



An Roinn Coimirce Sóisialáí
Department of Social Protection



An Roinn Oideachais
agus Óige
Department of Education
and Youth



Údarás Sábháilteachta Bia NA hÉIREANN
Food Safety AUTHORITY OF IRELAND



Procurement Support for the Provision of Cold Lunch and/or Afterschool Club to Primary Schools

School Meals Scheme 2025/26

FREQUENTLY ASKED QUESTIONS

Document Control

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Contents

DOCUMENT CONTROL	2
PROCUREMENT.....	7
Procurement Rules / Spending Thresholds / Contract Value	7
1. What are the procurement requirements for the provision of School Meals?	7
2. How should I estimate the contract value?	7
3. How can the value of the contract be determined when student numbers rise and fall?.....	7
4. Do we have to tender every year?	7
5. If you put in the 3-year value, can you still just award a 1-year contract and not be tied to one company for three years?	7
6. Do I have to tender if the estimated value of my contract is less than €50,000?.....	8
7. If we cannot get 3 written proposals for a contract less than €50,000, is requesting 3 tenders adequate?	8
8. My 1-year contract is less than €50,000, can I proceed without procurement?.....	8
9. How are new enrolments handled within the contract during the term?	8
10. With cold lunch/afterschool club capped at €1.40 or €1.70 per child, what is the purpose of tendering and going through the process of 3 proposals?	9
11. Why there is a need for all this tendering when the price is the same from all providers?	9
12. Can I follow the same guidance for publishing a tender if my estimated contract value is above €750,000?	9
13. Our school is happy with the current service provider. Can we continue on a rolling contract?	9
14. We currently have a service provider in place. Can we renew our contract with them instead of going to tender?	9
15. If a school ran a procurement process last year, do they have to do it again this year?	9
16. We had a contract with a service provider last year. We are using the same service provider this year. Do we now have to re-tender?	9
17. If you are starting year two of a three-year contract, do you need to start a new contract? In relation to this, do you need to engage with the procurement process at this point?	9
18. As we have a contract, when do we need to do a new procurement/tender?	9
19. As a former non-DEIS pilot school with a continuation letter, we wish to change service providers now, what should we do?	10
20. Is the process only for new schools joining the scheme, or do current participant schools also need to complete it?	10
21. We are not happy with our current service provider, and our plan is to move in the near future. Our contract is out this November. What should we do?	10
22. We have applied and received notification that we been approved our funding. Do we have to do anything?	10
23. Only one service provider is willing to service us. What do we put onto the eTenders for this?.....	10
24. There is only one company that provides meals in the area. Do we still have to publish a tender?	10

25. Could this process be simplified? Could there be a template with more of the information filled in?	11
26. Should we survey parents on hot vs cold lunches before going to tender, and do schools have a choice between hot or cold?	11

Procurement Documents	11
------------------------------------	-----------

27. There are nearly 100 pages of documentation in the CFT. Do we only amend the areas highlighted in yellow or with brackets?	11
28. Do we note 180 school days even if we are starting in January?	11
29. Would you be able to clarify the time commitment required to read the documents, prepare the CFT/TRD, liaise with companies, evaluate tenders, ensure compliance, and monitor the service?	12
30. What's the school's 'legal name'? The name used by the Department of Education and Youth?	12
31. If our funding includes snacks, do we include snack costs in the same calculator?	12
32. If very happy with our current service provider, can we use their standards as the basis of procurement?	12

Site Visit / Previous Engagement	12
---	-----------

33. A service provider visited our school before the tender process. Do they have to visit the school again during the tender process?	12
34. We currently have a service provider in place. Do they need to attend the site visit?	12
35. We are receiving many site visit requests. Do we have to facilitate them all?	12
36. Last year, we had companies out. Do we need to start this process again or can we continue on with the process?	13

Evaluation Process / Appointment of Service Provider	13
---	-----------

37. How do we make sure our criteria (aside from price) are seen by the service providers?	13
38. What is meant by MEAT? Sounds like the same as lowest price. I was told the price per pupil is fixed so when marking the tender are we allowed to select on other criteria and if so, what are the allowable criteria?	13
39. So quality is irrelevant; it's all down to price?	13
40. Do you have to go with the cheapest tender?	13
41. Can I appoint a service provider based on the food taste?	13
42. Do I have to evaluate the proposals if the estimated value of my contract is less than €50,000?	14
43. Do we have to provide feedback in the result letter?	14
44. Can we provide scores only in the result letters?	14
45. Can we do food sampling / food tasting? We have received food samples; how can we assess them? Are we allowed to organise food tasting with the companies that organised site visits?	14

Joint Procurement	14
--------------------------------	-----------

46. We are a new school with a small number of students and located on the same site as an existing school and have only been able to access school meals because of the larger primary school. Procurement is difficult as we rely on the other school to secure a contract and essentially have to "piggyback" from this contract for school meals. How can we do this in line with policy?	14
---	----

ETENDERS / OJEU	15
------------------------------	-----------

eTenders Account.....	15
47. We have recently used eTenders for another tender project (e.g. Minor Works). Can we use the same account to publish a tender for School Meals?	15
Publishing a Tender / Tender Process.....	15
48. How long is the process for publishing a tender on eTenders?	15
49. Can I save a draft of my CfT on eTenders and finish the publication at another time?	16
50. If you start the publication process on eTenders and don't get a chance to finish it in one sitting, can you save what you have done and come back to it later?	16
51. Evaluation Mechanism: what option for this field on eTenders?	16
52. Do we need to upload the whole CFT document, including appendices?	16
53. Do we need to upload the TRD at the time we upload the CFT document on eTenders?	16
54. When you publish the tender, do you need to obtain a certain number of tenders from potential service providers?	16
55. What happens if there is only one reply (tender submission) on eTenders?	16
Expression of Interest.....	17
56. We have received some Expressions of Interest. Should we invite them all to attend to a site visit?	17
Unlocking Tenders / Accessing Submissions	17
57. We have received a tender submission. How can we access it?	17
OJEU	17
58. What's the difference between eTenders and OJEU?	17
FOOD BUSINESS OPERATORS (FBOS).....	18
59. What is a Food Business Operator (FBO)?	18
60. Why should School Boards of Management not sign contracts that make them FBOs?	18
61. What statutory compliance and certification are FBOs responsible for, in the School Meals Programme?	18
62. Who must be responsible for food waste management?	18
63. Can you confirm that when we use all the mandatory procurement templates and documents, the service provider is automatically the FBO and responsible for all food law requirements, etc., and not the school?	18
SCHOOL STAFF AND FBO STAFF	19
64. Can school representatives or staff be involved in food handling activities?	19
65. Can school staff accept payments, gifts, or inducements from tenderers or FBOs?	19
66. What are the requirements for FBO staff working in schools?	19
CONTRACT MANAGEMENT.....	20

67. What is the role of Boards of Management once the contract is signed?	20
68. How should Boards of Management manage meal orders and invoices?	20
69. How does the contract template support contract management?	20
70. What happens if an FBO consistently fails to meet KPIs?	20

FOOD QUALITY.....	21
--------------------------	-----------

71. How should schools monitor food quality?	21
72. What should schools do if they have concerns about nutrition standards or food quality?	21

FUNDING / BANK ACCOUNT / SLA.....	22
--	-----------

73. Do we need to open a separate bank account for the programme?	22
74. We set up a new bank account for meals – should we send details to the Department now, or complete procurement first?	22

Procurement

Procurement Rules / Spending Thresholds / Contract Value

1. What are the procurement requirements for the provision of School Meals?

In line with National Public Procurement Rules, for contracts with an estimated value of less than €50,000, a minimum of 3 written proposals is required. For contracts valued between €50,000 and €750,000, a tender must be published on the eTenders platform. If the contract value is more than €750,000, a tender must be published on both eTenders and Official Journal of the European Union (OJEU).

2. How should I estimate the contract value?

The contract value must be estimated over the term of the contract, including any possible extensions. The contract term in the CFT template provides that schools are tendering for a 1-year contract with the possibility to extend the contract for a further two 1-year terms, up to a maximum of 3 years. In this case, the school should multiply the number of students times 180 (number of days per year) times 3 (the number of years, including all possible extensions) times the meal(s) rate.

Schools can use the Calculator available at the [Cold Lunches page](#) on the SPU website to estimate their contract value.

3. How can the value of the contract be determined when student numbers rise and fall?

The contract value is based on the current number of students as the potential total number of meals to be ordered and it is clearly stated in the CFT, Appendix 2, document that this is an estimate: *“Tenderers should note that it is not mandatory for students in the school to avail of the club(s) on any given day or at all and that the successful Tenderer will only be paid for meals requested by parents/guardians. Estimated volumes provided in this CFT are indicative only and are subject to fluctuation. The exact number of students availing of the meals will vary on a week-to-week basis.”*

Please note: In some cases, similar questions have been grouped together with a single response provided below.

4. Do we have to tender every year?

5. If you put in the 3-year value, can you still just award a 1-year contract and not be tied to one company for three years?

Please note that the CFT is for a 1-year contract with the possibility to extend the contract for a further 2 1-year terms, up to a maximum of 3 years, as per extracts from sections 1.4 and 1.5 of the CFT below:

“1.4 Any Services Contract that may result from this Competition will be issued for a term of one (1) year (“the Term”).”

“1.5 The Contracting Authority reserves the right to extend the Term for a period or periods of up to one (1) year with a maximum of two (2) such extension or extensions on the same terms and conditions, subject to the Contracting Authority’s obligations at law.”

The contract on offer will be for 3 years with an in-built break mechanism after each year.

6. Do I have to tender if the estimated value of my contract is less than €50,000?

In line with National Public Procurement Rules, for contracts with an estimated value of less than €50,000, a minimum of 3 written proposals must be sought. Please refer to the [Cold Lunches page](#) on the SPU website for further guidance.

7. If we cannot get 3 written proposals for a contract less than €50,000, is requesting 3 tenders adequate?

The school must seek a minimum of three written proposals. If the school receives less than three responses, the school can evaluate the proposals received and award a contract thereafter to the best valid proposal.

8. My 1-year contract is less than €50,000, can I proceed without procurement?

No, per the guidance, your contract value must be estimated over a 3-year maximum term and even if your 3-year contract was under 50k as per public procurement rules a procurement still needs to be carried out using the less than €50k CFT. Please visit the [Cold Lunches page](#) for guidance.

9. How are new enrolments handled within the contract during the term?

The contract value is based on the current number of students as the potential total number of meals to be ordered and it is clearly stated in the CFT, Appendix 2, document that this is an estimate: *“Tenderers should note that it is not mandatory for students in the school to avail of the club(s) on any given day or at all and that the successful Tenderer will only be paid for meals requested by parents/guardians. Estimated volumes provided in this CFT are indicative only and are subject to fluctuation. The exact number of students availing of the meals will vary on a week-to-week basis.”*

Please note: In some cases, similar questions have been grouped together with a single response provided below.

10. With cold lunch/afterschool club capped at €1.40 or €1.70 per child, what is the purpose of tendering and going through the process of 3 proposals?

11. Why there is a need for all this tendering when the price is the same from all providers?

Public procurement law defines that there must be a competitive process when awarding contracts to service providers and expending public monies.

12. Can I follow the same guidance for publishing a tender if my estimated contract value is above €750,000?

Specific document templates and guidance for publishing tenders above the €750,000 threshold will be available at the [Cold Lunches page](#) on the SPU website.

Please note: In some cases, similar questions have been grouped together with a single response provided below.

13. Our school is happy with the current service provider. Can we continue on a rolling contract?

14. We currently have a service provider in place. Can we renew our contract with them instead of going to tender?

15. If a school ran a procurement process last year, do they have to do it again this year?

16. We had a contract with a service provider last year. We are using the same service provider this year. Do we now have to re-tender?

17. If you are starting year two of a three-year contract, do you need to start a new contract? In relation to this, do you need to engage with the procurement process at this point?

18. As we have a contract, when do we need to do a new procurement/tender?

Whether you can continue with your current service provider depends on three key factors:

1. **Original Procurement Compliance:** How the initial contract was awarded (i.e., if it followed proper public procurement procedures).
2. **Contract Term:** All public contracts have a defined term, meaning they are only valid until the agreed-upon end date, after which a new procurement process must be completed.
3. **Value of the Contract:** The contract is only valid for the total value as estimated in the original procurement process. If the spending reaches that limit before the end of the contract term, the contract is exhausted, and a new procurement process must be started.

If the original process was not procurement compliant, or if the contract term has expired, or if the total value has been exhausted, a new, compliant procurement process must be conducted. You must apply for funding annually to DSP.

19. As a former non-DEIS pilot school with a continuation letter, we wish to change service providers now, what should we do?

All contracts must have a start and end date. If out of contract, you must complete a procurement process using the new template documentation available at the [Cold Lunches page](#) on the SPU website.

20. Is the process only for new schools joining the scheme, or do current participant schools also need to complete it?

New schools and schools currently out of contract must use the new template documentation available at the [Cold Lunches page](#) on the SPU website.

21. We are not happy with our current service provider, and our plan is to move in the near future. Our contract is out this November. What should we do?

The school is advised to retender now.

22. We have applied and received notification that we been approved our funding. Do we have to do anything?

Please visit [Cold Lunches page](#) on the SPU website for guidance.

Please note: In some cases, similar questions have been grouped together with a single response provided below.

23. Only one service provider is willing to service us. What do we put onto the eTenders for this?

24. There is only one company that provides meals in the area. Do we still have to publish a tender?

We completely understand that anecdotal evidence or individual experience may suggest that there is only one company available to provide the required services. However, this previous knowledge does not remove the requirement to formally advertise the opportunity on eTenders when the contract value is above €50,000. By publishing a tender, the school, as a contracting authority, fulfils its due diligence obligation to formally test the market and identify all viable service providers.

A school will not know how many service providers will tender until they open the tender box. If the school gets only one valid Tender which meets the award criteria a school can

award the contract to that service provider. In all cases, where a contract is in excess of €50,000, you must advertise a tender on the eTenders platform.

25. Could this process be simplified? Could there be a template with more of the information filled in?

No, DEY has developed a CFT where a school only needs to insert the bare minimum of details relevant to their school only. Every effort has been made to simplify the process with the production of written and video guidance for all tasks, available on the SPU website. The clear advice is to follow this guidance closely because it will enable you to successfully complete the list of tasks. The edits required to the tender documents have been reduced to the absolute minimum, in terms of time and input.

26. Should we survey parents on hot vs cold lunches before going to tender, and do schools have a choice between hot or cold?

This is a decision for the school. Schools can choose to opt in or out of either the hot meal or cold lunch but cannot have a mix of both. There are no minimum number of pupils required. Full school enrolment numbers should be used in the tender.

Procurement Documents

27. There are nearly 100 pages of documentation in the CFT. Do we only amend the areas highlighted in yellow or with brackets?

The only parts of the document that should be edited are the areas highlighted in yellow or that has an instruction against it.

The contract does not need to be edited before publishing the Tender. It will have to be completed prior to signing the contract with the winning party, though. Schools must not edit or delete any sections for tender publication other than highlighted areas in:

- Cover page
- Page 3
- Page 4
- Page 5

Complete the Cold Lunch and/or Afterschool Club CFT and TRD – Video Guide, available on the [Cold Lunches pages](#) of the SPU website, covers all sections that must be completed.

28. Do we note 180 school days even if we are starting in January?

Yes.

29. Would you be able to clarify the time commitment required to read the documents, prepare the CFT/TRD, liaise with companies, evaluate tenders, ensure compliance, and monitor the service?

Unfortunately, schools have to adhere to all the steps in public procurement which takes time. The process has been streamlined as much as possible for schools.

30. What's the school's 'legal name'? The name used by the Department of Education and Youth?

It's the official name of the school, don't use shortened versions as they are not legally binding.

31. If our funding includes snacks, do we include snack costs in the same calculator?

No, the calculator is designed for Cold Lunch and/or Afterschool Club only.

32. If very happy with our current service provider, can we use their standards as the basis of procurement?

No. It is compulsory to use the new procurement template documentation, available at the SPU website.

Site Visit / Previous Engagement

33. A service provider visited our school before the tender process. Do they have to visit the school again during the tender process?

Yes, they do. Any visits to the school campus by prospective service providers that occur outside of the procurement process/timeline have no standing within the formal tendering process and cannot be recognised as site visits.

34. We currently have a service provider in place. Do they need to attend the site visit?

Yes, they do. Any prior engagement or local knowledge/familiarity with/by the incumbent service provider can have no standing within the formal tendering process and cannot be recognised as site visits.

35. We are receiving many site visit requests. Do we have to facilitate them all?

Site visits are mandatory as per tender documentation. Therefore, yes, the school must facilitate all prospective tenderers (service providers) who request an appointment to visit

the school. For the avoidance of doubt, an Expression of Interest is not a request for a site visit appointment. You can refer to sections 2.20 and 3.3 of your CFT document to read more about it. The school has discretion when scheduling the timing of site visits and, for its own operational reasons, can arrange group visits i.e. schedule more than one service provider to attend at the same timeslot.

36. Last year, we had companies out. Do we need to start this process again or can we continue on with the process?

Any previous engagement or visits to the school campus by prospective service providers that occurred outside of the procurement process/timeline have no standing within the formal tendering process and cannot be recognised as site visits for a new procurement process.

Evaluation Process / Appointment of Service Provider

Please note: In some cases, similar questions have been grouped together with a single response provided below.

37. How do we make sure our criteria (aside from price) are seen by the service providers?

38. What is meant by MEAT? Sounds like the same as lowest price. I was told the price per pupil is fixed so when marking the tender are we allowed to select on other criteria and if so, what are the allowable criteria?

39. So quality is irrelevant; it's all down to price?

40. Do you have to go with the cheapest tender?

As the DSP school meal scheme sets the fees per meal type, the cost is not evaluated. The evaluation mechanism for procuring school meals is Most Economically Advantageous Tender (MEAT). In simple terms, it means that tenders will be evaluated against criteria other than cost only, e.g. qualitative criteria. The award criteria for procuring Cold Lunch and/or Afterschool Club are set out in section 3.3 of the CFT document and are fixed.

41. Can I appoint a service provider based on the food taste?

No. The tender process is a paper-based exercise, and tenders or proposals must be evaluated against the award criteria stated in the CFT in order to select the most advantageous proposal.

42. Do I have to evaluate the proposals if the estimated value of my contract is less than €50,000?

Yes. The evaluation process is essential to ensure that the school is selecting the most advantageous proposal and also to guarantee that the appointed service provider complies with all requirements regarding food law, building regulations, health and safety, etc.

43. Do we have to provide feedback in the result letter?

Yes. The valid award of contracts is intertwined with providing adequate reasons for procurement decisions (i.e. the rationale for awarding marks). A sufficiently bespoke statement (by criterion) of reasons must be provided to each unsuccessful tender. If adequate reasons are not provided, then the entire process may be open to a legal challenge.

44. Can we provide scores only in the result letters?

No. The valid award of contracts is intertwined with providing adequate reasons for procurement decisions (i.e. the rationale for awarding marks). A sufficiently bespoke statement (by criterion) of reasons must be provided to each unsuccessful tender. If adequate reasons are not provided, then the entire process may be open to a legal challenge.

45. Can we do food sampling / food tasting? We have received food samples; how can we assess them? Are we allowed to organise food tasting with the companies that organised site visits?

Please note that the tender process is a paper-based exercise, and tenders must be evaluated solely against the award criteria stated in the CFT in order to select the most advantageous tender. Food samples and/or food tastings are not part of the award criteria and, therefore, cannot be part of the tender process. Please see section 3.3 of CFT for details on the award criteria.

Joint Procurement

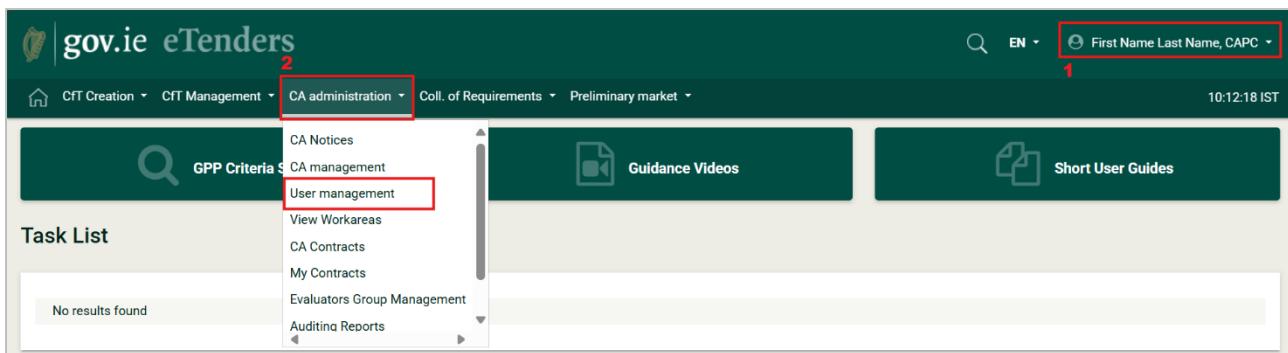
46. We are a new school with a small number of students and located on the same site as an existing school and have only been able to access school meals because of the larger primary school. Procurement is difficult as we rely on the other school to secure a contract and essentially have to "piggyback" from this contract for school meals. How can we do this in line with policy?

As part of a joint initiative, it is possible for a large school to include the needs of the smaller school within their tender documents. For help and advice in this specific case, visit www.spu.ie and complete the 'Contact Us' form.

eTenders Account

47. We have recently used eTenders for another tender project (e.g. Minor Works). Can we use the same account to publish a tender for School Meals?

Yes. If it is an active school's account in the new eTenders platform (launched May 2023), and which has a CAPC role assigned to it, then it can be used to create and publish a CfT for School Meals or any other call for tenders that the school requires. The role assigned to the profile is visible on the top right corner, next to the account's contact name (see figure below, at position number 1). Alternatively, it can be checked by accessing the page "User management", under the menu "CA administration" (see figure below, at position number 2).



Further information on setting up an eTenders account is available at the [eTenders Guides page](#) of the SPU website.

Publishing a Tender / Tender Process

48. How long is the process for publishing a tender on eTenders?

An indicative timeframe for completing this process is approximately 3 hours for someone with no prior experience with eTenders. Please make sure you allow sufficient time to complete all tasks at one sitting. Please note that if you appoint a service provider on foot of an eTenders public procurement process, the arrangement is intended to cover service provision over a 3-year period, and therefore the process will not have to be repeated until 3 years hence.

Please note: In some cases, similar questions have been grouped together with a single response provided below.

49. Can I save a draft of my CfT on eTenders and finish the publication at another time?

50. If you start the publication process on eTenders and don't get a chance to finish it in one sitting, can you save what you have done and come back to it later?

Yes. However, it is recommended to complete all tasks at one sitting to avoid inconsistencies with the dates/timeline of the tender process. Most importantly, all dates stated within your tender documents, and on the eTenders Workspace, must match exactly.

51. Evaluation Mechanism: what option for this field on eTenders?

On eTenders, you must select 'Most Economically Advantageous Tender (MEAT)' as the Evaluation Mechanism. Both written and video guide entitled **Create & Publish a Call for Tender for Cold Lunch and/or Afterschool Club on eTenders** available in the [Cold Lunches pages](#) on the SPU website contain recommended input for this and all other fields. Please refer to the guide which is appropriate to your contract value.

Please note: In some cases, similar questions have been grouped together with a single response provided below.

52. Do we need to upload the whole CFT document, including appendices?

53. Do we need to upload the TRD at the time we upload the CFT document on eTenders?

Yes, schools must upload complete CFT and TRD (all pages included), and any other applicable documents (e.g. the European Single Procurement Document – ESPD where the contract value is above the €750,000 threshold). You will need to refer to the written and video guidance appropriate to your estimated contract value, to be found in the [Cold Lunches pages](#) on the SPU website, for both completing the procurement documents and for the process of publishing them on eTenders. The clear advice is to follow this guidance closely because it will enable you to successfully complete the list of tasks.

54. When you publish the tender, do you need to obtain a certain number of tenders from potential service providers?

There is no minimum number of tenders to be received.

55. What happens if there is only one reply (tender submission) on eTenders?

If it's a valid proposal, that meets the minimum requirements threshold at evaluation, then a contract can be awarded.

Please note: In some cases, similar questions have been grouped together with a single response provided below.

Expression of Interest

56. We have received some Expressions of Interest. Should we invite them all to attend to a site visit?

Expressions of Interest mean that potential tenderers (service providers) are reading the school's tender documentation. It does not mean that they will all submit a tender, and there is no action needed from the school in this regard.

Unlocking Tenders / Accessing Submissions

57. We have received a tender submission. How can we access it?

All submissions will only be accessible for download 30 minutes after the tender deadline has passed. Until then, no submissions can be accessed. Guidance will be available at the [Cold Lunches pages](#) on the SPU website.

OJEU

58. What's the difference between eTenders and OJEU?

OJEU stands for The Official Journal of the European Union, a platform where tenders above the €221,000 threshold must be published, in addition to the eTenders platform. As school meals are covered under the light touch regime, the publishing threshold is €750,000.00.

Once the school follows all steps of the guide **Create & Publish a Call for Tender for Cold Lunch and/or Afterschool Club on eTenders (above €750k)**, available in the [Above €750k Procurement Threshold page on the SPU website](#), the tender will be published on eTenders, and eTenders will link with OJEU so it will be automatically published there as well. It is important to note that, in this case, the tender will be “pending publication” until it is up on OJEU, then the status will change to “published”. This can take a few days.

Food Business Operators (FBOs)

59. What is a Food Business Operator (FBO)?

According to Regulation (EC) No 178/2002 of the European Parliament and of the Council Art.3 (3), a 'food business operator' means the natural or legal persons responsible for ensuring that the requirements of food law are met within the food business under their control.

60. Why should School Boards of Management not sign contracts that make them FBOs?

This is to protect schools and to ensure that schools do not become Food Business Operators (FBOs) and incur the additional legal responsibilities that would ensue. The service provider must be the FBO.

61. What statutory compliance and certification are FBOs responsible for, in the School Meals Programme?

The FBO is responsible for statutory compliance and certification, including building regulations, fire safety, and food safety requirements relating to any works or installations needed for providing School Meals in existing schools. FBOs must comply with Building Regulations, Statutory & Planning Compliance, Fire Safety, Food Hygiene Standards, Health & Safety, Services & electrical capacity, Waste management, and ensure there is no compromise of existing school's educational facilities. FBOs must also comply with Food Law, specifically hygiene, food labelling, and allergen controls.

62. Who must be responsible for food waste management?

The FBO is responsible for waste prevention and for the management of all food waste and recycling arising from the provision of School Meals as is outlined in the new CFT., and all associated costs are to be borne by the FBO.

63. Can you confirm that when we use all the mandatory procurement templates and documents, the service provider is automatically the FBO and responsible for all food law requirements, etc., and not the school?

When the CFT is used correctly the FBO has full responsibility.

School Staff and FBO Staff

64. Can school representatives or staff be involved in food handling activities?

The Successful Tenderer shall provide, recruit and train such staff and management as are required to provide to the full satisfaction of the Contracting Authority the delivery of the Services in all respects.

School staff may place Club food on their student's desk only. For the avoidance of doubt, this "in loco parentis" activity must not extend to the responsibility for or activities involving the storage or maintenance of temperature control of the meals by non-FBO contracted staff.

65. Can school staff accept payments, gifts, or inducements from tenderers or FBOs?

Absolutely not. In line with Public Procurement best-practice, school staff must not accept pay, gifts, cash, or any other inducements from tenderers or FBOs.

66. What are the requirements for FBO staff working in schools?

FBOs must provide fully trained and Garda vetted staff, including evidence documentation as required and set out in the CfT document, to conduct any work related to the provision of School Meals on the school premises.

Contract Management

67. What is the role of Boards of Management once the contract is signed?

Boards of Management must ensure that the school manages the performance of the FBO to ensure consistency and quality of the service in the provision of school meals, including logistics and quality/variety of food.

68. How should Boards of Management manage meal orders and invoices?

Boards of Management must ensure the school monitors and records the number of meals ordered and delivered and reconciles this against service provider invoices before payment is made.

69. How does the contract template support contract management?

The contract template includes Key Performance Indicators (KPIs) that schools should use to measure the FBO's performance over the contract term.

70. What happens if an FBO consistently fails to meet KPIs?

If the FBO continuously fails to achieve the agreed KPIs, the FBO must provide a Performance Improvement Plan (PIP) on request from the school, by way of confronting sub-optimal or non-performance of the contract. If the FBO fails to successfully complete the PIP to the school's satisfaction, the school has the right to terminate the contract, under the termination clauses as stated in the CFT and Service Contract.

Food Quality

71. How should schools monitor food quality?

Schools must monitor the ongoing quality of the meals provided to ensure that they adhere to the Healthy Ireland Nutrition Standards for School Meals.

72. What should schools do if they have concerns about nutrition standards or food quality?

Any concerns regarding nutrition standards or food quality should be immediately raised with the FBO and measured against the agreed KPIs. If the FBO continuously fails to achieve the KPIs, the FBO must provide a Performance Improvement Plan (PIP) on request from the school. If the FBO fails to successfully complete the PIP to the school's satisfaction, the school has the right to terminate the contract, under the termination clauses as stated in the CfT and Service Contract.

Funding / Bank Account / SLA

73. Do we need to open a separate bank account for the programme?

Yes.

74. We set up a new bank account for meals – should we send details to the Department now, or complete procurement first?

You should complete procurement first and then submit your completed application for funding to the Department of Social Protection.

Any queries related to scheme, e.g. funding approval, bank account, Department of Social Protection's SLA, etc, should be directed to the School Meals Section of the DSP. Please see their contact details below:

Website: www.gov.ie/SchoolMealsScheme/

Email: School.meals@welfare.ie

Telephone: 071 9138625

There is separate list of FAQs for general School Meals available on the Department of Social Protection Website at [School Meals Scheme: Your questions answered](#).

[End of FAQ document].