

The Education (Scotland) Act 1980 (Modification) Regulations 2021

**Child Rights and Wellbeing Impact
Assessment - Stage 1**

March 2022



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Child Rights and Wellbeing Impact Assessment - Stage 1

Name the policy, and describe its overall aims.

This policy relates to free school meals, the Regulations are titled “The Education (Scotland) Act 1980 (Modification) Regulations 2021”. The regulation seeks to maintain the eligibility to the passported benefit of free school meals in the circumstances for people currently eligible through being in receipt of both Child Tax Credit and Working Tax Credit, and also Universal Credit.

As a result of a change in the National Living Wage in April 2021 any family previously qualifying through being in receipt of those benefits would be at risk of losing their entitlement as their earnings would be above the current threshold of up to £7,330 if they were in receipt of both Child Tax Credit and Working Tax Credit, or a monthly earned income of up to £610 if they were in receipt of Universal Credit. This is the third annual incremental increasing following our measures to increase the threshold from its original level of £6,420 in 2019.

What aspects of the policy/measure will affect children and young people up to the age of 18?

The particular eligibility criteria which is the subject of this change is related to the financial circumstances of parents and carers. However, children and young people are the beneficiaries of free school meals entitlement. This policy affects pupils in all age groups which are not covered by the policy of universal provision of free school meals.

What likely impact - direct or indirect - will the policy/measure have on children and young people?

If the Regulations were not taken forward, and the upper eligibility threshold remained at its current level of £7,330 for recipients of both Child Tax Credit and Working Tax Credit, or £610 per month of earned income for recipients of Universal Credit, there would be a direct risk that some children and young people would lose their entitlement to free school meals.

There are a number of criteria through which free school meals are provided - this change relates to two of these criteria (eligibility through receipt of both Child Tax Credit and Working Tax Credit and Universal Credit) and therefore the risk is further limited.

Which groups of children and young people will be affected?

Free School Meal entitlement is an anti-poverty measure, so it is likely that children and young people whose families are affected by poverty would be affected.

Will this require a CRWIA?

A CRWIA will be undertaken, although we consider the impact is likely to be minimal.

CRWIA Declaration

CRWIA required: Yes

Authorisation

Policy lead: Douglas Forrester; Support and Wellbeing Unit; Improvement, Attainment and Wellbeing Division

Deputy Director or equivalent: Alison Taylor; Deputy Director; Improvement, Attainment and Wellbeing Division

Date: 19 May 2021



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The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80435-303-5 (web only)

Published by The Scottish Government, March 2022

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS936666 (03/22)

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