

Summary of Evidence to Committee for Education on ‘Education (Holiday Meals Payments) Bill’

June 2026

Introduction

The office of the Northern Ireland Commissioner for Children and Young People (NICCY) was established in accordance with ‘The Commissioner for Children and Young People (Northern Ireland) Order’ (2003) to safeguard and promote the rights and best interests of children and young people in Northern Ireland (NI). This legislation confers on NICCY a range of powers and duties including keeping under review the adequacy and effectiveness of law, practice and services, advising government, promoting an understanding of children’s rights and best interests and bringing, assisting or intervening in legal proceedings.

The remit of the Commissioner extends to children and young people up to 18 years, or 21 years if the young person is disabled or care experienced. In determining how to carry out these functions, the paramount consideration is the rights of the child, and the Commissioner is required to base all work on the United Nations Convention on the Rights of the Child (UNCRC).

NICCY welcomes this Bill and the opportunity to provide evidence on this to the Committee.

Children and young people’s rights

The UNCRC sets out minimum standards for children’s rights across all areas of their lives such as, civil and personal protection, health, education, welfare. A child rights approach to addressing poverty reframes things, from perceiving children as objects of charity, to rights holders, with obligations placed on governments to meet at least the basic standards set out in the UNCRC. Article 27 is particularly pertinent to this Bill.

Article 27 of the UNCRC provides all children with the right to an adequate standard of living. While it identifies the primary responsibility for providing the child what s/he needs as lying with parents, it also places a responsibility on governments to assist parents and others responsible for the child with the material assistance and support programmes where necessary. It specifically lists nutrition, clothing and housing as being areas which should be prioritised by the state in relation to providing this assistance.

The UK government signed the UNCRC on 19 April 1990, ratified it on 16 December 1991 and it came into force on 15 January 1992. In doing so it committed to realising all the rights contained in the Convention, and this subsequently placed an equivalent obligation on devolved governments in relation to the matters for which they have competency.

The Executive has a responsibility under article 27 of the UNCRC to assist parents in need to provide for the material needs of children, particularly in relation to food.

Child Poverty in Northern Ireland

Government statistics on poverty in NI have gone through considerable change over the past year, with a range of changes in the Family Resources Survey methodology. While previously the 2023-24 report indicated that 25% of children were in Relative Poverty (After Housing Costs), the new methodology for 2024-25 identifies 16% of children living in Relative Poverty. This represents a change in methodology rather than a reduction in child poverty.

Poverty impacts on every aspect of a child's life, including their education. Free School Meal Entitlement (FSME) is used as a proxy for poverty in the education system to allow analysis of how the outcomes of poor children are affected, and to enable additional resources to be targeted to address the educational inequalities.

In 2024-25 FSME young people were five times more likely to leave school without five A* to C grade GCSEs including English and Maths (51.3%), compared with young people who were not (9.2%).¹ This attainment gap has increased significantly over recent years, with the outcomes for non-FSME young people improving significantly over recent years, while the outcomes for FSME young people have deteriorated.²

While our education system is demonstrating improved outcomes for children who are not in poverty, this is not the case for poor children, with more than half of FSME pupils leaving school without five A*-C GCSEs (including English and Maths). The Department of Education must address this increasing inequality by targeting more of its resources at actions to support children from low-income households in education.

¹ [DE \(May 2026\), Qualifications and Destinations of Northern Ireland School Leavers 2024-25.](#)

² [Qualifications and Destinations of Northern Ireland School Leavers - Infographic 2023-24.pdf](#)

Strategies to address child poverty

There has been a statutory requirement for an Anti-Poverty Strategy in Northern Ireland since 2006. Following the St Andrew Agreement, the Northern Ireland (St Andrews Agreement) Act 2006, amended Section 28E of the Northern Ireland Act 1998 to place an obligation on the Northern Ireland Executive to “adopt a strategy setting out how it proposes to tackle poverty, social exclusion and patterns of deprivation based on objective need”. A Judicial Review in 2015 found that this obligation had not been met and that as a result the Executive Committee of the Northern Ireland Assembly had acted unlawfully. Ten years later, in 2025, the same organisation, CAJ, won a second successful judicial review in relation to the failure of the Executive to adopt an anti-poverty strategy.

When the NI Assembly returned after three years hiatus in January 2020, the ‘New Decade, New Approach’ agreement committed to both an Anti-Poverty Strategy and a Child Poverty Strategy. At the time NICCY advised that a single APS could be sufficient, on the basis that children are poor because they live in poor families, but that it must take a ‘Life Cycle’ approach with a significant and clear focus on eradicating child poverty.

The Minister for Communities then established a Co-Design Group of organisations (including NICCY) to advise on the development of the Strategy. In 2022, the Group drafted advice on the structure and content of the Strategy,³ proposing that it takes a ‘life-cycle’ approach, including a specific focus on reducing child poverty. It outlined five priority areas to address child poverty, one of which was ‘Reduce family outgoings and make education cost-free’. A number of actions were proposed to deliver on this including ‘Restart payments in lieu of FSMs to families in poverty during school holidays on a permanent basis’.

In June 2025, the Executive published the much-awaited draft Anti-Poverty Strategy for Northern Ireland. Regrettably, the published version had moved away from earlier versions, abandoning a lifecycle approach and the clear focus on child poverty. There was also little in the way of new actions.⁴ We understand that the Executive is considering the feedback from the consultation, and we await the publication of the final version of the Strategy.

The Education (Holiday Meals Payment) Bill provides a tangible action that the Executive can take to deliver on its obligation to address child poverty, through the Anti-Poverty Strategy.

³ Anti-Poverty Strategy Co-Design Group, 2025, [Recommendations on the Development of an Anti-Poverty Strategy for Northern Ireland](#).

⁴ [NICCY advice on the draft Anti-Poverty Strategy](#) (Sept 2025)

Free School Meal eligibility criteria

As outlined above, Free School Meal (FSM) eligibility criteria have been established to identify children from low-income households, so that they can be provided with a nutritious meal at school, for welfare reasons and to support them to engage in their education. However, FSM eligibility not only determines whether children are entitled to FSMs during school term, but also acts as a 'proxy' for poverty within education services. It is used as a means of measuring educational inequalities and targeting resources at children from low-income households including eligibility for uniform grants, an additional 'Extended Schools' payment provided to schools for each child on FSM and preferential access to other services, e.g. the 'social deprivation' criteria for pre-school places. Given its use across education services as a way of identifying and targeting support to children from low-income households, it is critical that this measure accurately reaches those on the lowest incomes.

Having received DfC data suggesting that a large proportion of children in poverty were not entitled to FSM, NICCY commissioned a paper to investigate the reliability of FSM eligibility as a measure of disadvantage and explore a discrepancy between FSM eligibility and children in poverty in Northern Ireland. This showed that 41% of children in poverty were not eligible for FSM, clearly indicating that the eligibility criteria is a very blunt tool in terms of targeting poverty. The analysis modelled a range of amended eligibility criteria to determine which provided a more close match to the poverty measure by:

- Removing the requirement for receipt of means tested benefits; and
- Using net income, adjusted for family size, to match the poverty threshold.

The Department of Education should revise the FSME criteria to remove the requirement that families are in receipt of a means tested benefit, and instead use a net income threshold matching the poverty threshold, adjusted by family size. It should introduce legislation to facilitate the sharing of income and benefits data from official sources, and explore the possibility of automatic registration to ensure that FSMs are truly accessible for all children in poverty.

General comments on the Bill

Given the evidence outlined above, NICCY is strongly supportive of the Education (Holiday Meals Payment) Bill.

The Executive has a responsibility under Article 27 of the UNCRC to assist parents in need to provide for the material needs of children, particularly in relation to food.

The Department of Education must address the increasing inequality gap between poor and non-poor children by targeting more of its resources at actions to support children from low-income households in education.

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Clause by clause advice on the Bill

NICCY will provide evidence relating to Clauses (1A), (1B), (1C) and (1D)

Clause 1

“(1A) Subject to Article 58(1B), the Authority shall, in accordance with arrangements approved by the Department, during the relevant periods provide a financial payment in lieu of milk, meals or other refreshment to the parent of a pupil who would normally be in attendance at a school.

This is in keeping with the intent of the Bill, and meets the obligation on the Executive to support parents on low incomes to provide food for their children under Article 27 of the UNCRC.

(1B) The category of parents to whom Article 58(1A) applies is those persons whose children are in receipt of free school meals, determined in accordance with arrangements approved by the Department.

We have provided evidence on how, according to the analysis commissioned by NICCY, around 41% of children in poverty are not eligible for FSMs, and recommend that DE amends the criteria to address this. This sub-clause allows for DE to amend the FSME criteria and the Holiday Food Payments would then be made to those who then meet the new, more accurately targeted criteria.

(1C) The Authority shall, in accordance with arrangements approved by the Department, make the financial payment to an eligible parent under Article 58(1B) by means of a payment to a bank account nominated by that parent.

There are three broad options for how the payment/food can be provided:

- Direct payments to parents
- Provision of vouchers which restrict what can be bought with the money
- Direct provision of food through foodbanks or HAF-style programmes

NICCY believes that providing direct payments to parents is the most appropriate approach for a number of reasons:

1. It treats the parents with dignity, recognising their critical role in providing for their children and prioritising their best interests. Delivery through vouchers or food banks suggests parents can't be trusted to prioritise their children's needs
2. It is the most cost-effective delivery method. Direct cash payments are generally the best option due to their lower cost and greater efficiency.⁵
3. It is the most accessible mode of delivery, allowing parents to decide where to spend the money, rather than providing vouchers that can only be used in certain stores. They also provide parents with flexibility to choose the food that is best for their children, as many may have strong food preferences and/or intolerances that should be taken into account.

(1D) The financial payment shall be equivalent to the cost of milk, meals or other refreshment a category of parent not eligible under Article 58(1B) would pay in respect of a pupil during school attendance times as published by the Authority from time to time, subject to any exercise of the power in (1F).

From January 2026, the price of school meals has been £3.00 for nursery schools, £3.10 for primary schools, £3.34 for post primary schools and £3.10 for special schools. However, we note that this does not reflect the actual cost of producing the meal. In December 2025 the Education Authority reported that this was £4.28 in 2024-5.⁶ The payment in lieu of FSMs should reflect the full cost of preparing a school meal.

⁵ Gentilini, U. (2015) *Revisiting the "Cash versus Food" Debate: New Evidence for an Old Puzzle*. World Bank Research Observer, 30(1), pp. 102–137.

⁶ [Education Authority publishes update on the savings measures it announced last month | Education Authority Northern Ireland](#), 10 December 2025.

Financial effects of the Bill

NICCY notes the estimated costs of providing these payments contained in the EFM for the Bill vary between £20.6 million per annum to £23.2 million. We recognise that this is a significant amount at an extremely challenging time for public finances, but emphasise the importance of the Bill. Amending the FSM eligibility criteria to more closely match the poverty measurement may reduce the number of children for whom payments are made. We note that these costs are based on this being delivered by cash transfers, but if this is amended to vouchers or direct provision of food, the costs are likely to be significantly higher. This should be considered carefully when deciding on the appropriate delivery mode.

We also note the AQW 44253/22-27: *'To ask the Minister of Finance to detail the Barnett Consequentials received by the Northern Ireland Executive relating to the holiday activities and food programme.'*⁷ The response stated that the Executive will have received Barnett Consequentials in association to the budget for Holiday Activities and Food programme, but did not quantify these. A rough estimate suggests that the funding would be roughly £6- £8 million. While we recognise this is unhypothecated, nevertheless it is important to recognise that there has been additional money provided to the NI Executive which can be allocated for this purpose.

Conclusion

NICCY thanks the Committee for the opportunity to provide advice in relation to the Bill as part of its scrutiny process. We are strongly supportive of the Education (Holiday Meals Payment) Bill as it would contribute, albeit in a limited way, to the obligations on the Executive to address child poverty. If the Committee requires any further information from NICCY on any of the issues raised within this paper or any other matters relating to poverty, education or children's rights, we will be happy to provide this.

⁷ Northern Ireland Assembly (2026) AQW 44253/22-27, *Holiday Activities and Food Programme: Barnett consequentials*, answered 7 May 2026. Available at:

<https://aims.niassembly.gov.uk/questions/printquestionssummary.aspx?docid=480546>