2022, 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.
- 3.2. The impact on children and young people is a real concern, and there is evidence of families in Westminster finding themselves unable to cover the costs of necessities. Schools tell us that they are seeing significantly more families struggling, including those not eligible for Free School Meals (FSM), which is manifesting in what they can afford to put into a child's lunchbox.

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.

- 3.3. While the rate of inflation has fallen in recent months to 3.4% in March 2024, costs for necessities are high and we still hear that families are struggling with the cost of living.
- 3.4. According to a recent survey conducted by YouGov and commissioned by City Hall, around one in six parents (16%) of children between five and 11 years are going without essentials, including food, electricity or gas, with more than one in three (36%) buying less food and essentials. Food insecurity, deprivation and the isolation and uncertainty that this can cause can lead to poor mental health and wellbeing.
- 3.5. The guarantee that children will have access to at least one meal a day is expected to improve the health and wellbeing for those currently experiencing food insecurity – bringing benefits for children’s growth and development and educational attainment, as well as mental health benefits for their families due to reducing concerns about food insecurity.

#### Mayor of London Free School Meal Offer in Primary School Pupils

- 3.6. In January 2023, Westminster City Council took the decision to fund free school meals for all primary aged pupils in Westminster Schools. Following this, the Mayor of London/ GLA took the decision to fund a free meal offer to all primary aged pupils in London attending state schools, this funding was originally for one academic year, from September 2023, and is now being extended for a further year from September 2024 until July 2025. Whilst GLA funding beyond July 2025 has not been confirmed, the Mayor of London has stated that he is looking to extend this offer for subsequent years. The GLA have yet to confirm allocations for Westminster schools for the 24/25 academic year, however they have confirmed that they will base the allocation on £3 per pupil per day and will be based on 190 days a year and at a take up of 90% of meals being taken, this is the same methodology which was used in 23/24 year. The only change to methodology is that the price of £3 per pupil per day represents a price increase of £0.35 from £2.65 per pupil per day in the 23/24 academic year. In 23/24, WCC had been topping up meal costs for schools from £2.65 to £3 per pupil per day. This had cost WCC c. £190k. Benchmarking and school engagement has shown that £3 per pupil per day is an appropriate amount for schools to be able to deliver the meal offer.

#### Health, Wellbeing and Educational attainment

- 3.7. Currently, one in five children start school overweight. Offering free nutritional meals from an early age, will enable children and their families to develop good habits in relation to healthy eating and nutritional meals. This in return, will enable children to access the early years curriculum more consistently as poor nutrition and development impacts not only children’s health, but also their readiness to learn. This will enable our most vulnerable two-year-old children and all of our three and four-year-old children to have the best possible start in life by developing good habits around their diet and nutrition, increasing their attendance and accessing education and learning more effectively. This additional offer to early years children could potentially have a huge impact on children’s future attainment and in essence, improve their life chances.

## **4. Proposal**

### **Mayor of London Free Meal Offer for Primary aged pupils**

- 4.1. The Council will support the implementation of this scheme by facilitating the transfer of funds to schools, supporting the GLA with monitoring the scheme and communicating to schools. The Council will also be extending Service Level Agreements with schools to ensure that schools are aware of their responsibilities for delivering this offer and in reporting uptake which can then be passed on to the GLA.
- 4.2. As part of the Mayor's scheme, the GLA have confirmed that the price per pupil per day will rise from £2.65 to £3 for the next academic year. Locally, our monitoring shows that the average cost per plate is £2.79 with an average uptake of 83% across the City. In 23/24 there were a small number of schools with a cost per plate above £3. In these instances, and where no additional funding was made available by the GLA, the Council used a small contingency to support these schools. This approach will be adopted in 2024-25 to ensure that no school is adversely financially impacted for implementing this scheme.
- 4.3. From the GLA funding received, the Council will make payments to schools ahead of the start of each term based on data from the school census. This will be based on 90% of £3 per pupils per day over 190 term time days using the previous term's school census. The Council will support the GLA in monitoring uptake of this offer.
- 4.4. Schools will be expected to provide light touch monitoring on take up of the offer to the Council, it is likely that this will be the same process as was used in the 23-24 academic year in which schools submitted their take up of the offer based on two representative days in the school year and submit this to the Council and then submitted to the GLA by the Council. Schools are signed up to grant agreements with conditions that must be met including submission of take up, the Council will renew these arrangements.

#### **Free Meal Offer for Children in Westminster Nurseries**

- 4.5. It is proposed to continue funding free lunches for children attending Westminster nurseries and early year settings for the duration of the 2024-25 academic year, this will include nursery pupils aged 3 and 4 years old as well as targeted 2 year olds. The methodology used to determine the funding for each school will be £2.55 per pupil per day over 190 days in an academic year. This is an increase from the cost of the first year of the offer and is in line with inflation based at 3.4%<sup>1</sup>.
- 4.6. Last year 75% of early year settings eligible for the offer took it up with around 25% opting not to take up this offer. As most of the settings with higher numbers of pupils did take up the offer up, this represented 15.8% of children who are eligible not being able to take the offer up. In terms of actual take up within settings that are taking part in this offer, 89.7% of children at participating nurseries are receiving the Westminster funded nursery free lunch offer.
- 4.7. While the Council would prefer for all children in nurseries to access a hot meal through this offer, it is recognised that some nurseries and early years settings do not have facilities or staff to provide a hot meal offer to all children. Where it is not possible for nurseries to provide a hot meal, they will have the option of providing either cold meals, or vouchers to ensure that children can receive their offer. The Council provided details of a recognised voucher provider to Nurseries. In the first year of the offer, 72% settings which participated offered a hot meal, 11% offered a cold meal and 16% offered vouchers.

#### **Free Meal Offer for Westminster Resident Secondary Aged Pupils**

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<sup>1</sup> <https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/consumerpriceinflation/february2024>

- 4.8. In the 23-24 Academic year, there were 15 schools in Westminster which were eligible for the offer. Schools have submitted monitoring reports which outline take up at 70% among KS3 pupils.
- 4.9. Some schools have better take up rates than others with Special Schools having the lowest take up, feedback from school staff is that some of the students are tube fed and some students prefer packed lunches to help with consistency with meals due to their autism diagnosis. For other schools, feedback from staff is that despite communication of the offer not all pupils use the diner, many still use packed lunches, officers are exploring the possibility of vouchers being used for some SEND pupils where appropriate as a reasonable adjustment.
- 4.10. It is proposed to continue to fund free lunches for KS3 resident pupils attending Westminster schools for the duration of the 2024-25 academic year. The methodology used to determine the funding for each school will be £3 per pupil per day over 190 days in an academic year.
- 4.11. The funding allocation for each school will be determined, taking account of the Summer 2024 census. The Council will contact schools setting out their allocation and the number of pupils that will be supported.
- 4.12. Subject to approval of the recommendations, the Council will then transfer the funds to each school, enabling schools to make the necessary catering arrangements. Schools will be expected to provide light touch monitoring on take up of the offer to the Council, largely this will be the same process as was used in the 23-24 academic year in which schools submitted their take up of the offer based on a representative day in the school year and submit this to the Council. Schools are signed up to grant agreements with conditions that must be met including submission of take up, the Council will renew these arrangements.

### **Sustainability**

- 4.13. The provision of the offers for nurseries and KS3 pupils will be made permanent and for as long as funding from the Mayor of London's free meal offer. Should, the Mayor of London's offer cease, the Council will review the offer to nurseries and KS3 pupils.

### **Pupil Premium Funding & Auto-enrolling Free School Meal Eligible Pupils**

- 4.14. A risk that has been highlighted is that 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 (DSG). The Council's messaging to schools has urged them to continue to encourage families to sign up for the Government's Free School Meal Scheme with added benefits to parents including access to free activities and food over the school holidays as part of the Government's Holiday Activity and Food programme (HAF) and food vouchers during the holidays, funded via the Government's Household Support Fund.
- 4.15. In January 2023, the Council introduced a new portal to support families signing up for free school meals with the aim of making this a more straightforward process.
- 4.16. Officers also carried out a successful pilot for auto-enrolment for Free School Meal eligible pupils. A check was undertaken to determine whether or not resident parents in receipt of

benefits would be eligible for Free School Meals. The Council wrote to parents, via their schools, letting them know if they didn't opt out, they would be automatically enrolled onto the Government's Free School scheme. With only 4 parents opting out, the pilot found 244 additional pupils in Westminster who have since been enrolled into the Government's Free School Meal Scheme. 34 of those pupils were in Nursery, 131 were in primary school, 57 were in secondary school and 22 were in 6<sup>th</sup> Form.

- 4.17. Currently, the Council can only access benefits data for WCC residents, however officers are working to find a solution to gain access to data held by neighbouring boroughs.
- 4.18. Given the success of the pilot, auto-enrolment will become an annual process starting in Summer 2024.

### Food Standards

- 4.19. Early Years settings are encouraged to follow the '*Eat Better, Start Better*' guidelines and [guidance menus provided by the UK Government](#), however these guidelines are voluntary, and settings are not obligated to provide foods to set standards.

Primary and Secondary schools are required to follow the [School Food Standards](#), as part of the Free School Meal scheme.

For both early years settings and schools, our commissioned Change4Life Service supports settings through the accreditation of the Mayor of London's Healthy Early Years London and Healthy Schools London award programme which includes several criteria to demonstrate they have Healthy Early Years/Healthy School status, one of which is around food and nutrition. In addition, through the roll-out of the free meals in Early Years settings from this September, the Change4Life service will also be giving bespoke support to settings to meet the *Eat Better, Start Better* guidelines.

## 5. Options

- 5.1. A range of options have been considered in shaping the extended offer. Options which were considered last year can be found in the background paper Cabinet Member Decision Universal Free School Meal Offer August 2023 - Section 5.
- 5.2. The Council considered basing the price per meal at £2.47 which was the rate used last year, or to opt for an inflationary uplift of 3.4% to bring the price per meal up to £2.55, this will not represent an increase in overall costs due to a reduction in eligible children. The Council has opted to increase the meal cost in line with inflation to £2.55 per meal. In the 23-24 academic year, the £2.47 was based on the rate that the government paid for UIFSM per meal in the 22-23 academic year. For 23-24 year the Government increased it to £2.53. The rate for 24-25 is yet to be announced. Increasing the meal price in line with the increase set by the GLA for the KS2 offer was also considered, this represented a 13% increase to £2.76 per meal, however this was disproportionate to inflation.

	<b>Number of Pupils</b>	<b>13% Increase - £2.76 per Meal</b>	<b>3.4% Increase - 2.55 per Meal</b>	<b>No Increase - £2.47</b>
WCC Nursery Offer @ 190 academic days	1797	£ 942,346.80	£870,646.50	£843,332.10

- 5.3. The Council had considered increasing the price per meal for the primary and secondary offer, however benchmarking has shown that the existing cost of £3 was in line with costs.

## 6. Financial Implications

- 6.1. A universal meal offer for primary aged pupils over term time from January 2023 to the end of the 2023/24 academic year was approved at Cabinet in December 2022. The cost of this provision was estimated at £2,781,784 and funding approved as part of the Fairer Westminster proposal.
- 6.2. As a result of the GLA's free lunch offer for all primary aged pupils in London from September 2023, the WCC offer was then extended to local Westminster pupils attending secondary school, nursery pupils aged 3 and 4 years old as well as targeted 2 year olds.
- 6.3. Additionally, as the GLA's funding (£2.65) was less per pupil per day than the Council's scheme (£3.00), the GLA's fund was topped up to match previous commitments (+£0.35).
- 6.4. The cost of these offers in the 2023/24 academic year was as follows:

Nursery Offer - £2.47 per pupil	£749,393
Primary Schools - Top Up, £0.35 per pupil	£176,881
KS3 Offer - £3.00 per pupil	£733,320
<b>Sub-Total (Funded via Fairer Westminster)</b>	<b>£1,659,594</b>

Primary Schools - GLA Offer, £2.65 per pupil	£1,205,317
<b>Sub-Total (Funded via GLA)</b>	<b>£1,205,317</b>

<b>Total Cost of FSM Offers (Fairer Westminster + GLA)</b>	<b>£2,864,911</b>
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- 6.5. The comparable costs for the 2024/25 academic year as are follows:

Nursery Offer - £2.55 per pupil	£870,647
KS3 Offer - £3.00 per pupil	£694,260
<b>Sub-Total (Funded via Fairer Westminster)</b>	<b>£1,564,907</b>

Primary Schools - GLA Offer, £3.00 per pupil	£1,317,384
<b>Sub-Total (Funded via GLA)</b>	<b>£1,317,384</b>

<b>Total Cost of FSM Offers (Fairer Westminster + GLA)</b>	<b>£2,882,291</b>
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- 6.6. The total for the offers funded from Fairer Westminster in academic year 2024/25 is estimated to be £95k lower than in the previous academic year.

- 6.7. This is due to a combination of factors including a reduction in school rolls in Westminster and an increase in the proportion of pupils who are registered for FSM as a result of the Auto-Enrolment pilot. Additionally, the GLA have increased their funding to £3.00 per pupil per day so there are no primary school top-up costs to consider.
- 6.8. This reduction will contribute to the 2025/26 Medium Term Financial Plan.
- 6.9. For the 2023/24 academic year, the funding from the GLA was £1,390,478 and actual spend was £185k lower. Part of the remaining funds will be used to support schools where GLA funding is not sufficient to cover actual meal costs. This is calculated to be approximately £10k in the current year and slightly higher in the following year, dependant on meal prices. The remaining funds will be distributed to schools once confirmation of any adjustments to funding (for claims on uptake above 90%) is received.
- 6.10. For the 2024/25 academic year, it is estimated that the GLA will allocate £1,317,384 for the Mayor of London's Offer. This is an estimated allocation based on a pupil population of 2,568 over 190 days with 90% uptake. This has increased, despite the falling number of eligible children due to the increase to a £3 price per meal (previously £2.65).
- 6.11. These estimated figures are subject to fluctuations in census numbers. Although the fluctuations in numbers are expected to be minimal, there is a potential risk that parents will stop applying for Free School Meals as the offer is free and universal, resulting in an increased cost to the borough.
- 6.12. Although the GLA allocation assumes a 90% uptake, there will not be any clawback if uptake is below 90%. Additional funding can be claimed if uptake above 90% can be evidenced based on an average take up on two dates determined by the GLA.
- 6.13. Staffing costs of approximately £35k will be funded from the GLA funding in academic year 2024/25.

*Financial implications provided by Poonam Gagda, Senior Finance Manager ([poonam.gagda@rbkc.gov.uk](mailto:poonam.gagda@rbkc.gov.uk)) and approved by Anita Stokes, Lead Strategic Finance Manager ([astokes@westminster.gov.uk](mailto:astokes@westminster.gov.uk))*

## **7. Legal Implications**

- 7.1. Section 512 of the Education Act 1996, as amended, places a duty on maintained schools, academies and free schools to provide free school meals to pupils of all ages that meet the following criteria:
- 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



- 7.2. The Council can also rely on its powers under s1 Localism Act 2011 to provide the offer proposed to nursery school children and those children in KS3 who do not meet the criteria set out above.
- 7.3. The universal infant free school meals (UIFSM) grant is payable under Section 14 of the Education Act 2002. Under section 16 of that act, the Secretary of State lays down the terms and conditions on which the UIFSM grant is payable to schools and local authorities for that financial year.
- 7.4. 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.

*Legal implications were reviewed by Kirti Shori, Principal Solicitor Social Care and Education  
kshori@westminster.gov.uk*

## **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 5756 pupils on top of those children already receiving FSM via the Government's scheme. This would equate to 3568.72kg per day or 678,056kg per year in terms of carbon impact based on 190 academic days.

## **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. It is not expected that any groups with protected characteristics will be negatively impacted by this initiative.
- 9.2. 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. The Council has communicated with all nurseries, primary and secondary schools to set out how the initiative will work in practice and has also circulated 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. The council hosted a working group with nurseries to implement the offer and has also hosted Q&As for primary and secondary schools explore and resolve implementation issues and challenges.
- 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.

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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](mailto:Annabel.Saunders@rbkc.gov.uk)**

**Link to Paper Referenced:**

[Cabinet Member Decision Universal Free School Meal Offer August 2023  
signed.pdf \(westminster.gov.uk\)](#)