

Number: WG32942



Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation – summary of response

Revised eligibility criteria for free school meals

Revised eligibility criteria for free school meals in Wales due to the rollout of Universal Credit

Date of issue: 6 December 2018

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Revised eligibility criteria for free school meals in Wales due to the rollout of Universal Credit

Audience Local authorities and other public bodies, Third Sector, faith groups, parents/carers and other interested parties.

Overview This consultation sought views on amending the eligibility criteria for free school meals, specifically eligibility based on receipt of Universal Credit.

Action required No action – for information only.

Further information Enquiries about this document should be directed to:
Pupil Wellbeing Branch
Support for Learners Division
The Education Directorate
Welsh Government
Cathays Park
Cardiff
CF10 3NQ
e-mail: FreeSchoolMealsConsultation@gov.wales



@WG_Education



Facebook/EducationWales

Additional copies This document can be accessed from the Welsh Government's website at <https://beta.gov.wales/eligibility-free-school-meals>

Related documents Welsh Government Consultation Document - Revised eligibility criteria for free school meals (2018)

Contents

Introduction	2
Summary of consultation responses	2
Question 1	4
Question 2	15
Question 3 and Question 6	21
Question 4	35
Question 5	37
Annex A – Consultation questions	39

Introduction

Between 6 June and 14 September 2018, the Welsh Government consulted on its proposals for revised eligibility criteria for free school meals in Wales. As Universal Credit (UC) is rolled out across the UK, it will replace some benefits that made families eligible for free school meals (FSM).

Since the Free School Lunches and Milk (Universal Credit) (Wales) Order 2013 came into force on 6 September 2013, Universal Credit has been an eligibility criterion for free school meals. However, it was made clear that this was as an interim measure, designed to make sure that families who would otherwise have been eligible for free school meals because of the legacy benefits they received were not disadvantaged because of the roll out of Universal Credit.

As well as out-of-work benefits, Universal Credit will also replace in-work benefits such as Working Tax Credit, which would not currently result in eligibility for free school meals. Under Universal Credit, there is no distinction between out-of-work and in-work benefits. This means that as it is rolled out, more families would be eligible for free-school meals.

By the time Universal Credit is fully rolled out in 2023, the Welsh Government estimates around half of all pupils would be eligible for free school meals, compared to 16% in January 2018. This would cost a significant amount of money. No additional funding has been provided to the Welsh Government to manage the impact of the UK Government's Welfare Reform agenda on free school meals.

In its consultation, the Welsh Government propose to introduce an earned income threshold in January 2019. This will mean that those households who have annualised net earnings from employment or self-employment of less than £7,400 and who are claiming Universal Credit will be entitled to free school meals. As this is an earnings threshold, it does not include income from Universal Credit or other benefits.

The Welsh Government's most up to date analysis suggests that more children will be eligible for free school meals throughout Universal Credit rollout because of this policy than otherwise would have been under the old legacy system. The Welsh Government intends to put transitional protection measures in place to protect families from losing entitlement to free school meals for a limited period. These measures would mean that no child would lose entitlement to free school meals during the rollout of Universal Credit, and then until the end of their school phase.

The consultation, which outlined the plans in detail, was available online through a dedicated response form, and responses were also accepted by email and letter.

Summary of consultation responses

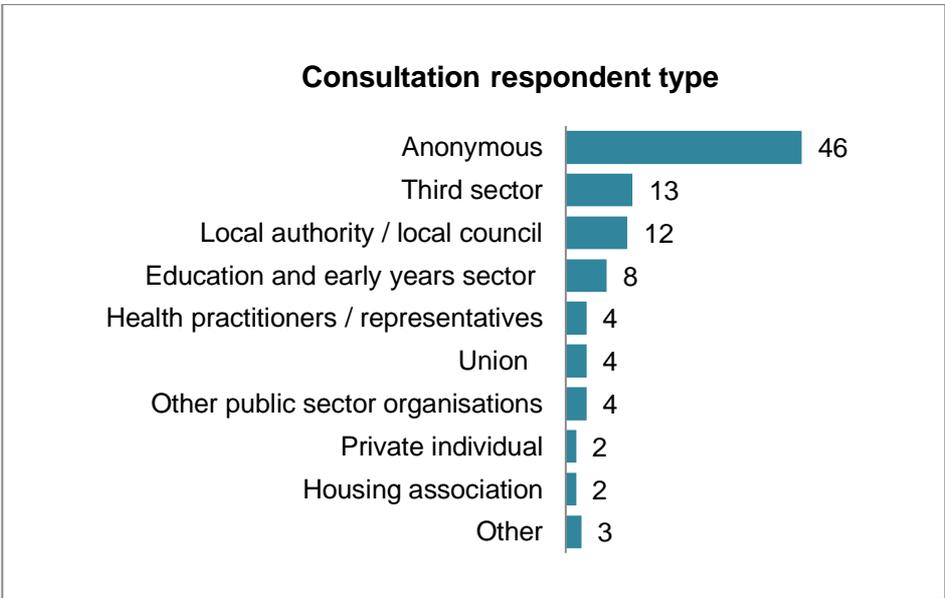
The analysis discussed in this section under the consultation questions (1 to 6) is based on the 98 consultation responses received. 65 responses were received via the Welsh Government's online consultation system. A further 32 responses were received via email. Of the 32 emailed responses, 23 responded to the consultation questions by number and

the remaining 9 responses did not. The analysed data from these 9 responses is discussed under the relevant consultation questions.

One respondent submitted an additional document to complement their consultation response. This related to commissioned research into the broader impact of benefit reform on families. It was not included in the analysis because it did not relate directly to the consultation questions but will be considered when the Welsh Government considers its response to the consultation exercise.

All respondents quoted in the report provided their responses in English, and they have subsequently been translated into Welsh

Where possible, the 98 consultation respondents have been categorised by type as follows:



Almost half of the responses were anonymous (46 respondents). The largest number of identified respondents were from the third sector (13), local authorities or councils (12) and the education sector (8).

Question 1

Question 1(a) – We are proposing a net earnings threshold of £7,400 per annum to determine eligibility for free school meals under Universal Credit. We should have a net earnings threshold. Do you: Agree, Disagree, Neither agree nor disagree.

Response	Number of responses
Agree	31
Disagree	43
Neither agree nor disagree	10
Total	84
Not answered	14

Just over a third of respondents who directly answered this question (31) agreed that there should be a net earnings threshold and half disagreed (43). Just over one in ten were undecided. 14 consultation respondents did not directly answer the question.

Question 1(b) – The net earnings threshold of £7,400 per annum is appropriate. Do you: Agree, Disagree, Neither agree nor disagree.

Response	Number of responses
Agree	12
Disagree	56
Neither agree nor disagree	15
Total	83
Not answered	15

Two thirds of respondents who directly answered this question (56) disagreed that the proposed net earnings threshold of £7,400 is appropriate and one in seven agreed (12). Just under a fifth (15) were undecided. 15 consultation respondents did not directly answer the question.

Question 1(c) – Is there anything else we need to take into account in setting the earned income threshold, which has not been covered in the consultation document?

In total, 29 responses to the consultation gave no comment at question 1c. While they may have responded to at least one of questions 1a or 1b, they gave no further explanation for their answers.

Those who agreed with the threshold at either question 1a or 1b tended to be less vocal in their opinions at question 1c.

The following sections look at the responses to question 1c by theme.

Misunderstandings and further clarification needed on the threshold

Whether respondents agreed with the proposed threshold or not, among the comments were a few misunderstandings relating to the proposed threshold or calls for more transparency or an explanation of the rationale for how the threshold of £7,400 was reached.

A few respondents seemed to be under the mistaken impression that the £7,400 earnings threshold relates to net household income rather than net earnings.

“A “State Pension” is set at approx £8,500.00. It is notoriously well known that this is inadequate to feed the one person, let alone a growing child / young adult”

Others were confused about whether the threshold applies to the individual or the household or thought that the description was ambiguous and lacked clarity.

“Is the net earning threshold per household, or per person?”

“The threshold seems to be too low and it is unclear what contributes to the ‘total’ household income”

A few called for more information and clarity on some aspects of the proposals such as the timelines involved.

“You do not state the definition for the end of UC rollout, is it the completion of the program nationally across the UK (or Wales), or will it relate to the completion of UC rollout in individual LA areas”

There were also calls for:

- A transparent display of costings
- Clear identification of the number and characteristics of children affected
- Evidence that the implications for children and families affected by the proposal has been analysed and considered.

“There is a worrying lack of reference and consideration for the broader picture when setting the income threshold”

Concerns

Many children living in poverty will remain ineligible for free school meals

A common concern about the threshold focused on the fundamental reason why free school meals are available – to help those in need. Many expressed concern that what they perceived to be a low threshold will mean that thousands of children living in poverty will not be given access to free school meals. Respondents suggested that the proposals will do nothing to address or improve the current situation in which children are living in poverty throughout Wales.

“Around 55,000 children who live in poverty in Wales are currently not eligible for free school meals. Many of these children are going hungry at school and missing out on

proven educational and health benefits from free school meals. Introducing a net earnings threshold for FSMs would mean that most of these children would continue to miss out”

“Our calculations show that around 55,000 school children in Wales live in poverty but are not currently eligible for free school meals. These children are almost entirely in low income working families. The vast majority of these children will continue to miss out as a result of the Welsh Government’s proposals, which it estimates will result in only 3,000 more children gaining eligibility on a net basis”

“Any proposal which fails to fully address the inequity of present arrangements has to be questioned. The consequence both for the child going hungry and for the parent who cannot afford the cost of school meals - often for multiple children - is grave and addressing this has to be our principle concern”

Within this theme, some respondents mentioned the impact on health, obesity, nutrition and other long-term implications of a poor diet associated with poverty. Some went further, pointing to evidence relating to the particular challenges Wales faces in terms of childhood obesity and other conditions compared to the rest of the UK. Free school meals eligibility was considered to be a key means of providing access to at least one nutritious meal per day for children in low income families. There was also reference to responsibilities to consider the long-term impact of the plans, including the need to consider preventative policies, in the light of the Well-being of Future Generations Act requirements.

“People in lower income groups have higher prevalence of diet related conditions such as diabetes, heart disease, obesity and certain cancers. Children’s obesity levels in Wales are the highest of the home nations with 27.1 % of children being overweight or obese. The gap between obesity levels in the most and least deprived quintiles has increased from 4.7 % in 2015-16 to 6.2 % in 2016-17. 14.9% of children living in the most deprived quintile are obese, and this is statistically higher than obesity prevalence in any of the other four quintiles. Children from lower income groups are also more likely to have poor growth and poor oral health. With the introduction of the Healthy Eating in schools Measure (2013), school meals are an opportunity for children to access a healthy nutritious meal that are more nutritious than packed lunches. Evidence suggests that only 1% of packed lunches meet the overall nutrition standards that apply to school food”

“Setting the wrong threshold will impact on the wellbeing of children and their families which will have a knock-on effect on attainment, attendance, support from services for children, education welfare and the health sector. The Well-being of Future Generations Act Wales 2015 'requires public bodies in Wales to think about the long-term impact of their decisions... to prevent persistent problems such as poverty, health, inequalities and climate change'.”

“Families earning minimum wage cannot afford to pay for school dinners... Providing packed lunches is certainly not the cheaper option and most certainly not the healthiest option despite our healthy eating programme”

“The social, education and health benefits for children accessing at least one nutritious meal every day have been well researched, documented and presented elsewhere. It is with this in mind that we have long campaigned with our partners for free school meals to be universally available for all children and young people in Wales. Yet for now, and in the context of this consultation, our concerns focus on those children most in need”

Impact on low income working families

Many respondents mentioned that the proposed net earnings threshold did not take into account working families on a low income, especially those believed to be financially worse off than some in receipt of benefits.

“The Welsh Government’s proposed criteria under Universal Credit will mean that it is children in low income working families who miss out on free school meals. The latest data from StatsWales shows that almost two thirds of children living in poverty in Wales are in working households. Many of these will not be entitled to free school meals under the proposed criteria”

“You need to take into account that some families who are working earn less than families who are in receipt of benefits”

“Need to take into consideration working families who are struggling as well. Working families are visiting food banks thanks to the rising cost of living... it shouldn't simply be the unemployed who benefit from free school meals”

“Working families often have less disposable income than those who do not work”

“With the introduction of an earnings threshold for free school meals, there is a risk that low income families could slip through the net”

“School dinners are unaffordable for working families as it is at the minute. By doing this you are going to create more parents having to stay out of work just to feed their children”

Families with multiple children and other financial pressures

A frequent theme mentioned by respondents was the financial pressure that increases with the number of children in the household. Some respondents noted that having a blanket earnings threshold does not take into account the situation of families with multiple children and the increased costs of living faced by those with larger families.

“We pay approximately £60.00 per week for school meals at present. Although, we are over the threshold, due to the cost of raising 5 children, we feel you shouldn't be discriminated because of your earnings as our outgoings are higher than most families”

“The take home figure does not allow for larger families and for the cost of associated school costs for them”

“Whilst we understand the need for a threshold, we feel it would be fairer a system whereby people with more than one child could benefit from a higher threshold. The threshold could be started lower than £7400 for one child and maybe increased by £500 for example, for each additional child up to a maximum amount”

“An earnings threshold that does not take in to account family size will penalise children from larger families, who may already be subject to the two child limit, because there is no taper system in place”

Another respondent went further, specifically highlighting that the potential impact on larger families could particularly affect those with specific religious beliefs or from certain ethnic and cultural backgrounds.

“We recognise that moving to a system that considers the level of net household income, rather than number of hours worked, is sensible. However, the proposed approach takes no account of family size. This means that larger families will be penalised. Particular religious, ethnic and cultural groups are more likely to have larger families. Children in such families may not be entitled to free school meals despite the relative poverty in which they live. The proposed approach would mean that a family with one child that earns a net income of £7,399 per year would be entitled to receive free school meals. However, a family with many children that earns £7,500 a year would be entitled to no free school meals. The 2011 census showed that 60% of Muslim and 52% of Jewish children lived in families that had 3 or more dependent children. The comparable figure for non-religious families was 29%”

Others commented that the proposals do not take into account other financial pressures, such as debt repayments, which would affect the level of disposable income available to low income families.

“Debts and financial pressure should be taken into consideration. Income may be correct on paper but things need looking at as a whole. A substantial amount of individuals have debts which eat into their income and if it’s CCJs they would struggle”

“Net income does not necessarily indicate the wealth of a family”

Fluctuating earnings and continuity

A common concern raised through the consultation was the potential for inconsistency in the way that eligibility is assessed on the basis of earnings. According to respondents, there are many ways that earnings averaged over three months may be misrepresentative, including those who are not paid on a monthly basis (those receiving weekly pay or four-weekly pay, for example) and those whose earnings fluctuate each month including seasonal workers and those on zero hours contracts.

“We are also concerned about the impact of the proposed earnings limit on families with fluctuating earnings, particularly where their earnings regularly cross above and below the limit. These families may find it very difficult to know at any point in time whether and when they can claim a free school meal, or whether they would be better or worse off working more hours. From the school’s perspective, this also adds administrative and logistical complexity. These issues will also affect seasonal workers. Even families with regular earnings patterns could be unfairly impacted by these proposals, particularly where their pay dates do not fit neatly into Universal Credit’s monthly assessment periods. For claimants who are not paid monthly, there will be occasions where they receive more than a month’s earnings within a single Universal Credit assessment period. This could result in them being assessed as ineligible for free school meals even though their annual earnings are below the £7,400 limit”

“The consultation does not outline how an income threshold would be applied, to a benefit that is paid monthly in arrears where earnings and entitlement will fluctuate. This will impact on many families who have zero hour contracts and those who are not paid calendar monthly”

“There is a lack of clarity over whether the earnings to be tested against the threshold take account of various deemed income rules for UC purposes, including the minimum income floor,¹ surplus earnings and the carry-forward of self-employed losses”

Some pointed out that this could result in families being eligible one month, then ineligible the next. This could leave parents not knowing if and when they can claim free school meals – and a few respondents suggested that this could lead to some parents not applying to take up their entitlement, even when they become eligible. Respondents also commented on the difficulties this could create for administrators in terms of complexity and the impact on resources.

“This will create serious practical problems for those who have to implement it making the policy almost unworkable and costly to administer, with claimants not knowing if and when they are entitled which will have a negative impact on take-up”

“If an earnings threshold is introduced, how and when people are assessed will be crucial. Universal Credit is assessed on a ‘live’ monthly basis and therefore eligibility can change frequently. We know that Wales has a high proportion of low income earners but also people in casual/seasonal work with inconsistent incomes. People who are employed on non-traditional contracts or self-employed may also face financial and administrative issues on UC. Those whose hours and earnings fluctuate may see these income variations made more extreme under UC, depending on the timing of their monthly assessment periods. Those who are not paid once each calendar month may see significant fluctuations in their benefit payments, with some needing to reclaim UC in certain month. Some people are also paid on a four-weekly basis which results in an income uplift in one month of the year. Therefore, if earnings are assessed on a more regular basis, then those with fluctuating earnings may find themselves ineligible if their earnings were higher on the previous assessment”

“Another issue includes those families who sit on the boundaries of the criteria cut-off, those whose income is unreliable, seasonal or sporadic. Children from such families either hop on and off the FSM entitlement and take up, or families simply choose not to apply in the first place as it is unclear to them when or for how long their child would be entitled for FSM”

“With any policy change relating to passported benefits, we believe it is essential to maintain consistency for children and parents or carers. If children drop in and out of free school meal entitlement this could not only affect their well-being but also affect low income families’ ability to budget effectively. It could also cause confusion for children and their families and stop them from claiming FSM in the months they are eligible”

Some respondents questioned the fairness of the transition period proposed, believing it unfair that a flat deadline would mean that families would have different periods of time to adjust to the changes.

“While a transitional period for the proposed changes is suggested in order to help protect those affected by the proposals, the transitional period is a fixed date – i.e. 2022, rather than period of time. The effect is that those migrated onto Universal Credit near the end of the transitional period will have little-to-no time to adapt to the change in eligibility, whereas those who migrate in 2019 will have up to 3 years protection”

Others suggested that any threshold should be linked to inflation, so that those who are eligible do not lose their school meals entitlement if their wages rise in line with inflation.

“By freezing the earnings threshold, research suggests that if it were linked to inflation, up to 100,000 extra children might be entitled to FSM across the UK by 2022”

“Inflation needs to be considered”

“As a consequence of not uprating the threshold with inflation or CPI, fewer new people will become eligible after the full rollout of Universal Credit”

Undermining the ethos of Universal Credit

At the core of Universal Credit is the aim “make work pay” by encouraging families to enter the labour market, work more hours, and/or strive to obtain better-paid jobs. Some respondents expressed concern that imposing a static threshold would undermine the intention of this policy and create a cliff edge scenario. Comments suggest that families nearing the £7,400 threshold may find themselves better off if they avoid increasing their earnings.

“The proposals also create a serious ‘cliff edge’ that completely undermines Universal Credit’s ability to ‘make work pay’. This could catch many families in a ‘poverty trap’ where working more hours would make them worse off overall once the value of losing free school meals is taken into account. For example, a family with three children currently earning just under the proposed £7,400 earnings limit would have to increase their annual wages by almost £3,000 to cover the loss of free school meals if they were to work a few more hours or get a pay rise. Around 22,000 low income working families in Wales - containing around 55,000 children - could be negatively impacted by this trap once Universal Credit is fully rolled out”

“One of the core aims of Universal Credit is to support families into work, ensuring they are always better off for every hour that they work. But the Welsh Government’s proposal deeply undermines that objective. In fact, many families will end up on a lower overall income as a result of taking on additional work”

“The proposed threshold is quite blunt and will be tilted towards families working more hours on lower hourly wages and away from families where the parents work for a low number of hours on a high wage. Consideration should be given to making the threshold fairer across working groups to make it less of a ‘cliff edge’”

“The proposal will have a negative impact on work incentives and risks creating poverty traps for claimants. Loss of free school meals for one child comes at a cost of £450 per annum for a family. A claimant’s income would only have to increase by £3 per month (£36 annually) and they will be worse off by £414 per year. Two children and the loss would increase to £828 per annum”

“An objective of UC is to encourage more families to increase their income through work, however if families on low incomes earning above the proposed threshold are no longer eligible this will be an added financial pressure. Work incentives may suffer as the eligibility threshold becomes a ‘cliff edge’ for families. It could take several additional hours worth of pay to get back to the equivalent household income which included FSM entitlement, particularly in households with more than one child. This could have serious

implications for a monthly family budget and discourage people from increasing their earnings”

In addition, some respondents were concerned about the loss of additional support – such as the Pupil Development Grant (PDG), which can be used to buy school uniform, equipment and sports kit – should a family lose their eligibility for free school meals. This could potentially discourage recipients from working more hours.

“Creating sudden changes to the benefits system has the potential to disincentivise people to increase their hours and take on further work, especially if eligibility for FSM is linked to other benefits, such as the Pupil Development Grant”

“We would also have significant concerns that this is not just about meals for learners, but has huge implications in terms of the Pupil Development Grant (PDG) for schools. The PDG is used to target funding at the most disadvantaged learners. These proposals mean that the learners will be doubly disadvantaged – impacting not only on their access to a free school lunch, but also on extra support in schools via the PDG”

Other concerns

Respondents raised several additional concerns in response to the proposed £7,400 threshold. These were not mentioned as often as other themes, but included:

- Current proposals overlook children with an unresolved immigration status
- The threshold is considered ‘too low’, with no further explanation
- The threshold will not work as a ‘one size fits all’ approach – it’s more complex.

Positive

Showing some support for the threshold

A few respondents agreed with the general principle of introducing a threshold, with some in agreement – or at least not disagreeing – with the £7,400 net earnings figure.

“Based on guidance that a typical family earning around £7,400 per annum would have a total household income of between £18,000 and £24,000 per annum once benefits are taken into account, the £7,400 seems reasonable”

The issue of financial sustainability was raised, should the net earnings threshold be raised.

“Any amendments to the proposed net earnings threshold of £7400 p.a would need to be subject to consultation as the financial impact may be unsustainable”

Another issue raised by respondents is the potential impact on public sector staffing and resources should any changes come into play.

“Staffing at national and LA level will be affected with the possibility of more resources being required. There should at least be a reference made to the management and administration impact of the changes”

Suggestions and preferences

'Increase the number of eligible children'

Numerous respondents called for more children – or in some cases all children – to receive eligibility for free school meals as a means of tackling child poverty across Wales.

Some respondents recommended that all children of families on Universal Credit should be eligible for free school meals, suggesting that the fact they are receiving benefits already means they are struggling financially.

“We believe that all families in receipt of Universal Credit should be eligible for Free School Meals”

“...we recommend that all children in families on Universal Credit should continue to be entitled to free school meals. This would cost around £35 million more than the Welsh Government's proposal, but is a price worth paying to prioritise meeting UNCRC and other obligations and ensure that all children in poverty can access at least one nutritional meal each day. It could be implemented without necessarily increasing Pupil Development Grant funding above current levels”

“Free School meals were introduced in the UK in 1947 to ensure that children in low income families, facing deprivation, could rely on having a nutritious meal every day at school. We believe this aim should still be at the heart of free school meal provision in the 21st century”

Others commented that eligibility for free school meals should be extended to all children across Wales.

“Net income does not necessarily indicate the wealth of a family. All school children in Wales should be entitled to a free school meal”

“It should be free for all pupils! My net is higher than £7,400 and I'm still struggling”

“Families earning minimum wage cannot afford to pay for school dinners. The threshold must be higher or better still feed all the children and fund it through a tax system for the highest earners. Our children are the country's future and we would do better if they had the very best start in life regardless of their social situation. Free breakfast and FSM for all children”

One respondent suggested that free school meals should be offered to children whose parents cannot or will not provide for them.

“Children should be fed if their parents are not providing them with food or unwilling to provide them with food, whatever their parents earn”

‘Follow other parts of the UK’

Some respondents questioned why the proposed plans do not seem as generous as those in other parts of the UK. Respondents often suggested either following Northern Ireland’s lead of a £14,000 threshold or England’s offer to include all children in Key Stage 1 free meals at school.

“England already have free school meals for Key Stage 1 (Reception and Year 1 pupils) in place – it is questioned why this is not replicated here in Wales. Why has Wales missed out on this additional funding?”

“In England and Scotland, free school meals are provided to all children in early years education with the recognition that in these years a nutritious meal is key to development”

“We are sighted of more generous arrangements in place in all the other nations, with a higher earned income threshold (almost double) introduced in Northern Ireland. In Scotland and England, universal free school meal arrangements are already in place for all infant school pupils which underlines the importance and prioritisation of the early years agenda”

“We would highlight that the figure for Northern Ireland is much higher – with eligibility for school lunches including ‘Child Tax Credit or Working Tax Credit with an annual taxable income of £16,190 or less”

One respondent also recommended that Welsh Government consider the Northern Ireland model as an example of how funds could be targeted at those who are most in need.

“The Welsh Government should follow Northern Ireland's lead and amalgamate all local education authorities into its education department. It can then fund schools directly so that each child is assessed on their needs, including for disability and low family income and that money goes directly to the school for that child”

Preventative spending

Understanding the financial implications of widening eligibility for free school meals, one respondent suggested that this should be considered preventative spending, potentially saving money for the Welsh Government in the long term.

“Financing a policy that maximises the numbers of children in Wales eligible for FSM should be viewed as preventative spending. Whilst we understand the overall budgetary constraints faced by the Welsh Government, we believe that the cost/benefit of providing more free school meals could have been weighed against the cost/ benefit of other areas of expenditure to assess whether it would merit funding in principle. The broader benefits of widening access to FSM are well known with economies of scale reducing the price per meal, improvements in children’s health generating savings for the NHS, educational benefits supporting a more prosperous economy as well as the potential to boost the rural economy and to deliver wider environmental outcomes such as improvements in land management and reductions in energy use and waste generation”

Auto registration and Ever 6

As discussed earlier, there are some concerns that parents and carers may not realise if they are eligible or not. Fluctuating earnings could also change their status from one month to the next. With this in mind, some suggested using auto registration and the 'ever 6' model to combat any confusion and lack of continuity. The 'ever 6' model has been used in England in relation to the Pupil Premium Grant. In England, pupils who are known to have been in receipt of free school meals in any of the previous six years attract the Pupil Premium Grant, which is allocated to schools and local authorities.

“...a system of auto-registration would be fairer and more accurate. It would not require families to remember to apply for FSM in order to ensure their children receive the additional support in their schools”

“We also believe that the use of the Ever-6 measure, which indicates if a child has ever taken up / been eligible for FSM during that educational period, should be applied across Wales to ensure that those families who hover between the two criteria, retain the support of the resource to mitigate against the impact of poverty on their children’s educational outcomes. Welsh Government have recognised this issue and sought to address it but more needs to be done”

Other suggestions

Alternative options and amendments suggested include:

- A combination of provision – for example universal elements and eligibility-based provision
- A variable earnings limit which adapts according to household circumstances
- Introducing an option to opt-in to partly-funded school meals as income increases.

Question 2

Question 2(a) – Pupils who are eligible at the point the threshold is introduced in January 2019, and new claimants under the threshold who gain FSM during the rollout of UC, should have their entitlement to FSM protected. Do you: Agree, Disagree, Neither agree nor disagree.

Response	Number of responses
Agree	58
Disagree	17
Neither agree nor disagree	11
Total	86
Not answered	12

Around two thirds of respondents who directly answered this question (58) agreed that pupils in these circumstances should have their entitlement to free school meals protected. Similar proportions stated that they disagreed (17) and neither agreed nor disagreed (11) with this proposal. 12 survey participants did not respond directly to this question.

Question 2(b) - Is there anything else we need to take into account in terms of protecting families affected by the change, which has not been covered in the consultation document?

42 responses were received to question 2(b). 28 comments were made by those agreed at question 2(a), 6 comments came from those who disagreed and 6 from those who stated 'neither agree nor disagree'. A further two comments were received by those who did not respond to question 2(a). Similar themes emerged across these responses, which are outlined and discussed below. A very small number of additional comments were made which did not specifically relate to question 2(b). These covered the perceived lack of need for free school meals and supporting policy, and some parents not prioritising their children's nutrition.

Maintaining and extending free school meal entitlement

As in question 1c, a range of opinions were expressed pertaining to maintaining and extending free school meal entitlement. Several respondents commented that free school meal entitlement should be protected for children who need it the most. These particular groups of children included those who are looked after by local authorities, and those whose parents are in receipt of Universal Credit.

“Children who are taken into care and become looked after children should be entitled to free school meals”

“All children in receipt of Universal Credit should continue to receive free school meals, making complex transitional arrangements unnecessary”

Others reflected that the planned changes were unnecessary, and that current eligibility should be maintained:

“Given the impact of the withdrawal of Free School Meals on household income and future strategic planning within schools, current eligibility should be protected”

There was some feeling that free school meals should be extended to all children. This would ensure that all children in need of school meals would receive them, helping to ensure that all children receive the best possible start in life:

“All children should be entitled to free school meals they are the future of Wales and should all be protected”

The transitional protection plans

Numerous respondents welcomed the transitional protection plans, stating that they were fair and would enable the impact of the policy to be monitored effectively. The transitional protection plans would also ensure that children who were no longer eligible for free school meals under the new plans would not be disadvantaged, particularly in light of the uncertainty regarding the numbers of families who will lose eligibility under the new plans. One respondent commented that the transitional period should be extended.

The length of the transitional period was seen to be excessive by some respondents. This could disadvantage learners who were at the end of their educational phase relative to those at the start. Extending the transitional period to the end of learners' educational phase could result in families in need missing out on free school meals and those receiving it who did not need to, leading to a “two tier system where some families living in poverty do not have access to free school meals while others are in receipt of free school meals who no longer require the support”. Several respondents suggested that a fairer approach would be to review free school meals eligibility annually.

Other comments received to this effect were:

“The protection could lead to inequality for families earning the same with the same circumstances but some will be eligible for FSM under the transitional protection, some won't if they are not protected under the transitional protection”

“Using the Nia example from the consultation document, we do not think there is a need to provide this length of protection if a parent were to have that level of income. A fairer approach would be to think about protecting the FSM provision until the end of that school year. Any subsequent drop in income would trigger FSM provision again anyway”

Another respondent listed three categories of respondents who should not receive transitional protection:

1. Families receiving legacy benefits and whose circumstances change taking them out of the benefits system altogether
2. Families whose earnings rise above the threshold during the rollout period, and
3. Families who become Universal Credit claimants during the rollout period and whose earnings subsequently rise above the new threshold during the rollout period.

The earned income threshold

Respondents also used question 2b to comment on the proposed income threshold, which was specifically addressed under question 1. A variety of opinions were expressed on the threshold's perceived fairness.

To others, while changing the Universal Credit threshold was not unfair in itself, the resultant changes would be difficult for families to accept and to manage.

"Families who will not meet the threshold need to be informed early so they can plan. However, it is unfair that someone who did meet a previous criteria should be protected against those who did not but earn the same as a neighbour who would benefit from protection"

Some respondents would welcome a variable earned income threshold to ensure that families with more than one child are not disadvantaged.

"A family whose earnings are just greater than the threshold but have more than one child would end up in a significantly worse financial position if no account is taken of this factor. For example, if the cost of providing a daily school meal for a child is about £2.50, then it would cost about £475 per year. We would suggest that using this sort of calculation, the threshold should be adjusted according to the number of children in a family. This would be fairer and help ensure that such families are not penalized"

Equality, discrimination and stigma

As noted in the analysis of responses to question 1c, some question 2b respondents viewed automatic free school meals enrollment a way to mitigate against the potentially stigmatising effects of eligibility for free school meals (eFSM) whilst ensuring that all eligible pupils took up their free school meal entitlement and minimising the administrative burden on local authorities.

"...this is an opportunity for WG to ensure automatic eligibility for those pupils, avoiding unnecessary bureaucracy. FSM should be a passported benefit; they should not be something which parents 'choose' to apply for. Free school meals are for the children and young people, but such a system would ensure that all those who are entitled to, do actually benefit, as well as enabling schools to evidence the true level of challenge caused by deprivation"

Undermining the ethos of Universal Credit

Again, as with question 1c, there was some feeling among respondents that the proposed changes to free school meal eligibility criteria undermined the ethos of Universal Credit. Those who were of this opinion expressed concerns that the plans could have the opposite effect, penalising families for working more hours and/or getting a pay increment. Comments made to this effect include:

"Analysis by the Children's Society also shows that once a family with one child passes the £7,400 threshold set by Universal Credit means testing, they would need to earn £1,124 a year more, the equivalent of working an additional 2.4 hours each week at national living wage, to make up for the loss in FSM. In effect, this creates a 'cliff-edge' where many families would be better off taking a pay cut"

“...there is a risk that the Welsh Government’s policy could disincentivise parents from entering the labour market or increasing their working hours. Given the clear links between work and poverty, as set out in 4(iii) we believe that the introduction of any cap that would disincentivise work would be a negative development”

Broader impacts

Respondents listed a range of broader impacts that the Welsh Government should consider in terms of protecting families affected by the impending changes, and in improving access to healthy, affordable food. These were:

- As noted in responses to question 1c, negative impacts on children’s health and wellbeing through losing free school meal eligibility, using “holiday hunger” as an example to illustrate the impact of receiving free school meals on low income families. This could be compounded by rising living and food costs
- In tandem with broader changes instigated by benefit reform, the perceived additional financial pressure that the proposed changes to free school meal eligibility criteria will place on families, especially lone parent families and those with a disabled adult or child. Those responding to question 1c also raised this issue
- Seeking to support the Welsh rural economy through “offering a predictable and guaranteed market for Welsh farmers and other local producers” via the extension of eligibility for free school meals.

Relationships to other policies and funding streams

The Pupil Development Grant was the funding stream mentioned most frequently by respondents in relation to the proposed changes to free school meal eligibility criteria. Some reflected that the Pupil Development Grant would complement the changes by providing additional support to pupils who need it during the transition period.

Echoing some of the responses to question 1c, some also emphasised under question 2a that Pupil Development Grant eligibility should receive transitional protection in line with free school meal eligibility to lessen the changes’ impact on families. One such comment to this effect was:

“Any protection should also apply to the PDG as well as FSM as schools as well as families should be allowed time to plan changes to their funding rather than facing a sudden cliff edge”

Some respondents suggested amalgamating funding streams to maximise efficiency:

“Free School Meals and money for funding additional learning needs should be amalgamated and renamed School Pupil Premium”

Potential administrative burden

Concern was raised over the perceived administrative burden that the new changes would place on local authorities, particularly in relation to checking ongoing eligibility once the transitional protection period ended.

Accordingly, increased administration and delivery costs for central and local government were highlighted as a consideration for the Welsh Government in implementing the new

plans. These costs would rise in line with the number of categories receiving transitional protection and the length of the transitional period. It was also noted that local authorities may require a software upgrade to administer the changes, resulting in additional costs.

“As no additional funding has been provided to WG to manage the impact of an increase in the free school meals caseload, this could impact on others budgets in WG to fund this additional cost”

The need to issue clear guidance to local authorities throughout the rollout period was also highlighted as a key consideration for the Welsh Government going forward, due to the plans’ potential to add complexity to free school meal administration.

Specific guidance would be welcomed on how local authorities should manage free school meal applications, particularly from vulnerable families, when an application for free school meals is made during the initial Universal Credit assessment period which by default is a period of 5 weeks.

The administrative timeline was also raised as a consideration for the Welsh Government. Should there be any delay to the Universal Credit rollout, any free school meal entitlement changes should also be delayed in line with this to ensure that the maximum number of children can benefit from transitional protection.

In line with responses received against question 1c, due to changes in free school meal administration necessitated by the impending plans, concerns were raised that families would not realise that they had become eligible for free school meals. This could result in children missing out, as reflected by the following comment:

“Through the administration of housing benefit claims, Local Authorities have historically had the opportunity to quickly identify and signpost eligible families to also claim their free school meals entitlement. This will no longer be the case and there is the potential that some, including vulnerable families will not be aware of their entitlement to free school meals. Any potential to improve the formal processes between DWP and LAs to address this issue would be welcomed”

Eligibility for free school meals as a proxy measure of deprivation

Some respondents were concerned that the new changes may make it more difficult to track the effectiveness of policies aimed at improving poverty and educational outcomes, as reflected by the following comment:

“We would also be concerned about comparable information brought in by the changes. How will WG know that it is delivering on better opportunities for children and young people who are eFSM if eFSM has changed so much?”

Suggestions for improvement

Respondents suggested several ways in which the proposed changes to free school meal eligibility criteria could be improved. Echoing some of the responses to question 1c, one related to introducing the ‘ever 6’ measure that the UK government has implemented. Respondents felt that this would prevent working families living in poverty from being disadvantaged by the new plans if they increase their hours or receive a pay increment.

They also commented that the ever 6 model would enable schools to plan and track specific interventions more effectively, and target funding more accurately.

Question 3 and Question 6

Question 3 and question 6 were general questions which asked respondents to list additional points for the Welsh Government to consider in relation to the consultation. The topics raised in response to both questions were very similar. For this reason, the analysis of these responses is combined and discussed below.

Question 3 – Do you think there is anything else we need to take into account, which has not been covered in the consultation document?

Question 6 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

41 comments were made in response to question 3 and 34 comments for question 6. For both questions, respondents tended to reiterate points they had made in response to questions 1c and 2b for emphasis. The themes are consequently similar to or in some cases the same as those which arose in response to questions 1c and 2b.

Maintaining and extending free school meal entitlement

As in questions 1c and 2b, several respondents felt that free school meals should be extended to all learners. Some reflected that free school meal entitlement should be extended to all who need it.

“Provide universal FSM to all children or at the very least, provide FSM to all families who are in receipt of means tested benefits”

“FSM are key in preventative work and should be protected”

Again, as reflected in earlier responses, others stated that FSM should be extended to all in receipt of Universal Credit. This would ensure that more children in need receive free meals, simplify the proposed plans’ implementation, and have positive cost implications.

“Wales does not provide Universal Infant free school meals - Universal Credit eligibility would be a far more progressive and equitable approach to ensure that children in need of all ages can access the provision. It would support the majority of families that are struggling (in work and out of work) and mitigate some of the potential “Brexit effect” on food prices. It would simplify the benefit system and prevent the disincentive for additional working due to a threshold “cliff edge”

Some acknowledged that while universal free school meals was an “ideal”, it was unlikely to be affordable.

“In an ideal world, FSM would be universal. This is the only way to ensure all children receive at least one nutritious meal a day...However, we recognise that such a radical solution may be unaffordable at this stage without reductions in budgets elsewhere or additional funding for the Welsh Government. Furthermore, we recognise that applying income-based criteria can be an effective way of targeting those households which are most in need of the financial support”

Others recommended introducing universal free school meals for infants as a more affordable way of ensuring children in need receive the benefits of a nutritious meal every day.

“In the short term, we believe that the Welsh Government should consider providing free school meals to all school children below year 2, as is currently the case in England and Scotland. Adopting this approach would ensure that no child in Wales is at a disadvantage when compared with children in England and Scotland”

The transitional protection plans

Several respondents advocated changing the proposed transitional protection plans. As noted under question 2b, some stated that the transitional protection period should be reviewed annually to ensure that all who need it receive it, rather than continuing eligibility for those whose employment situation has improved. Others recommended extending the transitional period to the end of compulsory schooling if parental income does not exceed the threshold.

“We further feel that no child who is currently eligible for free school meals should have them removed before they leave school unless their parents’ income exceeds the new threshold”

The earned income threshold

Some respondents supported a reduced income threshold. Reflecting responses to questions 1c and 2b, there was some support for a variable earned income threshold. This should be reviewed on an ongoing basis in line with parents’ fluctuating incomes to prevent current recipients from being disadvantaged.

“Average earnings change over time and keeping the threshold of £7400 pa fixed throughout the rollout period...which has now been revised to at least March 2023 by the DWP, is a long time without uprating or review”

“It will be important to keep the level at which access to being eFSM is set under review to ensure it continues to support as many disadvantaged pupils as possible and also to ensure that there are no longer-term disadvantages to those pupils who in receipt of free school meals under the current arrangements (July 2018)”

Building on responses to questions 1c and 2b, others called for the Welsh Government to clarify how the threshold would apply for those with fluctuating incomes.

“It is disappointing that there is no detail about how the Welsh Government proposes to apply an annual threshold to an individual in receipt of UC who might have fluctuating income either side of an equivalent monthly threshold...Whether or not this is resolved in a way which matches the regulations as laid out for England, whereby average earnings of up to three months are considered, the related administrative complexity is clear”

As in question 1c, some suggested that the Welsh Government should consider Wales’ unique circumstances when setting the country’s threshold rather than adopting the same threshold as England.

“Although we understand the Welsh Government’s concern about additional pressure on budgets, it is disappointing that the starting point of the consultation is to propose exactly the same threshold as that set in England on the basis that to do anything else would be ‘unaffordable’. As Lord Tebbit neatly stated in the House of Lords debate on the topic, regarding the discrepancy between the £14,000 threshold in Northern Ireland and the £7,400 threshold in England: ‘Is it not clear that there would be no point in devolved government unless devolved Governments were able to take different policy lines?’”

Equality, discrimination and stigma

Several respondents highlighted the need to monitor the impact of the proposed changes on compliance with equality legislation.

“[Respondent] welcomes the inclusion of the draft equality impact assessment. However, [respondent] reminds the Welsh Government that the Public Sector Equality Duty (the Duty) also applies to local authorities and schools. [Respondent] has pressed local authorities to ensure that all equalities matters covered by the Duty are undertaken in a credible and robust way...[respondent] therefore insists that, in addition to the continued monitoring of any impact that the proposals may have, the Welsh Government identifies and implements measures to bring about full compliance with the Duty by local authorities and schools”

There was some feeling that the term ‘free school meals’ stigmatises disadvantaged children and young people. Respondents made several suggestions for reducing the stigma attached to receiving free school meals. Using automatic registration and cashless systems was key to this, as noted in responses to earlier questions.

“Maybe free school meals could be distributed as vouchers so children entitled to free school meals have a lunch box like everyone else”.

“In order to maximise the proportion of those eligible for FSM actually claiming them, we would like to see the Welsh Government offer a commitment to automatic registration...a more innovative solution might involve each child paying for their school meals by a charge card, on which the State would automatically load credit. This would go a long way to alleviating the issues around stigma (because each child would pay in the same way) as well as introduce the opportunity for a tapered benefit (thereby mitigating the cliff-edge effect)”.

“Consideration must be given to enabling automatic registration for all eligible families and their children. This should be a priority as it supports Welsh Government’s priorities for reducing child poverty”.

One respondent highlighted that automatic registration would require data sharing between different local authority departments. Some local authorities would need to change their data sharing processes to enable this.

Expanding free school meal eligibility would reduce stigma, as the following comments reflect.

“Maybe all pupils should be required to have meals at school so it is not obvious who is having them for free and who is having to pay”

“You should consider giving free school meals to all children. This will guarantee all children what may be their main meal of the day. It will also remove the stigma of some children who may be on free meals”

“We believe that the Welsh Government should, as a medium-term policy objective, consider introducing universal free school meals in Wales. Such an approach would ensure that no child in Wales, living in poverty, would be ineligible for free school meals, whilst also removing the stigma surrounding the benefit”

As raised under question 1c, some respondents were concerned that the plans would disadvantage larger families. This would indirectly discriminate against blended families and those from certain ethnic and religious backgrounds who tend to have larger families. The Welsh Government was therefore urged to review the plans’ potential impact on family size.

“With the changing family make up it is not unusual for households to have a combination of step children from previous relationships brought together by new couples living together. It is also not unusual for some ethnic minorities to have larger family sizes and who may therefore be indirectly impacted by these types of provision and more so if there are changes to the adults in the household bringing up one or more groups of children following death or relationship breakdown. We would urge Welsh Government to undertake a review where it is able to of the impact of these proposals in respect to family size”

“...this proposal will have an impact on children with certain protected characteristics who are already at an increased risk of experiencing poverty. This proposal will mean fewer children receiving FSM than if the current legislation was maintained (all Universal Credit claimants); BME/traveller communities and members of religious backgrounds are more likely to have larger families and thus likely to be affected disproportionately by this policy as there is no link to family size”

“The failure to consider family size in free school meal assessments will have a greater impact on children in particular religious and ethnic groups, protected characteristics under the Equalities Act 2010...”

The equality impact assessment produced by the Education Directorate made no reference to family size. Religion and race are protected characteristics. Family size needs to be considered in free school meal assessments to ensure that groups with protected characteristics are not adversely impacted”.

Again, echoing responses to question 1c, additional concerns were expressed about the staggered rollout period disadvantaging families in local authorities which transitioned later.

“...the phased roll-out of Universal Credit would mean that it would impact on different households at different points in time, depending on their geographical location and the type of legacy benefits to which their adult members had been entitled. As the Welsh Government recognises, this feature of the implementation phase of Universal Credit could create significant discontinuities in recorded levels of disadvantage, both within and between individual schools”

This was also linked to other funding streams:

“Given that numbers of pupils receiving free school meals impacts on the RSG and the allocation of PDG and EIG we are concerned that the Authorities at the end of the rollout period will be disadvantaged and some mechanism needs to be built into the funding formula to ensure that each Council is treated equally”

“The timetable for the roll-out of Universal Credit in Wales commenced in July 2017, with the last LA’s due to commence the roll-out in December 2018. The implication (due to the protection criteria) is that the LA’s with the earlier roll-out will have a “higher” number of FSM eligibility (than the “norm”) and this could distort the distribution of funding to LA’s from WG – notably – Revenue Support Grant & the Education Improvement Grant (EIG) pupil deprivation funding – is that fair?”

Broader impacts

Respondents envisaged that the plans could have a range of broader impacts. Several of these were similar to those already mentioned in relation to questions 1c and 2b, including:

- **Increasing child hunger/food poverty:** Numerous respondents predicted that more children would go hungry through losing their free school meal eligibility, emphasising that the Welsh Government had overlooked this in their calculations:

“You need to consider the children in this more. The parents are [going to] be worse off under UC and will be struggling to make ends meet. Children will be going hungry, this may be the only hot meal of the day”

“So many children go without food on a daily basis, this proposal will increase this number and force more children into food poverty. FSM should be made more available not restricted further”

“...we would have liked to see the background to the estimate of 3,000 more pupils becoming eligible for FSM after the proposals are fully rolled out. The consultation documents for England...claimed that 50,000 more pupils would be eligible, but analysis by the Institute for Fiscal Studies makes it clear that this is a net figure, behind which 160,000 children who qualify under the existing system will become ineligible. If we were to extrapolate this to the estimate for Wales, it suggests that nearly 10,000 Welsh pupils could become ineligible under the reforms. We understand this is in addition to the c. 55,000 pupils reported to be living in poverty in Wales who are already ineligible for FSM”

“The Welsh Government has provided its view that its proposal meets these obligations. However, this is based on the argument that it results in 3,000 more children becoming eligible for free school meals than at present. This doesn’t take account of the fact that the policy represents a cut in eligibility when compared to existing arrangements, under which all children in families on Universal Credit are eligible for FSM. We believe Welsh Government should give further consideration to ways in which all children in Wales living in poverty have access to free school meals”

- **Increasing obesity and poor nutrition,** frequently linking to ‘holiday hunger’:

“It is also well documented that the impact of school holidays and holiday hunger is severe; without support in place at time of need this is likely to extend to term times”

“Increasing eligibility and uptake of free school meals is one of the most effective ways to impact on diet”

- **Increasing educational underachievement linked to hunger**

“Free school meals enable children to have a healthy, nutritious meal at lunchtime. For many children this meal together with their free breakfast maybe the only meals these children have. The benefits of these meals are not just finance and health related, but also contribute to improved concentration and engagement in lessons”.

- **Investing in the future:** The impact of (extending) free school meal on long-term health, educational, and economic outcomes. As also outlined in question 1c and 2b, some viewed free school meals as preventative spending, helping to minimise the future impact of obesity and poor nutrition on health budgets:

“Working parents do not always or have time to take into account their children’s needs so school meals are a must if we wish for them to take over from us”

“Financing a policy that maximises the numbers of children in Wales eligible for FSM should be viewed as preventative spending...we believe that the cost/ benefit of providing more free school meals could have been weighed against the cost/ benefit of other areas of expenditure...The broader benefits of widening access to FSM are well known with economies of scale reducing the price per meal, improvements in children’s health generating savings for the NHS, educational benefits supporting a more prosperous economy as well as the potential to boost the rural economy and to deliver wider environmental outcomes such as improvements in land management and reductions in energy use and waste generation”

- **Increasing financial pressure on families:** Combined with tax increases and wider benefit reform, the plans were predicted to place additional strain on families. Some respondents feared that losing free school meal eligibility could result in losing additional support which many families rely on. This could push them further into debt and also have implications for schools and local authorities:

“Free school meals often act as a passport to other support, such as help with school clothing, trips or music lessons, or discounted access to leisure facilities. This means that entitlement to free school meals can be worth significantly more to struggling families than just the direct meal value itself”

“The benefits of ensuring every school child has access to a nutritious meal every day during term time are well understood and not disputed. However, an understanding of the consequences of a child not having access to such a meal, or for a family who cannot afford to pay, is not evident in the consultation document”

“Reducing the number of children entitled to FSM, will increase the number of children who are on the ‘cliff edge’ and the result will mean the number of families who are in school meal debt will increase...many of these children attend school without any arrangements made for their lunch...This puts the school in a difficult position, with often the Headteacher having to make the decision to authorise the child to have a school lunch for welfare reasons. This then creates a debt for the family.... Schools and local authorities can incur substantial debts which are often written off. There is a cost to each school meal provider for these debts, and this will need to be considered if the number of children having free school meals is reduced”.

- **Sourcing food locally to support suppliers:** Several respondents noted that the plans could and should support local food suppliers, although some noted that these impacts would only be achieved through widening access to free school meals:

“Could a wider initiative be looked at in terms of addressing food poverty, levering in local producers and calling to account the larger supermarkets who throw away large

amounts of fresh food? Food banks are relying on donations of tins and non-perishable food but is there not a wider initiative incorporating locally grown and freshly produced meals for the nation rather than pockets of children and households going hungry because the food chain is dysfunctional. This could also link to the wider agricultural policy once the UK leaves the European Union. There is such a richness in natural resources in Wales it would be beneficial for those in poverty, those currently following unhealthy diets and surely the planet, to look at the issue of food through a wider scope piece of work that is beyond saving minimal amounts of funding due to subsidising free school meals for those below a specific income threshold”

“The broader benefits of widening access to FSM

[include] the potential to boost the rural economy and to deliver wider environmental outcomes such as improvements in land management and reductions in energy use and waste generation”

- **Impact on attendance, behaviour and attainment**

“It must also be recognised that for some children, access to free school meals is the only opportunity for them to receive a hot meal and acts as an incentive to attend school. Removal of this incentive could have an impact on school attendance.

Welsh Government have identified that there will be an increase in entitlement and need to plan accordingly for this additional cost”

Undermining the ethos of Universal Credit

As noted in responses to questions 1c and 2b, there was some feeling among respondents to questions 3 and 6 that the plans could undermine the ethos of Universal Credit through disincentivising parents to enter work or to earn more money through obtaining a better-paid job or working more hours. Some respondents explicitly linked this to the earned income threshold, suggesting that raising the threshold could prevent these issues from arising.

“Restricting support to those suffering poverty....can create perverse disincentives to earn additional income, and a ‘poverty trap’ for those who do so and lose benefits”

“Main concern is with 7.4k threshold and the potential for a cliff edge effect where anything over that amount would result in non-entitlement - could potentially act as a barrier to parents getting into work/increasing hours”

“Given the cliff-edge nature of the threshold, there will inevitably be individuals who will choose to turn down an extra hour of work, or even a small pay rise, for fear of losing FSM for all of their children. This is fundamentally inconsistent with the basic policy design of UC, under which work should always pay. It creates a trap for those in this situation, with knock-on impacts for the children and their employers or businesses”.

“...Welsh Government should consider raising the net amount of earned income to a minimum income standard relevant to family size; or consider a taper system so that families will not be worse off by undertaking additional hours of work and or having a small increase in pay”

Similarly, some respondents noted that the plans should favour working households above non-working households, as intended. A comment made to this effect was:

“...help working people not those who don't help themselves and get everything on a plate”

“often working parents struggle more than non-working parents who earn cash in hand”

Relationships to other policies and funding streams

As observed under question 2b, several respondents also used question 3 to discuss the Pupil Development Grant. Respondents stated that they would welcome advice on aligning the free school meal eligibility changes with the Pupil Development Grant.

“We note that the funding mechanism for allocating the PDG in 2018-19 and 2019-20 is based on a two year allocation. We would welcome any clarity on the proposed mechanisms going forward and the opportunity for input prior to any mechanisms being finalized”

Others emphasised the need to ensure that Pupil Development Grant funding continues to reach those most in need following the proposed plans' implementation, recommending that the Pupil Development Grant should be monitored to identify what impact the plans have:

“It will be important to monitor the impact of any increase or decrease to the pupil development grant funding in schools to see if there are positive or negative impacts. It may be worth looking at this across different free school meal bands to identify patterns or to see if the impact is more notable in some than others”

“While the Pupil Development Grant and the Early Years Pupil Development Grant (EYPDG) are not the direct focus of this consultation, we would be concerned if such programmes were undermined as a result of proposed changes to the eligibility criteria for FSM...we are particularly concerned about the impact of any changes to eligibility for the EYPDG. We believe all children living in poverty should be eligible for the grant and that the current FSM criteria do not achieve this. This should be considered separately from FSM eligibility. We remain concerned that there are children who should be being supported by the EYPDG who are currently not receiving that support”

“As we said in our introduction, FSM has a huge impact on schools as they are linked to eligibility for the PDG. Thus, children who will lose out under the new system by not getting a free meal will be doubly disadvantaged by the proposed system, and could really tip the balance in terms of the budget for some schools”

Several respondents noted that changes to the numbers of pupils who are eligible for free school meals could affect the amount and distribution of funding to schools. In tandem with this, they emphasized the need to ensure that funding is fairly distributed in line with need.

“[Respondent] reminds the Welsh Government that there is already a significant shortfall in funding in schools across Wales compared with maintained schools in England which amounted to some £306 million in 2015-16. Against this background, [respondent] maintains that the Welsh Government will need to take measures to protect schools, early years settings and local authorities from any reductions in their funding allocations which could result from the introduction of revised eligibility criteria for FSM”

Another respondent highlighted the need to link up free school meals policy with other policies to maximise health and wellbeing outcomes for disadvantaged pupils:

“There needs to be a strategic approach to food policy in Wales of which FSM is part. The report by the Climate Change, Environment and Rural Affairs Committee, Rethinking Food in Wales earlier this year concluded there is a need it’s a major a strategic vision for the Welsh food sector which makes connections between different policy areas, such as health, wellbeing and sustainability, alongside economic growth”

According to other respondents, funding streams supporting learners from deprived backgrounds should be amalgamated to save money and target support more accurately, reflecting a similar point made under question 2b.

“It is essential that free school meals is renamed. The example of "Pupil Premium" is just an example. Other benefits, like free school uniforms could be part of a unique individual child's "Pupil Premium". Huge amounts of money could be saved by merging local education authorities into the Welsh Government's education department and sending school funding including money for free school meals directly to schools”

“There is an enormous opportunity for Wales to take a broader policy view on Free School Meals that could encompass breakfasts/lunch/supper clubs and holiday provisions (and possibly other costs of the school day such as school uniforms)... Give schools greater funding through Pupil Development Grant which could be ring fenced in some way for holiday provisions / breakfast clubs /supper clubs – creating a more integrated and sustainable approach to school food”

Respondents also expressed that other policy changes which had adversely impacted on learners from deprived backgrounds should be revisited:

“Uniform grants for primary or remove primary school uniforms”

Administration issues

Under question 2b, respondents expressed their concerns that the free school meal plans would increase the administrative burden on local authorities. They expanded on these responses under question 3, emphasising that the processes for checking and tracking families’ eligibility for free school meals should be straightforward. Some were concerned that the processes for checking free school meal eligibility could cause an administrative burden for local authorities.

“The Eligibility Checking Service (ECS) isn’t working very well since the introduction of Universal Credit. What are the proposals for verifying eligibility for FSM going forward? Without a reliable system to establish eligibility LA’s will struggle to administer manual checks which will make the process costly, time consuming and cumbersome”

Also echoing responses to question 2b, respondents recommended that the Welsh Government should work in partnership with local authorities to enable them to understand the administration issues which were likely to arise when implementing any changes.

“We would suggest that Welsh Government consult practitioners within local authorities on the potential administration issues related to any proposals with the aim of making the implementation and day to day operation of any new criteria more both efficient and effective”.

Under questions 3 and 6, respondents raised concerns about administrative delays causing financial hardship for families:

“A delay in processing UC claims may result in families experiencing hardship, particularly if it goes on for more than 4 weeks. A process needs to be put in place to ensure that there is no delay in eligible pupils receiving FSM”

“The transition from working tax credits to universal credits is too long. This means that many families will be treated less favorably unless FSM eligibility is implemented for all. At present there are many families who move on and off the register and a more timely implementation would ensure all were treated fairly”

Some said that the plans' administrative changes would be difficult for families to manage and could even lead to families not realising they are eligible. They say that this would ultimately result in more children going hungry. Accordingly, respondents highlighted the need to communicate clearly with and support families affected by the changes

“UC is paid monthly; some parents can't manage the money properly. So say week 2 -4 there's no money to be uploaded to a dinner account. What is the child to do then? As much as the adverts say there's help available, there isn't. This will create more children going hungry in our schools. You can't have this!”

“Not many parents can manage their money at the best of times. They won't top the dinner accounts up to last the month when an unexpected bill comes in. This system is the worse benefit system to be put into place in a long time. How is it we have starving children in this country? How is this possible!”

“Encouraging families to claim free school meals can be difficult and the more complex the scheme the less likely people will be to make a claim. We are concerned that by over complicating the protections it may result in families, who are genuinely in need of help being discouraged from claiming”.

“The consultation document does not contain details on how any proposed changes would be communicated and what support and advice would be offered to help families impacted by the proposed introduction of an earnings threshold. Any changes to the eligibility criteria for free school meals must be communicated widely to parents and carers in order for them to make decisions, plan and budget accordingly. Welsh Government should publish a communication and engagement plan as soon as possible. Signposting to quality assured financial guidance and budgeting support should be included in any communications issued by Welsh Government”

“Better publicity and targeting by LAs and DWP so families don't miss out on this help”.

Building on responses to questions 1c and 2b, respondents highlighted the need for transparency around the additional administrative costs which would be associated with implementing the plans, particularly around the earned income threshold:

“The taper i.e. cliff edge is too great. Yet to do any different would mean lots of forms, lots of pages, lots of complicated questions and that tends to mean lots of things going wrong and an army of staff to administer and check it all, probably costing as much as granting free school meals to all on universal credit. NB there is nothing on the Welsh Assembly Government’s website about any of the costs of administering this”

“There is no information available on the financial support to schools. As free school meals eligibility increases, schools will be required to provide a greater number of free school meals. We would be grateful for any information on financial support, if any, available for schools who are likely to experience difficulties due to a lag in the school funding system”

“...the situation around funding is exacerbated by the lack of detail in the consultation document in relation to the financial support that will be made available to local authorities through the Local Government Settlement, apart from considering whether financial support to meet the impact of the £7,400 threshold and the transitional protection offer will be made available”

Respondents also expressed concern about the increased cost of implementing any free school meal changes:

“We have concerns about the cost of the additional number of meals. Although it is good for pupils to have a hot school meal, it will come with significant cost – not only the cost of providing additional meals, but also the possibility of increasing staff numbers to manage the increased meal numbers”

“There is uncertainty as to how many extra children will be in this category, as some children may already be having school meals. Education caterers will find it difficult to plan for this, but potentially there will be a requirement for additional catering equipment, changes to school day to accommodate extra meal sittings for pupils, recruitment of extra staff. Will funding be available for this, as after the transitional period ends, extra staff and equipment may no longer be required?”

One respondent suggested following England’s example and implementing a school-level meal cost grant to help local authorities with the cost of implementing the changes.

A small number of respondents commented that current free school meals funding is sufficient. Several suggestions were made regarding how best to fund the changes, and how to maintain and/or extend free school meal entitlement. Some stated that politicians, Chief Executives and bankers should receive a pay cut to fund the changes:

“Take money off all the top MP’s and put that in to fund every child having free school meals”

“You have not stated where you would otherwise obtain the monies to repay councils for higher demand, so how about publishing the high incomes of the many, a % of which could be used to bridge the gap. The Government already has taken billions from the miners pension funds, so how about taking from the pension funds of Chief Executives and Bankers?”

Another respondent suggested that the Welsh Government should demand the additional funding from Westminster:

“It is so distressing to witness the Welsh Government (Labour and Lib Dems) accept, without question, the cuts imposed by Westminster. Why? Austerity is a political choice made by this Tory WM government. Where's the challenge? Why are you doing the dirty work of the Tory government? UK is the sixth largest economy in the world and yet here you are, scratching like rats to make financial savings on free school meals. How low can you go? Think about what you are proposing. Just stop and think. It's 2018 and there are children in Wales who are hungry. Instead of an income threshold where you effectively impose the Tory austerity agenda, demand the additional funding from Westminster”

Eligibility for free school meals as a proxy measure of deprivation

Some respondents were concerned about the continued validity of eligibility for free school meals as a proxy indicator for deprivation and the subsequent allocation of support for learners from deprived backgrounds.

“We are aware that Welsh Government uses FSM provision to assess the impact of poverty and deprivation on educational achievement. We have concerns that with additional access to FSM, the impact on children experiencing poverty and deprivation will not be accurately assessed and appropriate provisions for further support won't be appropriately provided. Safeguards need to be put in place to ensure that those from the most impoverished backgrounds are not unfairly impacted”

“To ensure fairness and equity of entitlement for all pupils, [respondent] believes that the funding mechanism for schools must reflect the additional costs related to pupil deprivation, socio-economic circumstances, school location and setting and ensure the provision of, and access to, high-quality education and related support services for children and young people, including vulnerable children.

The provision of funding for free school meals (FSM) and the use of FSM indicators as a proxy for deprivation are therefore instrumental in ensuring that vulnerable children are properly catered for within the system. The mechanisms must therefore be efficient, appropriate and equitable”.

Others recommended carefully monitoring eligibility for free school meals to ensure its appropriateness for assessing school accountability going forward. A related point was made under question 2b.

“...changes in the criteria used to determine FSM eligibility could impact on the extent to which schools are deemed to be serving disadvantaged pupil populations and, as a result, influence how the effectiveness of a school is evaluated in the context of the current school accountability framework. In these circumstances, a school could be deemed to be serving more or less disadvantaged pupil populations than had previously been the case, despite no change in the actual levels of deprivation experienced by these populations”

Suggestions for improvement

As in responses to question 1c and 2b, respondents suggested that introducing the 'ever 6' model to allocate free school meals would improve the proposals. This would mean that children who have received free school meals at any point during the last six years would attract the Pupil Premium Grant, which is allocated to schools and local authorities.

Additional comments

Respondents made a range of additional comments which were not directly related to any of the above themes. These covered:

- **Broader policy changes which have increased poverty:** These included raising the mandatory school starting age with the result that infants in need no longer receive free school meals.

"[Local authority] has raised the age for school to just before 5th birthday from 3.5 years. Thus many small children in pre school no longer can access free school meals. Children arriving at pre school with very meagre lunch boxes being supplemented by staff own pockets to top up with heavy snacks. As well as no access to school taxi service to access 3+ funded preschool education"

- **The perceived lack of need for free school meals, and the plans' potential to increase benefit dependency**

"I don't think free school meals should be provided"

"People manage to feed their children during school holidays so why do people even have free school meals"

"There is a missed opportunity to ask the vital question about why meals should be provided by school and not in the family home. The current policy continues a culture of dependence on the state"

- **Allocating more time and importance to meal times**

"Make meal times more important. Most schools have several sittings and rush the children"

- **Concerns about the nature of the consultation questions and the need to ensure that its outcomes are considered**

"We would also like to highlight the Consultation Principles 2018 and, in particular, the second principle thereof, which states that consultations should have a purpose and consultation responses should be taken into account when taking policy forward...We are concerned that the consultation document does not set out any other options and costings and does not seek answers to any specific questions – this suggests that because other options are unaffordable that a decision has already been made to set the threshold at this level irrespective of the outcome of the consultation"

- **The need for transparency**

Some respondents expressed that insufficient information was provided about the new plans' calculations and their potential impacts on children. They called for the Welsh Government to provide detailed information about this going forward.

"...a decision of this nature requires: a transparent display of costings; clear identification of the number and characteristics of children affected; and evidence that there has been an analysis of the implications for any children affected by these arrangements, linking

this to their rights. This should also include identification and analysis of any differential impacts by virtue of providing a range of transitional arrangements”

- **Using the plans as an opportunity to review free school meal policy and related matters around school food provision**

“This is a prime opportunity for Welsh Government to look at the issue of Free School Meals in its entirety. To ensure that we have the best model going forward that will meet the needs of our children for the future”

“The review of FSM should be seen as an opportunity to review food provision in schools and food insecurity faced by families. We support a more robust way of measuring food insecurity in Wales that will inform policy not only on free school meals but also breakfast provision and holiday provision”

- **Increasing devolved powers to Wales to enable greater influence on political decision-making**

“Devolve welfare to Wales. Take responsibility”

Question 4

Question 4 – We would like to know your views on the effects that amending the eligibility criteria for free school meals would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

What effects do you think here would be? How could positive effects be increased, or negative effects be mitigated?

In total, there were 54 responses to this question. The most recurrent theme in the consultation responses was that respondents could not see the relevance of this question. 28% of respondents believed either free school meals had no direct implications on the Welsh language, or that the Welsh language was not relevant to the consultation. Some of the respondents clarified that this was because both English-speaking and Welsh-speaking learners will be equally impacted by the loss of free school meals. Comments made to this effect included:

“We don’t think it would have an impact on the Welsh language”

“I do not see what the Welsh language even has to do with free school meals”

“Speaking Welsh or English won’t make a difference if you’re impoverished and your meal has been taken away”

“We see this as irrelevant”

Numerous respondents predicted that the plans would impact on educational attainment, as mentioned elsewhere in the consultation responses. Respondents expressed that hungry learners would not be able to focus on or engage with the Welsh language, as the following comments convey:

“Reducing the number of children eligible for FSM will increase the number of hungry children. Hungry children will not be able to focus on taking opportunities to speak Welsh”

“Hungry children in schools will result in pupils not engaging or having the concentration to learn the language.”

“Reducing FSM availability will create more hungry children and will obviously affect the Welsh language learning just like all other subjects for these children”

Other respondents mentioned the plans’ broader implications for educational attainment under other questions in the consultation, which they referred to in this question. This was interpreted as an indirect impact on the Welsh language. Some respondents referred to research to enhance their arguments.

“Hungry children ... won’t be able to learn or concentrate in school”

“The report evidenced that eating nutritious meal[s] at lunchtime ... increased concentration during the afternoon”

“There are children living in poverty who are not entitled to a free school meal and that the nutritional implications of this have a wider impact on attainment levels for some of these children.”

Another prevalent theme was that Welsh speakers would be disproportionately disadvantaged by the plans. The main concerns highlighted were the levels of poverty in predominantly Welsh-speaking areas and the roll-out of Universal Credit in Wales.

“There are significant levels of deprivation and poverty in some Welsh-speaking, particularly rural areas. Changes to free school meals alongside the introduction of Universal Credit across Wales could negatively impact those families and children where UC services are not available in Welsh”

“The rollout of UC in Wales has been delayed in the mainly Welsh speaking areas until the end of the rollout timetable ... families who live in the predominately Welsh speaking areas may be at a disadvantage as they may not have an entitlement under the old scheme and therefore do not qualify for free meals through the protection offered by the new scheme. Although [it’s] not directly linked to the language ... there is a significant risk that the families which lose out will be Welsh speaking and as a result the Welsh language will not be treated as favourably as English”

Additionally, one participant anticipated that the plans would disadvantage those with protected characteristics, as stipulated by the Equality Act 2010.

“This proposal will have an impact on children with certain protected characteristics who are already at an increased risk of experiencing poverty”

Some respondents felt that free school meals should be used as an opportunity to promote bilingualism and the equality of both the English and Welsh language in Wales.

“English and Welsh languages are both equally important.”

“The opportunity should be used to promote the use of Welsh and allows the child to use the language in [a] live situation and would encourage them to [use] the language”

Question 5

Question 5 – Please also explain how you believe the proposed policy amending the eligibility criteria for free school meals could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

Far fewer responses were received for this question (38 in total). Around three in five respondents (61%) did not respond to the question. As with question 4, a fifth (19%) of respondents did not believe that the Welsh language was relevant to the consultation or see how the eligibility of free school meals would affect those who speak Welsh.

Some respondents mentioned that the plans would affect learning in general, echoing the points made in response to question 4. Additionally, some respondents expressed strong sentiments about the proposed eligibility criteria changes and the Welsh language.

“Free school meals won’t have an effect on either language, but it will have an effect on learning”

“It should be about feeding a child not whether or not they can speak the language. This should not be a political opportunity but a humanitarian one”

“Greater provision of free school meals for the many, of both language base, and as they both speak both languages in schools, there should not be any detriment to either language”

“There should be no connection ... If free school meals are provided, it should not be tied to any form of incentive related to language”

Another overlapping theme from question 4 is respondents’ perception that the policy could be used to encourage use of the Welsh language and promote bilingualism among learners in Wales. This would help to ensure that the Welsh language is not treated less favourably than English.

“The Welsh language is already treated less favourably in life than the English language, so for a child to see the language in use would encourage the use of the language”

“If the products being purchased are in bi-lingual packaging Welsh could be used more frequently but not at the expense of English”

A recurring theme throughout the consultation responses that was reinforced in a few responses to this question was that extending the eligibility criteria for free school meals, whether to families receiving Universal Credit or universally, would minimise any adverse effects on the Welsh language. A few explicitly referred to the Welsh language in these responses, whereas others spoke more generally to emphasise points made elsewhere, perhaps again indicating an indirect impact on the Welsh language.

“It is difficult to find a method by which the families in the Welsh speaking areas could be treated equally to families already in areas where UC has been rolled out, unless the protection is extended to include families in receipt of working tax credits who currently would not have an entitlement to free school meals”

“Adverse effects proving eligibility is always time consuming. Evidence is coming in [that] universal credit is in itself having an adverse effect. Give all children free school meals and tax those earning enough to pay for it”

“Increase the numbers of pupils receiving FSM. Many are on the borderline now”

A further comment related to automatic enrolment for free school meals, as mentioned elsewhere. This respondent advocated promoting free school meals within communities where proportionally more people speak Welsh to prevent them from being disadvantaged.

“[Respondent] would like to see automatic enrolment for free school meals. If enrolment is not automatic, it will be vital for free school meals to be promoted to Welsh speakers especially as there are communities with a high density of Welsh speakers with average salaries among the lowest in the UK”

The final suggestion to emerge under this question raised a broader policy-relevant point. The respondent proposed using products with bilingual labelling so that more money would be invested in Welsh businesses through procurement.

“When the UK leaves the EU, the Welsh Government will be able to stipulate that only products with bi-lingual labelling be used, by for instance setting aside Article 34 TFEU and the Consolidated Procurement Regulations. This will mean more of the Welsh Government's money going to Welsh businesses”

Annex A – Consultation questions

Question 1(a) – We are proposing a net earnings threshold of £7,400 per annum to determine eligibility for free school meals under Universal Credit. We should have a net earnings threshold. Do you:

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
--------------	--------------------------	-----------------	--------------------------	-----------------------------------	--------------------------

Question 1(b) – The net earnings threshold of £7,400 per annum is appropriate. Do you:

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
--------------	--------------------------	-----------------	--------------------------	-----------------------------------	--------------------------

Question 1(c) – Is there anything else we need to take into account in setting the earned income threshold, which has not been covered in the consultation document?

Question 2(a) – Pupils who are eligible at the point the threshold is introduced in January 2019, and new claimants under the threshold who gain FSM during the rollout of UC, should have their entitlement to FSM protected. Do you:

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
--------------	--------------------------	-----------------	--------------------------	-----------------------------------	--------------------------

Question 2(b) – Is there anything else we need to take into account in terms of protecting families affected by the change, which has not been covered in the consultation document?

Question 3 – Do you think there is anything else we need to take into account, which has not been covered in the consultation document?

Question 4 – We would like to know your views on the effects that amending the eligibility criteria for free school meals would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Question 5 – Please also explain how you believe the proposed policy amending the eligibility criteria for free school meals could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Question 6 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.