



Jenny Rathbone AM  
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26 March 2019

Dear Jenny

I am writing in response to a number of queries relating to the provision of school meals that you raised during business questions on 5 March.

You called for the Minister for Housing and Local Government to write to all local authorities to ask that they monitor what exactly is going on in each of their secondary schools in relation to the Appetite for Life guidelines. It may be helpful in the first instance if I explain the background to the current food and nutritional standards set out in the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013.

The Welsh Government's Appetite for Life standards were used as the basis for informing these Regulations which came into force in 2013 along with other provisions within the Healthy Eating in Schools (Wales) Measure 2009. The statutory guidance issued in relation to the regulations replaced the Welsh Government's Appetite for Life guidelines.

You sought clarification on who monitors school meals. Local authorities and governing bodies **must** comply with the Healthy Eating in Schools Regulations. Anyone else who is involved in providing food and drink in maintained schools should be aware of the statutory requirements if they plan menus, purchase and procure food and prepare food and drink for or in schools.

Estyn reports on the arrangements made to promote healthy eating and drinking in maintained schools, but it does not report on a school's performance on compliance with the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013. This is informed by reviewing governor reports to parents, speaking to pupils and noting any obvious breaches. Estyn has produced guidance on inspecting how well maintained schools (primary, secondary and special schools and pupil referral units) develop pupils' understanding of healthy living. The guidance can be accessed from the link below:

<https://www.estyn.gov.wales/document/supplementary-guidance-healthy-living-0>

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Rydym yn croesawu cael gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The Welsh Network of Healthy School Schemes promotes compliance with the regulations and encourages schools to adopt a whole-school approach to healthy eating, including school level policies relating to the exemptions of the regulations, e.g. packed lunches, rewards and social events.

The Welsh Local Government Association (WLGA) provides support to schools to ensure that their school meals meet the standards set out in the Healthy Eating in Schools Regulations. It offers school caterers the opportunity to achieve a voluntary certificate of compliance for their food and drink provisions. Twenty of the 22 local authorities and two of the largest contract caterers in Wales engage with this process and it is valued by local authorities, schools and the Welsh Network of Healthy School Schemes (to achieve the National Quality Award). In addition the WLGA provides training and support to LA and school caterers using specialist software called Saffron to help meet the nutritional standards in the regulations.

The Healthy Eating in Schools Regulations work on the basis of an average school lunch over five consecutive school days, and relate to overall provision rather than individual consumption. Many schools, especially secondary schools, provide a choice of food and drink at lunchtime, so each pupil consumes a different balance of nutrients. The regulations have to be flexible and adaptable enough to allow for the varying appetites that growing children and young people will experience, depending on age, body size, metabolism and physical activity. Therefore it is an average school lunch over 5 school days rather than every lunch consumed that must meet the nutrient standards.

Regarding the provision of water in schools, under section 6 of the Healthy Eating in Schools (Wales) Measure 2009 local authorities are required to ensure that a supply of fresh drinking water is available to all pupils, free of charge, with easy access at all times. When it was brought to our attention that there may be some schools that are not making water freely and easily accessible, we reminded local authorities and schools of their legal requirement to do so via Dysg, Welsh Government's post-11 and pre-11 official education and skills on-line newsletter. The link to the reminder, which was published on 13 March 2019, is below:

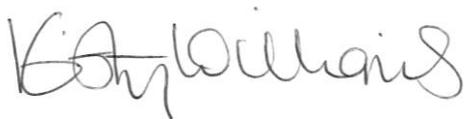
<https://learning.gov.wales/docs/learningwales/publications/access-to-drinkingwater-en.pdf>

Having compulsory standards can contribute to an increase in the take-up of fruit and vegetables and food containing other essential nutrients, such as iron and calcium, while restricting the consumption of fat, sugar and salt. However, I recognise that since the introduction of the regulations in 2013 there have been changes to recommended amounts of sugar and fibre consumed in our diets. The Regulations have not kept pace with some of these changes.

We will also be launching our Healthy Weight Healthy Wales Strategy later this year. It is essential schools provide a health enabling environment in addition to educating children about the importance of eating well and being physically active. In doing so, schools not only contribute to the health of children in their care, but also embed habits and skills for healthy adulthood. Therefore I have committed to updating the Healthy Eating in Schools Regulations 2013. My officials will be working with Health officials in Welsh Government, the

WLGA, local authorities and school catering managers to ensure food and drink provided in our schools continues to make an important healthy contribution to the diet of our children and young people.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams', written in a cursive style.

**Kirsty Williams AC/AM**

Y Gweinidog Addysg  
Minister for Education