



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor ar y Mesur Arfaethedig ynghylch
Bwyta'n Iach mewn Ysgolion
The Proposed Healthy Eating in Schools Measure
Committee**

**Cyfnod 1
Stage 1**

**Dydd Mawrth, 1 Gorffennaf 2008
Tuesday, 1 July 2008**

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg..

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Angela Burns	Ceidwadwyr Cymreig Welsh Conservatives
Jeff Cuthbert	Llafur Labour
Irene James	Llafur Labour
David Lloyd	Plaid Cymru The Party of Wales
Kirsty Williams	Democratiaid Rhyddfrydol Cymru (Cadeirydd y Pwyllgor) Welsh Liberal Democrats (Committee Chair)

Eraill yn bresennol
Others in attendance

Jenny Randerson	Aelod Cynulliad, Democratiaid Rhyddfrydol Cymru Assembly Member, Welsh Liberal Democrats
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Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol
Assembly Parliamentary Service officials in attendance

Gwyn Griffiths	Cynghorydd Cyfreithiol Legal Adviser
Ruth Hatton	Dirprwy Glerc Deputy Clerk
Joanest Jackson	Cynghorydd Cyfreithiol y Pwyllgor Legal Adviser to the Committee
Anne Thomas	Gwasanaeth Ymchwil yr Aelodau Members' Research Service
Liz Wilkinson	Clerc Clerk

Dechreuodd y cyfarfod am 9.30 a.m.
The meeting began at 9.30 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Kirsty Williams:** Good morning everyone, and welcome to this meeting of the Proposed Healthy Eating in Schools Measure Committee. I remind everyone to turn off their mobile phones and any other electronic devices that they may have. I also remind everyone in the committee room and in the public gallery of the availability of simultaneous translation facilities. Members will be aware that they do not need to touch their microphones—they will be operated automatically. We have not received any apologies for this morning's meeting.

9.31 a.m.

Mesur Arfaethedig Bwyta'n Iach mewn Ysgolion (Cymru) 2008
Proposed Healthy Eating in Schools (Wales) Measure 2008

Cyfnod 1, Sesiwn Dystiolaeth 4
Stage 1, Evidence Session 4

[2] **Kirsty Williams:** This morning, we will be taking further oral evidence from Jenny Randerson, the Member in charge of the proposed Measure. Members will be aware that the committee initially took evidence from Jenny at its meeting on 20 May. Today's session will give Members a final opportunity to question Jenny on issues raised during the course of committee's scrutiny before we produce our report and recommendations. I welcome Jenny to the meeting, as well as Gwyn Griffiths and Anne Thomas—we are glad to see you back here this morning. Without further ado, we will open it up to questions; Irene James has the first question.

[3] **Irene James:** As a committee, we have received significant evidence, particularly from those in the educational field and those involved in delivering the school meals service, to suggest that the healthy eating agenda is moving forward successfully. It has been suggested that most schools are already involved in existing initiatives that are having a positive impact and that a statutory approach is unnecessary. Would you like to comment on that?

[4] **Jenny Randerson:** There are several things that I would like to say in answer to that. First, there is already a statutory approach to certain parts of this. You have the 2001 nutritional standards for school lunches, the Welsh Assembly Government guidance of March 2003, the school premises regulations on drinking water, as well as the curriculum. Therefore, that part of it is already a statutory issue. However, in terms of bringing it all together into a statutory framework, you say that you have heard evidence against this, and I have noted that evidence, but there has been a significant amount of evidence in favour of it. Conwy County Borough Council, for example, stated clearly in its written evidence that the only way to guarantee a consistency of service across all schools was through legislation.

[5] The Food Standards Agency report for 2007 found significant gaps in what is being provided. It looked at 10 local authorities in Wales; six of them had developed healthy eating policies, but two said that they had not. However, what is really significant here is that under a third of the sampled secondary schools had developed healthy eating policies; progress was much better in the primary schools. Another significant finding was that the amount of technical support provided for secondary school teachers when teaching food technology depended upon how much the subject was valued by senior managers. Therefore, the infrastructure was down to the interest of those at the top in the organisation concerned. You will get variations, and therefore I think that you need legislation to provide consistency.

[6] The healthy eating revolution is, it seems to me, akin to other recent social revolutions with regard to drink driving, seat belts in cars, driving safety, domestic violence, and the anti-smoking campaign. Over time, public attitudes and the way in which we behave have dramatically changed. They combine social marketing—the promotion element—backed up by legislative standards. Policy alone is not enough—you need the sanction of legislation to act as a driver, and I would say that healthy eating is akin to that kind of change in society, and it requires that two-pronged approach.

[7] Finally, I would say that there is no intention that this Measure will in any way undermine or do anything other than reinforce the Minister's very good policy in 'Appetite for Life'. It is designed and tailored around 'Appetite for Life', and you could commence section 1, in relation to the promotion of healthy eating, while you were waiting for the 'Appetite for Life' pilot schemes to report, and leave section 7, which relates to the nutritional

standards, until you have that evidence. So, we have tried to make this legislation flexible.

[8] I will not make all of my answers that long.

[9] **Kirsty Williams:** That is fine. It brings us quite nicely on to Irene's second question, which is about timing. We have not previously heard about that approach, that we could have different commencement dates, so it will be useful to explore that.

[10] **Irene James:** You have partly answered my question, but I would like to ask whether you could clarify your position regarding the timing of the legislation. I am sure that you are aware that four local authorities will be taking part in the two-year action research project as part of 'Appetite for Life'. If this Measure goes through, what effect do you think it will have on the policies that schools in these particular authorities have implemented already?

[11] **Jenny Randerson:** It is important to be clear that the research projects, the pilot projects, seek to develop and test the guidelines on nutritional standards. They do not deliver the main element of the Measure, which is the promotion of healthy eating. That is why I have suggested that you could commence different parts of the Measure at different times. There are deliberately no commencement dates in the Measure, so that the Minister can wait for the outcome of the pilot projects. It would be foolish to put in place one set of nutritional guidelines only for them to perhaps be overtaken by events within a few months. However, I would point out that the pilots start in September and run for two years. If this goes through the whole Assembly procedure, it is not likely to get Royal Assent until the spring, maybe later. That will leave a good amount of time—something like 15 months—for the Minister to consider the detail of the regulations and get everything in place. That would dovetail well with the end of the pilot projects.

[12] **Irene James:** Coming back to the point on timing, are you looking at this starting 15 months after the pilot projects?

[13] **Jenny Randerson:** As I say, there is nothing in the legislation to say when it should commence, so it is entirely in the hands of the Minister. However, we envisage that the timescale will fit neatly with the pilot projects—it would not mean that this lies around for years without being implemented or commenced. However, what could be commenced fairly rapidly after next spring would be the promotion of healthy eating, because work is going on on that, but it is not part of the pilots.

9.40 a.m.

[14] **Kirsty Williams:** Thank you for that clarification, Jenny; that is very relevant.

[15] **Irene James:** Concern has been raised in evidence that the proposed Measure could conflict with or undermine work already being taken forward through the 'Appetite for Life' action plan, and that a statutory approach would remove flexibility for schools to adapt their approach to healthy eating depending on circumstances and need. What are your views on this, and do you think that the proposed Measure allows sufficient flexibility in this regard?

[16] **Jenny Randerson:** I certainly believe that it provides room for flexibility. I have been a little frustrated by some of the evidence that you have received, because it does not take account of what is clearly written in the explanatory memorandum, which I would have hoped that everyone who gave evidence would have read. The memorandum makes it absolutely clear that this builds on 'Appetite for Life'. This does not seek to undermine it in any way, and it contains levers so that it can build on 'Appetite for Life'. I also met the Minister before we completed the draft of this in order to ensure that I was working with the grain of her policy and not doing anything that conflicted with it. The key underlying issue is

that Ministers will have the powers to reinforce standards and ensure consistency. If the regulations are written appropriately, they will provide flexibility of approach and the only flexibility that would not exist at the end would be for a school to completely ignore the healthy eating agenda, which, to be honest, can be done now.

[17] **Irene James:** To come back on that, I am glad that you mentioned flexibility, because I am aware that schools in my constituency already have policies on healthy eating, some of which go a lot further than the Measure, because they include packed lunches and what children bring into school to eat at break times and so on. Do you think that there is a possibility that the Measure could undermine the policies that schools already have?

[18] **Jenny Randerson:** None at all. The Measure does not mention packed lunches, because that is outside the matter under which the Measure is proposed, but I would imagine that the Minister could produce guidance—I look to Gwyn in this regard—that would assist schools in controlling packed lunches. However, as I have explained in the past, there is difficulty in including packed lunches within the Measure. So, since it is not mentioned, it will certainly not undermine such policies.

[19] **Kirsty Williams:** Gwyn, may I confirm that with you? There is nothing in this Measure that would prevent schools from developing their own policies above and beyond the Measure, is there? So, if a school already has a policy on what children are allowed to bring in at break time or in their lunchboxes, there is nothing in this Measure that would preclude that school from continuing with the policy.

[20] **Mr Griffiths:** That is correct. Section 1(1) deals with the promotion of healthy eating, and obviously that is not limited to the provision of school meals, but is about healthy eating generally, and section 1(3) includes the power for Welsh Ministers to issue guidance in relation to the general policy and duty.

[21] **Kirsty Williams:** Thank you, Gwyn; that is very helpful. I just wanted to be clear in my mind that there is nothing in this Measure that would make a school that had already made those decisions go backwards.

[22] **Irene James:** Concerns have also been raised in evidence that the proposed Measure overemphasises the role of the schools, and, in particular, the school meals service, in improving the diets of children. It is suggested that the legislation would detract from schools' other priorities, such as improving educational outcomes for pupils. What are your views on this?

[23] **Jenny Randerson:** There are two parts to that question. The first is: does it overemphasise the role of schools? It focuses on the role of schools, but it does not say that parents and home do not have a role. The work on the promotion of healthy eating is designed to influence that, and there are phrases in there to encourage consultation and so on. So, we have to bear in mind that this is something that deals with schools—we are not in the habit of legislating for what people can eat in their own homes, so we cannot directly influence that.

[24] On whether or not it detracts from schools' other priorities, healthy eating provides very important assistance to learning, and there is a tremendous amount of evidence of the impact of healthy eating on concentration and behaviour. That is something that teachers have found through various scenarios. When they know that some children have eaten unhealthily, they have seen the difference in the ones that have eaten healthily. Estyn currently evaluates how schools assure the healthy development, safety and wellbeing of learners, so it is not something entirely new. It is under the Estyn umbrella now, because it plans, by 2012, to inspect all schools on a range of matters, including the provision and administration of school meals services. Indeed, the inspection regime, and Estyn's role, is referred to in 'Appetite for

Life’; that is another way in which it builds on the work in ‘Appetite for Life’.

[25] **Irene James:** Some of those who have given evidence to the committee have raised concerns that the proposed Measure places insufficient emphasis on the importance of the wider school community, in particular partner organisations within the health sector. Do you think that the proposed Measure adequately provides for a partnership approach? I am thinking in particular of the evidence that some headteachers have given, because they have highlighted that this Measure would place an extra burden of administration on them.

[26] **Jenny Randerson:** Valuing partnership in some ways conflicts slightly with complaining about the burden of administration, in that partnership inevitably involves some additional effort and work. I totally endorse the principle of partnership, but it is very difficult to place partnership on a statutory footing. Almost by definition, if partnership is going to work, it needs to be done with the goodwill that comes from voluntary effort. I have no doubt that productive partnerships involve a lot of goodwill and hard administrative work. If the Minister feels that we need to be more specific about partnership, and the requirement to work in partnership, I am very happy to consider an amendment or I would welcome an amendment from the Minister.

[27] **Kirsty Williams:** The final question is on general principles from Irene.

[28] **Irene James:** You have previously suggested that the proposed Measure is required in order to help tackle the increase in obesity and the rising level of diabetes among young people. It is recognised that obesity is as much about sedentary lifestyles as it is about eating too much, or eating the wrong types of food. Is there a danger that the proposed Measure will lead to healthy eating being tackled in isolation from the other factors that contribute to obesity?

9.50 a.m.

[29] **Jenny Randerson:** There is certainly no intention that that will be the case. I have a great deal of sympathy with the view that both have to be tackled together. It is, perhaps, worth pointing out that there is conflicting evidence on this. I was interested to read in *The Daily Telegraph* yesterday—not a newspaper that I often read—about research being done by Plymouth medical school that shows that levels of obesity are not, apparently, immediately affected by exercise. So, there is conflicting evidence on that. The fitness aspect is outside the scope of the Measure. The Measure was brought under matters 5.4 and 5.9. Therefore, it is not possible for me to include that in this Measure, although I assume that the Minister could amend it to include activity, if she wanted to. It just does not happen to be covered by the heading under which I brought this forward. The fitness aspect can also be addressed through the curriculum, so there are other ways of dealing with it.

[30] **Kirsty Williams:** We are now going to move on to specific questions relating to section 1 of the Measure; Jeff will kick off with those.

[31] **Jeff Cuthbert:** Thank you, Jenny, for your answers so far. We have had evidence that suggests that the additional duty on headteachers to promote healthy eating is not part of their conditions of service, which is not a devolved matter, as I understand it, so therefore it would not be enforceable. Do you have any views on that?

[32] **Jenny Randerson:** I think that that evidence may have been based on a misreading or misunderstanding of the Measure, because no new functions are placed on headteachers in the Measure. Section 1 states that each relevant authority must exercise its functions—that is, its existing functions—so as to promote healthy eating. It is not giving them new functions; it is just saying that they should do what they are already doing to promote healthy eating. From

the legal point of view, of course, their conditions of service could not exempt them from complying with the law if it were to be introduced. What you would expect is that, when a change in the law takes place, terms and conditions would be amended to take account of that change in the law. I think that there is a misunderstanding there as to what is intended.

[33] **Jeff Cuthbert:** We will now move on to safety in food. A number of those giving evidence have said that, in addition to the general duty to promote healthy eating and healthy food, food should be safe as well—we think, obviously, of the E. coli issue. Do you think that the issue of the safety of food should be part of this Measure?

[34] **Jenny Randerson:** The short, glib answer is that food cannot be healthy if it is not safe. I have been worried, Jeff, by some of this discussion in the evidence that you have received, because if it is not safe, it is not healthy for you, is it?

[35] **Jeff Cuthbert:** The consumption—

[36] **Jenny Randerson:** Section 3 has a very comprehensive definition. It says:

[37] ‘In this Measure “healthy eating” means eating (and drinking) food (and drink) whose nature, quality and quantity—

[38] (a) benefit the health of the person consuming it;

[39] (b) do not damage the health of the person consuming it’.

[40] That would apply to healthy, safe food. I think that ‘safe’ is a superfluous word and lawyers do not like superfluous words. I do not know whether Gwyn wants to add anything.

[41] **Mr Griffiths:** No, that is quite right. It is not necessary to add in ‘safe’. If you have ‘safe’ and ‘healthy’, it suggests that something can be safe without being healthy and vice versa. Clearly, that would not be appropriate in the legislation.

[42] **Kirsty Williams:** Thank you for that clarification, Gwyn.

[43] **Jeff Cuthbert:** I always thought that lawyers worked on the basis of ‘Why use one word when six will do?’. [*Laughter.*]

[44] **Kirsty Williams:** I will bring everyone back to order. This is about healthy schools; someone else will have to introduce a Measure about what lawyers do and do not do with words. That is for another committee.

[45] **Jeff Cuthbert:** I beg your pardon, Chair; it will not happen again. Section 1.3 of the proposed Measure enables a Welsh Minister to issue guidance to relevant authorities on how to discharge their duty in this regard. However, many have argued that it should be termed more strongly than that, and should say ‘require Welsh Ministers to issue guidance’. Do you have any views on that?

[46] **Jenny Randerson:** It is an area that I would reconsider at Stage 2. I have noted the evidence that you have received. It is about balance and how prescriptive you want to be, as doing that might reduce the Minister’s flexibility. It is certainly something that I would be very happy to discuss with the Minister and to take account of what you say in your report.

[47] **Jeff Cuthbert:** I will combine questions 10 and 11, if I may, Chair, because they flow nicely into one another. Again, this is about section 1.3, requiring a relevant authority to have regard to not only the guidance issued by Welsh Ministers, but to ‘relevant, reputable

scientific advice'. We have received evidence that suggests that that requirement should be placed solely on Welsh Ministers. You may have views on that. Also, the point was made to us that we should have further clarity on what is meant by 'relevant, reputable scientific advice', as there is concern that it could be open to interpretation or misinterpretation. Do you accept that?

[48] **Jenny Randerson:** That is a fair point. It might be better for the duty to identify what constitutes reputable scientific advice, and for that to lie specifically with the Minister. I would imagine that the Food Standards Agency would be consulted, for example; that is the kind of level that we were considering. I will certainly review who has the duty and the term 'reputable, scientific advice'. A simple amendment would probably suffice. If you do that, I do not think that you have to worry too much about the definition. If you leave the Measure as it is, you leave an element of discretion there, but I am predisposed to reconsidering that point.

[49] **Kirsty Williams:** We have one final question from Jeff on section 2.

[50] **Jeff Cuthbert:** We have received evidence suggesting that, while the theoretical understanding—the knowledge, in other words—is clearly important for pupils to be able to use practical skills, there is a need for Welsh Ministers to promote the actual practice within the curriculum of doing things in terms of preparing food. Do you think that that is a good idea, and that the curriculum should be adjusted to allow for it?

10.00 a.m.

[51] **Jenny Randerson:** There is a lot of scope for fleshing out that particular aspect in the curriculum. The Food Standards Agency report last year showed a considerable variation in how these topics are covered in the curriculum between one school and another. However, that is an issue for the curriculum and not for the Measure. This Measure should not seek to direct the curriculum. Ministers have the flexibility to amend the curriculum. Changes will be coming in this September that deal with some of people's concerns.

[52] **Kirsty Williams:** Thank you very much. We will turn to section 3, and return to the issue that you raised earlier: definitions.

[53] **Angela Burns:** Good morning, Jenny. Some of those who have given evidence have been concerned about how they can truly apply the point about sustainability in your Measure, and about the effect of healthy eating on the general health of the population and the environment. This has come particularly from organisations such as the Welsh Local Government Association. What are your views on that? How can the point about sustainability be implemented without being particularly onerous?

[54] **Jenny Randerson:** I have noted the evidence that says that it is onerous, but you have also had a lot of evidence in support of sustainability being included. For example, Governors Wales, the British Heart Foundation, and the British Dietetic Association are all very keen on including sustainability in the Measure. That is only three, but there were many more. It is important to bear in mind that Welsh Ministers have a statutory duty to promote sustainability. In fact, we in the National Assembly have a statutory duty to do it. So, it should be a thread in all legislation, where possible. It is important for you to note that 'Appetite for Life' already includes a reference to the need to ensure that the best sustainable development outcomes can be derived. The Welsh Assembly Government has developed a sustainable risk assessment tool, which works with the Environment Agency and Value Wales. So, the infrastructure is there to support everyone in this process. The Government has a clear commitment to sustainability, and it is important that that be reflected in this legislation.

[55] **Angela Burns:** Thank you for that. That was a very clear answer. The intention is to ensure that there is no wriggle room on this. So, you are saying that any piece of legislation that is enacted in Wales should have sustainability at its heart, moving forward for the future of the country.

[56] **Jenny Randerson:** It is surely good practice to have it embedded in everything. I imagine that there must be some pieces of legislation in which sustainability is not an issue, but surely you cannot produce a piece of legislation on healthy eating in a country with an Assembly that has a legal obligation to promote sustainability without mentioning the word.

[57] **Kirsty Williams:** Thank you very much. Throughout this process, Angela has been particularly keen on the reporting mechanisms.

[58] **Angela Burns:** Absolutely. Thank you for that, Chair. One concern that has come across from organisations such as Estyn and the WLGA is that additional burdens might be placed on headteachers and teachers, because of the reporting requirement and the evidence that they will need to put forward on how well healthy eating is doing in a school, and whether there has been an increase in the take-up of healthy meals. Why do you consider this provision to be so important? Do you really think that it needs to be reported in such detail?

[59] **Jenny Randerson:** Yes, I think that it is one of the most important aspects of the Measure. The reality is that schools are busy and pressured places, and those things that are not part of reporting back and inspection do not get the priority that, often, they deserve. That is a fact of life. Any school and any local education authority will run a system that places an emphasis—financial, time or otherwise—on those things that are reported, because that is what they are judged on. I can see this Measure being adopted fairly widely, but I cannot see it working universally if you do not have some kind of monitoring and evaluating system to back it up. I do not believe that it is an onerous burden. I may have said to you the last time I gave evidence that the reporting requirements are designed to dovetail with existing reporting requirements.

[60] **Angela Burns:** Thank you. Leading on from that, if we accept that we need reporting, how can we make it fair? One comment that has come back is that you may have two secondary schools, one in a rural area with nothing around it so the pupils must stay on the premises and eat what is on offer there, and the other in the heart of a city centre, where pupils can nip out to the fish and chip shop and where it is ultimately the pupils' choice whether to eat the school food. How can you judge teachers on a choice made by pupils over which the teachers have no control? How can you make it fair, because the schools are worried that the first school in the example will be judged as being great for healthy eating, while the other will be judged as being poor, despite the fact that there is no control over pupils' individual choices?

[61] **Jenny Randerson:** It is important to bear in mind that that concern would apply to almost all reporting mechanisms. If you report on one school in a socially deprived area and another in a prosperous and privileged area, you would not be comparing like with like, would you? Estyn has developed mechanisms to take those things into account. If you read an Estyn report, you will see all that all the background factors are taken into account.

[62] It is worth pointing out that, last week, when Estyn's representatives came to talk to you, I believe that they mentioned in their oral evidence—if not, I certainly read it, so perhaps it was in their written evidence—that they were talking about taking a thematic approach to inspection, and that might be one way of allaying headteachers' concern.

[63] We need to look on this as part of an already well developed and well regarded reporting system. Estyn's reports are well regarded, and it is well up to the job of making it

fair.

[64] **Angela Burns:** So, you would be content to look at a thematic way of reporting. That is brilliant, thank you.

[65] **Kirsty Williams:** Thank you, Angela. We move now to section 7 on nutritional standards. Dai Lloyd has a series of questions on this particular section of the proposed Measure.

[66] **David Lloyd:** The committee has received significant evidence to suggest that there is confusion about the inspection of the nutritional standards provided for in section 7(2). Can you clarify who will be responsible for implementing the nutritional standards provided for in this section, how they will be monitored, and how compliance will be ensured?

[67] **Jenny Randerson:** Local authorities will have responsibility for implementing the nutritional standards, either through contracts or through direct services, but they would also have the responsibility for monitoring those contracts. There is an overlap with the functions given to Estyn, however, in relation to the duty to promote healthy eating. I think that there may be a case for reconsidering to make this clearer. I will await the comments in your report, but, if you choose to mention it, I would be very happy to look at it to see whether we can clarify it further.

[68] **David Lloyd:** On the same theme, it has been implied in evidence that there is a danger of becoming preoccupied with nutritional standards and that more emphasis should be placed on the importance of a balanced diet and on providing healthier options. Do you therefore consider section 7 to be too restrictive?

10.10 a.m.

[69] **Jenny Randerson:** No. Again, this is my attempt to build on 'Appetite for Life', which takes the view that nutritional standards are the mechanism that is required, and that is all based on the work carried out by the Caroline Walker Trust. I took best advice on how to do it and followed the 'Appetite for Life' line. The impact of healthy eating will not just be about the standards, but about innovation. It is also worth bearing in mind that it is possible to produce food that children like that is also nutritional. You can have spaghetti bolognaise and burgers that are healthy, so it is not necessarily too restrictive.

[70] **David Lloyd:** Okay. Moving on to the promotion of school meals, there is no further detail in section 9(2) on how a local education authority could best ensure that pupils take up their entitlement to free school meals. Did you consider including provision for Welsh Ministers to issue guidance in this regard?

[71] **Jenny Randerson:** The key to making this work is in section 10, which relates to protecting the identity of pupils. If you protect their identity, they are in the same position as all other pupils, and are therefore equally encouraged to eat healthily. Welsh Ministers can issue guidance under section 10, so I do not think that there is a need for further guidance because the intention is that the Ministers will issue it. If the committee wants me to look at it again, I will do so, but I had envisaged that the Ministers would provide the system.

[72] **David Lloyd:** Fine. You will have seen from the evidence that it has been suggested that extending the section 9 provision to include free school meals for all pupils would have a significant and positive impact on healthy eating in schools. What do you think about that?

[73] **Jenny Randerson:** I know that there is a lot of work going on in Scotland. The Scottish Government has committed to introducing free school meals for the first three years

of primary schools as a pilot project. That is estimated to cost £5 million. First, it would be a very good idea to wait and see how the Scottish pilot scheme goes, but, secondly, within the current level of Welsh funding, it is not going to happen soon. So, I did not even consider it, because, as a piece of private Member's legislation, it would be overly ambitious financially and would eat up such a large portion—if you will pardon the pun—of the education budget.

[74] **Kirsty Williams:** That brings us nicely on to some closing questions. On the issue of finances, the committee has received some evidence to suggest that the cost of delivering healthy eating in schools should not be underestimated. Emphasis has been placed on the amount of investment needed to improve infrastructure, staffing and, potentially, extra food costs. Do you have any views that you would like to express to the committee on this?

[75] **Jenny Randerson:** Over time, there will need to be extra investment. There needs to be additional investment in the infrastructure, such as the canteens and dining rooms, because a decent dining room is a very important aspect. There needs to be investment in cooking facilities for children within the curriculum, and, over time, one envisages that nutritional standards will improve, and so there may be cost implications. However, I emphasise that all this is within the Minister's current commitment. The Government has a very clear commitment and, obviously, a financial commitment. I remember the Minister's saying to you that she was putting £13 million into 'Appetite for Life', which is a significant Welsh Assembly Government commitment. You heard evidence that suggested that not all of this money should come out of the education budget and that some of it should come out of the health budget. I make no comment on that, because it is not in any way my job to do so. However, it is worth considering that as an issue.

[76] There are things in the Measure to promote healthy eating that will be very inexpensive indeed. For example, there is a lot of evidence that changing the times of lunch and so on in schools can have an impact on the number of children eating school lunch. That would not cost money. The Government is already doing work on promotion, and I envisage that it would wish to do more should this Measure come in, so there are costs, but when the Finance Committee looked at the cost issues, it appeared to accept that, although the whole policy is obviously very expensive, the additional add-on costs incurred by this Measure specifically are probably limited to those for an improvement in promotion and the additional marginal costs attached to the reporting process.

[77] **Kirsty Williams:** You mentioned in your last answer that changes in the timing of lunch can have a significant effect. We have heard evidence that other factors such as the state of dining rooms also have a significant impact. Do you believe that the Measure adequately takes account of those factors, or would you agree with the evidence that we have heard that there needs to be more specific provision within the Measure to address these environmental factors?

[78] **Jenny Randerson:** I believe that section 1, along with the duty in section 9 to promote school meals, covers that adequately. All of the relevant authorities need to consider environmental and social factors in promoting healthy eating. So, I understand the points, but I think that they are adequately covered.

[79] **Kirsty Williams:** That brings the questions from Members to a close. I take this opportunity to thank Jenny, Gwyn, and Anne for their attendance and their work on these issues. We have had a great deal of clarity from Jenny this morning and many positive answers to some of the questions that have been raised during the process. I am very grateful for that.

10.19 a.m.

Cynnig Trefniadol
Procedural Motion

[80] **Kirsty Williams:** Before we move on to item 3 on the agenda, I propose that

the committee resolves to exclude the press and public from the remainder of the meeting in accordance with Standing Order No. 10.37(vi).

[81] I see that the committee is in agreement.

Derbyniwyd y cynnig.

Motion carried.

Daeth rhan gyhoeddus y cyfarfod i ben am 10.19 a.m.

The public part of the meeting ended at 10.19 a.m.