

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3332

Primary School Universal Free School Meals Provision 2025-2026

Executive summary:

This Mayoral Decision seeks approval, subject to the outcome of the normal budget-setting process for financial years 2025-26 and 2026-27, to continue funding a grant scheme open to all local authorities in London, to provide universal free school meals (UFSM) in state-funded primary schools for the academic year starting in September 2025. Over the year, this could save families over £500 per child.

The funding will help to address cost-of-living pressures and support the Mayor's ambition to make London the best city in the world to grow up in. It will cover the cost of meals within term time for the academic year running from September 2025 to July 2026.

All children in state-funded primary schools and non-maintained special schools (NMSS) who are in Key Stage (KS) 1 (Reception to Year 2) are entitled under existing legislation to the government's Universal Infant Free School Meals (UIFSM) offer.

Under the government's free school meals (FSM) scheme, children in KS2 (Years 3 to 6) at state-funded primary schools and NMSS are eligible for FSM only if they live in households that are on universal credit and earning less than £7,400 a year (after tax and not including benefits), regardless of the number of children in the family.

The Mayor's UFSM scheme is not intended to displace national government funding for KS2 children already in receipt of FSM. Therefore, all pupils in KS2 who do not qualify for FSM under the government's criteria will be eligible for this scheme. The UFSM policy has been developed to replicate the national government eligibility criteria for KS1; so the FSM policy will, effectively, remain extended to incorporate KS2 children. The Mayor expects boroughs to ensure that all children eligible for FSM under the national scheme should claim through that route.

The Mayor is asked to approve expenditure of up to £147.5m per year, to fund eligible local authorities to continue delivering the UFSM programme to KS2 children in London's state-funded primary schools in the 2025-26 academic year. (This includes all-through schools; academies; state-funded special schools; alternative provision; and NMSS, where the UFSM programme will start being delivered.) This is subject to the outcome of the normal budget-setting processes for the 2025-26 and 2026-27 financial years.

Decision:

That, subject to outcome of the budget setting processes for the 2025-26 and 2026-27 GLA: Mayor budgets, the Mayor:

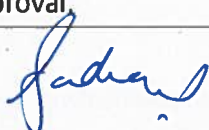
- Approves expenditure of up to £147.5m (spanning two financial years, but one academic year) to continue providing grants to eligible local authorities, so that they may: deliver, or provide on-grants to schools in their area so that those schools may deliver, during the 2025-26 academic year, UFSM to KS2 children within London state-funded primary schools; and begin to deliver UFSM to children in NMSS. The grant amounts to local authorities will depend on the number of eligible primary-school children in the borough. (This includes up to £2.2m to fund an uplift for the additional costs of Kosher meals; and where exceptional costs arise for children with special educational needs and disabilities, as well as programme costs.)
- Delegates authority to the Executive Director of Communities and Skills to make programme-level decisions via a Director Decision form, which will confirm the final funding allocations to London boroughs and the detailed breakdown of the approved UFSM budget for 2025-26 and 2026-27.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

6/3/25

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. The Mayor believes that all primary school children in state-funded schools, including all-through schools, academies, state-funded special schools, alternative provision (AP), and non-maintained special schools (NMSS) should have access to free school meals (FSM). In July 2023, the Mayor approved a £135m emergency funding plan to help families with the spiralling cost of living. This funding ensured that primary school children in London's state-funded schools received FSM in the 2023-24 academic year ([Mayoral Decision \(MD\) 3146](#)).
- 1.2. Due to the ongoing cost-of-living pressures, on 18 January 2024 the Mayor approved expenditure of up to £140m funding to local authorities. This enabled those local authorities (or the schools they fund) to continue delivering Universal Free School Meals (UFSM) to KS2 children in London state-funded primary schools for the 2024-25 academic year, with a view to continuing to help families financially ([MD3224](#)).
- 1.3. The £147.5m proposed for allocation to the UFSM scheme in the 2025-26 academic year spans the 2025-26 and 2026-27 financial years. A funding allocation for 2025-26 is included in the GLA: Mayor budget element of the [final draft budget for the GLA Group](#), which was published on 17 February 2025. This funding allocation is intended for inclusion in the final GLA: Mayor budget, to be approved by the Mayor in March 2025. Approval of the £147.5m allocated to the delivery of the UFSM scheme for the 2025-26 academic year is subject to the outcome and approval of the above budget setting process. Likewise, approval of funding for the UFSM scheme within the 2026-27 GLA: Mayor budgets, and if the Mayor should decide to extend the scheme, funding beyond the 2025-26 academic year, is subject to the normal budget-setting process.
- 1.4. Research has shown that in England, hundreds of thousands of school children live in poverty but do not receive FSM due to the restrictive eligibility criteria and lack of universal provision.¹ All children in state-funded schools and NMSS are entitled (under existing legislation) to FSM from Reception to Year 2. However, to be eligible in Years 3 to 6, children currently must belong to a household that is on universal credit and earning less than £7,400 a year (after tax and not including benefits), regardless of the number of children in the family. This means that many children from working families in poverty are not entitled to FSM.
- 1.5. Research suggests that making FSM universal helps reduce stigma; and boosts take-up of the government's FSM offer among families who need it most. In the context of cost-of-living pressures, benefits will also be felt among those who may be experiencing financial hardship. In Newham, the take-up of FSM rose from 45 per cent to 90 per cent following the introduction of UFSM. The evaluation of Newham's UFSM pilot showed that FSM provision has a significant impact on pupils. Results demonstrated that there were improvements in behaviour, as well as increases in both concentration and educational attainment.
- 1.6. Polling from YouGov, commissioned by City Hall in December 2023, showed that parents whose children have school dinners overwhelmingly support the Mayor's UFSM scheme (92 per cent). Parents with more than one child in Years 3 to 6 (in state-funded primary schools) have seen their worry about feeding the family ease since the summer term (before this scheme was implemented); 23 per cent say they are less worried about all family members being able to have three meals a day, and a hot meal at least once a day.²
- 1.7. Qualitative research led by GLA Opinion Research highlighted reduced anxiety levels from parents about feeding their children during term time. Many reported financial savings from not purchasing

¹ Child Poverty Action Group, [New official data shows 900,000 children in poverty don't qualify for free school meals under national policy](#), 6 June 2024.

² Research conducted by YouGov, commissioned by City Hall in December 2023 data tables: [Supporting data – London Datastore](#)

ingredients for packed lunches. Some are now not using food banks and quantified weekly savings of £15 which they use for food at home instead.³

- 1.8. The independent evaluation of year one of the Mayor's UFSM programme, led by Impact on Urban Health,⁴ highlights how the Mayor's UFSM policy has significantly improved family finances, with families living on low incomes benefitting the most from the additional financial support. This has freed up money for them to spend on other costs such as healthier food at home, activities for children and school uniforms and reduced the burdens that they can face. 84 per cent of parents surveyed across the income spectrum said the availability of UFSM helped or significantly helped household finances.
- 1.9. The independent year one evaluation report from Impact on Urban Health shows UFSM is having a positive impact on the wellbeing of families and children across the capital, with pupils reporting that their school day is more enjoyable and parents describing a marked improvement in their relationships with schools. Many parents felt less of the worry associated with trying to make healthy packed lunches or to find the money for school meals. Parents, pupils and school staff reported children are trying and enjoying new foods. The evaluation found that the policy has alleviated many issues caused by dinner money debt; improved the lunchtime experience in some schools; and contributed to a smoother start to the school day. The policy has improved nutrition and parents, school staff and children have all described positive shifts in behaviour, concentration and energy levels during the school day, with children saying they feel 'stronger and healthier'. The evaluation found the policy is popular with schools and parents and the vast majority want UFSM to continue.
- 1.10. The UFSM scheme for the 2025-26 academic year proposes to pay £3 per meal – higher than the funding for Universal Infant Free School Meals (UIFSM) which is £2.58.⁵ This is the same price per meal as paid for the 2024-25 academic year.
- 1.11. The [Integrated Impact Assessment](#) (IIA) was developed and published in 2023; then refreshed in July 2024, and used to inform the policy. It will continue to do so. The equality impact assessment (EqIA) and supplementary analysis on independent schools were refreshed in July 2024 (see [DD2703](#)). The GLA has updated the EqIA and supplementary analysis for the purposes of this decision to ensure that any new considerations and recommendations are captured. The updated EqIA and supplementary analysis are appended to this decision at Appendix B and Appendix C respectively.
- 1.12. Boroughs will be required through a grant condition in Year 3 to have implemented an approach to universal registration ahead of October 2025 census day. This is in order to further protect pupil premium grant income for schools⁶. The preference is for adoption of auto-enrolment as evidence shows this is an effective approach. However, where successful alternative approaches are in place locally this will be taken into consideration.
- 1.13. Boroughs were supported in Year 2 with additional funding to support the introduction of auto-enrolment schemes which have been shown to result in the identification of additional pupils eligible for the government's FSM scheme. The GLA will continue to review where boroughs may need additional support for delivery in Year 3 of the scheme. This will be particularly important in the context of the anticipated end of transitional protection in March 2025.
- 1.14. In most cases, the local authorities will be acting as responsible bodies for the GLA's grant funding; and will then provide on-grants to the eligible schools in their area. Those schools will then use the on-granted funds to procure catering services. However, in a limited number of cases, some local

³ London Datastore/GLA Opinion Research team, [Monitoring the impact of universal free school meals](#), December 2023.

⁴ Impact on Urban Health, [More than a meal: An independent evaluation of universal primary free school meals for children in London](#), November 2024.

⁵ The government paid £2.53 per meal for UIFSM until the price per meal was changed to £2.58 in December 2024.

⁶ The pupil premium grant is funding to improve educational outcomes for disadvantaged pupils in state-funded schools in England.

authorities will use the GLA's grant funding themselves to procure catering services on behalf of the eligible schools in their area.

2. Objectives and expected outcomes

2.1. The programme objectives are to:

- support delivery of the Mayor's ambition to make London the best city in the world to grow up in
- help mitigate the impact of the cost-of-living pressures by; saving London's families up to £500 per child, per year of the scheme; and ensuring primary school children in state-funded schools, including state-funded special schools, AP and NMSS, do not go without at least one nutritious meal a day during term time
- demonstrate the Mayor's role and commitment to address the impact of the cost of living on families, including other available sources of support
- reduce the stigma of receiving FSM in KS2; and increase the uptake of the Government's FSM offer among families who need them most.

2.2. The programme outputs (as with previous years of the scheme) will include:

- grants to all boroughs wishing to take up the scheme to fund UFSM to all KS2 children attending state-funded schools, including state-funded special schools, AP and NMSS who are not eligible for the government's FSM scheme
- a communications campaign to inform schools and raise awareness amongst families, of, among other aspects, the ongoing need for eligible parents to register for the government's FSM scheme (this is to mitigate against the risk of a drop in income for schools, where such income is linked to the number of children eligible for FSM, such as the pupil premium grant)
- support for schools and boroughs to deliver a requirement for an approach to universal registration to be adopted across all boroughs as soon as possible in order to protect pupil premium grant income for schools
- further independent evaluations undertaken by external partners, measuring the policy's impact on families' financial circumstances; changes in mental health, education and overall wellbeing.

2.3. Expected programme outcomes are as follows:

- London's primary-age children (Years 3 to 6) attending state-funded schools (including state-funded special schools, AP and NMSS) who are not currently entitled to the government's FSM scheme, will retain access to at least one nutritious meal a day during term-time, supporting families during the ongoing cost-of-living pressures
- Improved awareness of, and encouragement to take up existing schemes to support London families during the cost-of-living pressures
- reduced stigma related to receipt of FSM; and increased uptake of the government offer, due to universal provision
- continued benefits identified through the programme theory of change⁷ and year-one independent evaluation, including:

⁷ Bremner Consulting [Greater London Authority Universal Primary Free School Meals Policy Theory of Change](#), June 2023

- eased pressure on family finances, for households across the income spectrum, with 84 per cent of all parents surveyed claiming the policy has helped or significantly helped their household finances (the biggest impact is seen on those families who have been the most constrained by rising food, energy and housing costs)
- a positive effect on the health and wellbeing of children and their families: more than one in three parents (35 per cent) stated that their child is now less worried about food at school
- contributing to a calmer start to the school day for families across the income spectrum, ensuring children arrive at school more ready to learn
- contributing to resolving the issue of dinner money debt for primary schools and parents who were previously struggling to cover the cost of primary school meals in London
- improving energy levels and ability to concentrate due to having a school lunch, with this again supporting children's readiness to learn; more than a third of parents surveyed (34 per cent) felt that UFSM means their child can concentrate better on school and lessons
- acting as a leveller, supporting a sense of fairness and happiness at school.

2.4. Partnership working is vital to the continuation of the UFSM scheme for the academic year starting in September 2025. To date, engagement with stakeholders has included close work with London Councils; London borough leaders and officers; academic partners, schools, caterers and unions and other existing networks. Engagement activities with stakeholders have included, and will continue to include:

- regular written updates
- regular one-to-one check-in with each borough
- Partnership Advisory Group⁸
- borough and school intelligence gathering via surveys
- surveys and interviews with schools
- public polling and insights work
- knowledge sharing with boroughs/schools via webinars
- school intelligence gathering via survey
- school engagement challenge
- webpages.

Breakdown of deliverables and costs

2.5. It is estimated that up to £147.5m of the UFSM budget will be allocated to boroughs for the continued delivery of the scheme. Final funding allocations for UFSM will be based on the number of pupils at KS2 (within state-funded schools and NMSS in London) on census day in January 2025 (minus the number who are eligible for the government's FSM offer). The GLA will provide funding to boroughs equivalent to £3 per meal. This means the total expected number of pupils eligible for UFSM in each borough has been multiplied by £3.00 per day in the academic year (190 days), to finalise allocations with an assumed take-up of 87 per cent. These final allocations will be confirmed

⁸ The Partnership Advisory Group provides guidance and expert input into the development and implementation of the UFSM policy. Membership includes representatives from each borough from across London.

in a subsequent Director's Decision (DD). This budget includes up to £2.8m ringfenced funding for additional costs including provision for:

- a higher price of providing Kosher meals of £3.85 per meal for Jewish schools, in response to the findings of the EqIA in Appendix B
- any exceptional costs arising for special schools to support the higher cost of meals for pupils with special educational needs and disabilities (SEND) where needed.

- 2.6. As with the 2023-24 and 2024-25 rollout of the Mayor's UFSM scheme, funding will be allocated to the five London boroughs that had provided FSM to their London primary state-funded schools in 2022-23, 2023-24 and 2024-25 as if they had not previously provided this function. The proposed allocation to these boroughs has been worked out in the same way as others. The intention is to encourage them to continue using the offset funds to support families in financial hardship because of cost-of-living pressures.
- 2.7. The proposed funding mechanism is that boroughs will receive 50 per cent of their initial allocation upon receipt of a signed grant agreement. Following this, a further 25 per cent will be made available in December 2025 and April 2026 respectively.
- 2.8. Boroughs will be funded based on an assumed take-up of 87 per cent. This considers uptake rates seen across London in years one and two. Each borough will have the opportunity to secure additional funding if they can evidence that uptake of the scheme has exceeded the assumed take-up rate at which they have been funded. This extra funding will be reviewed on a borough-by-borough basis according to uptake of the scheme.
- 2.9. Data is not routinely collected by the GLA on the take-up of meals offered through the London scheme. This decision was taken because it was felt to be too great an additional burden for schools in the context of a rapid roll out. Instead, the GLA has sought to understand levels of take-up through several different sources (see Appendix A for details). This has included work with the management information systems provider Arbor; insights gathered through discussions with boroughs; and observing where schools have claimed funding over the initial 90 per cent allocations. These sources have shown a range of uptake levels, from around 58 per cent up to 100 per cent. In year one of the programme, 12 per cent of schools claimed for funding above 90 per cent. Ongoing monitoring and research with schools will investigate this further (see Appendix A).
- 2.10. The grant conditions stipulate that the funding must be spent on delivery and implementation of the scheme.
- 2.11. For decisions relating to this funding to be taken in a timely manner, and for funding to be successfully claimed in advance of the new academic year, it is proposed that the Mayor delegates authority to allocate the approved spend to the GLA's Executive Director of Communities and Skills (in consultation with the Deputy Chief of Staff and the Deputy Mayor for Children and Families). A DD form will be prepared to confirm the final funding allocations to London boroughs and the detailed breakdown of the UFSM budget.

Communications activities

- 2.12. Messaging to boroughs, schools, families and other stakeholders has been developed in partnership with internal and external colleagues to communicate the Mayor's policy; engage stakeholders and keep families informed.
- 2.13. Shared learning from schools and boroughs who have developed mechanisms for addressing a range of challenges will continue to be facilitated through a series of webinars. This includes, for example, sharing good practice on how to increase registration among parents who are eligible for FSM under the national government scheme to mitigate against any loss of income for schools where it is linked

to FSM eligibility. It will also cover dietary requirements associated with faith and different cultural requirements.

- 2.14. Practical communications resources (e.g. templates, copy, digital assets), best practice guidance and branding guidelines continue to be shared with schools and boroughs via online dedicated hubs for each (see the [online hub for schools](#) and the [online hub for boroughs](#)).
- 2.15. Direct communication from the Mayor to families will be circulated to boroughs and schools to ensure families are informed and understand the importance of registration.

3. Equality comments

- 3.1. Section 149(1) of the Equality Act 2010 provides that, in the exercise of their functions, public authorities – of which the Mayor is one – must have due regard to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.2. The Mayor recognises that the cost-of-living crisis is having an impact on many communities in London. He is committed to supporting families who are struggling financially in London through this difficult time.
- 3.3. The EqIA (see Appendix B) for the programme was initially produced in July 2023. It was refreshed in July 2024, and again in December 2024, to ensure it incorporated the findings of the year one independent evaluation and the most recent data sources. The EqIA identified areas for further work or consideration for the UFSM programme, including mitigation or future monitoring. Recommendations include the continued need to address special dietary needs for faith groups (including Kosher food), and needs for pupils with SEND.
- 3.4. The findings of the EqIA in summary are set out below:
 - The EqIA looked at the potential impacts on groups with protected characteristics and then identified the potential effects arising from that impact. The EqIA aimed to systematically identify and assess the potential impacts and effects, both positive and negative, and identified areas for mitigation of any negative effects identified or enhancement of any positive effects, arising from the policy, for people sharing one or more protected characteristics as defined by the Equality Act 2010. These protected characteristics comprise; age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. Socioeconomic inequality of itself is not currently a protected characteristic under the Equality Act 2010; however, the assessment also considered the potential effects of the strategy for people based on socioeconomic status.
 - The policy was assessed as potentially having the following positive effects for a range of groups with protected characteristics:
 - In relation to the protected characteristic of age, positive benefits were anticipated for nutrition; mental health and wellbeing; and academic learning and attainment. This would bring most benefits to the recipient age group (7-11); but benefits are also likely to extend to other family members (including older and younger children, and parents), as a result of freeing up financial resources to spend on food for other family members.

- Through universal provision of FSM, it is anticipated that the stigma around receiving FSM would be reduced. This would bring benefits for mental health. This benefit would be more prevalent amongst low-income families who might be struggling with cost-of-living pressures. Evidence shows a strong correlation between low-income families and mental health concerns. The data set out in the full report also indicated that pupils from Black or mixed ethnic groups (as defined by the Census) are, disproportionately more likely to be eligible for FSM, and therefore more likely to be subject to the associated stigma.
- Receiving this benefit would be made easier for those who meet the eligibility criteria for FSM, but do not currently claim it due to issues with navigating the system or completing the necessary forms. This was likely to include those with the protected characteristic of race for whom English is not their first language.
- For those that are currently struggling with cost-of-living pressures or living in relative poverty, but do not meet current eligibility criteria for the national government scheme, universal provision would help to ease financial struggles and ensure that children receive a good-quality, nutritious meal. This is particularly an issue in London where living costs (particularly rents) are higher. The independent year one evaluation found the policy helps to tackle child poverty, with a disproportionately positive impact on families on lower incomes, alleviating hunger and freeing money for household essentials. It found the policy breaks down barriers to opportunity: children are more ready to learn, and school-family relationships are improved by reducing dinner money debt.
- The independent year one evaluation found that the policy helped with children's readiness to learn. Parents, school staff and children in most schools noticed positive shifts in concentration and energy levels. 34 per cent of parents felt that UFSM means their child can concentrate better in lessons. It also found that it improves nutrition – especially for families living on low incomes with less access to the food they need to thrive.
- The EqIA also identified areas for further work or consideration for the policy, including aspects such as mitigation or future monitoring. These included the following:
 - The need to address concerns about whether a UFSM policy would meet the dietary needs and requirements for all faith and cultural groups, particularly pupils in non-faith schools; and whether this would affect take-up, and hence the financial benefits, amongst these faith communities. Advice on best practice to schools would help to mitigate this. According to the year-one independent evaluation, some parents felt strongly that schools should make sure lunches reflect the culture and preferences of the school community to further increase the take-up of UFSM.
 - Some concerns also existed over the price point per child and whether this was enough to cater for certain faith groups' dietary needs, including Halal meals for Muslim people and Kosher meals for Jewish people. Additional funding for Kosher meals has been provided in response to this.
- Similar issues existed around the dietary needs and requirements, and price point, for meals for children with SEND and SEND schools. Some of these children were more likely to have specific dietary needs. The year one independent evaluation found that the school food system has often struggled to meet the requirements of children with SEND. These challenges pre-dated the introduction of the UFSM policy but could in some cases be heightened by the UFSM policy. In some case-study schools, it was reported that specific needs can be hard to cater for due to the increased demand. Additional work was needed to ensure that children with additional needs and faith-based requirements can access meals. Recommendations to address this included contingency funding for any extraordinary costs that were a barrier to children accessing the scheme, teachers being involved in the food offer; and school communities having the opportunity to contribute to food that is on offer.

- Full details of proposed mitigating actions are set out in the EqIA (see Appendix B).

3.5. The EqIA annexed to [MD3146](#), found certain costs associated with the specific access requirements for some groups of children in particular circumstances – such as those with SEND, and those with a dietary requirement in connection with their religion or belief. This has been mitigated by providing a higher price per meal for Jewish schools, and funding for any exceptional needs arising in special schools.

3.6. The Mayor's UFSM scheme will continue to provide FSM in London's state-funded schools and NMSS only (this includes all-through schools, academies, state-funded special schools and AP). The supplementary analysis findings in relation to independent schools (Appendix C) was also annexed to [MD3146](#). There are potential equality issues that may result from this. For example, there may be children who attend independent schools because of their religious faith as well as a disproportionate number of children with disabilities attending independent schools because of the SEN provision they require. It may also be that attendance at certain independent schools is connected to pupils' race.

Independent schools

3.7. Before the 2023-24 UFSM scheme began, and since its introduction, representatives of sections of the Charedi community have sought the scheme's expansion to children attending independent faith schools in Hackney. They have contended that a disproportionate number of Charedi children attend independent schools and are therefore disadvantaged by the decision to restrict the scheme to state schools.

3.8. Some children from the Charedi community sought to bring judicial review proceedings against the Mayor's decision in MD3224 (which maintained the UFSM scheme for the 2024-25 academic year, and included a decision not to extend eligibility to children attending independent schools). The High Court refused permission for the judicial review claim to proceed on the basis that the claim was not arguable.⁹ Since the UFSM scheme began, the Mayor has also received written representations from representatives of independent Muslim faith schools seeking the extension of the UFSM scheme to their pupils. The supplementary analysis on independent schools has been updated to reflect available data relevant to such schools. Such arguments will likely also apply to other independent faith schools, e.g., for children who are Hindu or Sikh, and potentially for some branches of Christianity.

3.9. The Mayor has considered the potential adverse impacts of not extending UFSM to independent schools as raised by the Charedi community and as applicable to other communities in particular.

3.10. It may be the case that those with certain protected characteristics are more likely to attend non-state schools. There are likely to be families who wish to send their children to independent schools for important reasons such as the need to ensure their education is delivered in ways that align with their religious values. Parents may also consider that children with certain disabilities need to attend independent special schools. Some children attending independent schools are not necessarily wealthy as their places at independent schools may be subsidised. It might be said that providing UFSM only to state schools will disproportionately disadvantage such groups.

3.11. The possibility of extending UFSM to some or all independent schools has been considered; however, it is recommended not to do so. This is considered justifiable, even if it may disproportionately disadvantage those with certain protected characteristics. Given the funding available is limited, and insufficient to provide meals for all primary-age pupils, this policy proposes to prioritise children from less affluent families. Whilst there is no bespoke mechanism for seeking to target such children, their attendance at state schools is considered a reasonable and practicable proxy for targeting such families. Non-state schools are more likely to charge fees or receive

⁹ British and Irish Legal Information Institute, [GH, R \(on the application of\) v The Mayor of London \[2024\] EWHC 1305 \(Admin\)](#), 5 June 2024

alternative income for pupils which could be used to pay for meals. In any event, there is no objective means to assess whether a particular independent school has the resources to provide FSM to some, or all, of its pupils. As the scheme is additional to the national government-led FSM scheme, it has been developed in line with the parameters set by the national policies for FSM and the government-funded UFSM offer (which only covers state schools, including academies).

3.12. The rationale for limiting the UFSM scheme to London's state-funded schools is further summarised below:

Replicating the statutory regime for FSMs

- As noted above, the UFSM scheme has been developed to replicate national government eligibility criteria for KS1; so the FSM policy will, effectively, continue to be extended to incorporate KS2 children. The Education Act 1996 (the 1996 Act) (as amended by the Children and Families Act 2014) provides that FSM should be provided, on a universal and non-means tested basis, to all KS1 children. The 1996 Act does not require funding for all KS2 children at state-funded primary schools and receipt is means-tested. There is no provision in the 1996 Act requiring FSM for children at independent schools, regardless of the children's age or their parents' means. Likewise, by replicating the national government eligibility criteria, the Mayor's UFSM scheme does not extend eligibility to independent schools.
- There is clear logic in Parliament having made this distinction between eligibility for state-funded schools and independent schools in the 1996 Act, which is replicated within the Mayor's UFSM scheme. There are fundamental differences in the way state and independent schools are funded and regulated, including admissions, exclusions, premises standards, financing, staffing and the curriculum. The implication of independent schools benefiting from a lack of state regulation is that they must raise their own funds by fees, donations, endowments, sponsorship or other sources to pay for the running of the school; this includes the provision of school lunches. The distinction made in the 1996 Act, and which is replicated in the Mayor's UFSM, is considered to be a fair and equitable one.

Unfair implications of extending the UFSM scheme to independent schools

- As noted above, the purpose of the Mayor's UFSM scheme is to extend eligibility to KS2 children in London's state-funded schools, who are currently not eligible under the government's FSM scheme (i.e. children whose parents have sufficiently high income not to qualify under the 1996 Act). There would be unfair consequences if the Mayor extended the UFSM scheme to independent schools in line with the above purpose. It would mean independent-school children in KS2, but not KS1, benefiting from the scheme, (the 1996 Act provides universal coverage for all KS1 children at state schools). It would also mean that independent-school children in KS2 whose parents had higher incomes would receive FSM, but not the poorest. In the alternative, if the Mayor sought to extend the UFSM scheme to all children in independent schools, including KS1 and the poorest children in KS2, this would be a markedly different scheme that was much more generous than the equivalent for state schools. That would not be an appropriate use of public funds.

Administrative complexity of extending the UFSM scheme to independent schools

- Local authorities are a key partner in delivering the UFSM scheme – including the onward payment of grant funding and, in some cases, acting as direct commissioner of school catering. This is possible because of the long-established relationship between councils and schools in their area. These relationships do not readily exist between the local authorities and independent schools, so a wholly different, more time-consuming and costlier method for implementation would need to be devised. Extending the UFSM scheme to independent schools would create significant administrative complexity in terms of delivery, monitoring and

compliance. New governance and monitoring structures would have to be devised, consulted on and introduced.

Using state school attendance as a proxy for need

- As noted above, by replicating national government eligibility criteria for KS1 for the UFSM scheme, the Mayor has sought to use attendance at a state school as a reasonable proxy for need.
- Representatives of the Charedi community have suggested that a threshold could be considered, by which independent schools that charge annual fees below such a threshold – for example, £5,000 – should be made eligible for the UFSM scheme. Such proposals have been considered and are explored further in the supplementary analysis on independent schools. However, as above, the Mayor has sought to use attendance at a state school as a reasonable proxy for need. If parents can afford school fees for an independent school of £5,000 per year, it is questionable whether such families can be considered poor. There is also the difficulty, highlighted above, that the Mayor has no way of establishing whether some or all independent schools charging below £5,000 per year could raise funds from elsewhere, or choose to allocate funds differently in order to prioritise the provision of FSM.

3.13. Other relevant factors in targeting the UFSM scheme to state schools include the following:

- There are no readily available sub-definitions of the independent sector that would easily enable expansion of the scheme to ensure that only families in poverty or who are suffering financial hardship, could benefit. To expand the scheme in such a way would be complex and take time to set up – which would significantly delay the continued roll-out of the policy.
- There are no national food standards for independent schools, and no existing commissions or contracts between local authorities and fee-paying schools. These would take time to put in place.
- Details of implementation contracts sit with local boroughs, not the GLA.

3.14. These issues have been considered – including representations made by sections of the Charedi community and other faith groups in particular – and it is considered that there is justification for the UFSM scheme applying to state schools only as set out above. The equalities section of MD3146 relating to UFSM (see Appendix D) contained detailed analysis of the independent school sector and supplementary analysis undertaken in support of the policy. This analysis set out in detail additional justification for not extending the UFSM scheme to non-state schools. The Mayor is referred to MD3146 (particularly paragraphs 3.4 to 3.45), which is included as an appendix, as these issues are still relevant and should be considered. As noted in this decision, the IIA, EqIA and analysis of the independent school sector have been refreshed since MD3146 was decided.

Non-maintained special schools

3.15. In 2025-26, the Mayor's UFSM scheme will be extended to include KS2 pupils in NMSS in London. Under section 337A of the 1996 Act, NMSS are for children with SEND that the Department for Education has approved under section 342 of that Act. NMSS are independent of local authority control, and operate on a not-for-profit basis. They are funded by the Education and Skills Funding Agency in the same way as academies. NMSS are covered by government-funded FSM because they have an identical duty to provide FSM to eligible pupils under the Non-Maintained Special Schools (England) Regulations 2015. The government's school food standards also cover NMSS.

3.16. Extending the scheme to NMSS is consistent with the existing policy rationale that the Mayor's scheme replicates, for KS2 children, the national government eligibility criteria for KS1 UFSM. NMSS will be included in borough allocations for the 2025-26 scheme. Further information on pupils with SEND is included in the EqIA and separate independent schools analysis.

3.17. The monitoring and evaluation strategy for the first year of the programme incorporates consideration of protected characteristics and the EqIA. Any findings from this work will be used to consider any further mitigation required through the scheme in 2025-26.

4. Other considerations

Key risks and issues

4.1. The key risks and issues are highlighted in the table below.

Risk	RAG*	Mitigation
<p>Claims for pupil premium decrease in schools, especially if transactional protection ended in March 2025, resulting in reduced funding for schools.</p>	<p>Amber</p>	<ul style="list-style-type: none"> • The GLA will give boroughs and schools guidance for informing families about claiming for pupil premium and will include an approach in the grant conditions. • The GLA will host good practice webinars to share learning across boroughs. • The GLA will closely monitor data showing the number of families registering to identify any changes to these numbers. • Year one of policy showed minimal impact i.e. the GLA has no evidence of significant declines in pupil premium awards. • Grant principles will include a recommendation for the adoption of auto-enrolment onto the government FSM scheme. • In 2024-25 the GLA provided boroughs with £20,000 to work towards implementing auto-enrolment. By the end of the academic year boroughs have been asked to provide case studies on how they spent the money and share any data on how their work has impacted pupil premium funding. • The GLA will continue to support boroughs with approaches to universal registration with a focus on auto-enrolment through webinars and resources. Grant conditions will ask boroughs to ensure an approach to universal registration is in place by October 2025.
<p>Concerns from schools and local authorities around the lack of capital funding attached to grants.</p>	<p>Amber</p>	<ul style="list-style-type: none"> • Given administration of a capital offer would present significant administrative challenges, mitigating actions will continue to be undertaken to support schools. • GLA officers have established various stakeholder engagement forums to unpick policy challenges and co-create solutions with partners such as boroughs, schools and unions. • Where possible, the GLA will offer contingency funding to schools facing significant barriers to delivery of the scheme. This has not materialised in more than few schools in years 1 and 2 of the programme. • Regular one-to-one check-ins with boroughs to seek intelligence on any issues and co-create solutions with the borough Senior Responsible Officer. • The Mayor’s policy as set out in the Grant Principles states that it is preferable that hot meals are provided but where infrastructure challenges exist cold meals can be offered. • The provision of £3 per meal represents an offer to schools that is higher than FSM, to support overall budget management.

**Red = highly likelihood and/or high impact; amber = medium likelihood and/or impact; green = low likelihood and/or impact.*

Conflict of interest

- 4.2. There are no conflicts of interest to note for any of the officers involved in the drafting or clearance of this decision form.

Links to Mayoral strategies and priorities

- 4.3. This programme links to the Mayor's delivery of the Supporting and Investing in Young Londoners mandate which includes the following core objectives:
- children and young Londoners achieve the health and learning outcomes they need to thrive at every stage of development
 - children and young Londoners have the positive opportunities needed to be successful
 - Londoners have the skills they need to improve their lives.

5. Financial comments

- 5.1. Approval is sought for the following:

- The expenditure of up to £147.5m (which spans two financial years but one academic year) to continue providing grants to eligible local authorities, so that they may deliver or provide on-grants to schools in their area so that those schools may deliver, UFSM to KS2 children in London state-funded primary schools, and begin to deliver UFSM to children in NMSS, for the 2025-26 academic year. The amounts of the grants to local authorities will depend on the number of eligible primary-school children in the borough (this includes up to £2.2m to fund an uplift for the additional costs of Kosher meals, and where exceptional costs arise for children with SEND, as well as programme costs).
- Delegation of authority to the Executive Director of Communities and Skills to make programme-level decisions via a DD form, which will confirm the final funding allocations to London boroughs; and the detailed breakdown of the approved UFSM budget for 2025-26 and 2026-27 financial years.

- 5.2. The expenditure of £147.5m will be funded from the UFSM programme budget across 2025-26 and 2026-27 financial years. The current proposed budget phasing across the financial years, which is subject to change, is £105.4m in 2025-26; and the remaining £42.1m in 2026-27.

- 5.3. The GLA will provide funding to boroughs equivalent to £3 per meal. This means the total expected number of pupils eligible for UFSM in each borough has been multiplied by £3 per day in the academic year (190 days), to finalise allocations with an assumed take-up of at least 87 per cent, to be confirmed in consultation with boroughs. These final allocations will be confirmed in a subsequent DD. This budget includes up to £2.8m ringfenced funding for additional costs including provision for:

- a higher price of providing Kosher meals of £3.85 per meal for Jewish schools in response to the findings of the equality impact assessment (EqIA) in Appendix B
- any exceptional costs arising for special schools to support the higher cost of meals for pupils with SEND where needed.

- 5.4. The funding allocation in future financial years will be subject to the normal annual budget setting process and is subject to change. The expenditure of £147.5m across 2025-26 and 2026-27 will be confirmed as part of the budget setting process for each financial year.
- 5.5. Any contracts that commit the GLA in future financial years will be subject to appropriate break clauses.

6. Legal comments

Powers to undertake the requested decisions

- 6.1. The decisions requested fall within the general power of the Mayor (exercisable by the Mayor on behalf of the GLA) in section 30 of the Greater London Authority Act 1999 (GLA Act), to do anything that he considers will further any one or more of the GLA's principal purposes. Those principal purposes include the promotion of social development in Greater London. Section 34 of the GLA Act also allows the Mayor to do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of any functions of the GLA exercisable by the Mayor (including the general power in section 30). In formulating the proposals in respect of which a decision is sought, the GLA has related statutory duties to:
- have due regard to the principle that there should be equality of opportunity for all people (section 33(1) of the GLA Act)
 - consider how the proposals are best calculated to: promote improvements in the health of persons in Greater London; and promote the reduction of health inequalities between persons living in Greater London, (section 30 (5) of the GLA Act)
 - consult with such bodies or persons as may be considered appropriate in the particular case (section 32(1) of the GLA Act).
- 6.2. In taking the decisions requested of him, the Mayor must comply with the Public Sector Equality Duty to have due regard to the need to: eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Equality Act 2010; advance equality of opportunity between persons who share a relevant protected characteristic (race, disability, age, sex, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it (section 149 of Equality Act 2010). To this end, the Mayor should have particular regard to section 3 (above) of this report.

Grant funding

- 6.3. Decision 1, above, seeks approval of a budget of £147.5m to continue the UFSM's programme. The budget will be used by the GLA for the provision of grant funding to local authorities for the purpose of USFM. The funding received by the boroughs will either be on-granted to schools in their boroughs or be used to procure catering services for the purpose of delivering UFSM. To that end, the GLA will be funding the provision of UFSM to school children either by the local authorities or by schools in their areas via on-grant. Accordingly, there is no direct supply to the GLA and the funding may be viewed as a grant rather than a contract for services. Officers are reminded to comply with section 12 of the Contracts and Funding Code (the Code). Furthermore, prior to the provision of the additional funding, officers must put in place either deeds of variation of existing funding agreements or new funding agreements between the GLA and the recipient local authorities.

Subsidy control

- 6.4. The Subsidy Control Act 2022 (SC Act) requires that grant funding be assessed in accordance with a four-limbed test in order to see whether the grant funding amounts to a subsidy within the meaning of the SC Act. As explained above, the grant funding will be provided to local authorities to provide USFM directly or on-granted by them to schools in their areas in order to provide UFSM. In providing the UFSM, the local authorities will be providing a public service. To that end, the proposed grant funding does not meet the first limb of the four-limbed test and, therefore, does not amount to a subsidy.

Delegation

- 6.5. Any function exercisable by the Mayor on behalf of the GLA may also be exercised by a member of the GLA's staff subject to any conditions that the Mayor sees fit to impose. The Mayor may therefore make the requested delegation to Executive Director of Communities and Skills, if he so chooses.

7. Planned delivery approach and next steps

- 7.1 A detailed project plan has been developed, alongside a timeline for each specific deliverable:

Expected milestones	Timeframe
Grant agreement signatures and commence grant giving process	July 2025
Implementation of UFSM policy for Year 3	September 2025

- 7.2. The delivery methodology of the programme will build on the success of years one and two of the programme and can be mapped over three phases: internal operations and governance; policy delivery (including comms and engagement); and delivery (including monitoring and evaluation).
- 7.3. The governance structures allow for continued engagement with boroughs through the Partnership Advisory Group and regular review meetings as well as other forums, and other core stakeholders via regular updates and highlight reporting.
- 7.4. The programme delivery will continue to be informed by the IIA and EqIA respectively. It is underpinned by a theory of change and an integrated evaluation developed in partnership with a series of evaluation partners.
- 7.5. The programme will have a communications and engagement plan as a key delivery arm. There will be regular engagement with borough stakeholders and a regular set of communications in line with core messaging.

Appendices and supporting papers:

- Appendix A – [Arbor meals data - London Datastore](#)
- Appendix B – Equality Impact Assessment
- Appendix C – Supplementary analysis in relation to independent schools
- Appendix D - [MD3146 Primary School Universal Free Schools Meal Provision 2023-2024](#)

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will be published either within one working day after it has been approved or on the defer date.

Part 1 – Deferral

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under the FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form? – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer:

Rosalind Louth and Laura Marshall have drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Tunde Olayinka has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Joanne McCartney has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Mayoral Delivery Board

This decision was agreed by the Mayoral Delivery Board on 3 March 2025.

✓

CHIEF FINANCE OFFICER:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:

Fay Hammett

Date:

03/02/2025

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor.

Signature:

D. Bellamy

Date:

03/02/2025