

POLICY NOTE

THE EDUCATION (SCHOOL LUNCHES) (SCOTLAND) AMENDMENT REGULATIONS 2013

SSI 2013/64

1. The above instrument is made in exercise of the powers conferred by section 53(3)(a)(iv) and b(iii) of the Education (Scotland) Act 1980. The instrument is subject to negative resolution procedure.

Policy Objectives

2. The Education (Schools Lunches) (Scotland) Amendment Regulations 2013 prescribes Universal Credit, as defined under Part 1 of the Welfare Reform Act 2012, as one of the qualifying criteria for free school meals. The objective is to maintain access to free school meals following the introduction of Universal Credit to ensure that anyone who would have been eligible to claim free school meals under existing arrangements does not lose entitlement during the early phases of its roll out.

Commencement date

3. The commencement date of these regulations is 29 April 2013.

Consultation

4. The Scottish Government ran a formal consultation exercise and informal consultation events with a range of stakeholders, seeking views about the future arrangements of passported benefits under the UK Government's programme for welfare reform. Additionally, a short term working group on free school meals in Scotland under welfare reform was convened with local authority representation. Stakeholders are supportive of the provisions contained within this instrument. There will also be on-going consultation with stakeholders in the further formulation of policy.

Impact Assessments

5. An Equality Impact Assessment will be published on the Scottish Government website and the content of this will be kept under review when further detail is known about the roll out of Universal Credit in Scotland.

Financial Effects

6. An assessment of the financial impact of free school meal provision was published in March 2012 in the financial memorandum for the Welfare Reform (Further Provision) Scotland Bill. Until October 2013 this instrument is expected to have negligible impact to local authorities. Further assessment will be produced when further detail is known about the roll out of Universal Credit in Scotland.

Scottish Government Learning Directorate
20 February 2013