



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

Guidance to support the implementation of Food Allergy Regulations (Natasha's Law) in Stockport Early Years Settings and Schools

V1.0

June 2023

1. Aim of this guidance

1.1 To ensure that all regulatory requirements are fulfilled, specifically in relation to food safety and food labelling (e.g., provision of allergen information, Natasha's Law, Food Information Regulations). This should be reviewed across all provision whether internally or externally managed, ensuring all staff/volunteers/supply and agency staff involved in food preparation, school lunches, breakfast clubs, after school clubs, fund raising events and cooking in Early Years Settings and Schools follow adequate procedures necessary to fulfil statutory requirements.

1.2 To ensure that key stakeholders are informed and empowered to take safe and timely decisions in relation to managing food safety in Early Years Settings and Schools in Stockport

1.3 To make every reasonable effort to ensure that food provision in the setting reflects the medical requirements of staff, pupils, and visitors and that all relevant staff members (including non-teaching staff e.g., midday assistants) and volunteers are aware of these.

1.4 This guidance should be considered in line with the national operational guidance for:

EYFS Framework

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974907/EYFS_framework_-_March_2021.pdf

Early Years Providers – Safeguarding and Welfare – Food Safety

<https://help-for-early-years-providers.education.gov.uk/safeguarding-and-welfare/food-safety>

Allergy Guidance for Schools

<https://www.gov.uk/government/publications/school-food-standards-resources-for-schools/allergy-guidance-for-schools#legal-requirements-for-schools-and-caterers>

School Food: Guidance for Governors

<https://www.gov.uk/government/publications/school-food-standards-resources-for-schools/school-food-guidance-for-governors>

Stockport's Supporting Pupils' Medical Conditions in Schools & Early Years Settings Policy (March 2023) (schools can access this via SLA online)

Stockport Schools Food Policy

2. Audience

2.1 This guidance is intended to be used as a resource for

- Early Years Childcare providers, Nurseries and Schools in Stockport
- Local Authority Education Leads

3. Roles and Responsibilities

- 3.1** The registered Early Years Provider or Governing Body must make arrangements to support pupils at the setting or school with medical conditions, including allergies. They must also ensure that school food standards are being met and to support the headteacher and other senior leaders in doing this.
- 3.2** The registered early years provider/headteacher/principal must ensure that health and social care professionals, pupils and parents are regularly consulted to check that the needs of children/students with medical conditions, including allergies, are properly understood, and effectively supported. The headteacher/principal must ensure that all food regulations are being met and that the setting/school's policies are developed and effectively implemented with partners.
- 3.3** Parents should provide the setting/school with sufficient and up-to-date information about their child's medical needs and support the setting/school in the effective implementation of related policies.

4. Natasha's Law – New Labelling Requirements for pre-packed for direct sale food

On the 1st of October 2021 new legislation came into force which increases the amount of information you must include on prepacked for direct sale food. This new legislation is also known as Natasha's Law. Teenager Natasha Ednan-Laperouse died after suffering an allergic reaction to an undeclared ingredient (sesame seeds) in a pre-packed baguette. There was no specific allergen information on the sandwich packaging. Campaigning following her death has resulted in new legislation designed to protect consumers by providing potentially life-saving allergen information on the packaging of the food. This law applies to any food business that produces PPDS food. Such organisations may include primary, special & secondary schools, colleges, universities, and nurseries that provide food.

- PPDS food (Prepacked for direct sale) is food that is packaged at the same place it is offered or sold to consumers.
- It is a single item, consisting of the food and its packaging, that is ready for presentation to the consumer before it is ordered or selected.
- The changes mean that food made and packaged before the consumer orders or selects them and sold on the same premises (or a site with more than one selling location) will require the PPDS labelling.
- For early years settings and schools, the new labelling will be required for foods such as sandwiches, wraps, pizza, fruit pots, breakfast pots, packaged salads, wrapped burgers, rolls and any food that has been packaged in anticipation of a service rush.

Fig. 1

Food in Settings/Schools

Not pre-packed (Non PPDS)

- Food placed into packaging or plated at the consumer's request is not PPDS food
- Examples in schools, colleges and early years settings could include unpackaged cakes/biscuits and unpackaged food behind a glass display counter or in a hot hold cupboard and any meals made or plated to order
- Non-pre-packed food does not require a label, but schools must consider how they will inform consumers about the presence of any of the 14 allergens. This can be done orally or in writing

Pre-packed for Direct Sale (PPDS)

- Packaged in the same establishment (or site where a business operates from more than one location) it is offered or sold to customers
- A single item including the food and its packaging
- Ready to present to the customer before it is ordered or selected
- Must be labelled according to PPDS regulations
- Examples in schools, colleges and early years settings could include sandwiches, wraps, pizza, fruit pots, breakfast pots, packaged salads, wrapped burgers, rolls contained in a plastic bag that is tied in a knot and sealed and any food that has been packaged in anticipation of a service rush
- Labels on PPDS food need to show the name of the food and the ingredients list
- This includes emphasising in the ingredients list any of the 14 allergens used in the product, as required by food law. Emphasis can be added by using bold type, capital letters, contrasting colours or underlined text. This must be clear enough for the consumer to read.

Pre-packed food

- Pre-packed food is not the same as pre-packed for direct sale food (PPDS)
- It has been packed by another food business at a different site from where it is offered to consumers or is food that has been packaged by another business
- Pre-packed food requires a label with a name, ingredients list, allergens, and other mandatory information
- Pre-packed foods are most likely to be brought into early years settings, schools and colleges from home by students but may be supplied on the premises via tuck shops or at organised events e.g., school discos.
- Examples might include packets of crisps, sweets, cakes, or biscuits
- This type of food will come already labelled but early years settings/schools must ensure that the needs of children with medical needs are met if such items are supplied to children/students

5. School Meals and Natasha's Law

5.1 Third-party providers Most schools/colleges and some early years settings will use third party catering companies to provide meals for students, staff, and visitors. Headteachers/Principals and governing bodies must ensure that any third-party provider complies with the regulations in full i.e., check that there is a full ingredient listing on any pre-packed foods available. Please note that the monitoring of food /allergen labelling should form an integral part of the school/college's supplier monitoring process.

5.2 Early Years Settings/Schools registered as food businesses Those early years settings/ schools who have in-house catering services will be registered as a food business and are responsible for ensuring that current food labelling regulations are fully implemented.

5.3 Early Years Settings/School Packed lunches If packed lunches are made on setting/school premises in anticipation of an event, such as a school trip, settings/schools must check the dietary requirements for children/students as per the Managing Medical Needs policy. In the following circumstances the allergen information requirements may vary.

- If lunches are made and packed having been ordered by individual children/students/parent(s) they are therefore not pre-packed are **not** subject to PPDS labelling requirements.
- If, however, packed lunches are made and packed without specific orders from individual children/students or their parent(s), then these **must** comply with PPDS labelling requirements.
- Additionally, if there are multiple items in a packed lunch, then allergen information for each item must be provided and each item will need to be labelled individually.
- Any pre-packed items you have bought from elsewhere (i.e., food packed at a different location by a different business) will already have full ingredients labelling.

6. Other events

6.1 External suppliers

Occasionally, early years settings/schools will engage the services of other suppliers for events such as summer/Christmas fairs, barbeques, parties etc. Early Years settings/schools must carry out their own food safety risk assessment based on the known medical requirements of students, staff, and visitors. The supplier is responsible for meeting the labelling requirements for any PPDS food items, but the setting/school must check that this has been done. The supplier must also supply the setting/school with a list of ingredients including the 14 allergens for food items that are non-PPDS. The setting/school must communicate this information with parents/attendees. The supplier must also ensure that all food has ingredients clearly displayed but it is the setting/school's responsibility to ensure that they do this. If the supplier cannot supply the ingredient list for each food item, the setting/school must not allow them to continue serving. In addition, settings/schools must obtain copies of the following from the supplier before the event.

- **Public liability insurance**
- **Food safety and Hygiene Level 2 certificate**

Early years settings/schools must also check the business food hygiene rating. Some businesses may not be registered, and this is a useful way of checking as well as getting an indication of their standards. The food hygiene ratings are as follows.

- 5 – hygiene standards are very good
- 4 – hygiene standards are good
- 3 – hygiene standards are generally satisfactory
- 2 – some improvement is necessary
- 1 – major improvement is necessary
- 0 – urgent improvement is required

Although a rating of 3 is considered satisfactory, settings/schools should keep in mind that a rating of 4 or 5 would be some indication of higher standards. Settings/schools must also check current ratings via the FSA website, not by being sent a copy of a rating sticker. If the business is exempt or excluded from the rating scheme, the website should show that. A breakdown of the 3 elements that make up the rating is provided on the website.

6.2 Food donations

Many settings/schools and parent teacher associations rely on food donations from the community for various events. Members of the public are not subject to the food standards regulations or Natasha's Law, but it is strongly recommended that settings/schools take account of the points below as examples of best practice when accepting donations of food.

- **No fresh cream, raw egg, or meat products**
- **No products to be donated which require temperature control i.e., refrigerated, or reheated**
- **All food must be covered before leaving home (e.g., in large cake boxes or food grade bags). N.B. Food grade bags and containers are classified as food-safe, are made from food-grade material, and meet all the necessary standards and guidelines for use with food that is intended for human consumption.**
- **All donated foodstuffs must be accompanied with ingredient and allergen information.**
- **Make sure any food is handled properly and hygienically i.e., using gloves, keeping food in separate containers.**
- **Make sure every serving plate has its own knife or serving spoon to avoid cross-contamination.**

6.3 Breakfast Clubs/After School Clubs

For those settings/schools who use third party providers for before and after school club catering, the guidance is the same as for school meals i.e., Registered early years providers/Headteachers/Principals and governing bodies must ensure that any third-party provider complies with the regulations in full. Settings/schools who provide their own catering for before and after school clubs will need to ensure that a risk assessment based on the known medical requirements of students, staff and visitors is carried out and that any PPDS food is correctly labelled. Potential allergens in other foods must also be provided.

6.4 Celebrations

Some early years providers and schools allow children to bring treats such as cakes or sweets to share with their classmates as part of their birthday or other celebrations. Most cakes or sweets bought from retail outlets will be covered by PPDS regulations and should have a full list of allergens supplied. As outlined in the Medical Conditions in Schools Policy; setting/school staff, in partnership with parents and health professionals, have a duty to ensure that children and staff with known medical requirements are protected and that appropriate risk assessments are in place for those individuals.

Many settings/schools are now encouraging parents to look for alternative items to donate i.e., pencils/pens or book donations to the school library.

6.5 Tuck Shops

Settings/schools providing tuck shop food must provide information on the 14 allergens in writing for parents and students. Generally, PPDS items will be supplied by a 3rd party and produced off site and will already come with a list of ingredients supplied. Some settings/schools may use their catering supplier to provide tuck shop items. If those items are packaged before being bought by the consumer, then PPDS regulations apply, and a full list of ingredients must be provided. These may include fruit pots, salad boxes, pre-packaged sandwiches and pre-packaged cakes or other snacks.

Appendix 1

FAQs

What type of food does Natasha's Law apply to?

The law applies to prepacked for direct sale (PPDS) food. PPDS food is packaged at the same place, is offered, or sold to consumers, and is in this packaging before it is ordered. It is fully or partly enclosed by the packaging, cannot be altered without opening or changing the packaging, and is ready to be sold to the consumer. Examples of PPDS food include fruit pots, boxes of chips, packaged sandwiches, or salad boxes.

The Food Standards Agency offers an allergens and ingredients food labelling decision tool on its website if you are unsure whether you are selling or offering PPDS food. Please follow the link below

<https://www.food.gov.uk/allergen-ingredients-food-labelling-decision-tool>

If we receive donations of home baked/cooked food such as cakes for a bake sale, should we request a full list of ingredients?

If you are not registered as a food business, you are not legally required to provide information for consumers about allergens present in the food. However, our advice remains that anyone serving food should provide as much information as possible about the 14 allergens, so that parents and students can make safe food choices.

If the setting/school or PTA is registered as a food business, they must label any PPDS food they provide or sell with a full list of ingredients with any of the 14 major allergens emphasised in the list.

If donated food items arrive in a sealed plastic container but are put out for sale with lids removed, does this constitute the items being 'prepacked'?

No. At the time the items were offered to consumers, they could be altered without the need to open any packaging – therefore they are not pre-packed, and the PPDS regulations would not apply. However, the setting/school should ensure that they provide details of any of the 14 allergens included as best practice and therefore allowing parents and students to make safe food choices.

If the school/PTA is holding a barbecue and cooking burgers and sausages on site, does it have to display full allergen information?

Unwrapped food served from a barbecue would be considered non-pre-packed food and a full list of ingredients for each item would not be required. Our advice is that all settings/schools must provide details of the 14 allergens included as best practice. This will allow parents and students to make safe food choices. This advice applies to all events where food is being offered. If you are registered as a food business, you must legally provide allergen information in some form, whether orally or in writing.

If a school hires an external food supplier such as an ice-cream van or food truck, does Natasha's Law apply, and who is responsible for compliance?

Whether Natasha's Law applies to the ice-cream van or food truck depends on whether they are selling PPDS food. Any registered food business who offers or sells PPDS food to consumers is responsible for compliance with the law.

In situations where full labelling isn't required by law, what can schools do to help allergy sufferers when it comes to the sale of food?

An estimated two million people in the UK have food allergies, and research shows that children and young people are at a higher risk of experiencing food allergy reactions. The more information you can provide about the food you serve, the more you help to reduce that risk. Anyone serving food to consumers must give them as much information as possible about allergens to allow them to make safe and informed choices about what to eat.

What are the 14 allergens that require labelling by food law?

The 14 allergens required to be labelled by food law are: celery, cereals containing gluten (such as barley and oats), crustaceans (such as prawns, crabs and lobsters), eggs, fish, lupin, milk, molluscs (such as mussels and oysters), mustard, peanuts, sesame, soybeans, sulphur dioxide and sulphites (if they are at a concentration of more than ten parts per million) and tree nuts (such as almonds, hazelnuts, walnuts, Brazil nuts, cashews, pecans, pistachios and macadamia nuts).

The Food Standards Agency provide an allergy checklist on their website. Please see the link below.

<https://www.food.gov.uk/sites/default/files/media/document/allergen-chart.pdf>

Appendix 2

Questions for Catering Contractors

- i. Does the school serve Pre-Packaged foods for direct sale (PPDS)? If yes, does it meet new labelling requirements?
- ii. Is the label font text size correct and visible?
- iii. What is the procedure for school packed lunches that are produced on the premises and taken away on field educational visits/excursions?
- iv. Has the ordering procedure changed? What changes have been made?
- v. Do kitchen staff know the new PPDS labelling requirement?
- vi. Do the kitchen staff check the suppliers labelling on the delivery to check if the correct manufacturer's goods were delivered?
- vii. Is there a food allergen management process in place?
- viii. Do you ensure that deliveries meet the same specification as the orders?
- ix. If a substitution was made, has the allergen information been checked and recorded and dated in the menu?
- x. Is the information communicated through to the kitchen staff?
- xi. If the kitchen runs out of something, are they allowed to pop out to a local supermarket and pick something up? If they do, are they sure to make sure of any changes in the ingredients in those purchased products?

Appendix 3

Useful Resources

Allergen Resources recommended for use with members of staff and other adults

[Chloe video A Day in the Life of Chloe - YouTube](#)

[Megan's Story - YouTube](#)

[Food Standards Agency food allergy online training](#)

[Allergy Training for Schools | Anaphylaxis UK](#)

[Allergy information for schools | Anaphylaxis UK](#)

Food labelling Resources

[Labelling guidance for pre-packed for direct sale food products](#)

Appendix 3.

Example letter to parents

Dear Parent,

[Natasha's Law](#)

As you are already aware, Natasha's Law was a new piece of legislation introduced in 2021 relating to the declaration of allergen information on pre-packed for direct sale (PPDS) food. The law takes its name from the tragic death of a teenager named Natasha, who died from an allergic reaction to undeclared sesame seeds in a pre-packaged baguette.

The new law makes it a legal requirement to clearly display information about potential allergens on food packaging for PPDS food and we wanted to share with you how we have ensured that the new regulations have been implemented at [Name of setting/school](#)

[What is PPDS food?](#)

This is food which has been packaged before the customer has chosen it.

This can include:

- Any food packaged by the setting/school and sold on the premises such as sandwiches.
- Fast food wrapped or packaged before the customer selects it.
- Potted items with lids on.
- Packed lunches for pupils on setting/school trips.

[What is not included?](#)

Food not affected by this law includes:

- Food not in packaging.
- Food which is loose before a customer selects it and packaged afterwards.
- Loose food which was not packaged at the point it was ordered.
- Food supplied by other businesses.

[What allergens are we required to label?](#)

There are 14 allergens which must be declared by law.

The 14 allergens are as follows:

- Celery
- Cereals containing gluten and wheat such as barley and oats
- Crustaceans such as crabs, prawns and lobsters
- Eggs
- Fish
- Lupin

- Milk
- Molluscs such as mussels, oysters, snails and squid
- Mustard
- Nuts such as almonds, brazil nuts, cashews, pistachio nuts and walnuts
- Peanuts
- Sesame Seeds
- Soybeans
- Sulphur dioxide and sulphites if they are at higher concentrations than 10mg/kg

These 14 allergens should be clearly indicated on the label using clear text such as bold, italics or highlighting the text in another colour.

[What do we do to ensure that everyone is allergen safe?](#)

To ensure the safety of our school community, we will:

- List all ingredients on the labels of any food that was made on site and packaged prior to being selected.
- Ensure we emphasise any potential allergens present each time they appear in the ingredients list, along with minimising the amount of allergenic ingredients where possible.
- Provide clear allergen information for any other food provided on site that is not subject to PPDS regulations.
- Train all staff to be aware of their responsibility to provide correct allergen information.
- Ensure that staff are trained in allergy awareness and how to respond to an allergy sufferer's questions.
- Coach and assess our staff regularly to be sure they are confident in dealing with allergens.
- Update our [Allergen and Anaphylaxis Policy](#) to ensure that the allergen information is clear for you as well as our pupils and staff.
- Ensure all documentation is revised and conveyed to our staff.
- Engage with suppliers and build good relationships to ensure they keep updated on any product or ingredient changes quickly and inform us of them.
- Act on all updates or ingredient changes immediately to provide reassurance when buying food.

[What can you do?](#)

Although it is not required by law, to protect the staff and pupils in our setting/school, we are asking that parents label any food potentially containing allergens you might prepare for setting/school events. A template will be provided to help with this process.

[Our allergen champion](#)

We have designated [name of staff member](#), [role in setting/school](#), to be our allergen champion. They will be in charge of coordinating allergy management and ensuring there is clear communication between those at the different stages of the catering 'process flow'.

You can contact the allergen champion at [email address](#) to find out more and ask any questions you may have regarding your child's allergens and the actions we are taking to ensure their safety.