



2023-0019382NGPO

The Rt Hon Nick Gibb MP
Minister for Schools

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Ms Jenny Jones
Chief Executive Officer, Contact
By email: imogen.steele@contact.org.uk

12 June 2023

Dear Ms Jones,

Thank you for your letter of 22 May, addressed to the Secretary of State, regarding free school meals. I am replying as the Minister for Schools

The Education Act 1996 places a duty on maintained schools and academies to provide free school meals to pupils of all ages that meet the criteria for eligibility and who are attending school during term time. The Act makes clear that a child must be registered at a publicly funded school as a condition of claiming free school meals. Free school meals are not available to those who elect to undertake education from home, nor to pupils of private institutions.

The free school meals provision should be made to eligible pupils either on the school premises or at any other place where education is being provided. This provision could, for example, take the form of lunch parcels or vouchers.

Local authorities are funded to support children with Special Educational Needs and Disabilities (SEND), including those who are unable to attend school on a long term basis. Parents are advised to liaise with local authorities to consider suitable alternatives in line with the guidance on long term illnesses. Further information can be found here: tinyurl.com/3Y9ahdmm.

The Department expects schools to act reasonably in ensuring that their food provision accounts for medical, dietary, and cultural needs. We have published statutory guidance which describes steps school may take, including the establishment of individual healthcare plans. More information can be found here: tinyurl.com/34h4khur.

We encourage schools to work with parents and pupils to ensure that their food provision adequately meets a diverse range of needs so that it can be enjoyed by all. If parents have specific concerns that a school's legal obligations are not being met, these should be raised with the school in the first instance, and subsequently with the Academy Trust or local authority.

The Department is always considering how it can best support pupils with SEND and their parents. We will keep our guidance on free school meals under review to ensure that it is meeting user need. I am glad that you have held productive discussions with Department officials.

I was grateful to receive your kind request for a meeting. Whilst unfortunately diary pressures preclude such a meeting in the immediate future, I look forward to working with you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nick Gibb', written in a cursive style.

**The Rt Hon Nick Gibb MP
Minister for Schools**