



HOUSE OF COMMONS
LONDON SW1A 0AA

22nd January 2024

Dear Constance,

RE: FREE SCHOOL MEALS FOR DISABLED CHILDREN

Thank you for your recent correspondence in respect of your concerns about free school meals (FSM) for disabled children; I have read your comments with interest.

Unfortunately, I was unable to attend the Westminster Hall debate on access to free school meals for children with special educational needs and disabilities.

I believe it is imperative that all children have regular healthy and balanced meals throughout the day to ensure they are able to thrive in the classroom.

Schools have a duty to provide nutritious, free meals to pupils that meet the eligibility criteria, including being a registered pupil of a state funded school. FSM provision should be made to eligible pupils either on the school premises, or at any other place where education is being provided.

The Department for Education expects schools to act reasonably in ensuring that their food provision accounts for medical, dietary and cultural needs. The department has published statutory guidance, which describes steps a school may take, including the establishment of individual healthcare plans which may include special diets. The department has also published non-statutory guidance for schools to advise them generally on their duties to make reasonable adjustments for disabled pupils and to support them in doing so.

The standard food offering provided by schools will, of course, be suitable to the needs of many of these children. However, some pupils with additional needs may require special food provision or arrangements. Let me be very clear: all schools have duties under the *Equality Act 2010* towards individual disabled children and young people, and they must make reasonable adjustments to prevent them being put at a substantial disadvantage. That means that a school cannot treat a pupil unfairly as a consequence of their disability.


For example, a school could let a pupil with sensory-processing issues go into the dinner hall before other pupils, or it could appropriately tailor the meal choices to the pupil's particular needs. Schools do, of course, do those things and are best able to understand the individual children and the circumstances of their school.



Local authorities are funded to support children with special educational needs, including those who are unable to attend school on a long-term basis. The department has published guidance to provide more information, which can be found at: <https://www.gov.uk/illness-child-education>. The department continues to keep its guidance under review to ensure that FSM eligibility supports those who most need them.

More generally, the department spends over £1 billion each year on free school meals, including through the Holiday Activities and Food programme and school breakfast clubs.

Once again, thank you for taking the time to contact me and if I can ever be of any further assistance to you then please do not hesitate to contact me again.

With best wishes


**TOM PURSGLOVE MP
MEMBER OF PARLIAMENT
CORBY & EAST NORTHAMPTONSHIRE**