

## School food standards regulations

### Q&A for consultation

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## New revised school food standards

During their review of school food, Henry Dimbleby and John Vincent found that the current school food regulations for England were considered difficult to understand and placed unnecessary burdens and bureaucracy on schools. In the School Food Plan the Department for Education committed to develop a clearer set of food-based standards, accompanied by practical guidance, that:

- 1) provides caterers with a framework on which to build interesting, creative and nutritionally-balanced menus and
- 2) is less burdensome and operationally cheaper to implement than the current nutrient-based standards.

The revised school food standards aim to retain the positive impact that the current standards have had, whilst making them easier to understand and implement. These new standards should allow school caterers more creative freedom to adapt to the preferences of the children at their school, source seasonal or local food, take advantage of price fluctuations, or create dishes that suit their particular talents.

The revised standards were developed by the School Food Plan Standards Panel, the Children's Food Trust and tested by 35 schools and 24 caterers across England. The outcome of testing has showed that the standards support the provision of nutritious food for children.

The regulations will continue to apply to all LA maintained schools and Academies set up prior to 2010. They will also apply to new Academies and Free Schools signing the new funding agreement from spring 2014.

As part of their work implementing the *School Food Plan*, Henry Dimbleby and John Vincent are asking Academies and Free Schools set up between 2010 and 2014 to make a voluntary commitment to adhere to the regulations.



## Development of the revised standards

### **What was the process for coming up with the revised school food standards- was it truly scientific and open?**

Scientists, including dieticians and public health nutritionists, have been involved to ensure the science and evaluation was robust. The Standards Panel, chaired by Henry Dimbleby, included scientists, head teachers, caterers and cooks. Susan Jebb, Professor of Diet and Population Health, Nuffield Department of Primary Care Health Sciences at the University of Oxford acted as the Panel's Project Manager.

### **When will the revised school food standards be put into legislation and come into force?**

The revised food standards have been pilot tested with a range of schools and caterers. The standards have been refined by the Panel using findings from the pilot study. The Government is now consulting on these standards. We hope to have these available to schools from September 2014 and for them to become statutory from January 2015.

### **Will the new standards apply to Scotland, Wales and Northern Ireland?**

No. The new school food standards will only apply to schools in England.

### **Will schools and caterers be expected to implement the revised food-based standards from September 2014?**

In recognition that schools and caterers need time to plan menus, and in some cases procure appropriate products, the government is planning on having the revised food-based standards available for use from September 2014, however they will not be statutory until January 2015.

### **Do the School Food Regulations include a requirement for schools to provide a hot meal?**

All food provided in schools must meet the regulations. The standards do not specify that food must be hot, however it would be extremely difficult to meet these standards through providing only cold meal.

### **Do the school food standards apply to my school?**

The school food standards apply to:

- the food and drink provided in local authority maintained primary, secondary, special schools and pupil referral units in England
- Academies (established September 2008 and September 2010) and those signing the new funding agreement
- sixth forms that are part of secondary schools, (even those in a separate building or on a different site), but do not apply to the sixth form colleges or further education colleges
- maintained nursery schools and nursery units within primary schools
- after school clubs run on school premises

The standards do not apply to:

- private schools
- food and drink provided after 6pm, or during weekends or school holidays



## **What is the situation regarding Academy Schools?**

All Academies established prior to September 2010 have clauses in their funding agreement requiring them to comply with the national standards for school food. From March 2014, all new academies signing the new funding agreement will have similar clauses.

Rather than introduce new legislation for those academies founded between 2010 and 2014, they are being approached to voluntarily sign up to the Standards.

So far, E-ACT, Ormiston Academies Trust, Harris Federation, Oasis Community Learning Multi Academy Trust, The School Partnership Trust, United Learning Trust, Academies Enterprise Trust, and the Greenwood Dale Foundation Trust have signed up to implement these standards voluntarily.

The School Food Plan will be launching a campaign at the Academies Show to sign up other Academies. We believe many others will follow suit.

## **Do the revised standards apply to packed lunches bought in from home?**

No.

Schools already have the power to introduce their own packed lunch policies. The School Food Plan has examples of how schools have successfully done this, working with pupils and parents, (for example, see Ashton Vale Primary School ([link here](#))).

## **Do the revised Standards include information on portion sizes?**

The revised standards specify how often different types of food and drink can be provided. Guidance on appropriate portion sizes is being developed to accompany the standards and to support schools and caterers to implement the new standards.



## Differences between current and new school food standards

### *Starchy food*

#### **Why have the standards related to starchy foods cooked in fat or oil changed?**

The current regulations state that starchy food *'cooked in fat or oil must not be provided on more than three days in a week'*. The revised standards state that starchy food *'cooked in fat or oil must not be provided on more than two days each week'*. The number of days starchy food cooked in fat or oil has been reduced from three (current standards) to two (revised standards), to help control the provision of fat and saturated fat which is currently restricted by maximum levels in the current nutrient-based standards.

This standard applies to the **number of days** on which starchy foods cooked in fat or oil are provided, and **not to the number of foods** in this category that are provided during the week (although obviously, we would encourage schools not to provide multiple restricted items on each day they are provided).

#### **What counts as a starchy food cooked in fat or oil?**

Starchy foods cooked in fat or oil are defined as starchy foods where fat or oil has been added before or during the cooking process. Where fat or oil is only added to a starchy food after the cooking process is complete (e.g. the addition of butter or fat spread to mashed or jacket potatoes), the dish would not be classed as a starchy food cooked in fat or oil, and the provision would not be restricted.

Some oven baked starchy foods such as oven chips are flash-fried during manufacture. In these cases the food will still count as a starchy food cooked in fat or oil. Schools/catering providers need to check the product label/product specification to tell if products have been flash-fried during manufacture or cooked in oil. The standard also applies where "spray oils" have been used during the cooking of potato products.

#### **Why do the revised standards include the need to provide three different starchy foods each week?**

The revised standards state that *'three or more different starchy foods must be provided every week'*. This standard has been included to ensure variety and increase dietary diversity.

#### **Why are wholegrain varieties of starchy food included in the revised standards?**

The revised standards state that *'one or more wholegrain varieties of starchy food must be provided every week'*. This standard has been included to ensure an adequate supply of dietary fibre which is currently controlled by the minimum level specified in nutrient-based standards. Children's intake of fibre is low<sup>1</sup>, and school food should help to address this by encouraging the development of healthy eating habits, and by introducing children to a variety of foods.

#### **Do we need to provide enough extra bread for all pupils to take some? Does it have to be provided free of charge?**

The food-based standards for school lunches require that bread with no added fat or oil (i.e. butter or margarine) are available as an extra to the meal every day. This is to meet the needs of those pupils with

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<sup>1</sup> Department of Health and Food Standards Agency (2011). National Diet and Nutrition Survey: Headline

greater energy requirements who are still hungry after their lunch, and encourage them to fill up on starchy foods rather than foods high in fat or sugar.

There is no requirement as to the amount of extra bread that should be provided, but it should be sufficient for all the pupils who want to take it. Although the standards require the extra bread to be freely available (i.e. so children are able to select it if they are still hungry after their main course) the standards do not require that the extra bread is provided free of charge. However, it is good practice for the extra bread to be provided free of charge to pupils.

## ***Fruit and vegetables***

### **How has the standard for vegetables changed?**

The standard for vegetables has changed slightly. The new standard stipulates *'one or more portions of vegetable or salad must be provided as an accompaniment everyday'* and *'three or more different vegetables must be provided every week'*. This change has been proposed to increase the overall provision and variety of vegetables which will help contribute towards the fibre, folate, vitamin A, vitamin C content of the average school lunch. The requirement for a portion of vegetables or salad to be an accompaniment means that vegetables included as part of composite dishes (for example vegetable curry) no longer count towards this standard. However it is good practice to also include vegetables as part of composite dishes.

### **Do baked beans count as a vegetable?**

In line with current advice from Public Health England, baked beans can be counted as a vegetable. But, it is important to offer a mix of vegetables, so they should not be served every day. Though there are no specific requirements about baked beans, it is good practice to serve reduced sugar and salt baked beans, and this will help to encourage preferences for foods lower in sugar and salt.

### **How has the standard for fruit changed?**

The standard for fruit has changed slightly. The new standard stipulates *'one or more portions of fruit must be provided everyday,' 'three or more different fruits must be provided every week' and 'a fruit-based dessert with a content of at least 50% fruit measured by volume of raw ingredients must be provided two or more times every week'*. These changes have been proposed to increase the overall provision and variety of fruit which will help contribute towards the fibre, folate, vitamin A and vitamin C content of the average school lunch. It will also help to address the insufficient provision of fruit which has been observed in the recent national school food surveys<sup>2,3</sup> and the School Food Plan Standards Pilot study.

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<sup>2</sup> Nelson M, Haroun D, Harper C et al. (2009) Primary school food study 2009 1. School lunch: provision, selection and consumption. Children's Food Trust. Sheffield. Available at [www.childrensfoodtrust.org.uk/assets/research-reports/primary\\_school\\_food\\_survey\\_2009revised2012.pdf](http://www.childrensfoodtrust.org.uk/assets/research-reports/primary_school_food_survey_2009revised2012.pdf)

<sup>3</sup> Nelson M, Secondary school food survey 2011: school lunch provision, selection and consumption, School Food Trust, 2011. Available at: [www.childrensfoodtrust.org.uk/assets/research-reports/secondary\\_school\\_food\\_provision\\_selection\\_consumption.pdf](http://www.childrensfoodtrust.org.uk/assets/research-reports/secondary_school_food_provision_selection_consumption.pdf)

## ***Meat, fish, eggs, beans and non-dairy sources of protein***

### **Why have you introduced new standards in this food type?**

The new standards stipulate that *'a portion of food from this group must be provided every day,'* and *'a portion of meat or poultry must be provided at least three or more days every week'* to ensure adequate provision of protein, iron and zinc.

### **Why do the revised standards include oily fish when the pilot study results suggest caterers struggle to get children to eat it?**

The standard *'to provide oily fish at least once every three weeks'* has been maintained to continue to encourage children to eat more fish containing omega-3 fatty acids. Whilst some children may be unfamiliar with oily fish, caterers are encouraged to incorporate oily fish into recipes. Research shows that small tasters are a good way of helping children to accept new or unfamiliar food. Offer a variety of dishes over time to encourage children to keep eating oily fish.

### **Why do the revised standards stipulate that 'a portion of non-dairy sources of protein must be available three or more days per week'?**

*'A portion of non-dairy sources of protein must be available three or more days per week'* has been introduced to ensure that vegetarians are offered a variety of dishes. Cheese based dishes are often high in saturated fat and salt and this standard helps to limit the number of times cheese-based dishes are served as the only vegetarian option. We are aware that further recipe development work is needed to improve the energy balance and nutrient density of vegetarian dishes, particularly in relation to the iron and zinc content. This will be addressed in the forthcoming practical guidance.

## ***Milk and dairy***

### **The revised standards state that lower fat milk must be available for drinking every day. Does this mean I have to provide milk to every pupil?**

The revised standards for school lunches require that lower fat milk must be available for drinking every day. This standard has been introduced to encourage pupils to choose milk as a drink and address low calcium consumption.<sup>4,5</sup> There is no requirement as to the amount of milk that should be available, but it should be sufficient for all pupils who want to take it.

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<sup>4</sup> Nelson M, Haroun D, Harper C et al. (2009) Primary school food study 2009 1. School lunch: provision, selection and consumption. Children's Food Trust. Sheffield. Available at [www.childrensfoodtrust.org.uk/assets/research-reports/primary\\_school\\_food\\_survey\\_2009revised2012.pdf](http://www.childrensfoodtrust.org.uk/assets/research-reports/primary_school_food_survey_2009revised2012.pdf)

<sup>5</sup> Nelson M, Secondary school food survey 2011: school lunch provision, selection and consumption, School Food Trust, 2011. Available at: [www.childrensfoodtrust.org.uk/assets/research-reports/secondary\\_school\\_food\\_provision\\_selection\\_consumption.pdf](http://www.childrensfoodtrust.org.uk/assets/research-reports/secondary_school_food_provision_selection_consumption.pdf)



## ***Foods high in fat, sugar and salt***

### **How has the standard for deep-fried foods changed?**

This category of foods has been broadened with the inclusion of *'batter-coated, or breadcrumb-coated'* to help control the provision of fat, saturated fat and salt. Previously these foods were effectively limited by the maximum levels of these nutrients specified in nutrient-based standards.

This standard includes those foods deep-fried or flash-fried in the manufacturing process, so schools and caterers need to check the product label/product specification carefully.

### **Has the standard related to cakes and biscuits changed?**

No. Cakes and biscuits can be provided at lunchtime only, and not at other times of the school day. Cakes and biscuits must not contain confectionery (e.g. chocolate chips). Cereal bars are classed as confectionery and are not permitted at any time of the school day.

### **What is the definition of confectionery?**

Confectionery includes:

- Chocolate and chocolate products (chocolate bars, buttons, flakes, eggs, chocolate coated bars)
- Chocolate coated biscuits
- Sweets
- Chewy and crunchy cereal bars
- Choc ices and chocolate coated ice cream
- Processed fruit bars
- Chocolate sprinkles, hundreds and thousands and chocolate vermicelli

### **Can I provide fruit bars?**

Fruit bars made solely from compacted dried fruit are permitted in schools. Dried fruit contains sugar in the cells, which is less damaging to teeth than the added sugar in confectionery. Fruit bars that have been processed or extruded into a 'leather' texture are classed as confectionery and are not permitted in schools. This type of processing releases the sugar from the cell walls so it can do more damage to teeth.

## **Savoury snacks**

### **Popcorn**

Plain popcorn (that has no salt, sugar or flavourings, and has not been cooked using oil) can be provided at any time of the day.

## ***Healthier Drinks***

### **Drinking water**

The Education (Nutritional Standards and Requirements for School Food) (England) Regulations 2007 require schools to ensure that drinking water is provided free of charge at all times to registered pupils on school premises. This standard has been maintained in the revised standards.

Bottled water, including sparkling water, can be sold.

## Combination drinks

Combination drinks are classified as non-alcoholic flavoured drinks under EU law and are allowed to contain the additives and flavourings specified by Council Directives 89/107/EEC and 88/388/EEC. The summary drinks table<sup>6</sup> on the Children's Food Trust's website lists and defines the type of drinks that can be provided in schools, along with the associated legislation that underpins the drinks standard.

## Why do the revised standards include a cap on the portion size of fruit juice?

The revised standards limit the fruit juice to maximum of 150ml per serving in line with current Public Health England guidance. The Standards Panel considered that schools have an opportunity to reinforce the 5 A day guidance on fruit juice by limiting portion size to a single 150 ml serving. The sugar in fruit juices, unlike that in whole fruit, is not contained in the cell structure and is therefore associated with dental decay. To reduce the risk of dental decay it is recommended that fruit juice is only consumed with meals.

## Why do the revised standards include a cap on the portion size of combination drinks?

The revised standards limit the portion size of all fruit juice and milk combination drinks to a maximum of 330mls. Limiting portion size helps to control sugar and calorie intake. The Panel considered that 330ml, a standard bottle sized version, represents a reasonable maximum portion size. Drinks in smaller volumes are also acceptable.

## Is flavoured water allowed?

Flavoured water cannot be provided in schools. Water (still or carbonated) can be combined with fruit juice to make a combination drink, provided that the fruit juice component is no more than 150mls and at least 45% fruit juice by volume. No added sugar is allowed. The 45% rule is to ensure that these drinks contribute to children's overall fruit intake.

## What additives can be used in combination drinks?

Under EU law drinks can contain additives and flavourings, but the Standards Panel strongly encourages schools to provide drinks which are additive free.

## Are flavoured milks allowed?

Yes - as long as:

- the milk used has a fat content of no more than 1.8 per cent. This is equivalent to semi-skimmed, but a combination of whole and skimmed milk can also be used, providing the overall fat content of the milk is no more than 1.8 per cent
- the milk component of the drink is at least 90 per cent by volume
- there is less than 5 per cent added sugar or honey to the milk component of the drink.

Flavoured milk drinks can contain additives, flavourings, sweeteners and fortificants.

<sup>6</sup> Children's Food Trust (2008) Updated list and definition of drinks permitted in schools in England [http://www.childrensfoodtrust.org.uk/assets/the-standards/sft\\_summary\\_drinks\\_table.pdf](http://www.childrensfoodtrust.org.uk/assets/the-standards/sft_summary_drinks_table.pdf)

## ***School Food Standards for Food served outside lunchtime***

Do we have to provide fruit and vegetables in all school food outlets?

Yes – at least one option per outlet. We recommend providing both a fruit and a vegetable option.

**Can we provide dried fruit with a small amount of vegetable oil ?**

Yes –dried fruit may contain up to 0.5 per cent vegetable oil as a glazing agent.

**Why aren't processed fruit bars allowed, especially as they can provide one of your 5-a-day?**

Processed fruit bars are classed as confectionery so they are not permitted to be provided in schools across the school day. Fruit bars that are made solely from compacted dried fruit are permitted in schools. Dried fruit contains sugar in the cells, which is less damaging to teeth than the added sugar in confectionery. Fruit bars that have been processed or extruded into a 'leather' texture are classed as confectionery and are not permitted in schools. This type of processing releases the sugar from the cell walls so it can do more damage to teeth.

**Why can't we serve breadsticks at mid-morning break?**

Breadsticks are classed as savoury biscuits and can be high in salt.

**Are we allowed to serve croissants, scones, or homemade cookies and flapjacks?**

Only at lunchtimes. Whether they're homemade or bought in, these are all classed as cakes and biscuits, high in fat and/or sugar which are not permitted at other times of the school day.

**Can we serve malt loaf at our tuck shop?**

Yes – malt loaf and other bread type products like bagels, currant and fruit bread, crumpets, tea cakes and English muffins are usually lower in fat and sugar than cakes and biscuits, so you can serve them at any time.

**Can we serve desserts at after school clubs?**

The only desserts you can serve at an after school club are fruit and yoghurt. It is good practice to provide yoghurts that are low in sugar. Check the labels to identify the most suitable yogurts.

**If we serve sausage sandwiches at breakfast, does that count as a meat product?**

Yes – so you can serve sausage sandwich once a week at breakfast club in primary schools and twice a week at breakfast club in secondary schools, as long as you don't serve any other meat products at any other time in the same week.

**Can we serve bacon sandwiches at breakfast clubs or at mid-morning break?**

Yes – unlike sausages, bacon is not a meat product, and therefore the provision of bacon is not restricted but we'd recommend not serving bacon butties every day as they are high in salt. Variety is key for a good diet – so if you're offering hot items, try baked beans with no added salt or sugar, or scrambled eggs as an alternative to bacon. And remember to go easy on the sauce –to meet the standards, children can only have condiments in sachets or individual portions of no more than 10 grams or one teaspoonful.

