



Department  
for Education

# Free school meals

**Guidance for local authorities,  
maintained schools, academies and free  
schools**

**March 2018**

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# Summary

## About this guidance

This is guidance from the Department for Education. This advice is non-statutory, and is designed to help recipients understand their obligation to provide free school meals to disadvantaged pupils in maintained schools, academies, and free schools in England.

This guidance can be read alongside technical guidance on the Department's Eligibility Checking System (ECS) and guidance on free meals in Further Education.

## What legislation does this guidance refer to?

- The Education Act 1996
- The Welfare Reform Act 2012
- Children and Families Act 2014

## Who is this guidance for?

- Local authorities
- School leaders, school staff and governing bodies in all maintained schools, academies and free schools

## Main points

- The Government recognises the benefits of providing a healthy school meal to the most disadvantaged pupils. The Education Act 1996 requires maintained schools and academies (including free schools) to provide free school meals to disadvantaged pupils who are aged between 5 and 16 years old.
- In April 2018, the criteria used to determine which pupils are eligible for free school meals will be updated to reflect the introduction of Universal Credit and the phasing out of other income-based benefits<sup>1</sup>. The updated criteria are being introduced following a public consultation, and the full list of qualifying benefits for free school meals eligibility is provided on page 5. Under the updated criteria, we estimate that by 2022 around 50,000 more pupils will benefit from a free school meal compared to the previous benefits system.

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<sup>1</sup> Subject to parliamentary procedure.

- We have also taken steps to protect free school meals for those families that would otherwise lose eligibility following this criteria change. These protection arrangements are described on page 10.
- A template letter that can be used to explain the changes to parents and guardians is available at Annex B.
- We want to make sure as many eligible pupils as possible are claiming their free school meals, and to make it as simple as possible for schools and local authorities to determine eligibility. To support this:
  - we provide an Eligibility Checking System (ECS) to make the checking process as quick and straightforward as possible for schools and local authorities.
  - we have developed a model registration form (at Annex A) to help schools encourage parents to sign up for free school meals.
  - we also provide guidance to Jobcentre Plus advisers so that they can make Universal Credit recipients aware that they may also be entitled to wider benefits, including free school meals.

## **Updated eligibility criteria under Universal Credit**

The Government is simplifying the welfare system by gradually replacing a number of income-related benefits with Universal Credit.

This means that a number of the legacy benefits that previously entitled families to free school meals are being phased out and will cease to exist. As a temporary measure, Universal Credit was added to the list of qualifying benefits for free school meals in 2013, pending the introduction of new eligibility criteria. The temporary criteria were designed to ensure that families moving onto Universal Credit in the early stages of rollout did not lose their entitlement to free school meals.

The Department has now made amendments to the eligibility criteria for free school meals to reflect the introduction of Universal Credit. These new criteria will come into force on 1 April 2018.

## Eligibility criteria for free school meals

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

### Who is eligible for free school meals?

Free school meals are available to pupils in receipt of, or whose parents are in receipt of, one or more of the following benefits:

- Universal Credit (provided you have an annual net earned income of no more than £7,400, as assessed by earnings from up to three of your most recent assessment periods)
- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Support under Part VI of the Immigration and Asylum Act 1999
- The guarantee element of Pension Credit
- Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
- Working Tax Credit run-on – paid for four weeks after you stop qualifying for Working Tax Credit

In addition, the following pupils will be protected against losing their free school meals as follows (please see page 10 for further details):

- From 1 April 2018, all existing free school meals claimants will continue to receive free school meals whilst Universal Credit is rolled out. This will apply even if their earnings rise above the new threshold during that time.
- In addition, any child gaining eligibility for free school meals after 1 April 2018 will be protected against losing free school meals during the Universal Credit rollout period.
- Once Universal Credit is fully rolled out, any existing claimants that no longer meet the eligibility criteria at that point (because they are earning above the threshold or are no longer a recipient of Universal Credit) will continue to receive free school meals until the end of their current phase of education (i.e. primary or secondary).

The Universal Credit rollout is currently expected to complete in March 2022.

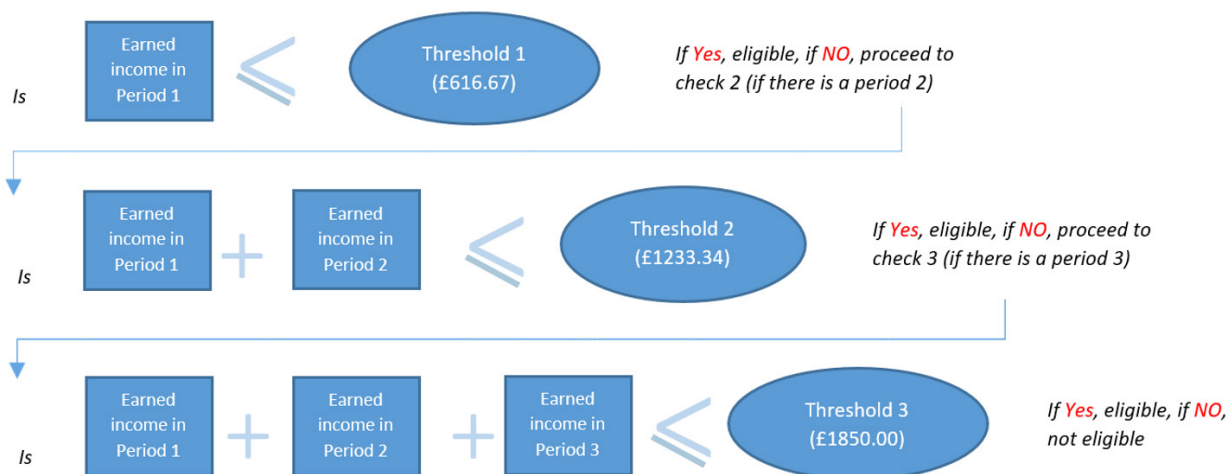
A pupil is only eligible to receive a free school meal when a claim for the meal has been made on their behalf, and their eligibility has been verified by the school where they are enrolled or by the local authority.

## Assessment of earnings for Universal Credit recipients

Applicants for free school meals who are in receipt of Universal Credit must have an equivalent annual net earned income of no more than £7,400 in order to be eligible for free school meals. The monthly checking arrangements outlined below are designed to take into account claimants whose earnings may fluctuate on a monthly basis.

- Firstly, a Universal Credit claimant will be checked for monthly net earned income not exceeding £616.67 (a twelfth of an equivalent yearly income of £7,400) in their most recent Universal Credit assessment period. If they meet this criterion, they are eligible for free school meals and no further checks are necessary;
- If their earned income exceeds the above threshold for their most recent Universal Credit assessment period, the claimant will be checked for net earned income not exceeding £1,233.34 (a sixth of an equivalent yearly income of £7,400) in their two most recent assessment Universal Credit assessment periods, provided there are two such assessment periods. If they meet this criterion, they are eligible for free school meals and no further checks are necessary;
- If their earned income exceeds the above threshold for their two most recent Universal Credit assessment periods, the claimant will be checked for net earned income not exceeding £1,850 (a quarter of an equivalent yearly income of £7,400) in their three most recent Universal Credit assessment periods, provided there are three such assessment periods. If they meet this criterion, they are eligible for free school meals.
- If Universal Credit recipients do not meet any of these criteria, they will be ineligible for free school meals.

Only complete assessment periods will be checked.



## Checking eligibility

The responsibility for checking the eligibility of applicants for free school meals rests with the individual school. However, many schools will choose to work with local authorities to carry out these checks via our simple Eligibility Checking System.

Schools and local authorities, where appropriate, should record the date on which they receive the initial application for free school meals from a parent or guardian. Eligibility checks should be carried out promptly to ensure that the most accurate and up-to-date information is being utilised.

Schools may choose to receive applications by paper or online. Whilst online applications can be more efficient, schools and local authorities should have an alternative system for those who cannot access an online system. A model template for paper-based applications can be found at Annex A and online [here](#).

## Eligibility Checking System

All local authorities have access to the Department's Eligibility Checking System (ECS), which provides a simple and rapid online portal for determining households' eligibility for free school meals, and other early education entitlements.

The ECS allows local authorities to quickly check data held by the Department for Work and Pensions, the Home Office and HMRC to establish eligibility for free school meals. This system has been updated to reflect the new eligibility criteria and will conduct a check under Universal Credit by looking back at up to three months of assessment periods to determine eligibility. Local authorities can find further guidance on the ECS Knowledge Hub, which is available on the ECS [portal](#).

Maintained schools, academies and free schools are all able to use the ECS through local authorities.

If a parent feels that the result returned by the ECS is inaccurate, they may provide the equivalent paper-based evidence to their local authority who must then complete a manual check.

- For Universal Credit recipients, this check should assess the earned income from the months provided against the thresholds stated above for the relevant assessment periods.
- For recipients of other benefits, the check should assess whether the claimant is currently in receipt of the stated benefit and, in the case of Child Tax Credit, that their annual gross income is no more than £16,190.

Applicants must provide appropriate paper based evidence from the list below. Local authorities can award free school meals if they are satisfied that the paper based evidence demonstrates that the eligibility criteria are met. Evidence should be retained for audit purposes.

### **Paper-based evidence**

There may be instances when parents need to submit paper-based evidence in support of their free school meals claim. This may be especially relevant for families claiming under income-based benefits, or when they are unable to submit information through the online Universal Credit system.

For families that might be eligible for free school meals under Universal Credit, applicants should provide:

- a copy of their Universal Credit award statement (from their most recent assessment period(s) – going back a maximum of three assessment periods).

The three relevant Universal Credit assessment periods would be the three complete assessment periods which immediately preceded the date on which the parent requests free school meals.

For families that are eligible for free school meals under Child Tax Credit or a legacy benefit, applicants should provide:

- a letter from Jobcentre Plus confirming eligibility or Income Support payment book;
- a Tax Credit Award Notice (TC602) from HM Revenue & Customs.

For families that are eligible for free school meals under Part VI of the Immigration and Asylum Act 1999 or the guarantee element of the Pension Credit, applicants should provide:

- a letter from the Asylum Seekers Team or the National Asylum Support Service (Home Office) (NASS) stating that they are receiving support under Part VI of the Immigration and Asylum Act 1999;



- a 'Pension Credit M1000 Award Notice' clearly showing details of any Guarantee Pension Credit in payment.

## Ongoing eligibility checks

During the rollout of Universal Credit, protection arrangements mean that no further eligibility checks will be required. Schools should continue to record pupils claiming free school meals – including those being transitionally protected – as eligible for free school meals on the termly school census, as they do now. We will keep this process under review.

We will issue further guidance to schools on the frequency of eligibility checks when the rollout of Universal Credit is complete.

## Encouraging free school meal registration

We want to make sure as many eligible pupils as possible are claiming their free school meals, and to make it as simple as possible for schools and local authorities to determine eligibility.

To receive free school meals, a claim must be made by the pupil, their parent or another responsible adult, before the pupil becomes entitled. We know that many schools and local authorities have established very effective ways to encourage all eligible families to register for free school meals.

The Department provides the Eligibility Checking System (ECS) to make the checking process as quick and simple as possible for schools and local authorities.

To encourage parents and guardians to register for free school meals, schools and local authorities may wish to use our updated model registration form for paper-based applications at **Annex A**. We will continue to highlight and disseminate best practice from the schools and local authorities who are most effective at encouraging free school meal registration on Gov.uk and through our newsletters.

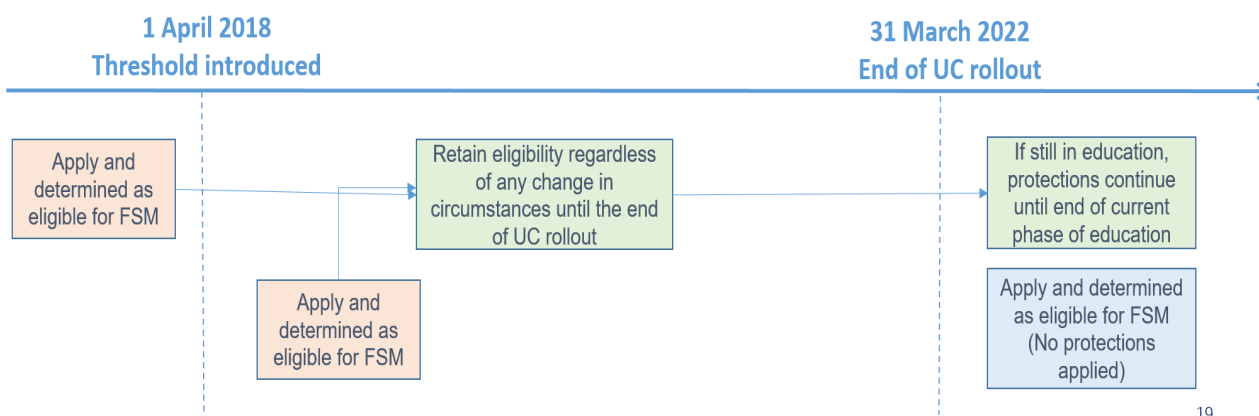
We also provide guidance to Jobcentre Plus advisers and work coaches so that they can make Universal Credit recipients aware that they might also be entitled to free school meals.

## Transitional protections

From 1 April 2018<sup>2</sup>, transitional protections will be implemented for those pupils who might otherwise have lost free school meals following the update to the eligibility criteria. The transitional protections will be awarded as follows:

- Any pupil who is in receipt of free school meals immediately prior to 1 April 2018 will continue to receive free school meals whilst Universal Credit is rolled out. This applies even if they no longer meet the eligibility criteria during that time.
- Any pupil who gains eligibility for free school meals after 1 April 2018 will continue to receive free school meals during the Universal Credit rollout period. This applies even if they no longer meet the eligibility criteria at a subsequent point during the rollout period.

Once Universal Credit is fully rolled out, any existing pupil who no longer meets the eligibility criteria at that point will continue to receive free school meals until the end of their current phase of education, i.e. primary or secondary.



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During the rollout of Universal Credit, protection arrangements mean that no further eligibility checks will be required. Schools should continue to record pupils claiming free school meals – including those being transitionally protected – as eligible for free school meals on the termly school census, as they do now. We will keep this process under review.

For eligible pupils who are in maintained nursery provision, end of phase will be defined as the end of the primary phase.

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<sup>2</sup> Under the Welfare Reform Act 2012 (Commencement No. 30 and Transitory Provisions) 2018.

For middle school pupils, end of phase will be determined by the predominant age range of the school. Middle schools that have a predominantly primary age range should be treated as primary schools for the purposes of transitional protections. Middle schools that have a predominantly secondary age range should be treated as secondary schools for the purposes of transitional protections.

New applicants for free school meals on or after 1 April 2018, who are in receipt of Universal Credit and have earnings above the earned income threshold, will not be eligible for free school meals.

## **Protection for younger siblings**

Transitional protections are put in place on an individual child basis, not on a family basis. This means that younger children will not become entitled to free school meals simply because their older sibling is in receipt of transitional protections. Extending transitional protections to families would lead to unfairness in the system for those children without older siblings.

The younger child must meet the eligibility criteria at the time the application for free school meals is made in order to be entitled to free school meals.

# Free school meals for infants and 16-18 year olds

## Universal Infant Free School Meals

Since September 2014, state funded schools in England have been required by law<sup>[1]</sup> to provide free lunches to pupils in reception, year 1 and year 2, who are not otherwise entitled to benefits-related free school meals. Like other school meals, universal infant free school meals must meet school food standards in maintained schools; similarly academies and free schools are required to comply with the standards by virtue of their funding agreements, with the exception of a proportion that we expect to comply voluntarily.

Further guidance on funding arrangements for universal infant free school meals is available [here](#). An online toolkit to help schools deliver universal infant free school meals available [here](#).

## Free meals in Further Education

The 1996 Education Act requires further education (FE) funded institutions to provide free meals to disadvantaged students. Further guidance on eligibility criteria and funding arrangements for free meals in further education is available [here](#).

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<sup>[1]</sup> Children and Families Act 2014

## Delivering free school meals

### School meal grants

A school-level meal cost grant will be introduced for the 2018-19 and 2019-20 academic years to accommodate the costs associated with a larger than average increase in the cohort of pupils who are eligible for free school meals.

The allocations will be determined by the difference between a school's free school meal numbers in the October censuses as follows:

Financial Year	What we will measure	What schools will receive
2018-19	School-level FSM increase between October 2018 and October 2017 census	Measured increase in number of pupils x £440
2019-20	School-level FSM increase between October 2019 and October 2018 census	Measured increase in number of pupils x £440

This grant will not affect a school's allocation through the pupil premium, national funding formulae, or any other source of existing funding. Schools can expect to receive their funding allocation for this grant in February 2019.

We will set out further technical details in due course, including how we will adjust for overall changes in pupil numbers in schools facing significant growth. This guidance will be available by the end of summer 2018.

### Data sharing arrangements

During the rollout of Universal Credit, protection arrangements mean that no further eligibility checks will be required. Schools should continue to record pupils claiming free school meals – including those being transitionally protected – as eligible for free school meals on the termly school census, as they do now. We will keep this process under review.

To help schools identify the number of pupils claiming free school meals, and those pupils receiving protection, schools will have the ability to check through the Key to Success download. This functionality will be available later this year, and further information will be provided then.

## Measuring school performance

The updated eligibility criteria and the introduction of transitional protection arrangements mean that breakdowns of headline accountability measures by disadvantage will not be directly comparable from year-to-year or between schools because the nature of the cohort of pupils receiving free school meals will change. These differences are, however, likely to be minor for most schools.

We are currently considering how best to present the disadvantage data from 2018 onwards and further information will be made available. Clear communication will also be issued to those working with schools, such as Regional Schools Commissioners and Ofsted. These communications will be issued before schools get their first set of school level data in the September data checking exercise, so that schools are not unfairly penalised in these circumstances.

## Home to school transport

Statutory guidance is issued separately for home to school transport.

Eligibility for free school meals is currently the primary means of determining eligibility for extended rights (ER), and will continue to be so. The introduction of the new threshold and protections will mean that more pupils are eligible for free school meals. It is therefore likely that more pupils will be eligible for ER. We are currently considering whether this will necessitate the allocation of additional funds to local authorities for the 2018-19 financial year. Further information will be available in due course.

## Local provision

Local authorities may provide additional support, either financial or material, to families that they deem to be in need. This may include provisions such as uniform grants, free music lessons, or free instrument hire.

Local authorities have the discretion to determine their own criteria for eligibility for local provisions. This may include the use of free school meal eligibility as a proxy measure for need. The policy on charging for school activities provides further guidance and is available [here](#).

## Further information

### Useful resources and external organisations

- [Online toolkit for Universal Infant Free School Meals](#)

### Other relevant departmental advice and statutory guidance

- [Eligibility Checking Service guidance](#)
- [UIFSM: guide for local authorities and schools](#)
- [16 to 18 education: free meals in further education](#)

### Other departmental resources

- [Free school meals and pupil premium: model registration form for schools](#)

# Annex A: Model registration form for free school meal eligibility

Dear Parent/Guardian,

We want to make sure that we are providing your child with the best education and support we can. Healthy school food has obvious health benefits and can help pupils establish healthy habits for life. Healthy school food can also help to improve pupils' readiness to learn.

Families who receive certain benefits may be eligible for free school meals. Your child is eligible for free school meals if you're in receipt of one of the following benefits:

- Universal Credit with an annual net earned income of no more than £7,400.
- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Support under Part 6 of the Immigration and Asylum Act 1999
- The guarantee element of Pension Credit
- Working Tax Credit run-on (paid for the four weeks after you stop qualifying for Working Tax Credit)
- Child Tax Credit (with no Working Tax Credit) with an annual income of no more than £16,190

Registering for free meals could also raise an extra **£1,320** for your child's primary school]/**£900** for your child's secondary school], to fund valuable support like extra tuition, additional teaching staff or after school activities.

This additional money is available from central government for every child whose parent is receiving one of the benefits listed above.

To check if your child is eligible, we need information about you and your child. Please complete this form and return to your child's school by **[date]**.

## ABOUT YOUR CHILD/CHILDREN

Child's Last Name	Child's First Name	Child's Date of Birth			Name of School
		DD	MM	YYYY	
		DD	MM	YYYY	
		DD	MM	YYYY	



## PARENT/GUARDIAN DETAILS

	Parent/Guardian 1			Parent/Guardian 2								
Last name												
First Name												
Date of Birth	DD	MM	YYYY	DD	MM	YYYY						
National Insurance Number*												
National Asylum Support Service (NASS) Number*		/		/				/		/		
Daytime Telephone Number												
Mobile Number												
Address												
	Postcode:			Postcode:								

## FAMILY INCOME AND BENEFIT DETAILS

If you receive any of the benefits listed below, please place an X in this box.

- Income Support
- Income-based Jobseekers Allowance
- Income-related Employment and Support Allowance
- Support from NASS under part 6 of the Immigration and Asylum Act 1999
- the guarantee element of Pension Credit
- Child Tax Credit (with no Working Tax Credit)
- Working Tax Credit run-on
- Universal Credit.

### Universal Credit

If you are in receipt of **Universal Credit**, is your net earned family income over £7,400 per year? (Please place an X in the appropriate box).

Your net earned income is your household income after taxes and deductions. It does **not** include income through Universal Credit or other benefits that you may receive.

Yes  No  Unsure

### Child Tax Credit

If you are in receipt of **Child Tax Credit**, is your joint gross annual income over £16,190 per year? (Please place an X in the appropriate box).

Your joint gross income is your household income before taxes are taken into account.

Yes  No  Unsure

If you're not sure whether you receive one of the listed benefits, or what your household income is, but you would still like us to check whether your child is eligible for free school meals, please place an X in this box.

### DECLARATION

The information I have given on this form is complete and accurate. I understand that my personal information is held securely and will be used only for local authority purposes. I agree to the local authority using this information to process my application for free school meals. I also agree to notify the local authority in writing of any change in my family's financial circumstances as set out in this form.

Signature of parent/guardian: .....

Date:.....

**Thank you for completing this form and helping to make sure your child's school is as well funded as possible.**

### How the information in this form will be used

The information you provide in this form will be used by the council to confirm receipt of one of the listed welfare benefits. Once this is confirmed, this helps to decide how much money your child's school will receive each year.

The information will also be used in relation to pupils in year 3 or above to decide whether they are eligible for free school meals.

You only need to complete this form once and it will last for the duration of your child's time at their current school. You should contact the school or local authority if you have a change in financial circumstances.

We are committed to ensuring that the personal and sensitive information that we hold about you is protected and kept safe and secure, and we have measures in place to prevent the loss, misuse or alteration of your personal information. We will use the information you provide to assess entitlement to free school meals. The information may also be shared with other Council departments to offer benefits and services.

## **Annex B: Model letter for parents regarding changes to free school meals**

Dear Parents/Guardians

### **Changes to free school meal eligibility under Universal Credit**

The eligibility criteria for free school meals have been changed. This letter explains the changes and how they might affect you.

#### **What are the new eligibility criteria?**

Children are entitled to receive free school meals if they or their parents or guardians receive any of the benefits below.

- Universal Credit, provided they have an annual net earned income not exceeding £7,400 (£616.67 per month)
- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Support under Part 6 of the Immigration and Asylum Act 1999
- The guarantee element of Pension Credit
- Child Tax Credit, provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190, as assessed by HMRC
- Working Tax Credit run-on – paid for 4 weeks after you stop qualifying for Working Tax Credit

#### **I don't currently claim free school meals – what does this mean for me?**

If you think you might be eligible for free school meals, submit a claim to your school or local authority. Your school should have a form you can use. The information you provide will be used to check if you are in receipt of a qualifying benefit and, if you are on Universal Credit, that your earnings do not exceed the threshold. If you claim Universal Credit, your earnings will be assessed from up to three of your last Universal Credit assessment periods.

If you are eligible, your school will be notified. Your child will receive free school meals and the school will receive extra funding.

#### **I am currently claiming free school meals – what does this mean for me?**

Most people won't be affected by the new criteria. If you're currently claiming free school meals, but don't meet the new criteria, your child will continue to receive free school meals until the end of the Universal Credit rollout period. This will apply even if your earnings rise above the new threshold or if you stop being entitled to Universal Credit. The rollout period is currently scheduled to end in March 2022.

Once Universal Credit is fully rolled out, your child will keep their free school meal until the end of their current phase of education, i.e. primary or secondary.

**Where can I get more information?**

If you need any further information, please speak to a member of school staff or the local authority. You can also visit the free school meal website: <https://www.gov.uk/apply-free-school-meals>



Department  
for Education

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