

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3224

Title: Primary School Universal Free Schools Meal Provision 2024-2025

Executive summary:

This Mayoral Decision (MD) seeks approval, subject to the outcome of the normal budget setting process for 2024-25 and 2025-26, to continue to fund a grant scheme open to all local authorities in London to provide universal free school meals (UFSM) in state-funded primary schools in London. This could save families up to £500 per child this year.

The funding is to help to address the cost-of-living crisis and will cover the cost of meals within term time for the September 2024 – July 2025 academic year. All children in state-funded schools 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 FSM scheme, in KS2 (Year 3 to Year 6) children are eligible for FSM only if they live in households on universal credit earning less than £7,400 a year (after tax and not including benefits), regardless of the number of children in the family. This Mayoral UFSM scheme is not intended to displace national government funding for KS2 children already in receipt of FSM, so eligible children will be all pupils in KS2 not currently eligible for FSM. The UFSM policy has been developed to replicate national government eligibility criteria for KS1 so that the FSM policy will effectively continue to be extended to incorporate eligible children in KS2 as well.

The Mayor is asked to approve the expenditure of up to £140m to continue to deliver the UFSM programme to London primary state-funded schools (including through schools, academies and state-funded special schools and AP) in the 2024-25 academic year subject to the outcome of the normal budget setting processes for the 2024-25 and 2025-26 financial years.

Decision:

That subject to outcome of the budget setting processes for the 2024-25 and 2025-26 GLA: Mayor budgets, the Mayor:

1. approves 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)
2. delegates authority to the Executive Director of Communities and Skills to make programme-level decisions via a Director Decision (DD) form, which will confirm the final funding allocations to London boroughs and the detailed breakdown of the approved UFSM budget for 2024-25 and 2025-26.

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: 18/01/24



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

Decision required – supporting report

1. Introduction and background

- 1.1. The Mayor of London believes that all primary school children in state-funded schools, including state-funded special schools and Alternative Provision (AP), should have access to free school meals (FSM). In July 2023, the Mayor approved an historic £135m emergency funding plan to help families with the spiralling cost of living by ensuring that primary school children in state-funded schools in London received FSM in the next academic year.
- 1.2. Due to the ongoing cost-of-living crisis, on 9 January 2024 the Mayor of London announced his intention to allocate £140m in his 2024-25 budget to extend the Universal Free School Meals (UFSM) scheme for another year from September 2024, with a view to continuing to help families financially.
- 1.3. The £140m proposed to be allocated to the UFSM scheme in the 2024-25 academic year spans the 2024-25 and 2025-26 financial years. A funding allocation for 2024-25 is included in the GLA: Mayor budget element of the [draft budget for the GLA group which](#) is due to be published on 17 January 2024 and is intended to be included in the Mayor's final draft budget, to be published on 14 February and then in the final GLA: Mayor budget, to be approved by the Mayor in March 2024. Approval of the £140m allocated to the delivery of the UFSM scheme for the 2024-25 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 2025-26 GLA: Mayor budgets, and whether it continues beyond the 2024-25 academic year, is subject to the normal budget setting process.
- 1.4. Research has shown that in England, hundreds of thousands of schoolchildren live in poverty but do not receive FSM due to the restrictive eligibility criteria and lack of universal provision. All children in state-funded schools are entitled under existing legislation to FSM from Reception to Year 2. However, currently a household on universal credit must earn less than £7,400 a year (after tax and not including benefits), regardless of the number of children in the family, to be eligible in years 3-6. This means that many children from working families in poverty are not entitled to FSM.
- 1.5. 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 Year 3 to Year 6 have seen their worry about feeding the family ease since the summer term (before this scheme was implemented), with 23 per cent saying 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.¹
- 1.6. Qualitative research led by GLA Opinion Research highlighted reduced anxiety levels about feeding their children during term time. Many reported financial savings from not purchasing ingredients for packed lunches. Some are now not using food banks and quantified weekly savings of £15.00 which they use for food at home instead.²
- 1.7. Experts have called on national government to provide FSM to all state-funded primary school children across the country, but this has not been delivered. The Mayor of London is continuing to take action. This extension of the provision has been proposed in light of the ongoing pressures on families.
- 1.8. The UFSM scheme for the 2024-25 academic year proposes to pay £3.00 per meal – higher than the funding for UFSM which is £2.53³.
- 1.9. The [Integrated Impact Assessment](#) (IIA) was developed and published in 2023 and used to inform the policy and will continue to do so. As part of the development of a subsequent Director Decision

¹ Research conducted by YouGov, commissioned by City Hall in December 2023 data tables: [Supporting data – London Datastore](#)

² GLA Opinion Research December 23: [Monitoring the impact of universal free school meals - London Datastore](#)

³ The government paid £2.41 per meal for UFSM until the price per meal was changed to £2.53 on 28 June 2023.

(DD) which will break down the costs further, consideration will be given to whether a refresh of the IIA is required to inform this further decision making.

- 1.10. GLA UFSM team officers will continue to support schools and boroughs – in particular to support messaging to eligible families to encourage them to register for national government FSM – in order to protect pupil premium grant income for schools.⁴ Early indications are that the risk of a decline in income due to fewer parents or guardians of eligible children registering for the Government FSM has not materialised during year one of the policy, however it will be important to continue to raise awareness of the ongoing requirement for registration.
- 1.11. In the majority of cases, the local authorities will be acting as responsible bodies for the GLA's grant funding and then providing on-grants to the eligible schools in their area. In turn, those schools will then use the on-granted funds to procure catering services. However, in a limited number of cases, some local 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 as follows:

- 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 state-funded special schools and AP, do not go without at least one nutritious meal a day during term time
- to demonstrate the Mayor's role and commitment to address the impact of the cost of living on families, including other available sources of support.

2.2. The programme outputs (as with the current year of the scheme) will carry out activities as follows:

- 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 and AP, who are not eligible for the government scheme
- communications campaign to inform schools and raise awareness amongst families, including the ongoing need for eligible parents to register for the national government 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 under the national government scheme, such as the pupil premium grant
- robust evaluation that will support work undertaken by other funding 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 (year 3 to year 6) attending state-funded schools (including state-funded special schools and AP), who are not currently entitled to FSM provided by the national government, will continue to have access to at least one nutritious meal a day during term-time, supporting families during the ongoing cost-of-living crisis

⁴ The pupil premium grant is funding to improve educational outcomes for disadvantaged pupils in state-funded schools in England.

- awareness and encouragement to take up existing schemes to support London families during the cost-of-living crisis will continue to improve
- mitigation of some of the impacts of the cost-of-living crisis will continue – these include increased household food security; decreased indebtedness; and changes to household food purchasing behaviours.

2.4. Partnership working is vital to the extension of the UFSM scheme for 2024-25. To date, engagement with stakeholders has included close work with London Councils; London borough leaders and officers; schools, caterers and unions and other existing networks. Engagement activities with stakeholders have and will continue to include:

- regular written updates
- regular one-to-one check-in with each borough
- Partnership Advisory Group⁵
- 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
- webpages.

Breakdown of deliverables and costs

- 2.5. It is estimated that up to £137m 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 on census day in October 2023 (minus the number who are eligible for the national government FSM offer). The GLA will provide funding to boroughs equivalent to £3.00 per meal, meaning 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 at least 90 per cent, to be confirmed in consultation with boroughs. These final allocations will be confirmed in a subsequent DD.
- 2.6. As with the 2023-24 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 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, and the intention is to encourage them to continue to use the offset funds to support families in financial hardship as a result of the cost-of-living crisis.
- 2.7. Boroughs will be funded on the basis of an assumed take up of at least 90 per cent but that is to be determined, in consultation with boroughs, and confirmed in a subsequent DD. Evidence from year one of the scheme, and previous borough-led UFSM schemes suggests that 90 per cent take-up would be at the very top end of expectations. 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 2024 and April 2025 respectively.

⁵ 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.

- 2.8. 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. Evidence from the first year of the scheme suggests a percentage take-up in the 80 to 89 per cent range, and about 83 per cent on average. This early insight highlights the success of the scheme in the first term. Ongoing monitoring and research with schools will investigate this further in term two and term three of 2023-24.
- 2.9. Up to £2,500,000 will be allocated for additional funding to boroughs 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) can be found in Appendix A
 - 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.
- 2.10. The grant conditions stipulate that the funding must be spent on delivery and implementation of the scheme.
- 2.11. In order 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 authorisation to 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 will be drafted 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 in order 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. Examples include sharing good practice on how to increase registration by 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. This 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 ([online hub for schools](#) and [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 A) dated 4 July 2023 was annexed to MD3146 which approved expenditure for the UFSM scheme in 2023–24. The findings of the EqIA remain relevant for this decision and should be considered. The EqIA identified areas for further work or consideration with regard to the UFSM programme including aspects such as mitigation or future monitoring. Recommendations include: the need to address special dietary needs for faith groups including Kosher food; and need to address special dietary 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; however, the assessment also considered the potential effects of the strategy for people on the basis of socioeconomic status.
 - The policy was assessed as potentially having the following positive effects for a range of groups having protected characteristics:
 - In relation to the protected characteristic of age, it was anticipated that there would be positive benefits for nutrition, mental health and wellbeing, and academic learning and attainment. This would bring most benefits to the recipient age group (7–11) but was also likely to extend beyond this group, bringing benefits 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 was 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 the cost-of-living crisis. The data set out in the full report indicated that pupils from Black or mixed ethnic groups (as defined by the Census) were, disproportionately more likely to be eligible for FSM, and therefore more likely to be subject to the associated stigma.
 - It would also make it 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, to receive this benefit. This was likely to include those from ethnic minority groups for whom English is not their first language.
 - For those that are currently struggling with the cost-of-living crisis or who are living in relative poverty, but who 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 includes those in low-income families and

those with protected characteristics. This is particularly an issue in London where living costs (particularly rents) are higher.

- The receipt of a FSM might have benefits for improving attendance through both reduced health-related absence and access to a free lunch as a motivating factor.
- The EqIA also identified areas for further work or consideration with regard to the policy including aspects such as mitigation or future monitoring. These included:
 - The need to address concerns about whether a UFSM policy would meet the dietary needs and requirements for all faith groups, particularly for those pupils within 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.
 - 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.
 - Similar issues existed around the dietary needs and requirements, and price point, for meals for children with special education needs and disabilities (SEND) and SEND schools. Some of these children were more likely to have specific dietary needs. Recommendations to address this included contingency funding for any extraordinary costs that were a barrier to children accessing the scheme.
 - Full details of proposed mitigating actions are set out in the EqIA (see Appendix A).

3.5. The findings of the EqIA and supplementary analysis in relation to independent schools (Appendix B), which was annexed to Mayoral Decision (MD) 3146, found that there are some costs associated with the specific access requirements for some groups of children in some specific circumstances such as SEND, and pupils who may have a specific dietary requirement in connection with their religion or belief. This has been mitigated by providing a higher price per meal for Jewish schools and provision of funding for any exceptional needs arising in special schools.

3.6. The Mayor's UFSM scheme proposes to effectively extend the provision of FSM only within state-funded schools in London (including academies). It may be the case that those with certain protected characteristics are more likely to attend non-state schools (one such group is considered below). It might be said that providing UFSM only to state schools disproportionately disadvantages such groups, and it is therefore advisable to consider whether it is justified not to extend the UFSM programme to independent schools. It is considered that it is justifiable. Given the funding available is limited and not sufficient to provide meals for all primary age pupils, this policy proposes to prioritise children from within less affluent families. Whilst there is no bespoke mechanism for seeking to target such children, their attendance within state schools has been considered to be a reasonable and practicable proxy for targeting such less affluent families. Non-state schools are more likely to charge fees or receive alternative income for pupils which could be used to pay for meals. 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 (covering state schools including academies only).

3.7. Other factors which are relevant to targeting the UFSM scheme to state schools include:

- Much of the practical implementation of the scheme will be done by local authorities e.g. handling of funding to schools, liaising with caterers etc. 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 costly method for implementation would need to be devised.

- 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 would be able to benefit. This would be complex and would take time to set up – which would significantly delay the continued roll out of the policy.
- There are no national food standards for the independent schools and no existing commissioning or contracts between local authorities and fee-paying schools. These would take time to put in place.
- Detail of implementation contracts sit with local boroughs not the GLA.

3.8. Prior to the commencement of the 2023-24 UFSM scheme, representatives of sections of the Charedi community sought the expansion of the UFSM scheme to children who attend independent faith schools in Hackney. They contended that a disproportionate number of Charedi children attended independent schools and were therefore disadvantaged by the decision to restrict the scheme to state schools. The issue was considered and it was concluded that there as justification for the UFSM scheme applying to state schools only as set out above and that was so notwithstanding the representations made by sections of the Charedi community. The equalities section of the previous MD3146 relating to UFSM (see Appendix C) 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 and the Mayor is referred to MD3146 (particularly paragraphs 3.4-3.45), which is included as an appendix, as these issues are still relevant and should be considered.

3.9. The monitoring and evaluation strategy for the first year of the programme incorporates consideration of protected characteristics and the EqIA and any findings from this work will be used to consider any further mitigation required through the scheme in 2024-25.

4. Other considerations

Key risks and issues

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

| Risk | RAG* | Mitigation |
|---|-------------|--|
| Claims for pupil premium decrease in schools, reducing funding for schools. | Amber | <ul style="list-style-type: none"> • The GLA will provide boroughs and schools with communications 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. • Term 1 of year 1 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. |
| Concerns from schools and local authorities around the lack of capital | Amber | <ul style="list-style-type: none"> • Given administration of a capital offer would represent significant administrative challenges, mitigating actions will continue to be undertaken to support schools. |

| | | |
|-----------------------------|--|---|
| funding attached to grants. | | <ul style="list-style-type: none"> • GLA officers have established various stakeholder engagement forums to unpick policy challenges and co-create solutions with partners such as boroughs, schools and unions. • The GLA are offering contingency funding to any school which is having significant problems in year 1 of the scheme, however, there has been limited take up of this offer to date. • Regular one-to-one check-ins with boroughs to seek intelligence on any issues and co-create solutions with the borough Senior Responsible Officer (SRO). • 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 £3.00 per meal represents an offer that is higher than FSM to schools 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 Robust Safety Net mission which aims to ensure that, by 2025, all Londoners can access the support they need to avoid and alleviate financial hardship. Provision of FSM through this programme will ensure children attending state-funded primary schools in London have at least one meal a day during term time and help to lower everyday costs for parents and carers of these children.
- 4.4. 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, subject to the approval of the final 2024-25 GLA: Mayor budget as part of the final budget for the GLA Group:
- 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
 - the 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 UFSM budget.
- 5.2. The approval and expenditure of up to £140m will be funded from the UFSM programme budget over the 2024-25 and 2025-26 financial years and so is subject to the outcome of the normal budget setting process for those financial years. The current proposed budget phasing across the financial years, which is subject to change, is £100m in 2024-25 and the remaining £40m in 2025-26 financial year.

- 5.3. The expenditure of £140m across 2024-25 and 2025-26 financial years is agreed in principle subject to confirmation as part of the annual budget setting process. A funding allocation for 2024-25 is to be included in the GLA: Mayor budget element of the draft and final GLA Group budgets. Funding for future financial years will be subject to the normal annual budget setting process.
- 5.4. Any contracts that commit the GLA in future years are subject to appropriate break clauses.

6. Legal comments

Powers to undertake the requested decisions

- 6.1. The decisions requested of the Mayor fall within the general powers of the Mayor in section 30 of the Greater London Authority Act 1999 (GLA Act) to do anything which it considers will further any one or more of its 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. In formulating the proposals in respect of which a decision is sought, officers have complied with the GLA's 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)
 - consider how the proposals are best calculated to promote the improvement of health of persons in Greater London, promote the reduction of health inequalities between persons 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 appropriate bodies or persons (section 32(1) of the GLA Act).
- 6.2. In taking the decisions requested of him, the Mayor must have due regard to the Public Sector Equality Duty; namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by 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 £140m to continue the UFSM's programme. The majority of the budget will be used for the provision of grant funding to boroughs for the purpose of USFM. To that end, the GLA will be funding the provision of UFSM by the boroughs to school 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 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 boroughs.

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 amount to a subsidy within the meaning of the SC Act. As explained above regarding decision 1, the grant funding will be provided to local

authorities 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 albeit subject to any conditions, which the Mayor sees fit to impose. To this end, the Mayor may make the requested delegation to Executive Director of Communities and Skills, if he so chooses.

Procurement

- 6.6. Officers must comply with the Code when procuring services or supplies in furtherance of the extension of the UFSM programme.

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 2024 |
| Implementation of UFSM policy | September 2024 |

- 7.2. The delivery methodology of the programme will build on the success of the pilot 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 throughout via regular updates and highlight reporting.
- 7.4. The programme delivery will continue to be informed by the IIA and EqIA respectively and 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, with regular engagement with borough stakeholders and a regular set of communications in line with core messaging.

Appendices and supporting papers:

Appendix A – Equality Impact Assessment

Appendix B – Supplementary analysis in relation to independent schools

Appendix C – [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:

Matthew Kleebauer and Rosalind Louth 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.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 15 January 2024.

✓

INTERIM CHIEF FINANCE OFFICER:

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

Signature:

Date:

18 January 2024

CHIEF OF STAFF:

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

Signature:

Date:

18 January 2024