

## REQUEST FOR DIRECTOR DECISION – DD2750

**Title: Additional funding for the Universal Free School Meals Programme where meal uptake exceeds 90 per cent**

### Executive Summary:

This Director Decision (DD) seeks approval for the expenditure of up to £803,000 to cover the additional payment for boroughs that have evidenced school meal uptake above 90 per cent for the Mayor of London's Universal Free School Meals (UFSM) programme. It is intended to ensure schools are remunerated when meal uptake exceeds the 90 per cent rate that was used in calculating the funding allocations. This will be funded from the existing UFSM programme budget.

The Executive Director of Communities and Skills is asked to approve the total expenditure of up to £803,000 to deliver on the purpose set out above.

### Decision:

That the Executive Director of Communities and Skills approves expenditure of up to £803,000 in order to increase the existing grant funding to certain London boroughs, which will then provide the funding to state-funded primary schools and non-maintained special schools (NMSS) that have evidenced Universal Free School Meals (UFSM) school meal uptake above 90 per cent for the 2024-25 academic year.

### AUTHORISING DIRECTOR

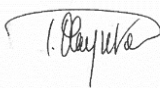
I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

**Name:** Tunde Olayinka

**Position:** Executive Director –  
Communities & Skills

**Signature:**



**Date:**

24/06/2025

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE**

### **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 and alternative provision (AP), as well as 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 boroughs to cover grants of varying amounts to be allocated to the boroughs and delivered to KS2 children in London's state-funded primary schools. This enabled those boroughs (or the schools they fund) to continue delivering 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.
- 1.3. The Mayor approved the expenditure of up to £140m to continue to deliver UFSM to KS2 children within London state-funded primary schools for the 2024-25 academic year, to cover grants of varying amounts to be allocated to local authorities and delivered to schools, depending on the number of eligible primary-school children in the borough (this includes up to £2.5m to fund an uplift for the additional costs of Kosher meals and where exceptional costs arise for children with special educational needs and disabilities (SEND), as well as programme costs) ([MD3224](#)).
- 1.4. As approved by MD3224, the £140m budget allocation for UFSM in the 2024-25 academic year is based on a 90 per cent pupil school meal uptake, with additional payment allowed for boroughs that can evidence uptake above 90 per cent (to be addressed in the 2025-26 budget setting process), as outlined in paragraphs 2.5-2.8 of MD3224.
- 1.5. Accordingly, state-funded schools were given the opportunity to secure additional funding if they evidenced that uptake of the scheme has exceeded 90 per cent, which will be delivered through their respective boroughs. This extra funding will be reviewed on a borough-by-borough basis according to uptake of the scheme and verified by the GLA.
- 1.6. As the £140m outlined in MD3224 included up to £2.5m to fund an uplift for the additional costs of Kosher meals and where exceptional costs arise for children with SEND (based on an assumed uptake of 100 per cent), schools in receipt of a Kosher uplift payment or SEND payment are not eligible for this additional funding as it is for schools that have been funded at 90 per cent uptake.
- 1.7. A list of boroughs that have evidenced uptake in excess of 90 per cent in their schools and by how much can be found in Appendix A.
- 1.8. MD3224 delegated authority to the Executive Director of Communities and Skills to make programme-level decisions via a DD form, in consultation with the Deputy Chief of Staff and the Deputy Mayor for Children and Families.
- 1.9. The Deputy Chief of Staff and the Deputy Mayor for Children and Families have been consulted on this decision and are content with the detail included.

#### **2. Objectives and expected outcomes**

- 2.1. The programme objectives and expected outcomes are set out in MD3224.
- 2.2. Specific objectives of the additional funding are to:

- help mitigate the impact of the cost-of-living crisis by saving London’s families up to £1000 per child over the two years of the scheme; and by ensuring primary school children in state-funded schools, including all-through schools, academies, state-funded special schools, and AP, as well as 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.

### 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 comply with the public sector equality duty by having 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 EqlA 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 EqlA 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. The EqlA was attached to MD3224.

### 4. Other considerations

#### Key risks and issues

- 4.1. The key risks and issues are highlighted as follows:

Risk	RAG*	Mitigation
<p>Insufficient robust data on pupil premium registrations.</p> <p>Transitional protection ended in March 2025 which will impact the status of pupil premium already in school. This may mean pupils (families)</p>	Red	<ul style="list-style-type: none"> <li>• Analysis of DfE Census data has been conducted periodically. Pupil premium allocations are made to schools annually in April and this data will be reviewed to understand any changes in pupil premium.</li> <li>• Continue to engage boroughs and schools to understand proportions of families applying for funding, drivers to any changes, and develop appropriate support response.</li> <li>• The GLA continue to support boroughs to adopt -universal registration schemes. In 2024-25 boroughs were provided with £20k each to support local activities.</li> </ul>

have to register annually to be eligible for government funding.		<ul style="list-style-type: none"> <li>The GLA will support boroughs with additional funds to implement or work towards auto-enrolment.</li> </ul>
Concerns from schools and boroughs around the lack of capital funding attached to grants.	Amber	<p>GLA officers have established various stakeholder engagement forums to unpick policy challenges and co-create solutions with partners such as boroughs, schools and unions.</p> <ul style="list-style-type: none"> <li>Where possible, the GLA will offer 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.</li> <li>Regular one-to-one check-ins with boroughs to seek intelligence on any issues and co-create solutions with the borough Senior Responsible Officer.</li> <li>The Mayor's policy as set out in the Grant Principles (within the borough grant agreement) states that it is preferable that hot meals are provided but where infrastructure challenges exist cold meals can be offered.</li> <li>The provision of £3 per meal and £3.85 for Kosher meals provided in Jewish state schools represents an offer to schools that is higher than FSM, to support overall budget management.</li> </ul>

*\*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.
- 4.4. This programme links to the Mayor's delivery of the Robust Safety Net recovery mission, which aims to ensure that, by 2025, all Londoners can access the support they need to avoid and alleviate financial hardship. Provision of UFSM through this programme will ensure children in state-funded primary schools have at least one meal a day and reduce financial burden on parents.
- 4.5. Primarily this programme seeks to reduce the impact of the cost-of-living crisis on low-income families.

## **5. Financial comments**

- 5.1. Approval is sought for the expenditure of up to £803,000 in order to increase the existing grant funding to certain London boroughs, which will then provide the funding to state-funded primary schools and non-maintained special schools (NMSS) that have evidenced Universal Free School Meals (UFSM) school meal uptake above 90 per cent for the 2024-25 academic year.
- 5.2. Under MD3224, the Mayor approved the expenditure of up to £140m to continue to deliver UFSM to KS2 children within London state-funded primary schools for the 2024-25 academic year. The £140m budget allocation is based on a 90 per cent pupil school meal uptake, with additional payment allowed for boroughs that can evidence uptake above 90 per cent.
- 5.3. This expenditure to increase existing grant funding to London boroughs that have evidenced uptake above 90 per cent for 2024-25 academic year will be funded from the UFSM programme budget in 2025-26 financial year. There is sufficient budget to meet this expenditure.

## **6. Legal comments**

### Power to undertake the requested decisions

- 6.1. The decision requested of the Executive Director of Communities & Skills falls within the general powers of the Mayor, acting on behalf of the GLA, in section 30 of the Greater London Authority Act 1999 (GLA Act) to do anything the Mayor considers will further any one or more of the GLA's principal purposes. Those principal purposes include furthering 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. These powers are sufficiently broad to cover the proposed use of the funds in this decision for which approval is sought. In formulating the proposals in respect of which a decision is sought, the GLA has related related statutory duties to:
  - pay due regard to the principle that there should be equality of opportunity for all people (section 33(1) of GLA Act)
  - exercise the power in section 30 of the GLA Act in the way which it considers is best calculated to promote improvements in the health of persons in Greater London, promote the reduction of health inequalities between persons living in Greater London, contribute towards the achievement of sustainable development in the United Kingdom and contribute towards the mitigation of, or adaptation to, climate change in the United Kingdom (section 30(5) of the GLA Act)
  - consult with such bodies or persons as considered appropriate in this particular case (section 32(1) of the GLA Act).
- 6.2. In taking the requested decisions, the Executive Director of Communities and Skills (the Director) who is exercising delegated functions on behalf of the Mayor, must comply with the public sector equality duty and therefore the Director should have particular regard to section 3 (above) of this decision form.

### Grant funding

- 6.3. The decision, above, seeks approval for expenditure of up to £803,000 in order to increase the existing grant funding to state-funded primary schools in boroughs that have evidenced UFSM school meal uptake above 90 per cent for the 2024-25 academic year. To that end, the GLA will be funding the increased provision of grant funding by the boroughs to state-funded primary schools in order to be used for the provision of FSM to KS2 children. Accordingly, there is no direct benefit to the GLA

and the funding may be viewed as a grant rather than a contract. Officers are reminded to comply with section 12 of the GLA's Contracts and Funding 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 boroughs.

#### Subsidy control

- 6.4 The Subsidy Control Act 2022 (the "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 boroughs to provide funding to primary schools for the provision of FSM. In providing the funding for FSM, the boroughs 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.

## **7. Planned delivery approach and next steps**

- 7.1. The process for schools and boroughs to claim funding for uptake greater than 90 per cent has been outlined [online](#), and a copy of the guidance has been issued to borough officers.

### 7.2. Timeline of Activity

<b>Activity</b>	<b>Timeline</b>
Data collection by schools where uptake has been above 90 per cent via boroughs	w/c 13 January 2025 and w/c 3 March 2025
Coordination of school data by relevant boroughs and submission of this data via OPS system	17 March - 30 April 2025
Assessment of borough applications by GLA officers	May 2025
Processing of valid claims via OPS by GLA officers	May 2025
Write to boroughs to confirm their additional funding allocations	June 2025
Funding issued by boroughs to relevant schools	June - July 2025

## **Appendices and supporting papers:**

Appendix A – Table of boroughs to receive additional funding

**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 either be published 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 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:**

Laura Marshall has drafted this report in accordance with GLA procedures and confirms the following:

✓

**Assistant Director/Head of Service:**

Jazz Bhogal has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

**Financial and Legal advice:**

The Finance and Legal teams have commented on this proposal, and this decision reflects their comments.

✓

**Mayoral Delivery Board**

A summary of this decision was reviewed by the Mayoral Delivery Board on 23 June 2025.

✓

**CHIEF FINANCE OFFICER:**

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

**Signature:**

*Fay Hammond*

**Date:**

24/06/2025