To **[name of local authority]**

**PRIVATE AND CONFIDENTIAL**

**[Insert name and address of local authority. Some local authorities have a ‘school meals team’ which you can send this letter to. Otherwise, we suggest sending it to the Director of Children’s Service for your local authority, which you can find** [**here**](https://adcs.org.uk/contacts/directors-of-childrens-services#view8)**]**

[Insert date]

[Insert your name]

[Insert your address]

[insert your telephone number and/or email address]

**Re: Free school Meals**

**Name: [insert child’s name here]**

**DOB: [insert child’s date of birth here]**

I am the **[parent/guardian]** of **[name of child]**. **[Name of child**] is in receipt of an Education Health and care Plan (“EHCP”) maintained by **[name of local authority]** which confirms that **[he/she]** receives a package of education otherwise than at school (“EOTAS”) **[n.b. if EHCP does not confirm EOTAS package for any reason, explain that here but confirm that local authority is providing EOTAS package]** as **[he/she]** is unable to attend an educational setting, due to **[briefly describe the child’s needs here]**.

Following a legal challenge, the government conceded in November 2023 that ‘*it may be a breach of Article 14 ECHR, if children who are receiving state provided education, other than at a school, are not provided with meals where such meals can be provided and consumed in conjunction with receiving the education.’*

To remedy this, the  [Free School Meal Guidance March 2024](https://assets.publishing.service.gov.uk/media/65fdad5965ca2f00117da947/Free_school_meals.pdf) explicitly states on page 6 the expectation on local authorities to make equivalent food provision for children who are receiving EOTAS under section 61 of the Children and Families Act 2014, who would meet the benefits-related criteria for free school meals if they were in a state-funded school.

The Guidance also makes clear that in ‘*making decisions on particular cases, local authorities should act in accordance with the Human Rights Act and the European Convention on Human Rights and comply with the public sector equality duties’.*

As the local authority is providing education for my child, and in order to comply with the government’s position as set out in the [Free School Meal Guidance March 2024](https://assets.publishing.service.gov.uk/media/65fdad5965ca2f00117da947/Free_school_meals.pdf), I am writing to request that the local authority provides **[name of child]** with a weekly supermarket voucher to enable lunches to be purchased for **[him/her].**

I consider that providing supermarket vouchers in this way is necessary to meet **[name of child]**’s needs. **[Insert here the reasons why you consider that providing a weekly supermarket voucher is necessary to meet the child’s needs. For example, does the child require a special diet which is more expensive? Are they currently going without suitable meals? You should include information about the family’s financial position and why it is not reasonable to expect you to fund the lunches from welfare benefits]**

I am therefore requesting on **[name of child]**’s behalf that the local authority provides a supermarket voucher to cover the cost of a free school meal in conjunction with their educational package within two weeks of receipt of this letter.

I would be grateful if you could acknowledge safe receipt of this letter.

I look forward to hearing from you.

Yours sincerely

**[Insert name]**