

Free School Meals
Frequently Asked Questions

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Eligibility Checking System

Will the response from the batch checker also take into account eligibility based on a pupil's eligibility pre-April?

- Up to midnight, 31st March, all checks for FSM claimants on UC in England, whether by batch or online will be under the old rules – all on UC will be eligible. From 4th April onwards these checks will be under the new rules – earned income thresholds - will be applied.

Should we batch check 'Not Found' with the new criteria (i.e. Manual Check and ECS Query)?

- You may wish to recheck "not founds" from time to time to see if eligibility has changed – you would only carry out the manual process if the parent believes they are now eligible.

Can a parent keep reapplying if they are found ineligible after checking three months of earnings?

- Yes, a parent can reapply whenever they like. Their circumstances could change and they may become eligible at a later date so they may choose to reapply.

We have had a number of 'No Trace' responses – what does this mean?

- A 'No Trace' response can be due to the following reasons:
 - The claimant is deceased;
 - Claimant details were not successfully matched because of an error in one or more of the three input data items. In this case, verify the personal data with the claimant
- The first three characters of the claimant's surname (or the full surname or first word of the surname if this is less than three characters long) are required. These first three characters must match exactly what is recorded as the first three characters on DWP, HMRC or Home Office records. Apostrophes, spaces, and hyphens are accepted in this field and must also match exactly.

Do we need to review all existing claims before 31 March 2018?

- There is no need to recheck existing claims before 31 March 2018.

Can the new system Endpoint be accessed by all schools?

- The endpoint is a slight technical change to the existing ECS – it does not change the way in which the system operates in terms of who accesses it. The ECS is not accessible directly by schools.

Will changes be made to the bulk ECS upload to show eligibility under the new rules?

- Yes, the ECS bulk upload will be updated to reflect the new eligibility criteria in line with online checks.

Will the bulk upload show those pupils who need to be transitionally protected?

- No, the ECS only provides the eligibility status for the parent. It is not specific to an individual child and so cannot show transitional protections.

How do I know if I need to carry out the manual check?

- The ECS qualifier will tell you when you need to carry out a manual check. Please see guidance on the manual process for information about how to carry this out.

If a parent applies, but is not the lead benefit claimant, what data will the ECS checker return?

- The ECS receives information from DWP. Checks are performed against household information so will include partner earnings too. The only exception is where the partner is on UC Live Service. In this situation, the ECS qualifier will specify “manual process” because DWP cannot verify the partner earnings accurately. You will need to carry out a manual check by referring to the UC Entitlement Letter and checking against thresholds. Guidance on this process is available here: <https://www.gov.uk/government/publications/free-school-meals-guidance-for-schools-and-local-authorities>.

How long after an assessment period will the positive result appear on ECS?

- The ECS receives information directly from DWP. There may be up to a 48-hour delay before the correct information is reflected in DWP systems.

What is Glass cubes and do we need to be using it?

- Glass cubes is an online communication tool used by some government departments to share documents about local authority data sharing in a single, secure location. You can find the information in the ‘local authority data share (all LAs) workspace’. Glass cubes replaces Huddle. Glass cubes does not link to or change the way in which you use the ECS – it is completely separate and is not something that is hosted by the Department for Education. The ECS change team do not use Glass cubes.

Manual Process**Which three month period should I be checking?**

- This is the maximum period for which a check should be performed. If the parent’s earnings are below the threshold in the first month, they are eligible for free school meals – you do not need to carry out any further checks. The three-month period is a three-month look back from the point at which an application is made for the meal. If a parent is not eligible in the most recent month, you should look at the month prior to that and compare the sum of the two months’ earnings to the relevant threshold. If the parent is still not eligible, you should look back a further month and compare the sum of the three months’ earnings to the relevant threshold.

What happens if the claimant only has 1 month of UC statements?

- If the parent only has one month of UC statements, you must compare their earnings in this period to the relevant earnings threshold (£616.67). If they earn below this threshold, they are eligible for free school meals. If they are not eligible, they may reapply in the following month when they can provide further UC statements if they believe they now satisfy the criteria.

Eligibility Criteria**Can claims for free school meals be backdated?**

- No, a child is only eligible for free school meals from the date on which their eligibility was confirmed. There is no provision to backdate free school meals.

How will the eligibility criteria for extended rights to transport be affected?

- Eligibility for free school meals is currently the primary means of determining eligibility for extended rights, and will continue to be so. The introduction of the new threshold and the protections will mean that more pupils are eligible for free school meals. It is therefore likely that more pupils will be eligible for extended rights. We are

currently considering whether this will necessitate the allocation of additional funds to LAs for the 2018-19 financial year. This information will be available in due course. Statutory guidance is also issued separately for home to school transport.

Can we use the Housing benefit & Council Tax Support (HB&CTS) claim as a claim for FSM?

- No, following the introduction of an earnings threshold under Universal Credit, you will have to use the ECS in order to determine eligibility for FSM, or following the manual process as set out above.

Threshold Levels

Will the thresholds for legacy benefits stay the same once the new threshold has been introduced for Universal Credit?

- Yes. The eligibility criteria for free school meals under legacy benefits will stay the same once the new threshold has been introduced for Universal Credit. These are:
 - Income Support
 - Income-related Jobseeker's Allowance
 - Income-based Employment and Support Allowance
 - Child Tax Credit (as long as you are not also receiving Working Tax Credit and have an annual income of less than £16,190)
 - Working Tax Credit run-on (paid for the four weeks after you stop qualifying for Working Tax Credit)
 - The guarantee element of Pension Credit
 - Support under Part VI of the Immigration and Asylum Support Act 1999
- The £7,400 threshold only applies to claimants in receipt of Universal Credit.

Pupil Premium

Will protected pupils be eligible for the pupil premium?

- Yes. Pupil premium will continue in the same way it does currently. Protected FSM pupils will continue to attract Ever6 during Universal Credit rollout.

Transitional Protections

Will transitional protections also apply to claimants who qualify through support under the Immigration & Asylum Act 1999 and Pension Credit?

- As proposed in our consultation paper, we are not changing the current free school meals and early years pupil premium 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. These qualifying benefits are not to be replaced by Universal Credit. Children who are eligible for free school meals or the early years pupil premium through these benefits will therefore remain in receipt of these meals and the early years pupil premium for as long as they retain the benefit.

How long do the transitional protections last?

- All pupils who are eligible and claiming a free school meal prior to 1 April 2018 will be protected until 31 March 2022. At this point, pupils who are still in the school system will continue to be protected until the end of their current phase of education.
- Any pupil who becomes eligible for a free school meal in the period between 1 April 2018 and 31 March 2022 will also be protected until 31 March 2022. At this point, pupils who are still in the school system will continue to be protected until the end of their current phase of education.

Do the transitional protections apply to claimants who are receiving legacy benefits?

- Yes, the transitional protections apply to claimants who receive free school meals through legacy benefits. This is true even if they become eligible for free school meals through legacy benefits in the period from 1 April 2018 to 31 March 2022.

Are re-checks of eligibility required?

- No, there is no requirement to re-check a pupil's eligibility during the UC rollout period.

Are children still protected if their parents stop receiving benefits entirely?

- Yes, pupils remain protected until 31 March 2022 and then to the end of their current phase of education, regardless of whether their circumstances change.

What happens if the child moves to live with another family member, who does not meet the eligibility criteria?

- The protection is awarded to the individual child. If they move to live with another family member, they will keep their protection, even if their family member does not meet the eligibility criteria.

What happens if the child is fostered or taken into care?

- The protection is awarded to the individual child. If they are fostered or taken into care, they will keep their protection.
- Foster allowance is not a qualifying benefit for free school meals if a new claim for free school meals is being made.

If the child leaves the country during the protection period, then returns later, will they keep the protection?

- Yes, the child will remain protected until 31 March 2022, and then until the end of their current phase of education.

How should schools record protected pupils on the school census?

- Schools should continue to complete the termly school census as they do now. Protected pupils should be marked as 'FSM eligible' in the census.

How do we remove a pupil's protected status if they have been recorded as eligible for FSM in error?

- The school should remove them and the pupil should not be recorded as eligible in the next termly census.

What happens if the child is protected but they do not want to take up the meal?

- Parents or their child can choose not take up the meal. They will still remain protected and can choose to take up the meals at a later point during the rollout period if they wish. Therefore, it is important to keep good records of FSM eligibility even if children do not take up the meals.

Moving Schools

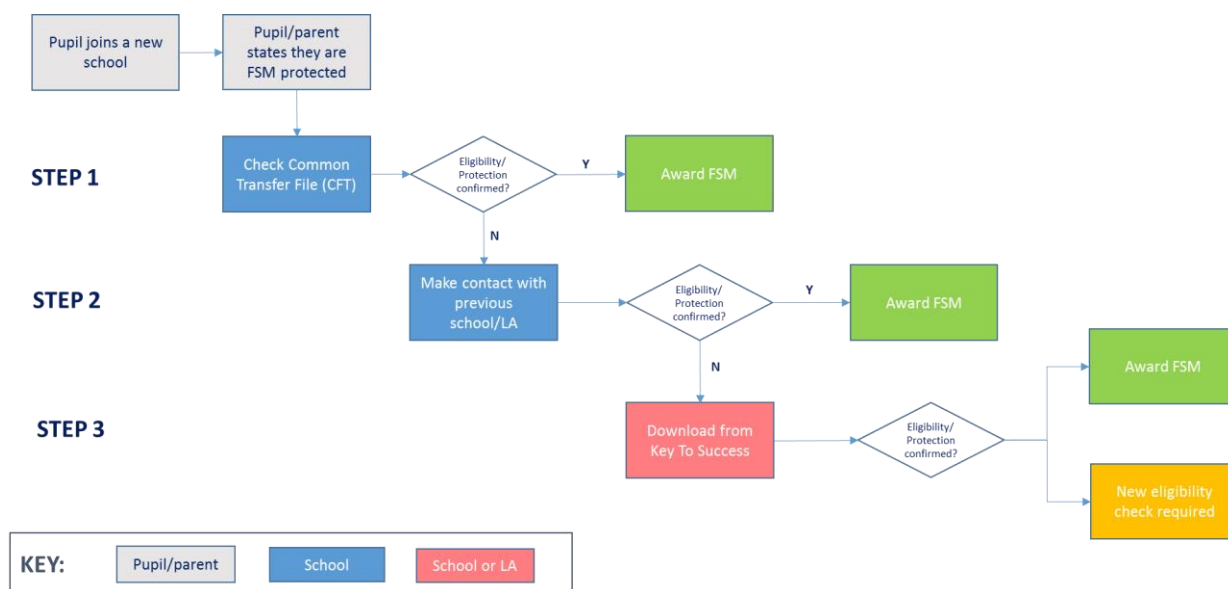
What happens if a protected child moves to a different school or local authority during the rollout period – are they still protected?

- Yes, the protection is for the child and follows them. They will keep their protected status even if they move school or local authority.

How will we know if a child is protected?

- There are three steps to checking if a pupil should be receiving transitional protections:

- Step 1: the school should consult the pupil's Common Transfer File. This is a form that should be completed whenever a child moves school (either as an in-year transfer, or if moving from primary to secondary). The form should indicate whether the pupil was previously eligible for FSM – if they were, they should be receiving transitional protections.
 - Step 2: if the Common Transfer File does not provide the required information, the school should contact the pupil's previous school or local authority to find out if they were previously eligible for FSM. If they were, they should be receiving transitional protections.
 - Step 3: if the previous school/LA are unable to provide this information, the school or local authority should check their Key to Success download. This will indicate whether the pupil was previously eligible for FSM – if they were, they should be receiving transitional protections.
- The process map below shows the steps to take:



Will Local Authorities have access to Key to Success?

- Local authorities should already have access to Key to Success.
- Each LA has an EAS (Employee Authentication Service) Key to Success sponsor. If you are not a registered user, you need to ask your LA EAS Key to Success sponsor to ask us to register you onto EAS and enroll you in the Key to Success service. LA sponsors should start this process by sending an email to RASponsors.MAILBOX@education.gov.uk.
- If you need any additional information about the registration process, please email RASponsors.MAILBOX@education.gov.uk.

Where does the information on Key to Success come from?

- The information on Key to Success comes from the National Pupil Database. This is pulled from the termly school census returns. It is not linked in any way with the ECS.

What is the Common Transfer File?

- The Common Transfer File is a form that should be completed whenever a child moves school. This can be an in-year transfer, or move from primary to secondary.

Guidance on the Common Transfer File is available here:
<https://www.gov.uk/government/collections/common-transfer-file>

Do parents need to reapply for protections if they are moving into a new borough?

- No, parents will not need to reapply for protections if they are moving to a new borough as schools and local authorities will be able to obtain the relevant information as described above. However, parents may choose to inform their child's new school that they are eligible for transitional protections.

Will Key to Success be a manual check?

- Yes, the Key to Success download can be used to carry out a manual check of protected pupils.

How will PVI providers gain the evidence from other PVI providers that their children were previously eligible?

- Pupils who are registered with a PVI provider are not eligible for free school meals. Nursery pupils must meet the following criteria to be eligible for free school meals:
 - Their parent(s) must be in receipt of one of the qualifying benefits (these are the same as for Free School Meals)
 - Their parent, or another responsible adult, must have made a claim for the meal
 - The child must be registered in a **maintained** nursery provision
 - The child must be receiving education both before and after the lunchtime period

School Phases

How is the primary phase defined?

- The primary phase is defined as the period from Reception to Year 6. It includes both Infants and Juniors.

How is the secondary phase defined?

- The secondary phase is defined as the period from Year 7 to Year 11.

What happens for children who are in Year 12 in March 2022?

- Children who are in FE in March 2022 will be protected until the end of FE (Year 13). Specific arrangements for 19+ continuers and those pupils with EHCPs can be found in the guidance for free meals in Further Education: <https://www.gov.uk/guidance/16-to-19-funding-free-meals-in-further-education-funded-institutions>

How will end of phase be defined for middle schools?

- Phase for middle schools will be determined by the predominant age range of pupils in the school.
- If the predominant age range is primary, the middle school will be treated as a primary school for the purpose of transitional protections.
- If the predominant age range is secondary, the middle school will be treated as a secondary school for the purpose of transitional protections.

How is end of phase defined for children who receive FSM in nursery?

- Children who receive free school meals will be protected until the end of the primary phase (year 6).

Guidance

When will guidance be issued?

- Guidance has been issued for schools and local authorities and is available here: <https://www.gov.uk/government/publications/free-school-meals-guidance-for-schools-and-local-authorities>
- Guidance has also been published on the Knowledge Hub.

Have schools been told about these changes?

- Schools have been informed of these changes through various channels, including through newsletters from the Department for Education.
- It would be appreciated if local authorities can also share information about these changes with their schools.

Manual Process

What do we do if the UC statement shows no take home pay?

- If the UC statement shows no take home pay (or has no take home pay section), you can safely assume that the take home pay for that period of £0.00 and the claimant is eligible.

What level of proof are we expected to maintain?

- For electronic checks, a copy of the ECS result (screenshot) and the date the claim/check was made should be retained during the period of Universal Credit rollout.
- For manual checks, a copy or screenshot of the UC letter/statements used to determine eligibility (up to three, as necessary) should be retained. The copies/screenshots should clearly show the earnings ('take home pay').

Universal Credit

How does the process of applying for Universal Credit work?

- Information about applying for Universal Credit can be found here: <https://www.gov.uk/universal-credit>

Are children eligible for free school meals during the Initial Assessment Period for Universal Credit?

- When an individual first makes a claim for Universal Credit, they will undergo an initial assessment period, during which time their eligibility for Universal Credit is determined. A child is not eligible for free school meals during this period as their parents' receipt of Universal Credit (and their net earnings) has not yet been confirmed.
- LAs can provide free meals for pupils at their discretion during this period; however, the pupil should not receive a meal under the benefits-based rules and must **not** be recorded as FSM eligible until their eligibility has been verified.

Can we have more information about Universal Credit?

- More information about Universal Credit is available here: <https://www.gov.uk/universal-credit>

Who is being transferred to Universal Credit?

- Universal Credit is simplifying the benefits system by replacing six benefits with one – these include Job Seeker's Allowance, ESA, Income Support and Child Tax Credits which are qualifying benefits for FSM