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# Free breakfast in primary schools

Statutory guidance for local authorities and governing bodies



## Guidance

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# Free breakfast in primary schools

<b>Audience</b>	Local authorities as well as governing bodies and headteachers of maintained primary schools (including community special schools).
<b>Overview</b>	This document provides statutory guidance for local authorities and governing bodies of maintained primary schools on duties and powers introduced under the School Standards and Organisation (Wales) Act 2013 regarding the provision of free breakfast in maintained primary schools (FBIPS).
<b>Action required</b>	Local authorities and governing bodies of maintained primary schools must have regard to this statutory guidance.
<b>Further information</b>	Enquiries about this document should be directed to: Pupil Wellbeing Branch Support for Learners Division Department for Education and Skills Welsh Government Cathays Park Cardiff CF10 3NQ e-mail: <a href="mailto:Breakfastinfo@wales.gsi.gov.uk">Breakfastinfo@wales.gsi.gov.uk</a>
<b>Additional copies</b>	This document can be accessed from the Welsh Government's website at <a href="http://learning.wales.gov.uk">learning.wales.gov.uk</a>
<b>Related documents</b>	School Standards and Organisation (Wales) Act 2013 <a href="http://www.senedd.assemblywales.org/mglIssueHistoryHome.aspx?Ild=3633">www.senedd.assemblywales.org/mglIssueHistoryHome.aspx?Ild=3633</a> The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013 <a href="http://www.legislation.gov.uk/wsi/2013/1984/contents/made">www.legislation.gov.uk/wsi/2013/1984/contents/made</a> Healthy Eating in Schools (Wales) Measure 2009 <a href="http://www.legislation.gov.uk/mwa/2009/3/contents">www.legislation.gov.uk/mwa/2009/3/contents</a> <i>Healthy eating in maintained schools – Statutory guidance for local authorities and governing bodies</i> <a href="http://www.learning.wales.gov.uk/resources/healthy-eating-in-maintained-schools/?lang=en">www.learning.wales.gov.uk/resources/healthy-eating-in-maintained-schools/?lang=en</a> The Management of Health and Safety at Work Regulations 1999 <a href="http://www.legislation.gov.uk/uksi/1999/3242/contents/made">www.legislation.gov.uk/uksi/1999/3242/contents/made</a> The Waste (Wales) Measure 2010 <a href="http://www.legislation.gov.uk/mwa/2010/8/contents">www.legislation.gov.uk/mwa/2010/8/contents</a>

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## Introduction

Breakfast has long been recognised as the most important meal of the day and research suggests that children who have the opportunity to eat a healthy and nutritious breakfast prior to the start of the school day are more likely to achieve their full educational potential<sup>1</sup>.

Providing free breakfast in primary schools is principally intended to ensure not only that our youngest children are given a flying start in life, but also to ensure that the increasing practice of skipping breakfast is stemmed at the earliest possible age.

## Status of guidance

This guidance is issued under section 88 of the School Standards and Organisation (Wales) Act 2013 (the '2013 Act')<sup>2</sup>, which provides that local authorities and governing bodies of maintained primary schools must have regard to it. This means that local authorities and governing bodies must take account of the guidance and, if they decide to depart from it, have clear and justifiable reasons for doing so.

This guidance replaces *Primary Schools Free Breakfast Initiative, Welsh Assembly Government Circular No: 021/2008*.

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<sup>1</sup> Free Breakfast Initiative Literature Review:  
<http://wales.gov.uk/topics/educationandskills/schoolshome/foodanddrink/breakfast/initiativeadvantages/?lang=en>

<sup>2</sup> School Standards and Organisation (Wales) Act 2013:  
[www.legislation.gov.uk/anaw/2013/1/part/5/crossheading/free-breakfasts-in-primary-schools/enacted](http://www.legislation.gov.uk/anaw/2013/1/part/5/crossheading/free-breakfasts-in-primary-schools/enacted)

## **Background**

Providing free breakfast in primary schools has been an integral part of the wider work the Welsh Government has been doing to improve food and nutrition in schools maintained by local authorities in Wales over the past ten years. In September 2004, the Welsh Government introduced its Free Breakfast Initiative in primary schools. The aim of the initiative was to help improve the health and concentration of children and to assist in the raising of standards of learning and attainment. It was not intended to replace breakfast already provided by parents/carers but to ensure that children of primary school age in maintained primary schools who, for any reason, had not received breakfast had a free, healthy breakfast at school each day.

The Free Breakfast Initiative in primary schools was subsequently rolled out across all local authorities in Wales and administered via a specific grant. The grant was used as a mechanism to monitor take-up and costs involved. Following the successful establishment of the initiative, it was considered appropriate to transfer the specific grant funding to the Revenue Support Grant (RSG) from April 2013 as part of the Local Government Settlement; and to protect free breakfast provision via legislation.

## **School Standards and Organisation (Wales) Act 2013**

Section 88 of the 2013 Act places a duty on a local authority to provide free breakfast on each school day for learners at a primary school it maintains if:

- the governing body of the school makes a written request to the local authority for breakfast to be provided at the school
- 90 calendar days have passed since receiving the written request.

This duty came into force on 1 April 2013<sup>3</sup> and enables free breakfast provision to be established, or continued, in primary schools.

Breakfasts provided by local authorities must be:

- provided free of charge
- available on the school's premises
- available before the start of the school day<sup>4</sup>.

Local authorities have the flexibility to decide the form of the breakfast content subject to compliance with the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013<sup>5</sup> ('Healthy Eating Regulations') which regulate food and drink provided in maintained schools.

### **Do all maintained primary schools have to operate a breakfast service?**

There is no legal requirement on a governing body to operate a free breakfast service at their school. If a governing body decides to operate a paid-for breakfast service and provides the breakfast itself, it may charge pupils for breakfast provided. However, the charge must not exceed the cost of providing the breakfast.

The situation is different where a governing body decides to operate a free breakfast service and has asked the local authority to provide free breakfasts to learners at the school. In such circumstances, the local authority will be obliged to provide the free breakfasts unless the local authority considers that it would be unreasonable to do so (see 'What is meant by 'unreasonable' provision of free breakfasts in primary schools?' on page 5).

### **When does the duty not apply?**

There are three situations where the local authority's duty to provide free breakfast will not apply.

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<sup>3</sup> At the same time the specific grant funding for the provision of free breakfast transferred to the local authority's Revenue Support Grant as part of the Local Government Settlement.

<sup>4</sup> Please note: except in the case of a community special school where breakfasts may be made available before or at the start of each school day.

<sup>5</sup> Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013 [www.legislation.gov.uk/wsi/2013/1984/contents/made](http://www.legislation.gov.uk/wsi/2013/1984/contents/made)

- From April 2013, where no request is made by the governing body to the local authority to establish and provide free breakfast provision.
- Where the school has asked the local authority in writing to stop providing existing free breakfast provision.
- Where the local authority has decided that it would be unreasonable to provide, or continue to provide, breakfasts and has notified the governing body in writing that, as a result, it is not going to provide breakfasts; or, where breakfasts are currently provided, that it is going to stop providing breakfasts.

## **Pupil entitlement to free breakfast**

A pupil's entitlement to receive a free breakfast is dependent on the local authority's duty arising from the 2013 Act, and a request for free breakfast being made by or on behalf of the pupil. Therefore, where a duty exists and a request has been made to the local authority by or on behalf of a pupil, the pupil will be entitled to receive free breakfasts. The legislation does not give local authorities or governing bodies the power to impose criteria to determine, and potentially restrict, a pupil's entitlement to a free breakfast.

## **What if a pupil's behaviour is unacceptable?**

The fact that a pupil's behaviour is unacceptable does not mean that they lose their entitlement to receive a free breakfast at school unless the pupil has been excluded from school. In such circumstances the school should consider how best to provide the free breakfast to the pupil if he/she still wishes to receive breakfast.

## **Does a governing body have to make a written request for breakfasts to be provided if the local authority was providing breakfasts at the school on 1 April 2013?**

There is no need for a governing body to make a written request for breakfast to be provided if the local authority was already providing breakfast to pupils at the school on 1 April 2013. This is because the 2013 Act treats this situation as though a written request for breakfast had already been made to the authority; the 90 day period had elapsed and a request for breakfast had already been made for each pupil at the school.

## **What is meant by ‘unreasonable’ provision of free breakfasts in primary schools?**

Under the 2013 Act, the duty to provide free breakfast does not apply where the:

- governing body has asked the local authority in writing to stop providing breakfasts
- local authority has decided that it would be unreasonable to provide breakfasts and has notified the governing body in writing that it is not going to provide the breakfasts or is going to stop providing them.

The 2013 Act does not state what would constitute as being ‘unreasonable’. This allows for flexibility for different sets of circumstances so that, for example, what is unreasonable in one set of circumstances may not be unreasonable in another. While it is not possible to say what will or will not be unreasonable in any particular situation, local authorities should consider a range of factors, including:

- demand for the provision of free breakfast in the maintained school
- availability/suitability of a venue to undertake the provision of free breakfast
- availability/suitability of facilities within the maintained school to provide the provision
- availability/suitability of staff to supervise the breakfast provision.

This is not an exhaustive list.



## **Who provides free breakfast?**

While local authorities are responsible for providing and arranging the free breakfast provision, there is an expectation that they will liaise with the school governing body and headteacher to discuss the authority's arrangements or any proposed changes to existing arrangements.

Headteachers are responsible for the internal organisation, day-to-day management and control of the school<sup>6</sup> and this applies to the breakfast session. This does not mean that the headteacher needs to be on the school premises during the breakfast session.

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<sup>6</sup> (Regulation 6(1) of The School Government (Terms Of Reference) (Wales) Regulations 2000 (as amended by the 2002 Regulations) refers).

## **Setting up free breakfast provision in primary schools**

A governing body that is considering introducing the provision of free breakfast at its school should firstly consult its local authority (usually the catering department). The local authority will act as the first point of contact for schools in their area providing advice and guidance on the provision of free breakfast in primary schools.

There are, however, a range of matters that schools and local authorities should consider before deciding to request or provide free breakfast provision. These matters include the following.

### **Level of demand**

Schools should contact parents/carers to establish the likely demand for breakfast provision. A sample letter a school could use is attached at **Annex A (page 19)**.

### **Catering**

Will the free breakfast session be catered by the local authority or by the school, under delegated arrangements made by the authority?

### **Suitable facilities**

The 2013 Act states that breakfasts provided by the local authority must be available on the school's premises, therefore the following should be considered.

- Is there a suitable accessible room within the school where the free breakfast session can be held? Is the room available for the time required?
- Is the room suitable to potentially cater for all pupils who wish to take a free breakfast? If not, what other rooms could be utilised? Consideration should be given to whether reasonable adjustments need to be made for pupils with additional learning needs, e.g. can the room accommodate pupils who use a wheelchair?
- Are there suitable facilities available in the school to deliver the free breakfast session, e.g. cooking/serving equipment?

### **Staffing**

Will the local authority or, under delegated arrangements made by the authority, the school organise the staffing of the free breakfast session?

Who will staff the free breakfast session – will you require additional staff or choose to redeploy/add to the duties of existing school staff? What level of staffing supervision is required during the breakfast session, i.e. staff to pupil ratio?

Consideration should be given to whether any reasonable adjustments need to be made for pupils with additional learning needs, e.g. will any such learners require enhanced, or one-to-one, supervision?

All adults involved in the free breakfast session will require an Enhanced Disclosure Certificate and a check to establish whether they are included on the Disclosure and Barring Service's Barred List of individuals who are unsuitable to work with children<sup>7</sup>.

There are a number of employment issues to consider when employing staff including:

- employment contracts
- insurance
- pay and tax
- national minimum wage
- statutory sick pay
- maternity rights
- equalities legislation
- health and safety.

This is not an exhaustive list.

## **Training**

Training may be required for free breakfast staff to ensure consistent messages are conveyed regarding health and educational practices. Local authorities/schools should consider appropriate training such as first aid, food hygiene, food safety, manual handling, etc. If training is necessary, this should take place prior to commencement of employment.

## **Timing of free breakfast session**

The 2013 Act specifies that breakfast must be available before the start of the school day, with an exception for a community special school which, if necessary, can take place before or at the start of the school day.

Breakfast should normally be delivered as a short period before the start of the school day (e.g. 30 minutes) to achieve the primary purpose of providing sufficient time to enable those children who attend, to choose their breakfast, eat it without rushing and start normal school activities.

Providing the period for operating free breakfast sessions is not extended so that it is, in effect, childcare, registration with Care and Social Services Inspectorate Wales (CSSIW) would not be required. There may be scope for a low ratio, play-based, fee-charging childcare club to precede the free

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<sup>7</sup> Further information is available at [www.homeoffice.gov.uk/publications/agencies-public-bodies/dbs/corporate-publications/disclosure-and-barring-changes/leaflet-england-wales?view=Binary](http://www.homeoffice.gov.uk/publications/agencies-public-bodies/dbs/corporate-publications/disclosure-and-barring-changes/leaflet-england-wales?view=Binary)

breakfast session. If so, registration with CSSIW may then be required if, taken with an after school club with the same management, more than two hours per day of care is provided. In such other paid/unpaid sessions it must be made clear that it is **not** a free breakfast session and the use of similar terminology such as 'breakfast club/session' should be discouraged to avoid confusion with free breakfast provision.

## **Risk assessment**

To comply with the requirements of the Management of Health and Safety at Work Regulations 1999<sup>8</sup> ('The Health and Safety Regulations'), a risk assessment for the operation of the free breakfast session must be conducted by local authorities and governing bodies and recorded in writing in order to identify the risks to health and safety. Any significant risks presented need to be properly evaluated and decisions should be taken to manage those risks to an acceptable level. The risk assessment process needs to be practical and should take account of the views of employees involved (and their safety representatives), who will have day-to-day knowledge of how the free breakfast provision operates. To assist local authorities' and governing bodies' compliance with this legal requirement a generic risk assessment template is available at **Annex B (see page 21)**. This template should be supplemented and customised as necessary. It is recommended that local authorities and governing bodies review their risk assessments annually.

## **Dietary requirements**

It is important that parents/carers provide information on any allergies/special dietary requirements that their child may have. This information should be collected prior to a child's attendance at the free breakfast session and must be brought to the attention of all staff/volunteers supervising the breakfast session.

## **General**

Other factors to consider include:

- insurance – schools and local authorities should ensure adequate insurance cover is in place to cover the free breakfast session
- food waste – schools should consider ways to prevent food waste, keep food waste separate from other waste streams, and divert food waste from landfill to anaerobic digestion plants<sup>9</sup>
- recycling – schools should segregate recyclables at source and provide separate collections of key recycle streams, (including paper, card, metal, glass and plastic), where appropriate.

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<sup>8</sup> Management of Health and Safety at Work Regulations 1999  
<http://www.legislation.gov.uk/ukssi/1999/3242/contents/made>

<sup>9</sup> For further information, please see <http://www.wrap.org.uk/content/taking-action-waste-information-sheets> and <http://www.eco-schools.org/menu/process/seven-steps>

Schools should contact their local authority Recycling Officer for advice on waste prevention and recycling.

Local authorities must achieve the targets stipulated by the Waste (Wales) Measure 2010<sup>10</sup>.

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<sup>10</sup> Waste (Wales) Measure 2010  
[www.legislation.gov.uk/mwa/2010/8/crossheading/waste-targets](http://www.legislation.gov.uk/mwa/2010/8/crossheading/waste-targets)

## Free breakfast food items

As indicated earlier, local authorities have the flexibility to decide the form of the breakfast content subject to compliance with the Healthy Eating Regulations.

The Healthy Eating Regulations apply to local authorities and governing bodies that provide food and drink to pupils of maintained schools (including maintained nursery schools) whether the pupils are on the school premises or not and to other persons on school premises. The aim of the Healthy Eating Regulations is to achieve a whole-school approach towards healthy eating; to encourage healthy attitudes to food and drink and develop good eating habits at an early age. In practice, the Healthy Eating Regulations set out the types of food and drink that can, and cannot, be provided in schools.

Breakfast in school is dealt with in regulation 4 of, and Schedule 1 to, the Healthy Eating Regulations. Schedule 1 (as indicated below with suggestions) prescribes four permitted food categories. Only foods from these categories must be available during breakfast on each school day. The table below sets out those permitted food categories and examples of standard items that may be provided.

<b>Food categories</b>	<b>Suggested standard items</b>
Milk-based drinks or yoghurts	Semi-skimmed or skimmed milk (whole milk permitted in nursery)
Cereals – not coated or flavoured either alone or in combination with sugar or chocolate or cocoa powder*	Whole-wheat cereals Cornflakes Rice-based cereals Shredded wholegrain wheat cereals Malted wheat squares Bran flakes Porridge *To avoid adding sugar, children should be encouraged to use fresh fruit and dried fruit as sweeteners.
Fruit and vegetables*	A selection of chopped fresh fruit or dried fruit to add to the cereals Fruit canned in natural fruit juice Unsweetened fruit/vegetable juices Baked beans in tomato sauce Tomatoes tinned in juice *Vegetables must not be fried.
Breads and toppings	A variety of breads can be offered. Toppings include: Polyunsaturated/monounsaturated margarine, jam, marmalade, honey (thinly spread)

Each child attending the free breakfast session must be given the option to choose one item from each of the four food categories. Schools should provide appropriate portion sizes reflective of pupils' age. For example, pupils in Reception and Year 1 will require a smaller portion than those in Year 6.

Wastage should be monitored and ordering of food adjusted accordingly. Drinking water must be available to children, free of charge, during the breakfast session<sup>11</sup>.

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<sup>11</sup> See section 5 of the Healthy Eating in Schools (Wales) Measure 2009.

## Governing bodies considering withdrawing free breakfast provision

Governing bodies should discuss all concerns about the operation of the free breakfast provision with the local authority. If a governing body remains unable to resolve the issue despite the input of the local authority, and as a consequence decides that the provision of free breakfast should stop, the governing body must write to the local authority to ask it to stop providing breakfasts at the school. This notification will bring the local authority's duty to provide free breakfast at the school to an end. A sample letter the governing body could use to inform a local authority to stop providing free breakfast provision is attached at **Annex C (see page 32)**.

Receipt of a withdrawal letter should not come as a surprise to a local authority. A governing body who encounters difficulties should notify its local authority as soon as possible to enable the authority to consider how best to resolve matters.

Prior to writing to the local authority, it is recommended that the governing body notify parents/carers of their intention to stop free breakfast sessions at the school and provide reason(s) for their decision. This may avert the need for parents/carers to assert their right, if there is sufficient quorum, to request a meeting with the governing body to discuss the issue<sup>12</sup>.

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<sup>12</sup> Section 94 of the School Standards and Organisation (Wales) Act 2013 gives parents the right to request a meeting with the governing body on issues which concern them.



## **Local authorities' decision not to provide, or to stop providing, free breakfast provision**

A local authority does not have to provide, or continue to provide, free breakfast provision at a school if it considers that it would be unreasonable to do so. Although the 2013 Act does not specify what is unreasonable, factors are provided in this guidance to help local authorities determine what circumstances may constitute as unreasonable (see 'What is meant by 'unreasonable' provision of free breakfasts in primary schools?' on page 5).

Where a school asks the local authority to stop providing free school breakfasts, the local authority's duty to provide free school breakfast provision will end. If the school subsequently decides, at some point in the future, that it wishes to resume the provision of free school breakfasts by the local authority, it will have to make a written request to the local authority as it will be treated as a new request.

A local authority must notify the governing body in writing of any decision not to provide, or not to continue to provide, free breakfast provision at the school. The reason(s) for the decision should be cited in the notification letter. A sample letter the local authority could use is attached at **Annex D (see page 33)**.

## **Dental issues**

'Designed to Smile' is a Welsh Government oral health improvement programme to improve the dental health of children in Wales. It is a preventative programme involving the delivery of school and nursery-based tooth-brushing to help establish good practice from an early age. Schools who would like to begin tooth-brushing after breakfast should refer to the 'Designed to Smile' website for further information.

[www.designedtosmile.co.uk/toothbrushing\\_new2.html](http://www.designedtosmile.co.uk/toothbrushing_new2.html)

## **Promoting free healthy breakfast sessions**

The Healthy Eating in Schools (Wales) Measure 2009<sup>13</sup> ('The Healthy Eating Measure') requires local authorities and governing bodies to promote healthy eating and drinking by pupils in maintained schools. Local authorities and schools could demonstrate compliance with this requirement by, for example, running 'themed' healthy breakfast sessions to encourage and support experimentation in food (e.g. different permitted fruits/foods from different countries) and/or issue a regular newsletter in which parents/carers are made aware of the breakfast session and invited to attend a free healthy breakfast session with their child(ren).

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<sup>13</sup> The Healthy Eating in Schools (Wales) Measure 2009  
[www.legislation.gov.uk/mwa/2009/3/contents](http://www.legislation.gov.uk/mwa/2009/3/contents)

## **Monitoring**

The Healthy Eating Measure requires governing bodies of maintained schools to include in their annual report (which is made available to parents/carers), information about the action taken to promote healthy eating and drinking by pupils at the school. This information may feed into the school's inspection undertaken by the Chief Inspector of Education and Training in Wales.

## **Providing data**

Local authorities should continue to notify the Welsh Government of any newly established breakfast sessions and any sessions that close. Local authorities should also continue to encourage maintained primary schools in their area which operate free breakfast sessions, to complete the Pupil Level Annual School Census (PLASC) data return. This information will help the Welsh Government to shape and inform other strategies targeted at improving food and nutrition in schools.

# **Annex A: Sample template letter for a school to issue to parent/carers to establish interest in free breakfast sessions**

## **IMPORTANT INFORMATION: PLEASE READ**

Dear Parent/Carer

### **FREE BREAKFAST IN PRIMARY SCHOOLS**

We are considering whether to introduce free breakfasts in ..... school. To inform our decision we need to have an idea of the likely take-up. This is a vital part of the planning process.

#### **What do you have to do?**

If you would like your child(ren) to attend free breakfast sessions when they start school or return to school (during the ..... Term) you must complete the attached form and return it to the school by ..... (date). If we do not receive a response by this date we will assume that you do not want your child(ren) to attend free breakfast sessions.

More information will follow, once we have an idea of the likely take-up for free breakfast sessions.

Yours sincerely

## PRIMARY SCHOOL FREE BREAKFAST

Please complete and return to the school by .....

<b>Child's name:</b>				<b>Class:</b>	
<b>Attendance</b>					
Please indicate which days your child will be attending free breakfast sessions.					
Mon	Tue	Wed	Thurs	Fri	
<b>Special dietary requirements</b>					
Does your child have any food allergies/intolerances/religious requirements/observances? (Please tick)				Yes	No
If yes, please provide details					
<b>Other information</b>					
Please provide details of any other information you feel relevant to your child's attendance at the free breakfast sessions.					
<b>Contact details in case of an emergency</b>					
Name:				Phone number:	
Relationship to child:					
Name:				Phone number	
Relationship to child:					
<b>I confirm that I would like my child to attend free breakfast sessions when they start school/return to school.</b>					
Signature of Parent/Carer:				Date:	

## Annex B: Health and safety risk assessment template

### HEALTH AND SAFETY RISK ASSESSMENT

Workplace location  
**A SCHOOL**


Task/Activity –  
**OPERATING FREE BREAKFASTS**

<b>HAZARD</b>	<b>WHO MIGHT BE HARMED</b>	<b>RISK RATING</b>	<b>IS THE RISK ADEQUATELY CONTROLLED?</b>	<b>WHAT FURTHER ACTION IS NECESSARY TO CONTROL THE RISK?</b>	<b>RESIDUAL RISK</b>
<p>Look only for hazards which you could reasonably expect to result in significant harm under the conditions in your workplace. Use the following examples as a guide.</p> <ul style="list-style-type: none"> <li>• Slipping/tripping hazards.</li> <li>• Noise.</li> <li>• Electricity.</li> <li>• Fume.</li> <li>• Fire.</li> <li>• Vehicles.</li> <li>• Dust.</li> <li>• Violence.</li> <li>• Chemicals.</li> <li>• Moving parts of machinery.</li> <li>• Manual handling.</li> <li>• Work at height.</li> <li>• Ejection of materials.</li> <li>• Poor lighting.</li> <li>• Pressure systems.</li> <li>• Low temperature.</li> </ul>	<p>There is no need to list individuals by name – just think about groups of people doing similar work or who might be affected, for example:</p> <ul style="list-style-type: none"> <li>• office staff</li> <li>• operators</li> <li>• maintenance personnel</li> <li>• cleaners</li> <li>• contractors</li> <li>• members of the public</li> <li>• people sharing your workplace.</li> </ul> <p><b>Pay particular attention to:</b></p> <ul style="list-style-type: none"> <li>• disabled persons</li> <li>• young persons</li> <li>• inexperienced staff</li> <li>• visitors</li> <li>• lone workers</li> <li>• pregnant/nursing women.</li> </ul>	<p>Prioritise risk as High, Medium or Low</p>	<p>Have you already taken precautions against the risks from the hazards you listed, for example: have you provided:</p> <ul style="list-style-type: none"> <li>• adequate information, instruction or training?</li> <li>• adequate safe systems or procedures?</li> </ul> <p>Do the precautions:</p> <ul style="list-style-type: none"> <li>• meet the standards set by a legal requirement?</li> <li>• comply with a recognised standard?</li> <li>• represent a good practice?</li> <li>• reduce risk as far as reasonably practicable?</li> </ul> <p>If so, then the risks are adequately controlled, but you need to indicate the precautions you have in place. You may refer to procedures, manuals, etc., giving this information.</p>	<p>What more could you reasonably do for those risks which you found were not adequately controlled?</p> <p>Priority should be given to those risks which affect large numbers of people and/or could result in serious harm. Apply the principles below when taking further action, if possible in the following order.</p> <ul style="list-style-type: none"> <li>• Remove the risk completely.</li> <li>• Try a less risky option.</li> <li>• Prevent access to the hazard (e.g. by guarding).</li> <li>• Organise work to reduce exposure to the hazard.</li> <li>• Issue personal protective equipment.</li> </ul>	<p>Prioritise as High, Medium or Low</p>



List hazards here:	List groups of people who are especially at risk from the significant hazards which you have identified:	Risk	List existing controls here – or note where the information may be found:	Describe the action needed to improve matters where it is reasonably practicable to do more to control risks. <u>Specify also the target date for action and the person to action.</u>	Residual risk
<p>Poor security of school buildings</p> <p>Violence at work</p>	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend breakfast sessions)</p>	M	<p>Where appropriate, access to free breakfast sessions should be from the school's main entrance, as a security access control system is provided at this location.</p> <p>Where this is not appropriate (i.e. free breakfast sessions operating in areas far from the main entrance or within buildings separate to the main school building) a suitable access point should be established which is fitted with a suitable security access system.</p>	<p>Where the free breakfast session is operated in areas remote from the access point (classrooms at the end of the corridor or first floor rooms) consideration should be given to the provision of a visual and voice security access system so that staff allowing access can see who is there prior to remotely unlocking the access doors.</p>	L
			<p>Free breakfast staff are encouraged to challenge any visitors within the building (other than known parents/carers who may be accompanying their children).</p> <p>A communication link/system/phone line is provided and is available within the free breakfast session area so staff are able to phone for assistance if required. (Free breakfast session staff also have their own mobile phones)</p> <p>A register is kept of all pupil attendees.</p>		

List hazards here:	List groups of people who are especially at risk from the significant hazards which you have identified:	Risk	List existing controls here – or note where the information may be found:	Describe the action needed to improve matters where it is reasonably practicable to do more to control risks. Specify also the target date for action and the person to action.	Residual risk
Poor fire safety management	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	H	<p>Existing school fire risk assessment has been reviewed in respect of the operation of the free breakfast session.</p> <p>Corridor fire doors should only be held open:</p> <ul style="list-style-type: none"> <li>- temporarily for very short periods (i.e. during cleaning operations) or</li> <li>- with electro-magnetic/sonic hold open devices which are linked to the fire alarm system so that they close when the alarm is activated.</li> </ul> <p>School fire action notices are displayed at all alarm call points and in all rooms used for free breakfast session activities.</p> <p>Free breakfast staff are familiar with and have been given information and instruction of the schools evacuation procedures.</p> <p>Emergency evacuation drill exercises are carried out each term (ideally at the start of each term to take account of new staff/pupils). All evacuation drills are recorded in the school fire safety log book.</p> <p>The register of pupil attendees at the free breakfast session is used at evacuation for the purposes of conducting a head count.</p>	Fire awareness training to be undertaken by appropriate staff.	L

List hazards here:	List groups of people who are especially at risk from the significant hazards which you have identified:	Risk	List existing controls here – or note where the information may be found:	Describe the action needed to improve matters where it is reasonably practicable to do more to control risks. <u>Specify also the target date for action and the person to action.</u>	Residual risk
Inappropriate First Aid provision	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	L	<p>All free breakfast staff are aware of location of the first aid kit.</p> <p>Appropriate signage is in place indicating location of first aid kit.</p>  <p>Suitable and sufficient numbers of free breakfast staff trained in appropriate first aid at work qualification (minimum standard of appointed person/emergency aid).</p> <p>An external communication link/phone is provided within or near free breakfast session area which is available for contacting the emergency services if needed (i.e. ambulance).</p>	First aid kit in free breakfast session is to be included in existing school arrangements for regular checking and replenishment of contents.	L
Inappropriate selection of rooms for free breakfast activities	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	L	All rooms used for activities have been considered in terms of size and layout, etc., to be reasonable for the maximum possible number of learner attendees.		L

List hazards here:	List groups of people who are especially at risk from the significant hazards which you have identified:	Risk	List existing controls here – or note where the information may be found:	Describe the action needed to improve matters where it is reasonably practicable to do more to control risks. Specify also the target date for action and the person to action.	Residual risk
Use of and exposure to substances hazardous to health	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	M	<p>Where dishwashers are used consideration is given to the detergent products used and the risks of injury from its use, handling and storage. A manufacturers hazard data sheet is available and COSHH (Control of Substances Hazardous to Health) risk assessment in place for each product.</p> <p>Suitable and sufficient Personal Protective Equipment (PPE) is provided to staff as dictated by the COSHH risk assessment for each product.</p> <p>Free breakfast staff to be made aware of the COSHH risk assessments and PPE requirements. Documentation to be readily available in case urgent reference is required, i.e. in the event of accidental contact/splash in eye.</p> <p>All products classified as being hazardous to health are stored securely and are not physically accessible to pupils and/or any other persons.</p>	Consider sourcing less hazardous detergent products for the dishwasher.	L

List hazards here:	List groups of people who are especially at risk from the significant hazards which you have identified:	Risk	List existing controls here – or note where the information may be found:	Describe the action needed to improve matters where it is reasonably practicable to do more to control risks. Specify also the target date for action and the person to action.	Residual risk

Use of electrical equipment	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	M	<p>School procedures are in place for the periodic (currently annual) testing and maintenance of all portable electrical appliances (by a competent person).</p> <p>Any newly purchased electrical equipment is added to the schools inventory to ensure it is subject to testing at the next scheduled occasion.</p> <p>School procedures are in place for the testing and maintenance of fixed electrical installations at periods not exceeding five years (by a competent person).</p> <p>With the purchase of a number of additional portable electrical items consideration has been given to the provision of additional power sockets within the food preparation area so as not to overload sockets.</p>	<p>Free breakfast staff are regularly reminded not to bring electrical items in for use from home.</p> <p>Remove existing two-way adapters and replace with four gang extension leads (on the advice of a competent electrician as these may not be suitable where a high current/load is drawn), which are secured to reduce the likelihood of tripping on the cable.</p>	L
Use of other/specialised school equipment	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	M	Where main school halls are utilised for indoor pupil activities following the consumption of food, free breakfast staff are aware that equipment such as wall bars, trampets, fixed metal apparatus must not be used, unless through specific agreement with school management and provision of supervision by a competent person.		L

List hazards here:	List groups of people who are especially at risk from the significant hazards which you have identified:	Risk	List existing controls here – or note where the information may be found:	Describe the action needed to improve matters where it is reasonably practicable to do more to control risks. <u>Specify also the target date for action and the person to action.</u>	Residual risk
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Use of school kitchen (and equipment) for food preparation	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	M	<p>Liaison made with school catering supervisor and kitchen staff over school intentions regarding intended usage of dining hall and kitchen facilities.</p> <p>Specific agreement must be made with the LA Catering Manager if the school kitchen area is to be used independently by the free breakfast staff.</p> <p>Free breakfast staff are informed that they are not permitted to use kitchen equipment (i.e. food mixers, deep fat fryers, food slicers) and must only use free breakfast equipment (i.e. toasters).</p>		L
No provision for supervision between close of free breakfast session and start of the school day	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	M	<p>On accepting pupils into free breakfast sessions the school assumes the civil duty of being <i>in loco parentis</i> (acting as a reasonable parent) as well as the common law duty of care and the legal duty to ensure, so far as is reasonably practicable, the health, safety and welfare of persons other than employees (in this case pupils). As such supervision will need to be provided at appropriate levels.</p> <p>Where free breakfast sessions finish before the start of the school day pupils must continue to be supervised by an appropriate number of staff until the normal school day commences.</p>		L

List hazards here:	List groups of people who are especially at risk from the significant hazards which you have identified:	Risk	List existing controls here – or note where the information may be found:	Describe the action needed to improve matters where it is reasonably practicable to do more to control risks. <u>Specify also the target date for action and the person to action.</u>	Residual risk
<p>Unsafe workplace issues/conditions including:</p> <ul style="list-style-type: none"> <li>- slips, trips and falls</li> <li>- storage</li> <li>- food storage areas</li> <li>- glazing</li> <li>- finger trapping</li> <li>- access to unauthorised areas (cleaners cupboards, food stores, kitchen areas)</li> </ul>	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	M	<p>In addition to the daily observations of school staff a school building/site risk assessment checklist is completed termly by senior staff. This exercise considers areas of the school used for free breakfast sessions. Action is taken as appropriate where remedial work/improvement is required.</p> <p>Areas specifically covered in this exercise are:</p> <ul style="list-style-type: none"> <li>- stairs, corridors, paths which need to be maintained in a safe condition</li> <li>- classroom and storage areas and corridors which need to be kept clean and in an orderly manner</li> <li>- adequate lighting is provided which needs to include external areas leading to the free breakfast session entrance, corridors and stairwells as well as in areas used</li> <li>- glazing in higher risk areas, which need to be filmed or be of safety standard to prevent shattering upon contact</li> <li>- inner hinge edges of doors which present higher risks of finger trapping which need to be fitted with 'Finger guard' products to reduce the risks of injury (i.e. toilet and access doors)</li> <li>- cleaners cupboards/food stores, etc., to be kept locked shut</li> <li>- pupil access to food handling/preparation areas is prevented or restricted.</li> </ul>	<p>Spillages and pupil body fluids (i.e. vomit) to be cleaned up immediately in accordance with normal school procedures.</p> <p>Plastic warning signs to be used (i.e. wet floor) during all cleaning operations.</p> <p>New school procedure adopted – where the main hall is utilised for free breakfast session activities the floor surface of the hall is swept after the end of the activities in order to remove/collect any food items and/or spillage prior to morning assemblies and school use, etc.</p> <p>External access routes to the free breakfast session are checked daily and treated with grit/salt on icy conditions.</p>	L

List hazards here:	List groups of people who are especially at risk from the significant hazards which you have identified:	Risk	List existing controls here – or note where the information may be found:	Describe the action needed to improve matters where it is reasonably practicable to do more to control risks. <u>Specify also the target date for action and the person to action.</u>	Residual risk
Uncontrolled vehicle traffic on school site where pedestrians are present	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	M	<p>A school traffic management risk assessment is in place.</p> <p>Measures are implemented to ensure physical segregation of any parents/carers vehicles arriving on site (that are dropping pupils off) with pedestrians that may be present.</p> <p>Specific consideration has been given to provision of:</p> <ul style="list-style-type: none"> <li>- clearly marked walkways, paths and internal roadways</li> <li>- effective segregation of pedestrians and vehicles</li> <li>- clear signage showing required speed restrictions (5mph)</li> <li>- communication with contractors (both external and those services provided within the Council) regarding scheduled times for deliveries/refuse collections to avoid where possible the early arrivals for free breakfast sessions.</li> </ul>		L
Free breakfast staff not cleared through Disclosure and Barring Service	Free breakfast pupils	M	All adults are subject to clearance through Disclosure and Barring Service checks prior to commencement of work.		L



List hazards here:	List groups of people who are especially at risk from the significant hazards which you have identified:	Risk	List existing controls here – or note where the information may be found:	Describe the action needed to improve matters where it is reasonably practicable to do more to control risks. <u>Specify also the target date for action and the person to action.</u>	Residual risk
Free breakfast staff unaware of applicable school procedures	Free breakfast staff	M	<p>The school health and safety policy was updated to reflect the detailed responsibilities and arrangements for operating free breakfast sessions.</p> <p>The school policy has been communicated to all staff, including those supervising free breakfast sessions.</p> <p>Free breakfast staff are provided with latex-free disposable type gloves for cleaning up spillages of body fluids.</p> <p>Free breakfast staff are provided with information on local school policy regarding requests for administration of medication for learners from parents/carers.</p> <p>Free breakfast staff are aware of contact information for parents/carers in order for communication to take place where pupils become unwell, etc., during free breakfast session activities.</p>	<p>The Council's Health and Safety Codes of Guidance, which are applicable to a free breakfast session are made available to staff.</p> <p>Any parents/carers joining their children for free breakfasts (i.e. being present on the site) must sign in/out as visitors. This information can be added to the pupil register, which must be used to conduct a head count in the event of an emergency evacuation.</p> <p>Where administration of medication is undertaken free breakfast staff need to be fully aware of the school policy and normal procedures (i.e. named photographs of pupils with medical requirements and pro forma record sheets, etc.). The school nurse should also be contacted regarding any training requirements, i.e. use of epipens.</p>	L

List hazards here:	List groups of people who are especially at risk from the significant hazards which you have identified:	Risk	List existing controls here – or note where the information may be found:	Describe the action needed to improve matters where it is reasonably practicable to do more to control risks. <u>Specify also the target date for action and the person to action.</u>	Residual risk
Poor communication of pupil information	Free breakfast pupils	M	<p>A number of free breakfast staff are also employed during the school day and have a good knowledge of the pupils.</p> <p>All free breakfast staff are aware of pupil medical, dietary, behavioural or other special needs, allergies.</p>		L
Poor food hygiene standards	<p>Free breakfast staff</p> <p>Free breakfast pupils (including special needs)</p> <p>Parents/carers of pupils (who attend free breakfast sessions)</p>	L	<p>Free breakfast staff who prepare or handle food categorised as lower risk (i.e. toast, cereals) must apply basic/essential food safety principles as follows and should also undertake the Chartered Institute of Environmental Health (CIEH) Foundation Certificate in Food Hygiene within three months of commencement.</p> <ul style="list-style-type: none"> <li>- Making sure products are within date.</li> <li>- Washing of hands prior to preparing/handling food and regularly as and when necessary.</li> <li>- Wearing of appropriate clothing.</li> <li>- Long hair tied back.</li> <li>- Covering of cuts and sores with suitable dressings (blue in colour).</li> <li>- No smoking or drinking during food handling/preparation.</li> </ul> <p>Where breakfast menus are developed to higher risk foods (i.e. eggs, meats) staff should undertake the Chartered Institute of Environmental Health (CIEH) Foundation Certificate in Food Hygiene prior to food preparation/handling or be effectively supervised by someone who has attained the qualification.</p>	Free breakfast staff aware of need to implement school smoking control policy.	L

**Annex C: Sample template letter for a governing body to notify local authorities to stop free breakfast provision**

Dear

Following our discussions, we have decided that free breakfast provision provided by the local authority in our school should cease from ..... (date).

We have determined that it would be unreasonable to continue to provide free breakfasts at our school for the following reasons:

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Parents/carers of pupils at the school have been notified of our decision.

It would be appreciated if you would acknowledge receipt of this letter.

Yours sincerely

Chair of governing body

**Annex D: Sample template letters for a local authority to issue to a governing body on not providing/ceasing to provide free breakfasts**

Dear

I am writing to let you know the position/outcome with regard to the provision of free breakfasts in ..... school.

Based on our discussions and the information you have provided, the local authority

**either:**

has decided not to support your request to provide free breakfasts because we consider that it would be unreasonable to provide free breakfasts at your school for the following reasons:

.....  
.....  
.....  
.....

**or:**

will cease to provide free breakfast provision from ..... (date) for the following reasons:

.....  
.....  
.....  
.....  
.....

Yours sincerely