



## Healthy Eating

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Signed: Bob Harris                      Chair of Governors

Signed:                       Executive Headteacher

**Please note - where this document states the term “parent” it refers to any such person(s) or body that has legal responsibility.**

## **Ysgol Cambrian Healthy Eating and Drinking Policy**

### **1. Policy Statement**

Ysgol Cambrian is an **Additional Learning Needs (ALN) school for learners aged 3–19**. We are committed to promoting healthy eating and drinking to support the health, wellbeing and achievement of all learners.

We recognise that good nutrition plays a vital role in supporting learners with additional needs, including physical development, emotional regulation and readiness to learn.

This policy reflects our statutory duty under the **Healthy Eating in Schools (Wales) Measure 2009** to actively promote healthy eating and drinking.

### **2. Leadership and Responsibilities**

#### **Executive Headteacher: Aron Bradley**

- Holds overall strategic responsibility for ensuring compliance with Welsh Government guidance
- Ensures a whole-school approach to health and wellbeing

#### **Head of School: Nicola Clark**

- Leads the implementation of this policy within Ysgol Cambrian
- Ensures that the policy reflects the needs of our ALN learners (ages 3–19)
- Works with staff, families and external partners to promote healthy eating

#### **Governing Body**

- Ensures statutory duties are met
- Monitors implementation and impact
- Reports annually on healthy eating and drinking provision

#### **Staff**

- Act as positive role models
- Adapt support to meet individual ALN needs (e.g. sensory needs, feeding difficulties, communication needs)
- Promote healthy choices daily

## **Learners**

- Are supported to develop independence and understanding around healthy choices
- Contribute to pupil voice in ways accessible to them

## **Parents**

- Are supported and encouraged to reinforce healthy eating at home
- Receive guidance tailored to their child's needs

## **3. Aims**

We aim to:

- Promote lifelong healthy eating habits
- Support the specific needs of ALN learners, including sensory preferences and medical diets
- Provide a safe, inclusive and supportive dining experience
- Ensure all learners can access and enjoy healthy food

## **4. Food and Drink Provision**

### **School Meals**

Food provided at Ysgol Cambrian will:

- Meet all Welsh Government nutritional standards
- Be adapted where necessary for learners with ALN (e.g. texture-modified diets, individual plans)
- Reflect cultural, religious and medical needs

### **Supporting ALN Needs**

As a 3–19 ALN setting, we will:

- Provide individualised support for eating and drinking where needed
- Work with health professionals (e.g. speech and language therapy, dietitians)
- Consider sensory needs (e.g. noise, seating, textures, presentation)
- Provide appropriate supervision and assistance

## **5. Dining Environment**

We recognise that for ALN learners, the dining experience is critical.

We will:

- Provide a calm, structured and supportive dining environment
- Use flexible arrangements (quiet spaces, smaller groups)

- Ensure sufficient time for eating
- Support communication needs (visual aids, routines)

## **6. Packed Lunches and Snacks**

We encourage:

- Healthy, balanced packed lunches
- Clear guidance for parents
- Minimising foods high in sugar, salt and fat

Where needed, support will be provided to families to help meet expectations.

## **7. Drinking Water**

- Free, fresh drinking water is available at all times
- Learners are encouraged to drink regularly
- Staff support hydration, particularly for learners who may not recognise thirst cues

## **8. Promoting Healthy Eating Through the Curriculum**

Healthy eating is embedded across the Curriculum for Wales, particularly within the Health and Well-being Area.

Learners will be supported, at an appropriate level, to:

- Understand food choices
- Develop independence skills (e.g. choosing meals, feeding themselves where possible)
- Engage in food-related learning experiences

## **9. Promoting School Meal Uptake**

We will:

- Encourage all learners to access school meals
- Adapt systems to meet communication and accessibility needs
- Work with families to encourage uptake

All learners entitled to free school meals will receive them, with dignity and discretion.

## **10. Equality, Dignity and Inclusion**

Ysgol Cambrian will:

- Ensure no learner is identifiable as receiving free school meals
- Respect all dietary needs

- Provide equitable access to food for all learners
- Ensure dignity and independence are prioritised

## **11. Monitoring and Evaluation**

The school will monitor:

- Learner engagement and wellbeing
- Uptake of meals
- Feedback from families and staff
- Compliance with statutory guidance

The policy will be reviewed annually.

## **12. Government Guidance (Appendix)**

This policy is informed by Welsh Government guidance:

### **“Promotion of healthy eating and drinking in maintained schools” (2026)**

Key principles include:

- Schools and governing bodies must promote healthy eating and drinking
- Healthy eating should be embedded across leadership, curriculum and the wider school environment
- Schools must comply with national nutritional standards for food and drink
- Free drinking water must be available to all learners
- Schools must protect the identity of learners receiving free school meals
- Schools should encourage uptake of school meals and support all learners to access healthy options
- Estyn will consider how well schools promote healthy eating and drinking during inspections



## **GUIDANCE, DOCUMENT**

### **Promotion of healthy eating and drinking in maintained schools**

Guidance for local authorities and school governing bodies on the Healthy Eating in Schools (Wales) Measure 2009.

**First published:** 31 March 2026

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## Introduction

The **Healthy Eating in Schools (Wales) Measure 2009**

(<https://www.legislation.gov.uk/mwa/2009/3/contents>) ('the Measure') places a clear duty on local authorities and governing bodies to promote healthy eating and drinking within maintained schools in Wales. This responsibility is central to:

- supporting the health and well-being of learners
- ensuring that schools provide an environment where nutritious choices are the norm

Healthy eating is fundamental to children's growth, development and ability to learn. Schools help shape lifelong habits by modelling and encouraging balanced diets and positive attitudes towards food and drink.

Strengthened food and drink regulations set minimum standards for nutritional quality, but these alone cannot achieve the cultural shift needed. To reduce health inequalities it is essential to embed healthy behaviours.

They can be actively promoted through:

- leadership
- the curriculum
- the wider school environment

This guidance supports the Welsh Government's commitment to improving health and well-being for all learners. Promoting healthy eating and drinking helps create a positive school environment where learners can thrive physically, emotionally and academically. Schools contribute to reducing health inequalities and fostering lifelong healthy habits by embedding these principles across:

- policies
- practices
- the curriculum

The purpose of this guidance is to:

- clarify statutory duties under the Measure
- support local authorities, governing bodies and their partners in fulfilling their statutory duties

To ensure healthy eating and drinking are consistently promoted across all maintained schools the guidance:

- sets out roles and expectations
- provides practical advice
- highlights good practice

By working together, we can create school settings that:

- nurture well-being
- equip learners with the knowledge and habits to lead healthy lives

### **About this guidance**

The Measure provides that local authorities and governing bodies of maintained schools must have regard to this guidance when discharging their functions.

This statutory guidance is issued under the following sections of the Measure:

- Section 1 places a duty on a local authority and a governing body of a maintained school to take action to promote healthy eating and drinking among registered learners.
- Section 5 places a duty on a local authority to ensure that drinking water is available, free of charge, on the premises of any maintained school.
- Section 7 places a duty on a local authority or governing body to take reasonable steps to ensure that:
  - a learner cannot be identified by any person, other than a person authorised under the legislation, as a learner who receives a free school lunch or free school milk
  - teachers, employees or volunteers at the school do not make

disclosures, other than to a person authorised under the legislation, about the fact that a learner receives free school lunches or free school milk

Local authorities and governing bodies must take account of the advice given in the above sections. If they decide to depart from it, they must have clear and justifiable reasons for doing so.

This statutory guidance replaces chapter 1 of the 2014 '[healthy eating in maintained schools: statutory guidance for local authorities and governing bodies](https://www.gov.wales/healthy-eating-maintained-schools-statutory-guidance) (<https://www.gov.wales/healthy-eating-maintained-schools-statutory-guidance>)' ('the 2014 Guidance').

Guidance is also provided on the following sections:

- Section 2 places a duty on the governing body of a maintained school to include in their annual report information on the action taken to promote healthy eating and drinking by learners of the school (see **Section 30 (2A) of the Education Act 2002** (<https://www.legislation.gov.uk/ukpga/2002/32/section/30>)).
- Section 3 places a duty on the Chief Inspector of Education and Training in Wales to keep the Welsh Ministers informed about actions taken at maintained schools to promote healthy eating and drinking (see **Section 20(1)(g) of the Education Act 2005** (<https://www.legislation.gov.uk/ukpga/2005/18/section/20>)).
- Section 4 gives the Welsh Ministers the power to make regulations about food and drink provided on the premises of maintained schools and food and drink provided at a place other than school premises by local authorities or governing bodies to registered learners of maintained schools. The **Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013** (<https://www.legislation.gov.uk/wsi/2013/1984/made>) and the **Healthy Eating in Schools (Nutritional Standards and Requirements) (Maintained Primary Schools) (Wales) Regulations 2025** (<https://www.legislation.gov.uk/wsi/2025/1343/contents/made>) were made under this power. The 'Healthy Eating in Schools (Nutritional Standards and Requirements) (Maintained Primary Schools) (Wales) Regulations 2025:

statutory guidance for local authorities and governing bodies' and chapter 2 of 2014 guidance provides guidance on the regulations made under section 4 of the Measure and what constitutes healthy eating and drinking.

- Section 6 places a duty on a local authority, or the governing body of a maintained school which provides school meals or milk, to:
  - encourage the take-up of school meals or milk
  - take reasonable steps to ensure every learner entitled to receive free school lunches and free school milk receives them

The advice on these sections is primarily covered in other guidance documents (see 'related links'). The advice on these sections in this guidance is:

- non-statutory
- designed to help local authorities and governing bodies understand their duties and decide how they can meet their statutory responsibilities within other legislation

Welsh Ministers would expect local authorities and governing bodies to take the advice into account when considering matters to which it relates.

Throughout this guidance the words 'must' and 'should' are used. The word 'must' is used when there is a statutory duty to meet a requirement:

- under the Measure
- under regulations made under the Measure
- in other legislation

The word 'should' is used when advice is being provided.

## **Maintained schools**

A maintained school (see '[schools maintained by local authorities](https://law.gov.wales/schools-maintained-local-authorities#:~:text=Types%20of%20schools,be%20distinguished%20from%20independent%20schools.) (https://law.gov.wales/schools-maintained-local-authorities#:~:text=Types%20of%20schools,be%20distinguished%20from%20independent%20schools.)) is a school that is wholly or substantially financially maintained by a local authority. Maintained schools are to be distinguished from independent

schools.

The following are maintained schools for the purposes of the Measure:

- community schools
- voluntary-controlled schools
- voluntary-aided schools
- foundation schools
- community special schools
- maintained nursery schools
- pupil referral units

### **Role of local authorities, governing bodies and Estyn**

This part of the guidance focuses on the role of the school governing body, the local authority and Estyn. It provides school governing bodies and local authorities with:

- an explanation of the requirements upon them under sections 1, 2, 3, 4, 5, 6 and 7 of the Measure
- examples of the types of activity should take in fulfilling their duties, while acting within the boundaries of their powers

Both local authorities and governing bodies have a statutory duty to promote healthy eating and drinking in schools. In this section we set out the distinct roles of each. They also have a statutory duty to comply with 'Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013' and the 'Healthy Eating in Schools (Nutritional Standards and Requirements) (Maintained Primary Schools) (Wales) Regulations 2025'. This is covered at the end of this section.

## **Local authorities**

Local authorities have a number of duties set out within the Measure. These include:

- promoting healthy eating and drinking in schools
- ensuring there is a supply of drinking water
- protecting the identity of learners who receive free school meals and milk

This document also provides guidance on how local authorities can encourage take-up of school meals and milk.

Various departments within the local authority will be involved, for example in the design of kitchens and dining rooms in consultation with:

- catering services
- schools
- learners and their families

School maintenance services may offer support in relation to the duty upon local authorities to 'ensure that a supply of drinking water is available, free of charge, on the premises of any maintained school' (see 'section 5').

This guidance also outlines how local authorities can:

- encourage take-up of school meals and milk
- ensure their annual report includes information on how healthy eating and drinking is promoted in schools

## **Governing bodies**

A governing body in Wales refers to the body responsible for the governance of maintained schools, as established under the Education Act 2002. It typically consists of appointed or elected governors and is responsible for various

functions, including:

- setting policies
- compliance
- ensuring the best interests of the school community are met

The governing body is expected to carry out its functions with the aim of taking a strategic role in the leadership of the school. A strategic role means the governing body decides what it wants the school to achieve and sets the strategic framework for getting there.

Governing bodies have a number of duties set out within the Measure. These include:

- promoting healthy eating and drinking in schools
- protecting the identity of learners who receive free school meals and milk

## **Estyn**

Estyn must keep Welsh Ministers informed about actions taken at maintained schools to promote healthy eating and drinking. This is a legal requirement within the Measure.

The most up-to-date information on [Estyn's inspection process](https://estyn.gov.wales/inspection-guidance-resources/) (<https://estyn.gov.wales/inspection-guidance-resources/>) is available on their website.

### **What the governing body or school can expect Estyn to consider on inspection**

During a core inspection, Estyn will evaluate the work of the school relating to promoting healthy eating and drinking. In particular, the inspection will look at how well:

- the school has established appropriate arrangements to promote healthy eating and drinking

- learners make healthy lifestyle choices in relation to healthy eating and drinking

Estyn will use a range of approaches throughout the course of an inspection as set out below.

### **Pre-inspection questionnaires**

After the school has been notified of its forthcoming inspection, governors, learners, parents, carers and staff will be invited to complete a pre-inspection questionnaire. Specific questions relating to health are contained in both the governor and learner questionnaires. Governors are asked to provide examples of how they have offered challenge and support to school leaders on learners' well-being, including their duties under the Measure.

### **Parent or carer meeting**

Estyn invite all parents and carers to attend a parents' meeting where they have the opportunity to share their thoughts about the school's strengths and any possible shortcomings. They are asked for their feedback on how well the school provides opportunities for learners to develop physical skills. Any particular strengths or issues raised relating to healthy eating and drinking and how it is promoted will be followed up by Estyn during the course of the inspection.

### **Governor meeting**

During the course of the inspection, Estyn will arrange to meet with representatives from the governing body. This usually involves the chair of governors and one other governor. Estyn will ask governors about their work, including how well the governing body promotes healthy eating and drinking in the school and how this information is shared with parents and carers. Estyn will note any obvious breaches of the regulations.

## **Inspection activities**

Estyn will evaluate how effectively the school promotes healthy eating and drinking through undertaking a wide range of activities.

These could include:

- lesson observations
- learning walks
- listening to learners
- meeting staff, including catering staff
- document scrutiny

When undertaking this activity, Estyn will consider how well:

- the school plans the curriculum, particularly the Health and Well-being Area of Learning and Experience (Health and Well-being Area), and extra-curricular work to help learners understand the impact of healthy living choices and behaviours on their present and future physical health and well-being
- learners develop the knowledge and understanding they need to make healthy lifestyle choices, for example in relation to healthy eating and drinking
- learners contribute to promoting healthy living within the school community, for example as members of the school council
- learners are developing healthy eating and drinking habits (this involves observing break and lunchtime, and asking learners if they have free access to drinking water throughout the day)
- the school provides meaningful and worthwhile opportunities for learners with additional learning needs (ALN) to develop their knowledge and understanding in making suitable lifestyle choices in relation to healthy eating

## **Estyn inspection report**

After a core inspection, Estyn will report on the school's strengths and weaknesses in each inspection area. Where appropriate, this will identify aspects of the school's work that relate to leadership, provision and learner outcomes in respect of healthy living and well-being. Within the report, Estyn will refer to the quality and effectiveness of the governing body, including whether the school has appropriate arrangements for promoting healthy eating and drinking.

## **Duty to comply with the regulations**

The 'Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013' continue to apply to maintained secondary schools (and learners in Year 7 and above in schools that provide both primary and secondary education). These Regulations will cease to apply to maintained nursery and primary schools (and learners in Year 6 and below in schools that provide both primary and secondary education) on 31 October 2026.

From 31 October 2026 the Healthy Eating in Schools (Nutritional Standards and Requirements) (Maintained Primary Schools) (Wales) Regulations 2025 apply to maintained nursery and primary schools (and learners in Year 6 and below in schools that provide both primary and secondary education).

These 2 regulations are referred to as 'the relevant regulations' throughout the remainder of this guidance.

Whether it is the local authority or the governing body providing food and drink, they must ensure that the relevant regulations are complied with. This is regardless of whether they provide food and drink through:

- catering staff they have employed directly
- an agreement or arrangement for provision by a contract caterer

## **The Measure**

### **Section 1: promoting healthy eating and drinking by learners in maintained schools**

(Note: this section of the guidance is statutory guidance.)

#### **What the Measure says**

“ A local authority must take action to promote healthy eating and drinking by registered pupils of maintained schools in its area.

“ The governing body of a maintained school must take action to promote healthy eating and drinking by registered pupils of the school. ”

In discharging these functions a local authority or governing body must have regard to this guidance. The guidance provides advice on:

- appropriate action to promote healthy eating and drinking
- sustainable development in relation to the promotion of healthy eating and drinking

#### **What this means for the local authority, governing body or school**

Local authorities have a responsibility to promote healthy eating and drinking of registered learners within a maintained school in its area. Governing bodies and schools have a responsibility to promote healthy eating and drinking of registered learners of the school. Local authorities, governing bodies and schools must also have regard to guidance on how sustainable development principles apply.

## **How the local authority, governing body or school can promote healthy eating and drinking**

Actions taken to promote healthy eating and drinking will vary from one local authority, governing body or school to another.

The following examples are not an exclusive list:

- Consider how well healthy eating and drinking is promoted in the school environment, for example:
  - to what extent the canteen is an extension of the classroom
  - whether the dining experience matches the school ethos
- Gather and confirm evidence that the food and drink provided in schools is compliant with the relevant regulations.
- Communicate with learners to share information and gather opinions and feedback on actions to promote healthy eating and drinking. Take into account the specific needs or preferences of learners, including special diets, neurodivergence, cultural preferences and religious restrictions. Make sure that the menu design reflects the learners and communities served.
- Schools could involve school governors. Invite them to join learners at lunchtime for a school meal or to celebrate religious traditions and cultural celebrations through food.
- Communicate with the catering service in relation to promoting healthy eating and drinking.
- Monitor data on the take-up of school meals to monitor progress and trends. This could include disaggregating take-up data by protected characteristics to understand if further work needs to be done to increase the take-up of the food offer by specific communities.
- Communicate with parents and carers to share information and gather opinions and feedback on actions to promote healthy eating and drinking. For example, this could include parent food champions sharing expertise on religious diets.
- Encourage parents, carers and learners to bring in healthy snacks, drinks and packed lunches. Where issues are identified, develop policies for food and drink brought into school.

- Understand what information, training and support is provided to catering staff in healthy cooking skills and the context for making changes to the food and drink provision.
- Support midday supervisors so that they are equipped with the necessary knowledge and skills to communicate with and support learners in the dining room. This is especially the case when supporting infants and learners with additional needs, including neurodivergent children.
- Consider how the school is using and working towards wider health-related standards, schemes and training, for example the **Welsh Network of Health and Well-being Promoting Schools (WNHWPS)** (<https://phw.nhs.wales/services-and-teams/welsh-network-of-healthy-school-schemes/>).

Local authorities, governing bodies and schools should consider sustainable development principles (see Welsh Government's **The Well-being of Future Generations** (<https://www.gov.wales/well-being-of-future-generations-wales>)) for enhancing the economic, social and environmental well-being of people and communities. Considering these will help our own and future generations achieve a better quality of life.

This means making decisions which will:

- have benefits in the long term as well as short term
- prevent problems from occurring in the future

An emphasis on healthy eating in schools is an example of a sustainable approach in practice. This is because it will help to reduce future health problems such as poor nutrition and obesity.

Local authorities should provide a 'champion' to promote healthy eating in schools. Additionally they should work with their WNHWPS scheme coordinators by supporting schools to appreciate:

- the demands placed on catering services to deliver healthy, local, sustainable, affordable, accessible and desirable food and drink while operating as a business (in secondary schools) with limited budgets and limited time to serve learners
- the latest evidence linking nutrition and education performance

- the mounting evidence of costs to the public sector of ill health related to unhealthy diet

If local authorities provide the food and drink they should consider how they:

- communicate regularly with the school or governing body to discuss what is working well and what could be improved
- work with the school or governing body to provide opportunity for engagement on school food, to understand the views of the learner, parent, carer and wider school community, including learners and their families from diverse backgrounds
- provide information, training and support to catering staff in healthy cooking skills and the context for making changes to the food and drink provision

Where a local authority provides food and drink, they must comply with the relevant regulations.

Governing bodies and schools should:

- work with their WNHWPS scheme coordinator to actively promote, protect and embed the physical, mental and social health and well-being of the school community through positive action
- ensure that the timing and duration of breakfast, morning break and lunchtime are conducive to promoting healthy eating, socialisation and other activities, liaising with the catering team (governing bodies are responsible for determining the times of school sessions and therefore the timing and duration of lunchtimes)
- encourage secondary learners to take up a nutritionally balanced lunch, rather than brunch at morning break or a 'grab and go' snack instead of a meal

The Curriculum for Wales provides opportunity for food and nutrition to be considered as part of the Health and Well-being Area. Consider how healthy eating and drinking features in the school's curriculum (this might be delegated to the curriculum committee).

Develop or regularly review healthy eating and drinking policies, or their

equivalent. These should promote consistent healthy eating messages and may include reference to:

- learners leaving the dining room with food and drink
- learners leaving the school premises to buy food and drink
- food and drink brought into school
- food and drink delivered to learners in school
- mobile food and drink vendors near school premises
- birthday cakes
- the timing and duration of lunchtime
- pre-ordering
- seating arrangements within the dining room
- queue management
- supervision
- social and recreational events
- fundraising events
- rewards
- medically prescribed diets

## **Section 2: Governors' reports**

(Note: the guidance in this section is non-statutory.)

### **What the Measure says**

Section 2 of the Measure inserts the following into the Education Act 2002:

“ The governing body of a maintained school in Wales must include in a governors' report, information about the action taken to promote healthy eating and drinking by pupils of the school. ”

### **What this means for the local authority**

There is no specific requirement on the local authority. However they can support the governing body to fulfil their responsibility as set out below.

### **How the local authority can achieve this**

If asked by the governing body, where local authorities provide the food and drink they should share evidence of compliance with the relevant regulations so that this information can be included within the governing body's annual report.

### **What this means for governors**

The school governors' annual report must provide information on what the school does to promote healthy eating and drinking.

### **How governors can achieve this**

The following examples of action that the governing body should take are not an exclusive list of activity and are in no order of priority.

Governors should include confirmation that the food and drink provision is in line with its duties to promote healthy eating and drinking. This could include confirmation of compliance with the relevant regulations (regardless of who provides the catering).

Governors should also consider including some or all of the following information in their annual report:

- action taken by the school to promote healthy eating and drinking
- reference to healthy eating and drinking policies
- take-up of school meals data, including any patterns by protected characteristics
- feedback or statements from communication with learners, parents and

carers regarding how well the school is promoting healthy eating and drinking

### **Section 3: functions of the Chief Inspector of Education and Training in Wales (Estyn)**

(Note: the guidance in this section is non-statutory.)

#### **What the Measure says**

“ The Measure amends section 20(1) of the Education Act 2005. This sets out the matters upon which the Chief Inspector of Education and Training in Wales has a duty to keep Welsh Ministers informed. The amendment requires the Chief Inspector (Estyn) to report on actions taken at maintained schools to promote healthy eating and drinking. ”

#### **What this means for the governing body**

The governing body will be required to provide information to Estyn to enable it to report on the arrangements that the school has in place to promote healthy eating and drinking. Further information can be found on the [Estyn website](https://estyn.gov.wales/inspection-guidance-resources/) (<https://estyn.gov.wales/inspection-guidance-resources/>).

Governing bodies should ensure that their annual report includes details of the actions that schools take to promote healthy eating and drinking (refer to section 2 of the Measure). In addition to this, governing bodies should:

- familiarise themselves with the actions that schools take to promote healthy eating and drinking (refer to section 1 of the Measure)
- ensure that they are aware of the current school inspection framework

When undertaking self-evaluation in relation to care, support and guidance, schools should take every opportunity to draw on and make links with work

undertaken on healthy eating and drinking in schools.

#### **Section 4: requirements for food and drink provided on school premises**

(Note: the guidance in this section is non-statutory.)

##### **What the Measure says**

“ The Welsh Ministers may by regulations prescribe requirements which, subject to such exceptions as may be provided for by or under the regulations, are to be complied with in connection with:

“ (a) food or drink provided on the premises of any maintained school, or

“ (b) food or drink provided at a place other than school premises by a local authority or the governing body of a maintained school to any registered pupil at the school. ”

##### **What this means for the local authority, governing body or school**

Whoever provides the food and drink is responsible for ensuring that it meets the requirements set out within the relevant regulations. ‘Provides’ in this context includes where the food or drink is provided under an agreement or arrangement made by the local authority or governing body to provide the food and drink.

Local authorities or governing bodies remain responsible for compliance even when they make an agreement or arrangement with a contract caterer. Local authorities or governing bodies must therefore satisfy themselves that what a contract caterer provides meets the requirements set out within the relevant regulations.

### **How the local authority, governing body or school can achieve this**

The following examples of action a local authority, governing body or school should take are not an exclusive list and are in no order of priority.

Whoever provides the food and drink must ensure compliance. This could be done by:

- carrying out menu checks
- putting in place monitoring arrangements or putting a service level agreement (SLA) in place

If the food and drink is provided by a contract caterer under an agreement or arrangement made by a local authority or governing body, the local authority or governing body should satisfy itself that the regulations are being met.

This could be by:

- asking the catering provider for evidence
- checking menus
- undertaking visits to check the food served reflects the menu advertised

### **Section 5: drinking water in schools**

(Note: this section of the guidance is statutory guidance.)

#### **What the Measure says**

Section 5 of the Measure states:

“ A local authority must ensure that a supply of drinking water is available, free of charge, on the premises of any maintained school. ”

### **What this means for the local authority**

The local authority must take action to ensure that a supply of drinking water is available, free of charge, on the premises of any maintained school.

### **How the local authority can achieve this**

Actions that should be taken can vary between local authorities. The following is not an exclusive list of activity and is in no order of priority:

- A local authority should work with school leadership and learner leadership groups to ensure that learners have access to free drinking water.
- **The Education (School Premises) Regulations 1999** (<https://www.legislation.gov.uk/uksi/1999/2/regulation/22/made>) must be followed by local authorities to ensure that there is a supply of free drinking water in all schools.
- Where a local authority provides food and drink, they should ensure that water is offered as part of a school lunch.

### **What this means for the governing body or school**

The governing body or school does not have direct responsibility for ensuring that a free supply of drinking water is available. However, it does have a duty to promote healthy drinking (see 'Section 1') and should support the local authority in relevant activities.

### **How the governing body or school can achieve this**

The following examples of actions that should be taken by the governing body or school are not an exclusive list and are in no order of priority.

The governing body or school should ensure free water is provided as part of a school lunch, whether food and drink is provided through catering staff employed directly by the school or by a contract caterer.

The governing body or school should:

- be aware of where and how drinking water is available free of charge
- consider the use of water coolers or fountains
- promote healthy hydration during the school day and the use of water bottles

During service times, where water is not available from fountains or coolers in the dining area the governing body or school should provide water jugs and cups for learners.

## **Section 6: promotion of meals in maintained schools and other establishments**

(Note: the guidance in this section is non-statutory.)

### **What the Measure says**

“ A local authority or governing body of a maintained school which provides school meals or milk under section 512 of the 1996 Act must:

“ (a) encourage the take-up of school meals and milk, and

“ (b) take reasonable steps to ensure that every pupil who is entitled to receive school lunches and milk free of charge under section 512ZB of the 1996 Act does receive them. ”

### **What this means for the local authority, governing body or school**

If the local authority, governing body or school provides school meals and milk, it is responsible for ensuring that take-up is encouraged and that reasonable steps are taken to ensure that every learner who is entitled to receive an eligibility related free school meal or milk, takes up the offer.

## **How the local authority, governing body or school can achieve this**

Actions taken to promote the take-up of school meals and milk will vary between different local authorities and governing bodies. The following examples are not an exclusive list:

- Communicate regularly with the school to discuss what is working well and what could be improved.
- Work with the school to provide opportunities for engagement on school food to understand the views of the learner, parent or carer and the wider school community.
- Work with the school to provide opportunities for learners to taste food options and proposed menu changes. Ensure that these reflect the learners and communities served.
- Gather relevant information regarding the take-up of school meals and milk to understand the extent of take-up across different protected characteristics.
- Communicate with the catering service to understand their perspectives on maximising take-up.
- Communicate with learners, parents and carers to understand what would encourage them to take up school meals and milk.

Local authorities and governing bodies should ensure that:

- information regarding school meals and milk is accessible and communicated to all and that it encourages take-up
- the application process for parents and carers is inclusive, accessible to all and clearly communicated
- assistance is freely provided to help with applications for eligibility-related free school meals as well as help with accessing assistance
- the format of menus and price lists are accessible, understandable and clearly communicated to learners, parents and carers, with consideration given to equality and language
- ordering systems for learners, parents or carers are inclusive and accessible to all

Please refer to the 'example activities to encourage take-up of school meals section' within this guidance for information on how local authorities or governing bodies could encourage or support take-up of school meals.

## **Section 7: protection of the identity of learners receiving free school lunches or milk**

(Note: this section of the guidance is statutory guidance.)

### **What the Measure says**

The Measure inserts a new section 512ZCB into the Education Act 1996:

“ 512ZC Protection of identity of pupils receiving free school lunches or milk

- “1. This section applies when a school lunch or milk is provided for a pupil in Wales free of charge by a local authority under section 512ZB or by the governing body of a maintained school by virtue of section 512A.
2. A local authority or governing body in Wales must take reasonable steps to ensure that the pupil cannot be identified as a pupil who receives a school lunch or milk free of charge by any person other than an authorised person.
3. A local authority or governing body in Wales must take reasonable steps to ensure that none of the persons mentioned in subsection (4) discloses to any person other than an authorised person the fact that the pupil receives school lunches or milk free of charge.
4. The persons referred to in subsection (3) are:
  - a. a teacher in the school,
  - b. any person (other than a teacher) who is:
    - i. employed (whether by the local authority or by another person) in the school, or
    - ii. working there on an unpaid basis, and
  - c. any other person employed by the local authority or governing body.
5. In subsections (2) and (3), “authorised person” means:

- a. a parent of the pupil, and
  - b. a person mentioned in subsection (4) who is authorised by the local authority or governing body to have access to information about a pupil's entitlement to receive school lunches free of charge.
6. When deciding what steps to take in order to comply with their duties under subsections (2) and (3) a local authority or governing body in Wales must have regard to any guidance issued by the Welsh Ministers under this section. "

### **What this means for the local authority, governing body or school**

This section of the Measure requires local authorities, governing bodies and schools to take reasonable steps to protect the identity of learners receiving eligibility-related free school meals or milk.

In particular, a local authority, governing body or school should be satisfied that any person working in the school on a paid or unpaid basis, or any other person employed by the local authority or governing body, does not make disclosures about learners receiving free school meals or milk to anyone other than an 'authorised person'. This is to avoid the stigma of poverty.

### **How the local authority, governing body or school can achieve this**

The following examples of actions that should be taken by the local authority, governing body or school are not an exclusive list and are in no order of priority:

- Put appropriate policies in place for school lunches.
- Make sure learners eligible for free school meals are unidentifiable other than by authorised persons. For example, there should be no physical or verbal presentation of free school meal status. School lunches should not be provided to eligible learners only, and there should be no unequitable access to free school lunch allowances at morning break or lunchtime compared to paying learners.
- If a cashless system is in place in the canteen, know how this protects the

identity of learners.

- Inform parents and carers about the way free school meals work within the school.
- Ensure that all learners have the same options with regard to main meal choices.
- Provide or procure data protection training.

### **Example activities to encourage take-up of school meals**

The following are examples of actions a local authority or governing body could undertake to encourage or support take-up. They are not in order of priority.

#### **Dining environment**

- Make the dining room or canteen more inviting to all learners by providing comfortable seating, clean tables and chairs.
- Involve learners in the design of the dining environment where possible.
- Consider the needs of learners with additional needs, including neurodivergent learners.
- Make the best use of small dining spaces with thoughtful and well-spaced seating.
- Reduce noise by introducing soft furnishings, sound absorption boards and playing music.
- Display menus, price lists and promotional signage in the dining room.
- Display boards or posters promoting healthy eating messages and habits.

#### **Inclusivity, accessibility, social interaction and healthy eating**

- Provide accessible signage of menus and prices in prominent places, for example in the queuing areas, in school organisers and planners, and

online.

- Allow learners to sit with their peers regardless of their meal choice and whether they have school meals or packed lunches.
- Offer tasting opportunities for learners, parents and carers.
- Ensure learners have enough time to sit, eat and socialise at lunchtime. Stagger service times, operate a pre-ordering system, introduce multiple service areas and provide outside eating areas.
- Use teaching staff as role models who, in addition to supervising learners, sit and eat school food in the dining room.
- Provide a learner voice, for example establish a healthy eating council to provide feedback on menus and the dining experience.

### **Meal service logistics**

- Improve routines associated with queuing by staggering service times, rotating service times, supervising queues and considering operating a pre-ordering system.
- Stagger the food choices throughout the sitting to ensure those that come for lunch later in the service still have a range of food choices.
- Provide supervision and operate behaviour management strategies at breakfast, morning break and lunchtime.

### **Food education and engagement**

- Provide schools, learners, parents and carers with information about the quality of food that is available and the rationale for any changes to the menu.
- Consider offering tasters to learners, parents and carers and the community for new products and recipes. Also consider establishing learner engagement opportunities around the menu cycle.
- Provide opportunities to explore and learn about the school menu as part of the curriculum.
- Provide opportunities to learn about food from different cultures and religions.

## Policy flexibility and support

- Consider allowing learners access to their free school meal allowance at morning break if this is near midday and nutritionally balanced lunch items are available at this time.
- Use flexible charging powers to offer discounts (for example for multiple learners taking school meals from the same household or for learners paying for whole terms in advance).

## Related links

## Legislation

- The **Healthy Eating in Schools (Wales) Measure 2009** (<https://www.legislation.gov.uk/mwa/2009/3/contents>) requires local authorities and governing bodies to promote healthy eating and drinking in maintained schools in Wales. This ensures food and drink provided meets nutritional standards and supports learners' health and well-being.
- **The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013** (<https://www.legislation.gov.uk/wsi/2013/1984/made>) sets mandatory nutritional standards and requirements for food and drink provided by local authorities and governing bodies to learners in maintained secondary schools in Wales (including learners in Year 7 and above in schools that provide primary and secondary education) and others on the school premises. This ensures balanced, healthy options are available across meals, snacks and drinks.
- **The Healthy Eating in Schools (Nutritional Standards and Requirements) (Maintained Primary Schools) (Wales) Regulations 2025** (<https://www.legislation.gov.uk/wsi/2025/1343/made>) sets mandatory nutritional standards and requirements for food and drink provided by local authorities and governing bodies to learners in maintained primary schools in Wales. This includes maintained nursery schools as well as learners in Year 6 and below in schools that provide primary and secondary education. The

regulations ensure balanced, healthy options across meals, snacks and drinks.

- The **Education Act 1996** (<https://www.legislation.gov.uk/ukpga/1996/56/contents>) consolidates and sets out the legal framework for education in England and Wales. This includes local authority and governing body functions relating to the provision of food and drink in schools.
- **The Education (School Premises) Regulations 1999** (<https://www.legislation.gov.uk/uksi/1999/2/contents/made>) sets out the minimum standards for the design, construction and maintenance of school premises in Wales. This covers areas such as space, health, safety and welfare requirements for learners and staff.
- **The Well-being of Future Generations** (<https://www.gov.wales/well-being-of-future-generations-wales>) requires public bodies in Wales to work towards improving social, economic, environmental and cultural well-being by setting and achieving long-term sustainable goals for current and future generations.
- The **Health and Well-being Area of Learning and Experience** (<https://hwb.gov.wales/curriculum-for-wales/health-and-well-being>) within the Curriculum for Wales focuses on developing learners' physical health, mental well-being and social skills. This enables them to build resilience, make informed choices and thrive as confident, healthy individuals throughout life.

#### **Welsh Government guidance and policy**

- The Healthy Eating in Schools (Nutritional Standards and Requirements) (Maintained Primary Schools) (Wales) Regulations 2025: Statutory guidance for local authorities and governing bodies is draft guidance that outlines how local authorities and governing bodies can meet the relevant regulations and what constitutes healthy eating and drinking.
- **School Governors' guide to the law** (<https://www.gov.wales/school-governors-guide-law>) explains the legal roles, responsibilities and duties of school governing bodies in Wales and how they should comply with education law and statutory requirements.
- **Schools maintained by local authorities** (<https://law.gov.wales/schools->

[maintained-local-authorities](#)) explains what a maintained school is.

- **Healthy Weight: Healthy Wales** (<https://www.gov.wales/healthy-weight-strategy-healthy-weight-healthy-wales>) is a national plan aimed at preventing and reducing obesity in Wales. It promotes healthy eating, physical activity and supportive environments to improve population health and well-being.
- **Get help with school costs** (<https://www.gov.wales/get-help-school-costs>) provides information about support available for school costs.

## External guidance

- The **Welsh Local Government Association (WLGA)** (<https://www.wlga.wales/healthy-eating-in-schools>) website has a 'Healthy Eating in Schools' page.
- **Welsh Network of Health and Well-being Promoting Schools** (<https://phw.nhs.wales/services-and-teams/welsh-network-of-healthy-school-schemes/>) is a national programme. It supports schools in Wales to adopt a whole-school approach to improving physical, mental and social health through curriculum, policy, environment and community engagement.
- **School Governors: Acting as critical friends and the impact of governor training** (<https://estyn.gov.wales/improvement-resources/school-governors-acting-as-critical-friends-and-the-impact-of-governor-training/>) is an Estyn report. It looks at how effectively school governors in Wales challenge and support senior leaders.

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