

**Report title:** Food Supply Contract

**Wards affected:** All

**Strategic Director:** John Readman, Strategic Director for People

**Report Author:** Jackie Turner, Service Manager for Trading with Schools

Rob Logan, Schools Support Services Lead

Matthew Roberts, Procurement and Contracts Officer

**RECOMMENDATION for the Mayor's approval:**

To authorise the procurement of and entering into a new food supply contract for City Council services and educational settings.

**Key background / detail:**

The purpose of the report is to:

- Describe the background and current development of food supply in Bristol;
- Describe the outcomes of the consultation with stakeholders and on the re-tendering of the food supply contract.
- Authorise the initiation of the procurement process for a new contract.

**Summary**

Trading with Schools contract manages a Food Supply Contract, which is used by a combination of schools, Early Years settings and City Council services.

The current contract is reaching its natural end and needs to be replaced.

A refreshed Food Supply Contract will delivery economies of scale and will support a number of the City Council's objectives, particularly the provision of high quality, locally sourced food, which contribute to Bristol's role as the Green Capital 2015.

BRISTOL CITY COUNCIL  
CABINET  
7 April 2015

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## 1. INTRODUCTION AND CONTEXT

1.1 Trading with Schools (TwS) was established in April 2013 by Bristol City Council as part of the Children First Change Programme. TwS was established in response to the new education landscape and with 5 key priorities. These are:

- Priority 1: Improved Economy, Efficiency and Effectiveness in Service Delivery.
- Priority 2: Increased school satisfaction with the quality of service provision.
- Priority 3: Increase commissioning capability
- Priority 4: Maintain quality of Statutory Provision.
- Priority 5: Maintain Level of Intelligence within the LA.

1.2 TwS is an integral part of Bristol City Council and brings together a broad range of educational and support services provided to schools, academies and other educational settings. The mission for TwS is to become the best provider of services to schools and settings and to generate income for the benefit of children and young people in Bristol.

1.3 TwS offers a wide range of services to schools, including Finance, HR Advice and payroll, Information Technology, School Admissions. Procurement and Contracts support.

1.4 In addition to supporting schools with new procurements, TwS also manage, on behalf of schools, a number of citywide contracts for services delivered to schools by third party suppliers:

- School Meals
- Early Years Meals
- Kitchen Equipment
- Food Supply (to schools that cook their own food)
- Cleaning provided by Churchill
- Cleaning provided by BCC Facilities Management
- Education Supplies
- Relief Caretaking
- ICT Hardware
- School Welfare Milk

1.5 Trading with Schools has previously briefed councillors on subject of the School Meals Contract, which TwS is currently in the process of procuring on behalf of schools that have chosen this option, with a requirement that bidders demonstrate at least Silver status in the Soil Association's Food for Life scheme, and will achieve Gold during the first two years of the contract. The School Meals tender is currently live.

1.6 The Bristol Food Supply Contract is a separate exercise, which is anticipated to lead to new contracts becoming operational in October 2015.

## **2. CONTRACT BACKGROUND – BRISTOL FOOD SUPPLY CONTRACT**

2.1 The existing Food Supply Contract was procured in October 2011 by the then-Education Client Unit in partnership with Corporate Procurement and in collaboration with Bath & North East Somerset Council. It was established to provide a wide range of commodities for council services that provide catering mainly in Schools, Residential Care Homes, Day Centres & Offices both in Bristol and BANES.

2.2 In recent years, there has been considerable change within the Bristol City Council customer market; we have seen a reduction in health and social care locations but new demand with Parks and Leisure growth which maintained the contract value.

In November 2014, the collaboration between Bristol City Council and Bath & North East Somerset Council parted amicably and the official closure of the joint council procurement collaboration is 1<sup>st</sup> April 2015.

2.3 The responsibility for the Food Supply Contract was transferred to Trading with Schools' Schools Contracts Team on the 1<sup>st</sup> April 2013 when the in-house trading entity came into existence. TwS manages the Food Supply contract, on behalf of the City Council. This contract provides groceries, frozen food, fresh fruit and vegetables and fresh meat to 7 schools, 6 early years' settings, 10 Social Care locations and 8 Neighbourhoods park outlets and Ashton Court Mansion

2.4 There are considerable synergies in Trading with Schools continuing to lead this initiative, in particular:

- The proportion of schools using the contract will increase in October 2015, following the procurement of the new School Meals contract.
- TwS is well-placed to contribute to the City Council's MTFP through the recovery of fee income.
- Without a coordinated solution, several teams with the People Directorate (such as individual care settings) would be required to source their own food supply, resulting in higher costs overall.

2.5 Four current providers are used to supply under the Food Supply Contract:

- |                       |   |
|-----------------------|---|
| - Charles Saunders    | - Groceries and frozen food                       |
| - Cossey Produce      | - Fresh fruit and vegetables                      |
| - Creed               | - Fresh meat                                      |
| - School Milk Service | - Welfare milk, catering milk and bakery products |

2.6 A new procurement exercise is required and this will be Bristol-specific, as Bath & North East Somerset Council has chosen to procure food supply independently in future. The majority of Bath & North East Somerset contract utilisation is for maintained schools, rather than local authority services, so the market is different. The commencement date of the new contract is 12<sup>th</sup> October (A procurement timeline schedule is attached in appendix A).

2.7 The development of new specifications for the new contract is an opportunity for enhancement in requirements of providers for high quality production and ecological sourcing techniques. It is expected that the City Council will use the national 'Government Buying Standards' as the minimum standard for development of the new

specification.

2.8 The market for food supply is expected to alter following October 2015, as the number of schools producing school meals in-house will increase, meaning that they are likely to seek food supply under the contract. This is in addition to City Council purchases under the contract, which are currently made by a range of departments, including:

- Meals Service (social care provision)
  - \*Park kiosks
  - \*Ashton Court Mansion
- (\*Joined contract in May 2012)

2.9 A Mayoral decision to authorise a procurement exercise is required, as spend by the City Council (excluding schools) will exceed £500k over the life of the Contract. This decision is anticipated prior to the 2015 electoral cycle.

### **3 CONTRIBUTION TO STRATEGIC POLICY**

3.1 The procurement of a Food Supply Contract will contribute to a number of City Council objectives.

#### **3.2 Green Capital 2015**

The Food Supply Contract will support the objectives of the Green Capital by setting high expectations for food provenance and food standards.

Clear requirements will be set for local food, both to encourage the participation of providers based in Bristol and the use of food grown in the surrounding area. This will be done by setting standard for food miles, and by giving greater merit to bidders who can prove that food miles are being measured and limited.

Requirements will also be set for the use of energy efficient means of transportation. This will build on the recent experience of the Education Supplies Contract, where TwS successfully required the use of zero-emission (electric) vehicles for consolidated delivery runs.

#### **3.3 Food Policy**

The Health and Wellbeing Board supports good food, as one its priorities in the Health and Wellbeing Strategy.

The Food Supply Contract will support this objective, as described in the Bristol Good Food Charter 2012 and the Good Food Plan 2013, in particular by adopting food procurement practices that serve as a model of health, social and environmental responsibility whilst maintaining Bristol's accreditation as a Fairtrade City.

Trading with Schools has consulted with a wide-ranging food interest group and ensured that high food and catering standards have been built into the procurement of services such as school meals. Equivalent requirements will be incorporated into proposals for food supply, which will include minimum requirements for organic production and fair trade sourcing.

Dividing the contract into smaller lots for specific elements (milk, meat, groceries, fruit & vegetables) supports the ability of SMEs, particularly more local ones, to compete for this type of work.

### **3.4 Economies of scale for City Council services**

The provision of food supply to those parts of the City Council involved in food production (e.g. social care meals provision, Ashton Court Mansion and parks kiosks) provides financial savings in comparison to individual services or setting procuring food directly.

The structure of the procurement will allow for other City Council services to use this reduced costs of the Food Supply Contract. This will mainly be of value to services that are producing food or selling food to the public, rather than for services that wish to procure a catering service, as the requirements for food sourcing would need to be built into the requirements of the caterer at an early stage in such a procurement process.

### **3.5 Social Value**

The Public Service (Social Value) Act 2012 allows the City Council to include social and environmental requirements in a procurement exercise, where they are related to the performance of the contract, if they are published in the contract notice, and where they comply with EU law in areas such as fairness, transparency and non-discrimination.

It is understood that the concept of social value at an Enquiry Day in the near future, and that the outcomes will inform the development of service specifications for services such as these.

## **4 QUALITY STANDARDS**

- 4.1 The industry standard for high quality commodities will be maintained, the Government Buying standards will followed and enhanced along with emphasis on fresh ingredients, using British Red Tractor and fish that is MSC- (Marine Stewardship Council) assured, Fair trade commodities and Class B fresh vegetables (or equivalent).
- 4.2 The requirement of Class B vegetables is a concrete example of a step which reduces the amount of food waste while continuing to require high standards for food quality.
- 4.3 There is an opportunity for Bristol, when undertaking the re-tendering process on behalf of directorates to set a higher standard of excellence as part of the contract and within the context of Bristol's role as European Green Capital in 2015.

## **5 NUTRITIONAL STANDARDS**

- 5.1 The nutritional quality of commodities has improved during the life of the recent contract, owing largely to policy decisions by successive governments to strengthen the standards for food products/ingredients for school meals and Health and Social care.
- 5.2 The commodities required will meet and be suitable for the School Food Standards,

Voluntary Food and Drink Guidance for Early Years, National Association of Care catering (NACC) food standards, Bristol Food Charter and general health requirements.

5.3 The School Food Standards constitute a substantive shift away from nutrition-based standards to food-based standards, which are easier to customers (and parents) to understand, and facilitate effective contract management to ensure that high standards are maintained. They are included in Appendix B of this report.

## 6. NEXT STEPS

6.1 The procurement of a new contract will be undertaken by TwS for all council locations that have chosen to participate in this initiative. The framework contract period will be an initial period of 3 years, renewable for a maximum of one period of 12 months.

6.2 The formal procurement process commenced in December 2014 and includes a number of key milestones:

- Advertisement to bidders (April 2015)
- Submission of bids by bidders (June 2015)
- Evaluation of bids (June/July 2015)
- Supplier presentations and possible Clarifications (July 2015)
- Initial notification (7<sup>th</sup> September 2015), leading to 'Alcatel' standstill period
- Contract award (September 2015), leading to Mobilisation period
- Implementation (12 October 2015)

6.3 The contract will be packaged as a framework contract consisting of separate contractual category lots of Fresh Meat & Poultry, Fresh Fruit & Vegetables, General Groceries, Frozen foods, Welfare milk and Catering milk & Bakery Products. This is packaged to encourage SME's interest.

6.4 Support and Consultation - This contract is supported by key stakeholders from the Council's - Food Interest Group (FIG), Sustainability, Health and Safety, Legal, EHO, Equalities and Procurement.

## 7. RISK ASSESSMENT

<b>FIGURE 1</b>							
<b>The risks associated with the implementation of the (<i>subject</i>) decision :</b>							
No.	RISK  Threat to achievement of the key objectives of the report	INHERENT RISK (Before controls)		RISK CONTROL MEASURES  Mitigation (ie controls) and Evaluation (ie	CURRENT RISK (After controls)		RISK OWNER
		Impact	Probability		Impact	Probability	
1	Challenge to procurement process	Medium	Medium	Rigorous following of EU	Medium	Low	TwS

				procurement regulations.			
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**FIGURE 2**  
**The risks associated with not implementing the (*subject*) decision:**

No.	RISK  Threat to achievement of the key objectives of the report	INHERENT RISK (Before controls)		RISK CONTROL MEASURES  Mitigation (ie controls) and Evaluation (ie effectiveness of	CURRENT RISK (After controls)		RISK OWNER
		Impact	Probability		Impact	Probability	
		1	Failure to achieve food standards, in schools and care settings.		High	High	
2	Higher costs, due to failure to realise economies of scale.	High	Very high	Cost savings to all departments and settings	High	Very Low	TwS
3	Food health concerns	High	Medium	Rigorous quality assurance and monitoring.	High	Low	TwS
4	Loss of income from failure to offer food sourcing provision.	High	High	Cost effective food sourcing arrangements put in place.	High	Low	TwS

**Public sector equality duties:**

Bristol City Council has a duty to abide by the requirements on the Equality Act 2010 before making decisions that affect persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The food supply contract does not include direct services to vulnerable groups, or specific groups of employees (and does not impact on any group of the City Council’s employees), so it is not thought that this contract impacts directly on individuals with protected characteristics.

The food supply contract does, however, include the supply of ingredients, such as meat and dairy products, which will be used in catering to social care settings, so there is an



indirect impact on disabled people. It is important, then, that the food supplied through this contract is required to meet high food quality standards, and that adequate provision is made for the monitoring of food standards, to ensure that vulnerable people are not put at risk by low catering standards. The risk of poor quality food being supplied to vulnerable people is considerably reduced by the provision of a central contract – i.e. this risk would be significantly greater if food supply contract were not procured on behalf of school and social care establishments.

### **Eco impact assessment**

The significant impacts of this proposal are the sustainability of sources and the emissions, fuel use and waste production associated with processing, temperature controlled storage and transport of products. Impacts on wildlife and habitats at the production phase may be influenced by sourcing choices.

The proposals include the following measures to mitigate the impacts: sustainable sourcing practices, such as sustainable and ethical certification, and purchasing to reduce waste and meet the requirements of the Bristol Good Food Charter. Efficient vehicles, equipment and route planning. Effective waste and effluent management, as well as incident response procedures.

The net effects of the proposals are likely to reduce the environmental impact of the contract slightly over that of the previous contract, as well as having a positive impact on health.

**Advice given by:** Giles Liddell – Environmental Project Manager

**Date:** 18<sup>th</sup> February 2015

### **Resource and legal implications:**

#### ***Finance***

##### **a. Financial (revenue) implications:**

There are no specific financial implications at this stage relating to the proposals contained within this report as it seeks the Cabinet's approval to authorise the procurement and framework of a new food supply contract for the City Council services and educational settings. The framework will enable food supplies to be purchased at reduced cost to the City Council and to schools. Furthermore, there are no minimum volumes, so the City Council (or a school) could choose not to purchase at all, however it is anticipated that spend by the City Council (excluding schools) will exceed £500k over the life of the Contract. There will also be a rebate mechanism in place (as currently exist) for the contract management of the Contract which will cover the total turnover of sales (excluding School Welfare Milk contract). It is difficult to quantify the exact amount of rebate / savings which will accrue as a result of this procurement framework but it is anticipated that a rebate of approximately 3% will be charged in the new contract. This rebate this will be paid to Trading with Schools (TwS).

**Advice given by:** Christie Fasunloye – Finance Business Partner (People)

**Date:** 16<sup>th</sup> February 2015

**b. Financial (capital) implications:**

N/A

**Comments from the Corporate Capital Programme Board:**

N/A

**c. Legal implications:**

*Guidance:*

Whenever BCC procures goods, works and/or services where the value is above certain thresholds, BCC must comply with the Public Contracts Regulations 2006 (as amended). Provided these are complied with, the risk of a successful challenge under these will be low.

**Advice given by** Sinead Willis/Solicitor

**Date** 16 February 2015

**d. Land / property implications:**

N/A

**e. Human resources implications:**

N/A

## Appendix A - Procurement Schedule

### Food Provisions Tender 2014/5 (OPEN Process)

Food & Beverage Contracts 2015			
Task Name	Duration	Start	Finish
<b>Research &amp; Preparation</b>			
Prepare contract doc's	30 days	2nd Feb	13th Mar
Confirm Locations in contract	20 days	4th Feb	4th Mar
Agree Tender Process	1 day	2nd Feb	2nd Feb
Set stakeholder Group	1 day	23rd Feb	
Agree Specifications x 3/4/5	30 days	2nd Feb	13th Mar
Prepare Contract Advertisements	1 day	9th Mar	
Send doc's to legal (on-going )	40 days	On-going	
Supplier Day	1 day	9 <sup>th</sup> Apr	9 <sup>th</sup> Apr
Legal to agree contract doc's (on going)		On-going	2nd Apr
<b>Procurement Process</b>			
	Duration	Start	Finish
Advertisement Published	1 day	14th April	14th April
Provider response time	52 days	14th April	9th June
Waiting period	52 days	14th April	9th June
Returns day closure	1 day	9th June	
Evaluation	23 days	9th June	2nd July
Stakeholder group	1 day	3rd July	3rd July
Score responses	20 days	3rd July	27th July
Apply references	5 days	3rd July	27th July
Prepare Feedback to unsuccessful, unsuccessful notified, complete shortlisting	3 days	3rd July	27th July
Review evaluation quality assurance	1 day	3rd July	27th July
Notify Providers who Fail Level Criteria	1 day	3rd July	27th July
Samples - review test	2 days	28th July	29th July
Supplier Presentation	10 days	30th July	12th Aug
Tender Clarification visits to shortlisted	10 days	13th Aug	26th Aug
Evaluate results -prepare report - award recommend	3 days	27th Aug	1st Sept
Scoring complete	1 day	1st Sept	1st Sept
Stakeholder group	1 day	2nd Sept	2nd Sept
Prepare Feedback	2 days	3rd Sept	4th Sept
Prov contract award	1 day	7th Sept	7th Sept
Successful and Unsuccessful Providers notified	1 day	7th Sept	7th Sept
Alcatel standstill period	10 days	7th Sept	17th Sept
Preparation of contract	5 days	7th Sept	12th Sept
Contract award	1 day	18th Sept	18th Sept
Sign Contract	1 day	21st Sept	21st Sept
Impact analysis/ strategic review	1 day	21st Sept	21st Sept
Mobilisation plan	21 days	22nd Sep	11th Oct
Legal issues		on going	
Successful bidder meeting & contract meeting no:1	On going		
Phased implementation			

Procurement Process	Duration	Start	Finish
Start Date New Contract		12th Oct	
Post Mobilisation		13th Oct	

## Appendix B – School Food Standards 2015

### School meals - healthy eating standards

Food served in some schools and academies in England must meet the school food standards so that children have healthy, balanced diets.

The school food standards apply to all maintained schools, and academies that were founded before 2010 and after June 2014.

They must provide:

- high-quality meat, poultry or oily fish
- fruit and vegetables
- bread, other cereals and potatoes

There can't be:

- drinks with added sugar, crisps, chocolate or sweets in school meals and vending machines
- more than 2 portions of deep-fried, battered or breaded food a week

The national school food standards are in place to ensure that food provided to pupils is nutritious and of high quality; to promote good nutritional health in all pupils; protect those who are nutritionally vulnerable and promote good eating behaviour. Providing good quality school food improves children's health, behaviour and performance.

The previous national school food standards were made up of two main elements: food-based standards, and nutrient-based standards.

As part of the School Food Plan, a new set of standards for all food served in schools was launched by the Department for Education. They become mandatory in all maintained schools, and new academies and free schools from January 2015.

The school food standards replace the nutritional standards and the food-based standards specify which types of food should be served at school, and how often. The six food groups are listed below along with the requirements and these are also supported by the mandatory nutritional Government Buying Standards (GBS), appendix C.

#### School Food Standards (Food Based)

Food Group	Requirements
<b>Starchy food</b>	One or more portions of food from this group every day.  Three or more different starchy foods each week.  One or more wholegrain varieties of starchy food each week.  Starchy food cooked in fat or oil no more than two days each week.

	<p>Bread - with no added fat or oil - must be available every day - free.</p>
<b>Fruit and vegetables</b>	<p>One or more portions of vegetables or salad as an accompaniment every day.</p> <p>One or more portions of fruit every day.</p> <p>A dessert containing at least 50% fruit two or more times each week.</p> <p>At least three different fruits and three different vegetables each week.</p>
<b>Milk and dairy</b>	<p>A portion of food from this group every day.</p> <p>Lower fat milk must be available for drinking at least once a day during school hours.</p>
<b>Meat, Fish, eggs, beans and other non-dairy sources of protein</b>	<p>A portion of food from this group every day.</p> <p>A portion of meat or poultry on three or more days each week.</p> <p>Oily fish once or more every three weeks.</p> <p>For vegetarians, a portion of non-dairy protein on three or more days each week.</p> <p>A meat or poultry product (manufactured or homemade, and meeting the legal requirements) no more than once each week in primary schools and twice each week in secondary schools*</p> <p>(Applies across the whole school day).</p>
<b>Foods high in fat, sugar and salt</b>	<p>No more than two portions of food that has been deep-fried, batter-coated, or breadcrumb-coated, each week*</p> <p>No more than two portions of food which include pastry each week*</p> <p>No snacks, except nuts, seeds, vegetables and fruit with no added salt, sugar or fat*</p> <p>Savoury crackers or breadsticks can be served at lunch with fruit or vegetables or dairy food.</p> <p>No confectionery, chocolate or chocolate-coated products*</p> <p>Desserts, cakes and biscuits are allowed only at lunchtime. They must not contain any confectionery</p> <p>Salt must not be available to add to food after it has been cooked*</p>
<p>* This Standard applies across the whole school</p>	

<p>day, including breakfasts, morning breaks, tuck shops, and after school clubs</p>	<p>Any condiments must be limited to sachets or portions of no more than 10g or one teaspoonful*</p>
<p><b>Healthier drinks</b></p>	<p>Free, fresh drinking water at all times.</p> <p>The only drinks permitted are:</p> <ul style="list-style-type: none"> <li>• Plain water (still or carbonated)</li> <li>• Lower fat milk or lactose reduced milk</li> <li>• Fruit or vegetable juice (max 150 mls)</li> <li>• Plain soya, rice or oat drinks enriched with calcium; plain fermented milk (e.g. yoghurt) drinks</li> <li>• Unsweetened combinations of fruit or vegetable juice with plain water (still or carbonated)</li> <li>• Combinations of fruit juice and lower fat milk or plain yoghurt, plain soya, rice or oat drinks enriched with calcium; cocoa and lower fat milk; flavoured lower fat milk</li> <li>• Tea, coffee, hot chocolate</li> </ul> <p>Combination drinks are limited to a portion size of 330ml. They may contain added vitamins or minerals, but no more than 5% added sugars or honey or 150mls fruit juice.</p> <p>Fruit juice combination drinks must be at least 45% fruit juice</p>

## Appendix C School Food Plan - Nutrition Standards

Department for Environment, Food and Rural Affairs

### THE GOVERNMENT BUYING STANDARD FOR FOOD AND CATERING SERVICES

Central government procurers directly or through their catering contractors are required to apply this GBS. It includes a set of minimum mandatory standards for inclusion in tender specifications and contract performance conditions. It also includes some best practice standards which are recommended but not required, but these are all listed in the specification.

<b>IMPACT</b>	<b>Nutrition</b>
	<p><b>Mandatory Standard - Reducing Salt</b></p> <p>Vegetables and boiled starchy foods such as rice, pasta and potatoes, are cooked without salt</p> <p>Salt is not available on tables. At least 50% of meat and meat products, breads, breakfast cereals, soups and cooking sauces, ready meals and pre-packed sandwiches (procured by volume) meet Responsibility Deal salt targets and all stock preparations are lower salt varieties (i.e. below 0.6g/100mls).</p>
	<p><b>Mandatory Standard – Increasing Fruit and Vegetable Consumption</b></p> <p>At least 50% of the volume of desserts available is based on fruit – which can be fresh, canned in fruit juice, dried or frozen.</p> <p>A portion of fruit is cheaper than a portion of hot or cold dessert. Meal deals include a starchy carbohydrate, vegetables and 1 portion of fruit.</p>
	<p><b>Mandatory Standard - Reducing Saturated Fat</b></p> <p>Meat and meat products, biscuits, cakes and pastries (procured by volume) are lower in saturated fat where available. At least 50% of hard yellow cheese has a maximum total fat content of 25g/100g; at least 75% of ready meals contain less than 6g saturated fat per portion; at least 75% of milk is reduced fat; and at least 75% of oils and spreads are based on unsaturated fats.</p>
	<p><b>Mandatory Standard – Cereals</b></p> <p>At least 50% of breakfast cereals (procured by volume) are higher in fibre (i.e. more than 6g/100g) and do not exceed 22.5g/100g total sugars.</p>
	<p><b>Mandatory Standard - Fish</b></p> <p>If caterers serve lunch and an evening meal, fish is provided twice a week, one of</p>



which is oily. If caterers only serve lunch or an evening meal, an oily fish is available at least once every 3 weeks.