



From the Parliamentary  
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for Work and Pensions

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### **Child Poverty Bill: Government Amendments**

I am writing to inform you of a small number of amendments to the Child Poverty Bill that the Government is tabling today.

#### **Free School Meals**

These amendments seek to amend the Free School Meal provisions in the Education Act 1996 following the announcement in the Pre-Budget Report on extending eligibility for free school meals (FSMs) to primary school aged children in low income working families.

Free School Meals are currently available to all families who are in receipt of benefits set out in section 512ZB (4) of the Education Act 1996. Local authorities and school governors have a duty to provide free school meals to children whose parents qualify. The Pre-Budget Report announcement will extend eligibility for free school meals to primary school aged children in low income working families on a household income up to £16,190 (i.e. those in receipt of Working Tax Credit with an income up to £16,190). It will be implemented through a phased rollout and will help around 500,000 children and 380,000 families starting from next September. Wolverhampton is currently running a pilot extending FSMs to low income working families, which has been welcomed locally.

The current legislation outlining entitlements to Free School Meals, the Education Act 1996, only allows us to change entitlement based on the benefit receipt of the parent, rather than by the age of the child. It is not therefore possible to use existing powers to extend the entitlement to primary-age children of parents who are entitled to Working Tax Credit, but not to any secondary-age children within the same family. We therefore wish to amend section 512ZB of the Education Act 1996 so

that a child is entitled to a Free School Meal if he or his parent is entitled to Working Tax Credit and the family has a household income up to £16,190 and the child meets prescribed conditions.

We consider that the Child Poverty Bill is an appropriate legislative vehicle to achieve this as the extension of the free school meal entitlement will assist in the reduction of child poverty by supporting low income families and improving incentives to work. Once fully implemented, it will lift up to 50,000 children out of poverty. By doing this now we will be able to meet the commitment set out in the PBR that 50% of primary school pupils from low income families will be eligible by September 2010.

### **Consulting Children**

I would also like to take this opportunity to inform you of our intention to support the amendments regarding consultation with children tabled by Baroness Walmsley and Baroness Thomas. The amendments alter the wording of clauses 8, 12 and 22 to require the Secretary of State, the devolved administrations in Scotland and Northern Ireland and responsible local authorities to consult children and children's organisations (rather than children or children's organisations as the Bill is currently drafted) during the development of their child poverty debate. As I signalled during the debate on Second Reading, the Government's intention has always been that the national and local child poverty strategies should be informed by the views of children.

I am copying this letter to all Peers who took part in the Second Reading debate, and also to those who have indicated they are keen to follow the progress of the Bill. I am also placing a copy of this letter in the House Library.

I look forward to engaging further with you in Committee. In the meantime if you have any questions regarding the Bill please feel free to contact Manjula Pelpola in my Private Office, on 0203 267 5037 or [psl@dwp.gsi.gov.uk](mailto:psl@dwp.gsi.gov.uk). Alternatively you could contact Natalie Abbott, Child Poverty Bill Manager, on 020 7783 8069 or [childpoverty.billteam@childpovertyunit.gsi.gov.uk](mailto:childpoverty.billteam@childpovertyunit.gsi.gov.uk)).

*Yours sincerely*  
*B.M.*

**Bill McKenzie**