EXECUTIVE NOTE

DRAFT : The Provision of School Lunches (Disapplication of the Requirement to Charge) (Scotland) Order 2007

1. The above Instrument is made in exercise of the powers conferred by section 57(1), (3) and (4) of the Local Government in Scotland Act 2003 ("the 2003 Act"). The Instrument is subject to affirmative resolution procedure.

Policy objectives

2. The purpose of the Instrument is to enable five specified councils (East Ayrshire Council, Fife Council, Glasgow City Council, Scottish Borders Council and West Dunbartonshire Council) to use the power to advance well-being in the 2003 Act to conduct trials of free school lunches for Primary 1- Primary 3 (P1-P3) pupils within schools under their management.

Background

3. The Scottish Executive has invited the above 5 councils to conduct a trial from the end of October 2007 to March 2008 whereby all P1-P3 pupils in schools under the management of the councils will have access to free nutritious school lunches. The trial is part of the Executive's drive to improve the nation's health and encourage good eating habits from a young age. The specific objectives of the trial are to:

- Assess process and practical issues for councils and schools in implementing free school lunches for P1-P3 pupils;
- Measure the change in uptake of school lunches by P1-P3 pupils;
- Investigate the range of potential health and other benefits of the trial, including attitudes and behaviours in relation to school lunches and healthy eating, by pupils, parents, teachers and schools;
- Provide an assessment of the impact of the trial on the marginal and average costs of providing school lunches;
- Identify any unexpected impacts and barriers to roll out across the country.

Consultation

4. The issue of free school lunches has been extensively debated and consulted on by the Scottish Parliament, most recently during the passage of the Schools (Health Promotion and Nutrition) (Scotland) Act 2007. Providing free school lunches to P1-P3 pupils was one of the proposals put forward during this, and other, debates. Piloting free school lunches for P1-P3 pupils was an SNP manifesto commitment during the recent election.

Financial effects

5. The Scottish Executive will spend up to £5 million to pay for the trial. This funding will be given to the 5 councils as a grant on the condition that they conduct the trials. We expect that this will cover the cost but it is possible that the councils involved may incur some minor unanticipated costs. One of the aims of the trial is to identify any additional costs that councils might incur.

6. There are no significant financial effects on Scottish business and therefore a Regulatory Impact Assessment has not been prepared. It is possible that some Scottish food producers could benefit financially if they provide for any of the schools involved in the trial.

Scottish Executive Schools Directorate
September 2007