

*These notes relate to the Schools (Health Promotion and Nutrition)
(Scotland) Act 2007 (asp 15) which received Royal Assent on 19 April 2007*

SCHOOLS (HEALTH PROMOTION AND NUTRITION) (SCOTLAND) ACT 2007

EXPLANATORY NOTES

THE ACT

Food and drink

Section 8: Protection of identity of pupils receiving free school lunches

34. This section inserts a new section 53B into the 1980 Act. Subsection (2) of new section 53B requires local authorities to take reasonable steps to ensure that, where a pupil is receiving free school lunches, that pupil cannot be identified, other than by authorised persons, as receiving free school lunches. The education authority can authorise individuals or categories of people who need to have access to the information which indicates that a pupil is eligible for a free school lunch. These individuals could be certain teachers or other people working in the school or volunteers, as the education authority sees fit.
35. Subsection (3) of new section 53B provides that education authorities should do what they can to prevent a pupil's eligibility for free school lunches from being disclosed by certain persons mentioned in subsection (4). However, disclosures to an authorised person are permitted. An authorised person is defined in subsection (5) as being a parent of the pupil in question or a person authorised by the authority to have access to such information.