

## **SHEFFIELD CITY COUNCIL**

### **INDIVIDUAL CABINET MEMBER DECISION RECORD**

The following decision was taken on 13 January 2021 by the Cabinet Member for Education and Skills.

Date notified to all members: 13 January 2021

The end of the call-in period is 4:00 pm on 19 January 2021

Unless called-in, the decision can be implemented from 20 January 2021

#### **1. TITLE**

School Drinking Milk Contract

#### **2. DECISION TAKEN**

Agreed:

1. approval be given to the request to re-commence the procurement of the next School Drinking Milk Contract
2. approval be given to the request for a waiver of council standing orders to extend the current contract by 3 months
3. that the new contract is re-let as an Individual Cabinet member decision
4. that the complexities of managing a cost neutral service while making the best decision for schools and pupils in relation to the council's zero carbon commitment be noted.

#### **3. Reasons For Decision**

The daily service of dairy drinking milk is part of the school food standards (The Requirements for School Food Regulations 2014). Further reviews by the government-appointed School Food Review Panel in 2013 recommended that every child should be given the opportunity to have additional calcium and nutrients during the day, provided by milk. Daily provision of drinking milk was therefore made a statutory duty from January 2015 as part of the main body of the school food standards that have been introduced in stages from 2005.

By procuring a contract on behalf of schools, the statutory duty is met.

Other Ofsted-registered settings such as eligible day care facilities including children's residential homes can also take advantage of this contract for a service over 190 days per year. The definition of eligibility is set out in the Nursery Milk Scheme and the School Milk Subsidy Scheme. These Government schemes were created to ensure

compliance with Regulation (EU) No 1308/2013 of the European Parliament and of the Council - Articles 22, 26 to 28, and 217. By procuring a service that can include these settings at the same time as schools, it offers better value for money for other day care providers.

When a drinking milk service is provided, it can be made available free of charge to children under 5 due to an EU subsidy from the Nursery Milk Reimbursement Unit. By virtue of s512ZB of the Education Act 1996, those children who are eligible for a free school meal because of their family income, any milk provided must also be free of charge. By providing such a service, the youngest and the most vulnerable children can receive additional nutrients and hydration during the day, which contributes to their overall health and well-being, growth and development

**4. Alternatives Considered And Rejected**

The other option is to leave schools and settings to make their own individual arrangements rather than the council brokering the best value service on their behalf. This could have the effect of higher prices for parents if the service is not subsidised due to schools' lack of time or inclination to claim for the EU subsidies.

There could also be a reduction in the volume of milk consumed by the youngest and most vulnerable children if schools decide to not provide a daily drinking milk service. To do this would prevent these children from receiving a healthy, nutritious drink during the day to supplement their diet.

**5. Any Interest Declared or Dispensation Granted**

None

**6. Respective Director Responsible for Implementation**

Executive Director, People Services

**7. Relevant Scrutiny Committee If Decision Called In**

Children, Young People and Family Support Scrutiny Committee