To **[The Chair of Governors]**

**PRIVATE AND CONFIDENTIAL**

**The Chair of Governors**

**[Insert name and address of the school]**

**Copied to**: The Headteacher

[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] who** is in year **[x]** at **[name of school].**

**Eligibility for free school meals**

Section 512(1)-(3) of the Education Act 1996, regulations made under that section, and The Education (Transfer of Functions Concerning School Lunches etc.) (England and Wales) (No. 2) Order 1999 provide that the governing bodies of state schools and academies have a duty to provide free school lunches to all children in year 3 and above who are

1. on the roll of a state-maintained school or academy;
2. are aged up to 16; and
3. are financially eligible for free school meals.

Section 512(2) confirms that provision of free school lunches shall be made either on the school premises or any other place where education is being provided. The duty therefore applies whether or not the child is being educated at school or elsewhere, including at home.

Furthermore, schools have a duty under section 20(3) of the Equality Act 2010 to make reasonable adjustments to avoid disabled pupils being placed at a significant disadvantage by its provisions, criteria or practices. The school therefore has a duty to make reasonable adjustments to the way in which free school lunches are delivered, where the standard way of delivering them puts a disabled pupil at a substantial disadvantage compared to other pupils.

[The Department for Education Free School Meal Guidance March 2024](https://assets.publishing.service.gov.uk/media/65fdad5965ca2f00117da947/Free_school_meals.pdf) explicitly states the legal duty on schools to make reasonable adjustments in the provision of free school meals for disabled children on pages 10-12. It also sets out clear expectations on what schools should do to comply with the Equality Act 2010 in the delivery of school lunches.

[Name of child] is aged **[x]** and is in year **[x]** at **[name of school].** **[He/she]** is financially eligible for free school meals because **[please explain here why your child is financially eligible. The Department for Education Guidance about this is accessible online** [**here**](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1133262/Free_school_meals.pdf) **(see page 5), and your local authority may have additional information on its website. In summary, a child is financially eligible if they or their parent/guardian receive a qualifying welfare benefit, which includes Income Support, income-based Jobseeker’s Allowance, income-related Employment and Support Allowance, support under Part VI of the Immigration and Asylum Act 1999, Child Tax Credit, and Universal Credit]**

The governing body therefore has a duty to provide **[him/her]** with free school lunches. **[****Describe here where the child is being educated. If they are not currently attending school, please explain why. If they are attending school, but are unable to eat the school meals for instance due to a sensory or dietary need, please explain this here].**  As a result, **[name of child]** is not currently receiving the free school lunches to which **[he/she]** is entitled.

**Steps the governing body is requested to take**

The governing body is requested to provide **[name of child]** with a weekly supermarket voucher, in compliance with its duty to provide **[him/her]** with free school lunches. The governing body will be aware that it provided children with supermarket vouchers in this way during the Covid-19 pandemic. It is submitted that a weekly supermarket voucher is the only practical means of providing **[name of child]** with the free school lunches to which **[he/she]** is entitled, and that this adjustment is plainly reasonable in all the circumstances. Please confirm **within 7 days** that this will be provided.

A copy of this letter has been sent to **[name of headteacher].**

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

I look forward to hearing from you.

Yours sincerely

**[Insert name]**