

CRWIA – Stage 3

Publication Template

[CRWIA for legislation](#) (Scottish Government use only)

CRWIA title: Free School Meals - The Education (Scotland) Act 1980 (Modification) Regulations 2019 Date of publication: X May 2019	
Executive summary	The CRWIA considered the potential impact to children and young people of the provision in the above regulation which seeks to maintain access to the passported benefit of free school meals for families in receipt of both maximum Child Tax Credit and maximum Working Tax Credit.
Background	This has arisen as a result of a change in National Living Wage and some families could have lost their entitlement to free school meals as a result of exceeding the earnings threshold for those in receipt of both Child Tax Credit and Working Tax Credit if no action had been taken. All of the other entitlement criteria will remain unchanged, so they are not affected by this issue.
Scope of the CRWIA, identifying the children and young people affected by the policy, and summarising the evidence base	Although the qualifying criteria in these circumstances relate to the circumstances of parents and carers, it is children and young people who receive free school meals. These changes would potentially only affect children and young people whose family receive free school meals as a result of being in receipt of both maximum Child Tax Credit and maximum Working Tax Credit and earning below a certain amount.
Children and young people's views and experiences	Children and Young People's views were not established in relation to this very specific proposed change, as the policy change seeks to respond to an unintended consequence which may have negatively affected their entitlement. It was felt that immediate action was required, and therefore interim measures were put in place. This policy change consolidates the interim actions already taken.
Key Findings, including an assessment of the impact on children's rights, and how the measure will contribute to children's wellbeing	<p>The CRWIA found that the action proposed via the Regulation will continue to secure access to the passported benefit, however as a result of interim measures already in place, no negative or positive benefit will arise from this particular action, as it seeks to maintain a previously held entitlement.</p> <p>It was confirmed by this and the EQIA process that lone parents, some ethnic minority and religious groups were more likely to experience poverty than others and consequently, may positively benefit, if they were in these particular circumstances.</p>
Monitoring and review	Free School Meals implementation will continue to be monitored annually through statistical analysis. This particular provision is likely to be reviewed again between 2020-2023 to take account of further increases to National Living Wage.

Bill - Clause	Aims of measure	Likely to impact on . . .	Compliance with UNCRC requirements	Contribution to local duties to safeguard, support and promote child wellbeing
The Education (Scotland) Act 1980 (Modification) Regulations 2019	To continue to secure access to the passported benefit of free school meals entitlement for people in receipt of both maximum Child Tax Credit and maximum Working Tax Credit and earning more than £6,420	Some children and young people affected by poverty, in particular circumstances	This measures supports the delivery of: Article 2, Article 18(3), and Article 27(1-3)	This supports children and young people's health and wellbeing through the provision of high quality, nutritious food.
CRWIA Declaration				
Authorisation				
Policy lead Douglas Forrester			Date 16 May 2019	
Deputy Director or equivalent Name, title, division Graeme Logan			Date 16 May 2019	