

Eligibility for Free School Meals & the EY Pupil Premium under Universal Credit

1. The DfE have published a consultation document outlining their arrangements for calculating eligibility for free school meals & the early years pupil premium with the roll out of Universal Credit. It is proposed to implement these arrangements from April 2018. The link to the consultation document is as follows:
<https://www.gov.uk/government/consultations/eligibility-for-free-school-meals-and-the-early-years-pupil-premium-under-universal-credit>.
2. The Government is proposing to change the criteria for qualifying from measuring against a basket of measures to net earnings threshold. They have further confirmed that their proposals do not include:
 - Universal infant free school meals;
 - Free school meals criteria for children whose parents receive support provided under Part 6 of the Immigration and Asylum Act 1999 or the guarantee element of Pension Credit
 - Disadvantaged two-year-olds. There will be a separate consultation for this.
3. The current benefits used to assess free school meals eligibility include:
 - Income Support;
 - Income-based Jobseeker's Allowance
 - Income-related Employment and Support Allowance
 - Support under Part VI of the Immigration and Asylum Act 1999
 - The guaranteed element of Pension Credit
 - Child Tax Credit, provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190
 - Working Tax Credit run-on – paid for four weeks after they stop qualifying for Working Tax Credit
 - Universal Credit (regardless of income amount, as a temporary measure during the early stages of rollout).
4. It is proposed that a net earnings threshold of £7,400 per annum for a household's eligibility for free school meals will be applied.
5. Data for single parents and couples with one or two children claiming housing benefit was assessed and Table 1 below details the findings.

Earnings		Benefits				
From	To	Working Tax Credit	Child Tax Credit	Both	Total	%
£	£	Number	Number	Number	No	%
7,400	16,190	3,400	520	2558	6,478	57%
0	7,400	3,952	968		4,920	43%
		7,352	1,488	2558	11,398	

These proposals have been assessed and a draft response to the consultation document is detailed below.

Q1 Do you agree with our proposed net earnings threshold to determine eligibility for free school meals and the early years pupil premium under Universal Credit?**Response: Don't agree**

We believe the income threshold should be in line with the national living wage and enable single parents and couples to be able to work up to 36 hours. Our reasons for the proposed threshold have outlined our reasons below.

The current arrangements of using the basket of measures for assessing eligibility are flawed. This is because of:

- the cliff edge created by the current system and
- the inclusion of the criteria of excluding parents of pupils entitled to Working Tax Credit with an annual gross income of no more than £16,190 to support the Welfare Benefit reforms. Using the current FSM measure as used in the funding formula for mainstream schools, this inclusion saw the number of pupils eligible for free school meals drop from 28.9% of the pupil population in 2011 to 19.9%. This reduction in the number of pupils eligible for FSM can now be seen in the funding provided through the Pupil Premium.

Assuming the current percentage of claimants remains a constant, the proposal to move to earning thresholds of £7,400 will see:

- 5% of the claimants receiving child tax credit and earning between £7,400 and £16,190 whose children are currently eligible for FSM will no longer be eligible;
- 30% of claimants receiving working tax credit will find their children continue not to be eligible for FSM;
- Over 21s could only work up to 18 hours at the national living wage, in order for the child(ren) to be eligible free school meals;

In addition, the proposed threshold does not factor in the higher living costs in London. Current experience of the benefit changes has seen families and their children having to wait six (five from April) weeks before their assessment have been confirmed. As a consequent of this the Trussell Trust has reported that 65% of their foodbanks have seen an increase in the number of people needing help from foodbanks during this six weeks waiting period, with 27% of foodbanks said this increase was significant. This has had a direct impact for the children of these families.

This is before the debt families are incurring because they do not have the funds to pay their rent. The Association of retained council housing (ARCH) and National Federation of ALMOs have reported that nearly three quarters of UC household tenants (73%) were in arrears. In London area, this was slightly higher at 78% and had average arrears of £1032.17.

If the Government's aim is to narrow the educational achievement gap between rich and poor pupils, then it is unclear how the current proposal will support this aim. There is considerable evidence from research carried out pupils need to have been fed, if they are to remain focussed and achieve their educational outcomes. The threshold used should consider all pupils from deprived background and not just those pupils absolute poverty.

For these reason, we believe as a minimum the earnings threshold should be set at an individual being able to work at least 36 hours on the national minimum wage.

Q2 Do you agree with our intention to protect those pupils who would otherwise lose their entitlement to free school meals, and those children who would otherwise lose their entitlement to the early years pupil premium, under the new eligibility criteria?

Response: Agree, but the protection should be up to Year 11 for pupils.

Q3 Do you feel that the proposals in this consultation may adversely affect any children who share one or more of the relevant protected characteristics outlined in the Equality Act 2010?

Response: Yes, we are concerned that they will adverse effect our children and young people.

The equality impact assessment states that pupils with a special educational need or disability (SEND) are more likely to be in receipt of free school meals, with 26.8% claiming compared to 13.9% of those without SEND and households from particular ethnic groups are likely to have income below the national median household income of £15,800. With the low threshold set for FSM eligibility, there is a assumption that the child(ren) of these families will be able to access FSM. We believe unless parents work less than 18 hours this will not be the case. Therefore, these proposals do have an impact on pupils from deprived backgrounds to reach their full potential.

Q4 Do you have any views on the proposed management of the changes to the disadvantage measures or on the metrics we publish for the measurement of disadvantaged pupils' performance?

We feel that the proposed threshold of £7,400 will mask and not truly reflect performance of all pupils from disadvantage backgrounds. It will exclude a significant number of pupils who are also living in deprivation rather than absolute poverty. The inclusion of some pupils as part of the transitional arrangements will not be sufficient when comparing the performance of pupils from deprived backgrounds against their peers.

As a key performance measure, it is unclear how the caveats can possible explain the impact on school performance. This change is likely to have the same effect on performance and funding as the 2015 update of the IDACI measure. The concern with this change is that it is used widely for assessing school performance on supporting pupils from a deprived background, but schools will not receive sufficient funding to support all pupils from a deprived background to achieve their potential.