

## Education (Holiday Meal Payments) Bill – RAISE Scrutiny Response

**1. 1(F) states that the “Department may make regulations to determine the financial payment payable...”. Please give your assessment of the most proportionate form of resolution for Assembly Control of such regulations, given the potential impacts on benefits.**

*The Education (Holiday Meal Payments) Bill is an amending Bill which contains four clauses that relate to modification of the Education and Libraries (Northern Ireland) Order 1986. The form of resolution isn’t stipulated in the Education (Holiday Meal Payments) Bill itself. It automatically follows the resolution of the legislation that it is seeking to amend. The 1986 Order gives power under negative resolution and therefore the Education (Holiday Meal Payments) Bill does also. At present, I am content with this approach.*

*I am also willing to consider other options for resolution, such as the Affirmative Resolution Procedure, should that be something which the Education Committee wishes to explore in the time ahead. I expect that the Examiner of Statutory Rules and Bills Office will have advice to offer in this regard.*

**2. 1(G) states that the “Department may make regulations to amend relevant periods”, Please give your assessment of the most proportionate form of resolution for Assembly Control of such regulations, given the potential impacts on benefits.**

*The Education (Holiday Meal Payments) Bill is an amending Bill which contains four clauses that relate to modification of the Education and Libraries (Northern Ireland) Order 1986. The form of resolution isn’t stipulated in the Education (Holiday Meal Payments) Bill itself. It automatically follows the resolution of the legislation that it is seeking to amend. The 1986 Order gives power under negative resolution and therefore the Education (Holiday Meal Payments) Bill does also. At present, I am content with this approach.*

*I am also willing to consider other options for resolution, such as the Affirmative Resolution Procedure, should that be something which the Education Committee wishes to explore in the time ahead. I expect that the Examiner of Statutory Rules and Bills Office will have advice to offer in this regard.*

**3. Would this view remain the same if amendments to the Bill created additional cost implications?**

*As explained in my response to questions 1 and 2, the Education (Holiday Meal Payments) Bill is an amending Bill that amends the Education and Libraries (Northern Ireland) Order 1986. It automatically follows the resolution of the legislation that it is seeking to amend, which gives power under negative resolution. At present, I am content with this approach. I am also willing*

*to consider other options for resolution, such as the Affirmative Resolution Procedure, should that be something which the Education Committee wishes to explore in the time ahead. I expect that the Examiner of Statutory Rules and Bills Office will have advice to offer in this regard.*

**4. Data from Department of Education indicates that approximately 80% of children who are eligible for free school meals actually take them. Please advise whether under the proposed measure, families who do not access free school meals during term-time will still be able to access the payments during holidays.**

*If a child is eligible for free school meals and a successful application has been made to the Education Authority, they should be able to access the payments during school holidays. As the body responsible for the administration of free school meal applications, the Education Authority should ensure these payments are made.*

*It is my view that the Minister of Education could be doing more to increase uptake of free school meals and further streamline the free school meal application process, including considering the use of auto-enrolment. This would help to ensure families can access free school meals as easily and as early as possible.*

**5. Given financial challenges within the Department of Education, please detail other viable funding options to sustainably implement the Bill, if enacted as introduced.**

*The Education (Holiday Meal Payments) Bill is an education intervention. It is based on a wide range of evidence which demonstrates that during school holidays, some children are known to experience holiday hunger, which intensifies differences in educational attainment. Some children returning to school can often be weeks or months intellectually behind their classmates who have access to a more wholesome diet during school holidays.*

*In order to tackle child poverty, we have to start somewhere. Free school meals are an education-based entitlement. Eligibility for free school meals, data and administration all sit within the Department of Education. The Department of Education already has the infrastructure to verify eligibility and distribute funds.*

*The Minister of Education continues to spend significant funding on his own priorities, including TransformED, the phone-free pilot and GenAI licences for teaching staff.*

### **Impact on Benefits**

*I have met with officials from the Department for Communities to discuss the potential impact of the Education (Holiday Meal Payments) Bill on those in receipt of benefits. I am content, at this point, that there will be no adverse impact on the main benefits that people entitled to social security are likely to be in receipt of.*

*I would encourage the Education Committee to write to the Department for Communities regarding this matter and to invite them to offer their view.*