



Briefing 09 / 32 June 2009

Nutritional requirements for food and drink in schools (Scotland) regulations 2008, an update.

To: All Chief Executives, Main Contacts and Email Contacts (Scotland)

CC: All Chief Executives, Main Contacts (England, Northern Ireland and Wales)

Report from Scottish Minister Adam Ingram MSP

Key issues

Update on regulations following implementation in 2008

Update on concerns previously addressed and the way ahead

Update on request made to local authorities and other related partners

1. Introduction

APSE has been lobbying Scottish Government Minister Adam Ingram MSP in respect of the recent implementation of the Nutritional requirements for food and drink in schools (Scotland) regulations 2008. On behalf of the SOFT FM advisory group, APSE liaised with the government to express the concerns of local councils surrounding the regulations and impact on service provision. The issues raised were in relation to the availability of fast food outlets situated adjacent to and in the vicinity of most secondary schools. Also the fact that in some circumstances vans were also trying to capture the school pupils during regulation lunch hours, selling food which did not

conform to what the government is attempting to implement in order to tackle obesity issues. As a result of successful lobbying, herein is the summarised response which was sent by the Minister to: Chief Executives, Directors of Education and NHS Directors of Public Health.

In respect of the Food and Drink in Schools (Scotland) Regulations 2008, these commenced in primary schools in August 2008 and will commence fully in secondary schools in August 2009. The guidance to help those involved in providing food and drinks in schools to implement the regulations is available on the Scottish Government website at:

www.scotland.gov.uk/Topics/Education/Schools/HLivi/foodnutrition

The guidance explains the nutritional requirements in the regulations and provides guidance on how to comply with them.

Having listened to previous concerns raised by some local authorities that the regulations may have a negative impact on uptake of school meals in some secondary schools if introduced last summer, it was decided to delay commencement in secondary schools for a year. This was done in order to allow more time and flexibility for those authorities expressing concerns and to allow secondary schools a further period to allow the transition to the new requirements.

Now that the transition period is well under way, it is hoped that secondary schools will also require the full support of the whole Council in August when the regulations are fully implemented in order to ensure that the transition is as smooth as possible. It is anticipated that HME will assist should any impracticalities arise as the regulations are fully introduced in secondary schools.

The Minister hopes that council leaders, whose responsibility it is to ensure that the health promotion impact and all decisions on aspects of health and wellbeing, including decisions around commercial activity and licensing will assist in the process. It is hoped that councils will help to look at future licensing of retail outlets near schools which offer unhealthy meal deals and this can undermine the work in schools and the investment being jointly made to improve the health of young people. Should future applications be submitted then closer consultation with the council's health promotion officer may assist the process and could be one way to demonstrate health promotion through practice.

Another issue hopefully being addressed is in relation to street traders and it is being requested that licenses for street traders be restricted when they can operate near schools and perhaps consideration should be given by councils as to whether they could issue policy which would support schools in their area.

Overall it is hoped that by working in partnership with local authorities, education departments and directors of public health this will perhaps help with the process to

continue to embed health promotion in schools and to increase uptake of school lunches.

2. APSE Comment

APSE is delighted that following a successful dialogue, the Minister has attempted to address this with other professionals with a view to adopting a “whole school approach” to tackling the obesity issue. As well as this approach, APSE is aware that best practice examples already exist where councils are operating their own healthy food van pilots, pupils being kept in school at lunchtime, incentive schemes and pupil mentoring schemes, as well as grab and go services among others.

However, perhaps through an increase in efforts to support schools as the new nutritional requirements bed in, will help to improve the quality of service and with an overall increase in school meal uptake will help to ensure that the regulations are being implemented. APSE would encourage councils to share information of best practice with other local authorities and we would welcome the opportunity to assist in the sharing of information. Should anyone wish to do so, please contact APSE direct who will happily pass this information to other council contacts, or alternatively, please send it to Ernie Brown at ernie.brown@scotland.gsi.gov.uk.

APSE welcomes the response from the Minister as the health and wellbeing of our young people is a responsibility we all share. Bringing about cultural change through a whole school approach to tackling obesity in schools and embedding this message into the community is vital. By working together we can continue to rise to this challenge and achieve our shared outcome of ensuring that the people of Scotland live longer, healthier lives.

APSE would welcome any comments on this, which should be sent to ptaggart@apse.org.uk

Pat Taggart
Principal Advisor