



Briefing

PROPOSED POLICY CHANGE TO EXTEND FREE AND HEALTHY LUNCHES TO YEAR 9–15 STUDENTS IN COMPOSITE SCHOOLS

To: Rt Hon Jacinda Ardern, Prime Minister, Minister for Child Poverty Reduction
Hon Chris Hipkins, Minister of Education
Hon Tracey Martin, Minister for Children

Date	28/11/2019	Priority	HIGH
Deadline	02/12/2019	Briefing Number	DPMC-2019/20-495 METIS: 1214456

Purpose

To seek Joint Ministers agreement to the Minister of Education taking an oral item to Cabinet Social Wellbeing Committee on 4 December 2020, to amend the policy parameters for the free and healthy school lunch prototype to enable the provision of lunches to Year 9-15 students in composite schools (such as area schools and Kura Kaupapa Māori). It is also proposed that the Minister of Education be given discretion to include Year 7-15 secondary schools in the prototype, where this is appropriate for the community in which it is being implemented.

A decision is needed as soon as possible so officials can advise affected schools before the end of the term, and expedite programme implementation in Terms 1 and 2, 2020.

Summary

Composite (Years 1-15) schools and Year 7-15 secondary schools offer education to students at both the primary and secondary levels, and comprise about 20 percent of the first 60 schools identified for implementation of the prototype. Initial engagement has highlighted that excluding Year 9-15 students is a barrier to many of these schools participating in the programme.

Lunches for Year 9-15 students in composite and Year 7-15 secondary schools can be funded within the existing contingency, by staying within the total number of students for which the prototype is currently funded. s 9(2)(f)(iv)

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A prototyping approach has been adopted to enable design and implementation issues to be identified and addressed in a timely way. Changing the scope to include Year 9-15 students in composite schools (and giving Ministerial discretion around Year 7-15 secondary schools) demonstrates the value of this approach, and the Government's commitment to delivering a programme that works for schools and communities.

Recommendations

1. **Note** that Cabinet agreed that free and healthy school lunches will be provided to all Year 1-8 students in participating schools, with funding calculated on this basis.
2. **Note** that this policy parameter means that composite schools (e.g. those with Year 1-15 students) and Year 7-15 secondary schools will receive funding to provide lunches to Year 1-8 students only, with no funding provided for Year 9-15 students in these schools.
3. **Note** that initial engagement with composite schools (including kura kaupapa Māori) and Year 7-15 secondary schools, has highlighted that excluding Year 9-15 students is a barrier to many of these schools participating in the programme.
4. **Note** that there are ten composite schools and two Year 7-15 secondary schools (with just under 1,000 Year 9-15 students) in the first tranche of 60 schools in which the programme is being implemented.
5. **Agree** the policy parameters for the free and healthy school lunch programme be amended to fund the universal provision of lunches to all students (inclusive of Years 1 to 15) in participating composite schools.

Prime Minister Ardern **Agree / Disagree**

Minister Hipkins

Agree / Disagree

Minister Martin **Agree / Disagree**

6. **Authorise** the Minister of Education to make decisions, on a case-by-case basis, about the provision of funding for free and healthy lunches to Year 9-15 students in Year 7-15 secondary schools.

Prime Minister Ardern **Agree / Disagree**

Minister Hipkins

Agree / Disagree

Minister Martin **Agree / Disagree**

7. **Note** that the changes proposed in Recommendations 5 and 6 above do not apply to Year 9-15 secondary schools and students, who will continue to be outside the policy parameters for the free and healthy school lunch programme.

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8. **Agree** that this change be implemented within the current funding allocation for the prototype, which provides for it to be progressively rolled out to reach up to 21,000 students by the beginning of the 2021 school year.

Prime Minister Ardern	Agree / Disagree	Minister Hipkins	Agree / Disagree
Minister Martin	Agree / Disagree		

9. **Note** that accommodating Year 9-15 students within the current funding allocation will require active management of the number of composite and Year 7-13 schools that are included in the prototype, and may impact on the overall number of schools in which it is implemented.

10. s 9(2)(f)(iv)

Prime Minister Ardern	Agree / Disagree	Minister Hipkins	Agree / Disagree
Minister Martin	Agree / Disagree		

11. **Note** that there are time pressures to seek Cabinet agreement to this policy change, so that affected schools can be advised before the end of the 2019 school year, to facilitate implementation as early as possible in 2020.

12. **Agree** that the Minister of Education take an oral item to Cabinet Social Wellbeing Committee on 4 December to seek their agreement to the changes identified in recommendations 5, 6 and 8 above.

Prime Minister Ardern	Agree / Disagree	Minister Hipkins	Agree / Disagree
Minister Martin	Agree / Disagree		

BUDGET SENSITIVE



Kristie Carter
Director
Child Poverty Unit

28.11.2019

Rt Hon Jacinda Ardern
Prime Minister
Minister for Child Poverty Reduction

...../...../2019



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BUDGET SENSITIVE**Contact for telephone discussion if required:**

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Kristie Carter	Director, Child Poverty Unit		s 9(2)(a)	
Damian Edwards	Associate Deputy Secretary, Ministry of Education		s 9(2)(a)	✓

Minister's office comments:

- ☐ Noted
- ☐ Seen
- ☐ Approved
- ☐ Needs change
- ☐ Withdrawn
- ☐ Not seen by Minister
- ☐ Overtaken by events
- ☐ Referred to

PROVISION OF FREE AND HEALTHY LUNCHES TO YEAR 9 – 15 STUDENTS IN COMPOSITE SCHOOLS

Background

1. Cabinet agreed to prototype a free and healthy lunch programme in schools selected from the 20 percent of schools with the highest concentration of disadvantaged students (CAB-19-MIN-0329 refers). This followed the Budget 2019 decision to establish a tagged contingency totalling \$44.483m, to test delivery of a phased school lunch programme for students in selected schools (CAB-19-MIN-0174.13 refers).
2. Cabinet also authorised the Minister of Education to make any necessary policy and operation decisions within the policy objectives and parameters agreed by Cabinet. One of these policy parameters is that free and healthy lunches will be provided to all Year 1-8 students in participating schools, with funding calculated on this basis. While composite schools with secondary-aged student (e.g. area schools and Kura Kaupapa Māori) can participate in the prototype, they will only receive government funding to provide free lunches to their Year 1-8 students.
3. The Cabinet paper noted that the Government is prioritising addressing food insecurity amongst younger students, and that there are additional considerations (e.g. different nutritional and energy needs) and challenges associated with providing sufficient nutritious lunches to older students. Examples of these additional considerations and challenges given in advice to Joint Ministers included different nutritional and energy needs of older students (and associated cost implications), and existing tuckshop contracts in place in many schools with secondary aged students. The Cabinet paper also noted that composite schools would still have the option of providing lunches to older students through other funding sources.
4. As previously advised, the prototype is being implemented on a community-by-community basis. The Ministry of Education is currently working with 42 schools in the Hawkes Bay / Tairāwhiti and Bay of Plenty / Waiariki in which to provide free and healthy lunches from Term 1 2020. A further 18 schools in Otago / Southland will implement the prototype from Term 2. Additional communities and schools will be identified for the subsequent phase of the prototype, to achieve the intended coverage of 21,000 students by the start of Term 1 2021.
5. Twelve of the 60 schools in the communities identified for first phase of the rollout are composite and Year 7-15 schools, with just under 1000 Year 9-15 students currently on their rolls. They include seven Kura Kaupapa Māori schools, two area schools, two Year 7 to 15 secondary schools, and one special school. **Appendix 1** provides details of the names, locations and rolls of these schools.

6. s 9(2)(f)(iv)

Limiting the programme to Year 1-8 students means some eligible schools are likely to opt out

7. Some composite schools (particularly kura) have identified that limiting the programme to Year 1-8 students is contrary to their culture and practices to differentiate between students by providing food to only some of their learners. Tarawera High School is a Year 7-13 secondary school in Kawerau. Year 9-15 students comprise two thirds of the school roll. The board of trustees is reluctant to implement the programme for only their Year 7 and 8 students.
8. Composite and Year 7-15 secondary schools do not face similar challenges in implementing existing food programmes. The Kickstart Breakfast Club programme provides breakfast ingredients for primary and secondary aged students in participating schools. KidsCan operates in Decile 1-4 schools across all year groups and school types. While the Fruit in Schools programme is aimed at Year 1-8 students, the provider (in discussion with the Ministry of Health) took the decision to provide fruit for all students in kura and other composite schools. This is intended to ensure the programme reflects the inclusive values and kaupapa of these schools and kura.
9. The Ministry of Education has indicated to composite and Year 7-15 secondary schools that they can use the available funding to provide lunches to Year 9-15 students, as long as this does not negatively impact on the food provided to Year 1-8 students. There is a risk, however, that stretching the available funding to provide lunches universally across all year levels could compromise the quality or volume of food provided, and the evaluated impact on food insecurity.
10. Ministry staff will also assist affected schools to seek economies of scale and identify alternative sources of funding, to enable them to adopt an inclusive, whole-school approach to providing lunches. While solutions may be identified, they are likely to require a longer lead-time, making a Term 1 start date unlikely for these schools.
11. However, there remains a risk that kura and composite schools will opt out of the programme because the current parameters do not fit with their kaupapa. Officials are concerned that this has potential equity implications, creates additional challenges for the community-by-community approach to implementation, and could lead to inadequate representation of these schools in the evaluation of the prototype.

Proposal

12. One of the reasons for adopting a prototyping approach is to enable design and implementation issues to be identified and addressed. Engagement with the first tranche of schools has highlighted that the exclusion of Year 9-15 students in participating composite schools and kura is a problematic aspect of the current policy, and is a barrier to implementing the programme in the full range of schools with Year 1-8 students.
13. The Minister of Education has delegated authority to make any policy or operational decisions he considers necessary, within the policy objectives and parameters agreed by Cabinet. However, the application of the policy to only Year 1-8 students is an agreed policy parameter, and any changes to it are subject to Cabinet agreement. The delegated authority to make relevant policy or operational changes does not include the ability to change this aspect of the policy.
14. Officials therefore propose that Joint Ministers agree to the Minister of Education taking an oral item to Cabinet Social Wellbeing Committee, seeking agreement to extend the free and healthy school lunch programme to Year 9-15 students who attend composite schools selected for participation in the prototype.
15. We also recommend that the Minister of Education be given delegated authority to make decisions, on a case-by-case basis, about the provision of funding for free and healthy lunches to Year 9-15 students in Year 7-13 secondary schools. Key considerations would be the wider community context and circumstances, and the availability of other options for meeting the lunch needs of older students.
16. Secondary schools with only Year 9-15 students would continue to be outside the policy parameters for the programme

Financial implications

Current unit costs would be applied to lunches for Year 9-15 composite school students

17. Officials propose that the current unit cost of \$5.00 per lunch also be applied to Year 9-15 students. While some schools have queried the adequacy of this unit price (based on concerns about costs to school administration), we believe it is sufficient to provide nutritious and appropriately-sized lunches, and that there remains scope to achieve economies of scale in many cases, and / or to cross-subsidise the lunches provided to different age groups.

Lunches for Year 9-15 students in composite and Year 7-15 secondary schools can be funded from within the existing contingency.....

18. Officials propose that this policy change be implemented within the current funding allocation for the prototype, which provides for the programme to be progressively rolled out to reach up to 21,000 students by the beginning of the 2021 school year. This would mean that a proportion of these 21,000 students would be Year 9-15 students in participating composite schools.
19. The Ministry of Education would actively manage the number of composite and Year 7-15 secondary schools selected for inclusion in the programme, but officials estimate that around 10 to 15 percent of all students in the programme would be Year 9-15 students.
20. Previous advice to Cabinet was that these 21,000 students would be in approximately 120 schools. Including some Year 9-15 students within the overall number of students is likely to reduce the number of participating schools, as some will have more students than assumed when the free and healthy lunch programme was costed.

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21. s 9(2)(f)(iv)

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Risks and mitigation strategies

24. Our advice is that there is a low risk of students from secondary schools moving to kura, area or Year 7-15 schools to access free and healthy lunches. Kura provide education in te reo Māori, using the Te Aho Matua teaching and learning philosophy and area schools generally serve rural and isolated geographic locations where the population is widely dispersed or too small to support a stand-alone secondary school.

25. s 9(2)(g)(i)

s 9(2)(g)(i)

Next steps

26. An urgent decision is required from Ministers to enable affected composite and Year 7-15 schools to decide whether or not to participate in the free and healthy school lunch programme from Term 1 2020.
27. Ministerial direction is sought by Monday 2 December. If Ministers agree, the Minister of Education will take an oral item to SWC on 4 December. Officials will provide talking points and draft recommendations for the Minister to table.

28. s 9(2)(f)(iv)

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