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1. BACKGROUND

The [Milk and Healthy Snack Scheme \(Scotland\) Regulations 2021](#) ("the Regulations") will introduce a scheme, known as the Scottish Milk and Healthy Snack Scheme ("the Scheme" or "SMHSS"), in Scotland to replace the UK Nursery Milk Scheme using the powers in section 13 of the Social Security Act 1988. Payments will be made under the new Scheme from 1 August 2021.

Full guidance for the operating of the Scottish Healthy Milk and Snack Scheme can be accessed via the below link.

[Scottish Milk and Healthy Snack Scheme: guidance for local authorities and day care settings - gov.scot \(www.gov.scot\)](#)

2. SCHEME REGISTRATION

Scheme registration will only be accepted from day care settings where they:

- provide pre-school care to children for 2 hours or more per day;
- are registered with the Care Inspectorate

Scheme registration will only be accepted from settings located within the local authority area in which they operate.

Scheme registration details must be completed in full prior to payments being made.

Scheme registration will initially remain open until 3 July 2021 to allow for processing registrations to ensure claims can be processed in advance of 1 August 2021.

Scheme registration will open monthly for the first 6 months, August 2021 – January 2022 to all newly registered settings, those opting in late etc, as per the below schedule.

Opening Date	Closing Date
2 August 2021	15 August 2021
6 September 2021	19 September 2021
4 October 2021	17 October 2021
1 November 2021	14 November 2021
29 November 2021	12 December 2021
3 January 2022*	16 January 2022

After January 2022 the scheme will open termly for 2 weeks to all newly registered settings, those opting in late, [school term](#) information is available on the Perth and Kinross Council website.

Pre-school children for the purposes of the scheme are usually aged 5 years and below.

Children in receipt of childcare but who have commenced school or an equivalent (e.g. home-schooling) will not be eligible.

Once a setting has registered for the Scheme, the registration will remain valid unless and until the setting confirms in writing electronically to the local authority that it wishes to withdraw from the Scheme via ELCAplications@pkc.gov.uk

3. SETTING OBLIGATIONS

Settings registered to participate in the scheme must provide:

- the provision of 189mls (1/3 pint) (or 200mls where supplied in containers of that size only) of plain fresh cow's milk (whole milk for children 1 year and over), 189mls first infant formula for children under 12 months or to include semi-skimmed milk for children 2 years and over; OR
 - where children cannot consume cow's milk for medical, ethical or religious reasons 189mls (1/3 pint) (or 200mls where supplied in containers of that size only) of plain, fresh, goat or sheep milk should be provided; OR
 - for those children who cannot consume cow's milk, goat's milk or sheep milk for medical, ethical or religious reasons, the provision of 189mls (or 200mls where supplied in containers of that size only) a specified non-dairy alternative defined as a unsweetened, liquid, calcium enriched; **and**
 - in addition to milk or a specified alternative, a healthy snack item (a serving of fruit or vegetables) for children over six months old.

In setting out what may be provided under the Scheme, Scottish Ministers have taken advice from the Food Standards Agency (FSS). Full details milk and permitted "specified" alternatives to milk are contained with [Annex A](#).

Settings registering as part of the scheme must provide both the milk and health snack elements for all eligible children with the exception of those under the age of 6 months who would not receive solid food. Parents may decide to decline all or part of the offer in this situation, the setting are asked to document this.

Parents may advise that their children should not drink any of the specified products, we would ask you to document this. In this situation children should be offered water, in line with the guidance of Setting the Table.

Rice milk will not be funded as it is **unsuitable** for children under 5 years of age due to the levels of arsenic, as per Food Standards Scotland (FSS) guidance.

Settings offering milk, snack and the specified alternative non-dairy drinks attention should be given to the food safety implications. As a childcare provider, it is your responsibility to ensure that you can provide allergen information for the food you serve and that this is accurate, consistent and verifiable. You will need to be able to identify any child with a food allergy or intolerance and provide them with food which is safe for their consumption.

A health snack is defined as fruit or vegetables, including loose, whole, sliced, chopped, or mixed fruit but not fruit or vegetables to which fat, salt, sugar, flavouring or any other ingredient has been added. The snack provided as part of the Scheme **must** meet this definition.

In line with the Setting the Table nutritional guidance and food standards for early years childcare providers in Scotland, children should have opportunities to try a variety of different foods and food should be seen as part of the learning experience and an integral part of the caring environment. Fruit and vegetable portions offered as part of the Scheme should include variety of different types, flavours and textures. Serving sizes for pre-school children are smaller than those for adults. A rule of thumb is what a young child can hold in their hand. Examples include ½ large fruit or one small fruit.

Settings will be responsible for ensuring all food safety, hygiene and standards are being met. It is the responsibility of the setting to supervise young children when they are eating

and provide assistance if required. Remove any stones or pips before serving. Slice, halve or chop small fruit and vegetables like cherry tomatoes and grapes. Cut large fruits into slices rather than chunks. Avoid whole nuts. Please see Care Inspectorate Good Practice Guidance for further advice on reducing the risk of choking in young children.

Settings will be responsible for purchasing their own milk and snack.

Settings are encouraged to source milk, fruit and vegetables locally as part of the Scottish Governments ambition to improve access to, and understanding of, the benefits of healthy local foods.

Settings should adhere to environmental standards and to minimise waste including the reduction of single-use packaging and straws where possible.

Milk and healthy snack will be provided to the child by the childcare setting and will be free at the point of delivery. Settings should not charge parents for this provision.

Children will only receive the benefit offered through the Scheme once per calendar day regardless how many additional hours they spend in an individual setting. Where children attend more than one setting in a day, they should still receive the benefit only once per day. Parents and settings will be responsible for discussing how this should be managed. The expectation is that the first setting in which the child spends 2 hours will provide unless agreed otherwise.

4. PAYMENT & PROVISIONS

Perth & Kinross Council will make a payment of:

- 21.5p per serving of milk or specified alternative; and
- 19.1p per serving of healthy snack (fruit or vegetable)

There will be no supplementary payment for alternatives to milk: the costs of alternatives have formed part of the Scottish Government calculation of the indicative rates and the payments to settings should be sufficient for the purchase of what they require.

Perth & Kinross Council will make funds available in advance of purchase on a monthly basis, as per the below schedule.

Settings will be required to submit numbers of all eligible children as per the below schedule.

Settings **must** provide all information requested prior to payments being made.

Covers Period	Payment Periods		
	Recording Period opens	Recording Period closes	BACS Payment processed w/c
02/08/21 – 05/09/21	05/07/2021	18/07/2021	26/07/2021
06/09/21 – 03/10/21	02/08/2021	15/08/2021	23/08/2021
04/10/21 – 31/10/21	06/09/2021	19/09/2021	27/09/2021
01/11/2021 – 28/11/21	04/10/2021	17/10/2021	25/10/2021
29/11/21 – 02/01/22	01/11/2021	14/11/2021	22/11/2021
03/01/22 – 30/01/22	29/11/2021	12/12/2021	20/12/2021
31/01/22 – 27/02/22	03/01/2022*	16/01/2022	24/01/2022
28/02/22 – 31/03/22	31/01/2022	13/02/2022	21/02/2022
01/04/22 – 01/05/22	28/02/2022	13/03/2022	21/03/2022
02/05/2022 – 29/05/22	01/04/2022*	17/04/2022	25/04/2022
30/05/22 – 03/07/22	02/05/2022	15/05/2022	23/05/2022
04/07/22 – 31/07/22	30/05/2022	12/06/2022	20/06/2022

*Period will likely open before the holiday period

Perth and Kinross Council will not make payments outwith the above schedule. Should a setting miss the submission date, as per the schedule, payment will be made in the next payment period.

Perth and Kinross Council will not contact scheme participants if they do not submit a payment request.

During year one of the scheme (1 August 2021 – 31 July 2022) payment will be back-dated to initial scheme start date 1 August 2021 following submission of supporting evidence verifying that milk and health snack have been provided. Confirmation will also be required that parents have not been charged for milk and a healthy snack.

Newly registered settings with the Care Inspectorate will only have payment back-dated to registration date within the first year of the scheme (1 August 2021 – 31 July 2022). Supporting evidence will be required verifying that milk and health snack have been provided. Confirmation will also be required that parents have not been charged for milk and a healthy snack.

Payment will only be backdated to date of scheme registration after 31 July 2022.

Scheme year will run from 1 August to 31 July.

All settings must retain copies of receipts and records of purchase for audit and monitoring purposes for a period of 7 years.

Settings are responsible to ensure bank account information is up to date. Changes should be notified to ECCFST@pkc.gov.uk quoting your supplier number.

5. AUDIT & MONITORING

Setting will need to provide the following information for monitoring purposes, as set out in the [Regulations](#):

- a) its status as a childcare provider under regulation 4,

- b) the number of eligible children enrolled with the childcare provider during any period,
- c) records of attendance in relation to any eligible child during any period,
- d) the eligibility of a child under regulation 3,
- e) the entitlement of a child under regulation 5,
- f) the benefit provided or expected to be provided to a child under regulation 6, and
- g) any other relevant information which the Scottish Ministers reasonably require in order to administer the Scheme.

Settings must inform the local authority if circumstances significantly change or funding provided to deliver the Scheme is not used in its entirety. Examples of a significant change include the setting closing, or enrolment levels +/- 10% of the stated enrolment at registration. If there is doubt about whether a change would be deemed as “significant”, local authority advice should be sought. Where the changes would result in a need for additional funding, the local authority will advise on options for adjusting the payments.

Settings must inform the local authority as soon as reasonably practicable if due to a change of circumstances (such as closure) they are no longer entitled to a payment of the scheme. Changes should be notified to both ELCApplications@pkc.gov.uk and ECSFST@pkc.gov.uk quoting your supplier number.

Should Perth & Kinross Council determine through the monitoring process that funding is not spent on these products, then the Council will take remedial action by way of either reconciliation or adjustments to future payments.

Settings must retain copies of receipts and records of purchase for audit and monitoring purposes for a period of 7 years.

SCHEDULE 1

SCHEDULE 1 – PAYMENT RATE AND PAYMENT PERIODS

Perth & Kinross Council will make a payment of:

- 21.5p per serving of milk or specified alternative; and
- 19.1p per serving of healthy snack (fruit or vegetable)

Children will only receive the benefit offered through the Scheme once per calendar day regardless how many additional hours they spend in an individual setting. Where children attend more than one setting in a day, they should still receive the benefit only once per day. Parents and settings will be responsible for discussing how this should be managed. The expectation is that the first setting in which the child spends 2 hours will provide unless agreed otherwise.

Covers Period	Payment Periods		BACS Payment processed w/c
	Recording Period opens	Recording Period closes	
02/08/21 – 05/09/21	05/07/2021	18/07/2021	26/07/2021
06/09/21 – 03/10/21	02/08/2021	15/08/2021	23/08/2021
04/10/21 – 31/10/21	06/09/2021	19/09/2021	27/09/2021
01/11/2021 – 28/11/21	04/10/2021	17/10/2021	25/10/2021
29/11/21 – 02/01/22	01/11/2021	14/11/2021	22/11/2021
03/01/22 – 30/01/22	29/11/2021	12/12/2021	20/12/2021
31/01/22 – 27/02/22	03/01/2022*	16/01/2022	24/01/2022
28/02/22 – 31/03/22	31/01/2022	13/02/2022	21/02/2022
01/04/22 – 01/05/22	28/02/2022	13/03/2022	21/03/2022
02/05/2022 – 29/05/22	01/04/2022*	17/04/2022	25/04/2022
30/05/22 – 03/07/22	02/05/2022	15/05/2022	23/05/2022
04/07/22 – 31/07/22	30/05/2022	12/06/2022	20/06/2022

*Period will likely open before the holiday period

SCHEDULE 2

SCHEDULE 2 – DETAILS OF PROVISION TO BE PROVIDED

Settings registered to participate in the scheme must provide:

- the provision of 189mls (1/3 pint) (or 200mls where supplied in containers of that size only) of plain fresh cow's milk (whole milk for children 1 year and over), 189mls first infant formula for children under 12 months or to include semi-skimmed milk for children 2 years and over; OR
 - where children cannot consume cow's milk for medical, ethical or religious reasons 189mls (1/3 pint) (or 200mls where supplied in containers of that size only) of plain, fresh, goat or sheep milk should be provided; OR
 - for those children who cannot consume cow's milk, goat's milk or sheep milk for medical, ethical or religious reasons, the provision of 189mls (or 200mls where supplied in containers of that size only) a specified non-dairy alternative defined as a unsweetened, liquid, calcium enriched; **and**
 - in addition to milk or a specified alternative, a healthy snack item (a serving of fruit or vegetables) for children over six months old.

In setting out what may be provided under the Scheme, Scottish Ministers have taken advice from the Food Standards Agency (FSS). Full details milk and permitted "specified" alternatives to milk are contained with [Annex A](#).

ANNEX A: SMHSS: MILK AND PERMITTED “SPECIFIED” ALTERNATIVES TO MILK

1. In setting out what may be provided under the Scheme, Scottish Ministers have taken advice from Food Standards Scotland (FSS).
2. Plain cow’s milk is most nutritious for children and this is what should be offered under the scheme to all children except where they are under 12 months (and receive breast milk or first infant milk formula) or where children cannot drink it for medical, ethical or religious reasons.
3. Only where children cannot drink cow’s milk for medical, ethical or religious reasons, the new Scheme will allow settings to provide plain goat or sheep milk and where for those reasons children cannot drink cow’s milk, sheep’s milk or goat’s milk, the Scheme will allow a specified non-dairy alternative defined as a drink which is an unsweetened calcium enriched liquid (excluding rice milk).
4. In line with [Setting the Table](#), after the age of 2, semi-skimmed milk can be introduced gradually as long as the child is eating well and has a varied diet. Fully skimmed milk is not suitable as a main drink for a young child until they are 5 years old, as it does not contain enough calories or vitamins.
5. Unsweetened calcium enriched soya drinks are the closest nutritional equivalent to plain cow’s milk and these should be the first option for children who cannot drink dairy milks. Other unsweetened calcium enriched non-dairy alternative drinks may be offered only where a child cannot drink an unsweetened calcium enriched soya milk. A guide to support those selecting an unsweetened, calcium enriched soya drink is included in **Annex B**.
6. Rice milk must not be given to children under 5 years of age due to concerns about the levels of arsenic.

RATIONALE

7. FSS is responsible for providing advice to Scottish Ministers on a range of food related issues including advice on diet and nutrition. FSS provided nutritional advice and identified the types of additional animal milks and non-dairy alternative drinks that can be included as part of the new Scheme to ensure the best health benefits and outcomes for children who do not drink cow’s milk. The policy is therefore based on the most up to date scientific evidence and dietary advice.
8. While inclusion of alternatives to cow’s milk offer more nutritional advantage than offering no alternative/ water alone, **the nutritional benefits of the alternatives are not comparable with those of cow’s milk and children should therefore continue to be offered cow’s milk except where they cannot drink this for medical, ethical or religious reasons**. Non-dairy alternative drinks offer less energy and nutrients than cow’s milk which can lead to deficiencies if not taken account of in the rest of the diet.

In summary:

Age of child	Default milk for the Scheme	Ranking of alternatives which should only be offered where children cannot drink the

		default for ethical, health or religious reasons
Under 12 months	N/A	First infant formula for children for whom breast milk is not available
12 months but under 2 years	Plain whole cow's milk	Where a child cannot drink plain cow's milk for health, ethical or religious reasons, you should offer, in the following order: (i) plain, whole fresh goat or sheep milk; (ii) specified unsweetened calcium-enriched soya drink (see Annex B for information on soya drinks) Where a child is also unable to drink soya: (iii) specified unsweetened calcium-enriched non-soya alternative (excluding rice milk). (iv) water
2 years and over	Plain cow's milk, whole or semi-skimmed	Where a child cannot drink plain cow's milk for health, ethical or religious reasons, you should offer, in the following order: (i) plain whole or semi-skimmed fresh goat or sheep milk; (ii) unsweetened calcium-enriched soya alternative (see Annex B for information on soya drinks); Where a child is also unable to drink soya: (iii) specified unsweetened calcium-enriched non-soya alternative (excluding rice milk). (iv) water

Please remember: you **must not** provide rice milk under the Scheme.

The dairy milks to be provided under the Scheme are plain whole or semi-skimmed dairy milks only.

ANNEX B: SOYA DRINK SPECIFICATION

1. There is a very wide range of soya drinks on the market with varying levels of nutritional content (calories, protein, sugar and fat) and added (fortified) vitamins and minerals. This specification has been designed as a guide to support those selecting an unsweetened, calcium enriched soya drink for children over 12 months as part of the scheme to ensure that those provided have the closest nutritional content to cow's milk.
2. The values below are guiding amounts and can be used to compare against the nutritional information of unsweetened, calcium enriched soya drinks. This information can be found on the back of the packaging or requested from suppliers.
3. Any soya drink provided must be unsweetened and enriched with calcium. Fortification with other nutrients which are present in plain cow's milk has been included as desirable to help ensure adequate nutrient intakes in children drinking dairy alternatives. However, please note that not all drinks will contain all of the desirable nutrients listed below.

Nutrition	Guiding Amount per 100ml
Energy	At least 33kcal/ 138kJ
Fat	At least 1.7g
Sugar	No more than 0.5g
Protein	At least 3.3g

Essential fortified nutrient	Guiding Amount per 100ml
Calcium	120mg

Desirable fortified nutrient	Guiding Amount per 100ml
Riboflavin (B2)	0.2mg
Vitamin B12	0.38µg
Iodine	31µg

4. Organic varieties are not fortified with any vitamins or minerals and are therefore not suitable to be provided within the scheme.

5. How to know if a product meets the requirement to be unsweetened

Descriptions of unsweetened calcium enriched soya drinks varies between products. Products may include descriptions such as 'reduced calorie', 'no sweeteners', 'totally unsweetened', 'no sugars', 'light', 'original', 'natural', 'skinny' and more. The specification above should be used to determine the amount of sugar within the product and this will help to ensure that it meets acceptable levels.

6. This specification will be reviewed in August 2022.