

Governors' responsibilities for school food

A guide for headteachers
and governors

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WLGA • CLILC

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What are the requirements for school food?

The food served in all local authority maintained schools must meet the Healthy Eating in Schools (Nutritional Standards & Requirements) (Wales) Regulations 2013 ("the Healthy Eating Regulations"). These Regulations were formed on the basis of the previous Appetite for Life guidelines.

The Healthy Eating Regulations apply to food served at:

- Breakfast
- Lunch
- Other food provided in schools e.g. tuck shop, after school clubs

Healthy Eating Regulations

The Healthy Eating Regulations¹ are split into two sections:

Nutrient standards

- Apply to school lunch over one week (5 days)
- Set requirements for the amount of energy and 13 nutrients that must be contained in an average school lunch.

Food standards for breakfast, lunch and other food provided in school

- Apply to all food and drink provided across the whole school day (up to 6pm) including breakfast, mid-morning break, lunch, afterschool clubs, 6th form cafes, tuck shops (this list is not exhaustive).
- The food standards state the types of food

and drink that must be provided, those that are restricted and those that are not permitted.

Responsibility for provision of school lunches

Responsibility for providing school lunch, paid or free (to eligible pupils), lies with the local authority or school governing body where the function has been delegated. Hot or cold meals can be provided for school lunch. However, it is recommended that a hot meal option is available daily to ensure that pupils have the option of accessing a hot meal on each school day. The school lunch must be nutritionally analysed and meet the nutrient and food standards within the Healthy Eating Regulations.

Responsibility of the governing body to meet the Healthy Eating Regulations

The governing body is responsible for ensuring all food provided by the school meets the Healthy Eating Regulations.

Breakfast

Where schools provide a breakfast service, they must ensure that it meets the breakfast standards in Schedule 1 of the Healthy Eating Regulations¹.

In primary schools, governing bodies can request or decline free breakfast provision from the local authority. More information about free breakfast can be found in "Free Breakfast in Primary Schools – statutory guidance to local authorities and governing bodies".



Lunch

The governing body is responsible for the provision of the school meal if the school meal budget has been delegated to the school from the local authority. Where the food provision is provided by the school either “in-house” or by a contractor, the governing body is responsible for ensuring the food and drink meets the standards.

If the school delegates the food provision to a private catering company, it is likely that the private catering company will nutritionally analyse the school menu and should be able to evidence compliance to the standards. It is the governing body’s responsibility to ensure that compliance is met. It is

recommended that food providers complete the Healthy Eating in School Evidence Toolkit to demonstrate compliance.

Other food served in school

Where food is provided by the school, a parent or any other organisation/charity on the school premises (up to 6pm), the governing body is responsible for ensuring that this food meets the food standards within the Healthy Eating Regulations. Some of the food standards apply across the school day. Therefore, it is important that there is a process to co-ordinate food and drink provision across all outlets to ensure that it meets the food standards.



Exceptions

The Healthy Eating Regulations¹ do not apply to food brought in for personal consumption, food for fund-raising events, food to mark any religious or cultural experience; or food provided for rewards for achievement, behaviour or effort. However, it is recommended that food provided under these exemptions complement the whole-school approach to healthy eating in schools.

How can governing bodies demonstrate meeting the Healthy Eating Regulations?

The WLGA has developed a Healthy Eating in Schools Evidence Toolkit that helps you gather evidence to demonstrate meeting the nutrient and food standards. This evidence can also be used to promote school food with pupils and parents.

Responsibility of the governing body to promote healthy eating and drinking

Within the Healthy Eating in Schools (Wales) Measure 2009, governors are responsible for:

- Promoting healthy eating and drinking by pupils in maintained schools and must include in the governor's report information about the action taken to promote healthy eating and drinking by pupils of the school.
- Encouraging the take-up of school meals and milk.
- Taking steps to protect the identity of pupils receiving free school meals.



Reference to regulations

Responsibilities of school governors and local authorities in relation to the provision and promotion of school food are set in the Healthy Eating in Schools (Wales) Measure 2009.

The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013¹ are part of the wider Healthy Eating in Schools (Wales) Measure 2009 under Section 4³. The Regulations set out the type of food and drink that can and can not be provided in local authority maintained schools and sets out nutritional standards for school lunches.

The duties for the provision of primary school free breakfast is set in the School Standards and Organisation (Wales) Act 2013 Part 5 Miscellaneous Schools Functions Section 88 Duty to provide free breakfast for pupils in primary schools.

Useful Links

<http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs.htm?act=dis&id=248994&ds=8/2013>

<http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs.htm?act=dis&id=248994&ds=8/2013>

<http://www.legislation.gov.uk/mwa/2009/3/contents>

<http://www.legislation.gov.uk/anaw/2013/1/contents/enacted>



