



Briefing 22-02

January 2022

Nutritional Requirements for Food and Drink in Schools (Scotland) Amendment Regulations 2021: guidance

To: All Chief Executives, Main Contacts and APSE Contacts in Scotland. For information only to England, Northern Ireland and Wales

Key Issues:

Scottish Government has released guidance on what is expected of education authorities in the event of unavoidable school food supply chain disruption. This amendment will be in place for “as short a time as necessary”.

The guidance can be viewed in full by [clicking here](#).

1.0 Background

[The Nutritional Requirements for Food and Drink in Schools \(Scotland\) Regulations 2020](#) came into force in April 2021 with more stringent requirements for local authorities to follow with regards to the types of foods that could be served as part of a school meal.

This guidance provides clarity on the expectations on what education authorities and grant aided schools should do in the event that they are unable to comply with the 2020 Regulations as a result of disruption in the school food supply chain. This amendment will be removed as soon as conditions allow for it and will be removed with minimal notice. Section 2.0 outlines the three steps these bodies are expected to take and the general guiding principles that should be considered in the event of unavoidable supply chain disruption.

2.0 Guidance

Step one

The 2020 regulations already allow for adaptations to be made to menus to account for the availability of products. It is expected that education authorities and managers of grant aided schools should take all reasonable steps to comply with the regulations.

Step two

Where it is not possible to procure food and drink which complies with the 2020 regulations, this amendment can be used. Food which is not compliant with the 2020 regulations should only be used where it has not been possible to procure compliant alternatives, and should only be used for as short a time as required. This should be replaced as soon as a compliant product becomes available.

Step three

Where no close alternatives are available, education authorities and managers of grant aided schools should offer the best provision they can while accounting for balance and nutrition. Menu redesign could be used to compensate for this. As before, this approach should be replaced with a compliant product as soon as possible.

Guiding principles

These general guiding principles should be followed when considering utilising non-compliant products:

- Has all reasonable action been taken to procure an alternative fully compliant product?
- Has all reasonable action been taken to adapt menus to avoid the need to use the unavailable products?
- Do you have no other reasonable option but to provide a substitute product which does not meet the standards?
- Has consideration been given to minimising the effect of the substitute products being used on the health and wellbeing of children and young people?

- Has consideration been given to minimising salt, fat, saturated fat and sugar content when choosing substitute products?
- Has consideration been given to using an alternative compliant product in a meal instead of a close substitute?
- Has consideration been given to allergies or medical conditions with regards to menu changes?

3.0 APSE Comment

APSE welcomes this guidance from the Scottish Government that will allow our local authority members a degree of flexibility in the event of unavoidable school food supply chain disruption. This has been a regular topic at APSE's [Scottish Soft FM advisory group](#), which is free to attend for members. APSE's member local authorities have been at the forefront of delivering high quality, locally sourced school meals and a great deal of work has been done over the past few years to continually improve the standards of school food.

Reminder: APSE has set up a COVID-19 Information Hub to deal with frontline service issues as they arise, ensuring greater resilience and learning between each other during this difficult time. You can access this hub by clicking [here](#) and you can also join our WhatsApp Support Network by clicking [here](#).

Garry Lee
Research and Coordination Officer

Louise Melville
Principal Advisor (Scotland)