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National Health Service in Scotland
Management Executive

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Dear Colleague

WELFARE FOOD SCHEME: DISTRIBUTION ARRANGEMENTS

Summary

1. This letter consolidates and updates previous guidance on the statutory responsibilities of Health Boards and Trusts for the distribution of dried babymilks (infant formulas) and vitamin drops. It provides detailed guidance notes for all staff involved in the planning, purchasing, supply and distribution of welfare foods.

Background

2. The Government remains fully committed to the promotion of breastfeeding as the best way to nurture a baby in the first few months of life. It is the statutory responsibility of Health Boards, however, to ensure adequate arrangements for the distribution of dried babymilk (infant formula) and vitamins to beneficiaries under the Welfare Food Scheme. This forms part of the general responsibilities for ensuring adequate child and maternal health provision established by the NHS (Scotland) Act 1978 and the NHS (Functions of Health Boards) (Scotland) Order 1983, as amended. These responsibilities are shared by those Trusts which Health Boards have appointed to distribute welfare foods.

3. SOHHD have periodically issued guidance to Health Boards and Trusts on how they should fulfil their statutory obligations in this area. Following the recent decision not to pursue further proposals for a national pharmacy framework, updated guidance is required. The revised guidance at Annex A updates the guidance contained in Circular SHHD/DGM(1989)24.

Action

4. This letter should be brought to the attention of staff involved in planning and managing welfare food distribution and staff in maternity and child health clinics and other welfare food distribution centres, including those managed by general practitioners. It should also be brought to the attention of all purchasing and supplies staff.

Yours sincerely

[Signature]
DAVID R STEEL
Director of Corporate Affairs

MMU00432

Addressees

For action:
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GUIDANCE NOTES

General

1. Each Health Board and Trust should monitor and regularly review the adequacy of the distribution arrangements for dried baby milks and vitamins in its own catchment area. Reviews are of particular importance at times of significant organisational or structural change.
2. The key measures for monitoring and review are:-
 - quality of service - ensuring that local arrangements meet the needs of the local beneficiary population. Account should be taken of the direct views of beneficiaries and of health and social care professionals concerned with pregnant mothers and children under 5; and
 - cost - ensuring that local arrangements offer best value for money in relation to expenditure which is met by The Scottish Office Home and Health Department (SOHHD) as well as expenditure met by the Health Board or Trust itself.

Options for distribution outlets

3. Most Welfare Food Scheme dried baby milks and vitamins are distributed through maternity and child health clinics. In recent years, however, an increasing number of Health Boards and Trusts have chosen to make local distribution arrangements through non-clinic outlets, either wholly or partly replacing clinics. Local community pharmacies have been the choice in some areas, in others local retailers or GPs' premises. Local arrangements can continue to be made but Health Boards and Trusts should ensure that outlets are adequate for local beneficiary needs, suitably located within reasonable distances of beneficiaries' homes and offer convenient opening times. It is for local managers to decide whether or not the presence of a health professional at the distribution outlet is desirable.
4. Whilst Health Boards and Trusts can legitimately designate an outlet other than a clinic as a welfare food distribution centre, care should be taken to ensure that local contractual arrangements with community pharmacies or retail outlets do not give rise to financial and other problems for the Health Board and Trust or for SOHHD. Any existing or planned arrangements involving non-clinic outlets need to be carefully assessed, particularly in the light of the reimbursement principles set out below.

Reimbursement

5. All Health Boards and Trusts should be aware of the following principles which apply equally to distribution through clinics and non-clinic outlets:-
 - SOHHD will reimburse Health Boards and Trusts at not more than the actual cost for dried baby milks;

- with effect from 1 July 1995 the standard unit for reimbursement for dried babymilk will be a 900 gramme pack only (MEL(1995)26 refers);
- Health Boards and Trusts must bear all additional costs above actual prices, whether they relate to additional product costs, fees payable to non-clinic outlets or local administration/distribution costs;
- SOHHD will reimburse Health Boards and Trusts for the actual cost of vitamin tablets and drops supplied to Welfare Food Scheme beneficiaries in receipt of Income Support.

Free and subsidised supplies of dried babymilks

6. Since 1 March 1995 when the Infant Formula and Follow-on Formula Regulations 1995 (SI 1995 No 77) came into force, it has been an offence for a manufacturer or distributor of infant formula to provide free, reduced or discounted supplies through the health care system with a view to promoting sales to mothers and the general public. The Regulations prohibit advertising of infant formula at any point of sale. Any leaflets on infant feeding made available at a clinic or welfare food distribution centre must emphasise the benefits and superiority of breastfeeding in order to comply with the Regulations.

Product stocks

7. Health Boards and Trusts are obliged to provide sufficient dried babymilks to meet the reasonable requirements of their local beneficiary population. Within this context, stocking all brands of dried babymilk available under the Scheme is not obligatory. The minimum requirement is that there should be a choice of at least 2 brands of whey dominant and 2 brands of casein dominant dried babymilk. Independent expert advice is that all brands of dried babymilk available under the Scheme are satisfactory and indistinguishable in terms of nutrition and health. Given the need to safeguard public funds the brands stocked should be those available at the lowest prices to the NHS.

Distribution to beneficiaries

8. Health Boards and Trusts will wish to ensure that staff at maternity and child health clinics and other welfare food distribution centres are fully aware of the provisions of the Welfare Food Scheme, particularly in relation to dried babymilks and vitamins. Attached at Annex B is an aide memoire setting out the main provisions of the overall scheme and the entitlements relating to dried babymilks and vitamins.

Issuing and recording of welfare foods

9. Health Boards and Trusts need to ensure that welfare foods are issued to eligible beneficiaries only and that adequate records are kept of:-

- A. Free issues: the issue of dried babymilks free of charge to Income Support beneficiaries in exchange for a dried milk token and of vitamins on production of proof of entitlement;
- B. Family Credit sales: the sale of dried babymilks at a specified reduced price to Family Credit families, on production of proof of entitlement.

A - Free issues

10. Clinics and other welfare food distribution centres should only accept tokens stamped in the right hand box (the box showing a tin of dried babymilk) in exchange for 900 grammes of dried babymilk. Tokens stamped in the left hand box (the box showing a bottle of liquid milk) must not be accepted; beneficiaries should be advised to take any such liquid milk tokens to their Benefits Agency office.

11. The brand of dried babymilk issued in exchange for each token should be recorded in the appropriate box on the reverse of the token.

12. Mothers' and Children's Vitamin Drops should be issued to pregnant women and children under 5 in Income Support families. Vitamin tablets, which contain a higher Vitamin A content, should be issued only to breastfeeding mothers in Income Support families. Each issue of free vitamins should be recorded on a locally designed form similar to that designed for Family Credit sales (see paragraph 14). The form should record the beneficiary's name and National Insurance number, the date, details of the product supplied and the beneficiary's signature. It should be retained for audit purposes.

B - Family Credit sales

13. Clinics and other welfare food distribution centres should allow the purchase of 900 grammes of dried babymilk per week at the reduced price specified in the Welfare Food Regulations 1988 (as amended) for each child under one in a family receiving Family Credit. The reduced price specified in the Regulations currently is £3.55 per 900 gramme with effect from 22 May 1995. This price will be amended (usually annually) and notified separately to Health Boards and Trusts.

14. Health Boards and Trusts are required to record each purchase of reduced price dried babymilk on a list designed to suit local needs and which the purchaser is required to sign. Although these forms are designed locally, they should all contain the following minimum information:-

- beneficiary's name and National Insurance number
- brand and quantity of dried babymilk purchased
- date of purchase
- beneficiary's signature

The completed forms should be retained by Health Boards and Trusts for audit purposes.

Prevention of Fraud and Abuse

15. Health Boards and Trusts should ensure that appropriate measures are in place to prevent and detect fraud and abuse against the Welfare Food Scheme.

16. Each milk token offered in exchange for dried babymilk should be carefully examined to ensure that it is stamped for dried babymilk, is within its period of validity and is not forged or suspect in any other way (for example, on a list of stolen tokens issued by the Department of Health's fraud team). Tokens are valid for the week in which they are date stamped and for the following 4 weeks. Any person tendering a liquid milk or out-of-date token should be referred to their Benefits Agency office. More specific scrutiny may be necessary from time to time to detect forged and stolen tokens in accordance with periodic advice issued by SOHHD or the Department of Health.

17. Staff in clinics and other welfare food distribution centres may ask any person who tenders a dried milk token to produce their Income Support Book or the payment letter from the Benefits Agency indicating the beneficiary's entitlement to Income Support. In addition, in cases of doubt, they may ask for proof that the child is under one. If the response to these requests gives rise to suspicion of fraud or abuse, staff should point out that obtaining dried milk for someone other than a child under one in a family on Income Support is illegal.

18. Family Credit beneficiaries are entitled to purchase 900 grammes of dried babymilk per week in respect of children aged under one year. The Welfare Food Regulations contain a specific power to enable those persons responsible for the sale of dried babymilk to Family Credit recipients to require documentary proof that the child in question is aged under one year. This power covers staff in clinics or other welfare food distribution centres.

19. If staff are in any doubt as to entitlement, they should request documentary proof of the child's age. Examples of documents which would provide the necessary proof are birth certificates or child benefit order books.

20. Family Credit beneficiaries may purchase dried babymilk at the specified reduced price either up to 4 weeks in arrears or 4 weeks in advance of an application to purchase provided that entitlement to Family Credit for each of the relevant weeks can be demonstrated satisfactorily.

21. Advice on any cases of suspected fraud or abuse can be obtained from SOHHD or from:

Welfare Foods Fraud Prevention Team
Skipton House
80 London Road
LONDON
SE1 6LW
Telephone: 0171-972 6548

Accounting procedure

22. There is no change in the arrangement whereby Health Boards and Trusts complete quarterly returns on form WF6, requesting:-

- payment for vitamin tablets and drops issued free against evidence of entitlement;
- payment for brands of dried babymilk supplied free of charge against dried milk tokens;
- payment of the difference between receipts from the sale of specified reduced price babymilks and the cost of those babymilks to the Health Board or Trust.

Health Boards and Trusts should ensure that forms WF6 are completed and returned to SOHHD by the last working day of the month following the end of each quarter. Form WF6 has recently been revised and a copy which can be reproduced locally is at Annex C.

Monitoring and control

23. Finance Officers should make arrangements for the lists signed by the persons who purchase dried babymilk at the specified reduced price available to children under one in Family Credit families to be examined from time to time, with the object of checking that individuals' entitlement is not being exceeded by applying for the reduced priced babymilk to more than one clinic or welfare food distribution centre in the course of the same week. Health Boards or Trusts maintaining welfare babymilk outlets near a boundary with another Board or Trust may wish to consider exchanging lists.

24. Health Boards and Trusts are asked to display prominently, in every welfare food outlet, a notice which warns that it is a criminal offence punishable under the Welfare Food Regulations to obtain free or reduced price welfare babymilks or free welfare vitamins beyond the entitlement provided by the Regulations. It is also an offence to make any use of free or reduced price babymilks or free vitamins, or of milk tokens, other than as specified in the Regulations. Anyone guilty of such an offence is liable, on summary conviction, to a fine of up to £1,000. (A sample poster which can be reproduced locally is attached at Annex D.)

25. Health Boards and Trusts should make adequate arrangements to safeguard accepted tokens. They should be cancelled on receipt and stored by secure means until reimbursement for them has been received: they should then be destroyed immediately.

SUMMARY OF PROVISIONS AND ENTITLEMENTS UNDER THE WELFARE FOOD SCHEME

Families in Receipt of Income Support

Entitlement

Expectant and breastfeeding mothers and children aged under 5 years in receipt of Income Support are entitled to receive the following, free of charge:-

Milk

Children aged under 5 and breastfeeding mothers may receive 7 pints or 8 half-litres of liquid cows milk per week. Infants aged under one who are not being breastfed may receive instead 900 grammes per week of dried babymilk (infant formula). Dried babymilk is nutritionally preferable to liquid cows milk for infants before the age of one.

Vitamin supplements

Supplements of vitamins A, C and D are recommended for good nutrition for all expectant mothers, breastfeeding mothers and children aged under 5. These are available to Income Support beneficiaries in these groups free of charge.

Milk Tokens

In order to aid the distribution of welfare milk, tokens are issued to beneficiaries receiving Income Support. Tokens are stamped on issue as valid for liquid milk or dried babymilk. A token stamped for liquid milk is exchangeable for 7 pints (or 8 half-litres) of liquid cows milk at a wide range of shops or with milk roundsmen. Provided that a beneficiary is aged under one, a token stamped for dried milk is exchangeable for 900 grammes of dried babymilk from a range of specified proprietary brands which are obtainable only at an NHS maternity or child health clinic or welfare food distribution centre.

Dried Babymilk

The following brands of dried babymilk may be supplied under the Welfare Food Scheme:

<u>Whey dominant</u>	<u>Casein dominant</u>
Boots Formula 1	Boots Formula 2
Cow & Gate Premium	Cow & Gate Plus
Farleys First	Farleys Second
Milupa Aptamil	Milupa Milumul
SMA Gold	SMA White

Vitamins

Tokens are not issued for vitamins. Income Support beneficiaries demonstrate their entitlement to free welfare vitamins by producing documentary evidence, eg an Income Support order book or award letter from the Benefits Agency.

The scale of entitlement to free vitamins is:

Expectant mother (<u>vitamins drops</u>)	2 x 10 ml bottles of vitamin drops every 13 weeks for the duration of pregnancy
Breastfeeding mother (<u>drops or tablets</u>)	5 x 45 tablet containers or 5 x 10 ml bottles of drops in total
Child under 5 (<u>drops</u>)	2 x 10 ml bottles of drops every 13 weeks

Families in Receipt of Family Credit

Family Credit families have no entitlement to free welfare foods (neither milk nor vitamins). However, they are entitled to purchase, for each child aged under one who is not being breastfed, 900 grammes of dried babymilk per week at a reduced price. This price is revised each year in line with Social Security benefit levels and the new price is notified to Health Boards and Trusts.

Members of Family Credit families demonstrate their entitlement to purchase dried babymilk by producing documentary evidence, eg their Family Credit order book or a letter from the Family Credit Unit which indicates their entitlement to Family Credit. Additionally, they may be asked to provide documentary proof that the child in question is aged under one, for example a birth certificate or child benefit order book.

In normal circumstances, no more than one week's supply of reduced price babymilk may be purchased at any one time. However, a person may purchase reduced price babymilk either up to 4 weeks in arrears or 4 weeks in advance provided that person satisfies the clinic or welfare food distribution centre as to entitlement for the weeks in respect of which the milk is purchased. This provision is intended to cover temporary absences from home and other occasional difficulties.

Children Under 5 in Day Care

Any child aged under 5 in an approved day care facility (including childminders and nursery schools) is entitled to receive, free of charge, one third of a pint of liquid cows milk for each day they attend for at least 2 hours. Infants aged under one may instead receive dried babymilk made up to one-third of a pint. Day care providers must first be approved by the Secretary of State. Once they have been approved, they can be reimbursed the cost of the milk they supply to children in their care. Administration of registration and payments to day

care providers are handled by WFRU - the Welfare Food Reimbursement Unit - on behalf of the Health Departments. An information leaflet - the Nursery Milk Guide - is available for day care providers from WFRU, PO Box 1, Corby, Northants NN17 1GX.

Disabled Children

Children between the ages of 5 and 16 who are not registered pupils of a school or special school owing to physical or mental disability are entitled to 7 pints (or 8 half-litres) of liquid cows milk per week. Applications in respect of disabled children should be sent to Fylde Benefits and War Pensions Directorate, Welfare Food Service, Room A110A, Government Buildings, Warbreck Hill Road, Blackpool FY2 0AX. Successful applicants will be sent tokens to exchange for milk.

HEALTH BOARD/NHS TRUST: _____

WELFARE FOOD SERVICE

Return for the quarter ended: _____

NOTE: THIS COMPLETED FORM SHOULD BE RETURNED WITHIN 4 WEEKS OF THE ABOVE DATE TO:

The Scottish Office Home and Health Department
Welfare Foods Branch
St Andrew's House
Edinburgh
EH1 3DG

I STOCK RECEIVED		VITAMIN DROPS	VITAMIN TABLETS
1.	Stock in hand at beginning of quarter (brought forward from Part II of return for the previous quarter)		
2.	Received during period:		
	Drops (Invoice Nos): _____		
	Tablets (Invoice Nos): _____		
TOTAL STOCK (I)			

II DEDUCTIONS FROM STOCK			
1.	Vitamins issued to beneficiaries and others (as at IV, Column 2 below)		
2.	Vitamins issued to NHS Hospitals		
3.	Vitamins issued to Day Nurseries		
4.	Stock Losses* (please attach details)		
TOTAL DEDUCTIONS (II)			
III STOCK IN HAND AT END OF PERIOD (I MINUS II)			

IV DSS contracts for the supply of vitamin tablets and drops for the Welfare Food Service (HSPG pages 840 and 841)	Total issued as at (II)1.	No issued against free tokens	No of packs sold	Price per pack	Total cash collected (4 x 5)
	2.	3.	4.	5. £	6. £
1. Child Vitamin Drops					
2. Vitamin Tablets					
Total Cash Received					£

*Includes losses arising from damaged cartons, inventory losses, out of date stocks, etc. A report should be attached concerning any theft, fraud or arson.

Total Amount Claimed for Modified Baby Milk (Part V)	Total Cash Received for Vitamin Products (Part IV)	Total Amount Due To be Paid to Account No:
£ _____	Minus £ _____	= £ _____

V. REIMBURSEMENT FOR MODIFIED BABY MILK (900g tins)

MILK TOKENS (Income Support Recipients)

FAMILY CREDIT BENEFICIARIES										
Approved Brands	No. of tokens received	Packs exchanged for tokens	Packs issued on Form WF17	Total No. of packs issued	Price per 900g pack	Total Cost	No of packs exchanged for cash	Price per 900g pack	Total cash received	Amount due to HB/Trust
	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
Boots Formula 1										
Boots Formula 2										
Cow & Gate Premium										
Cow & Gate Plus										
Farley's First Milk										
Farley's Second Milk										
Milupa Aptamil										
Milupa Milumil										
SMA Gold										
SMA White										
TOTALS						£				£
Total Amount Due: (6 + 10)										£

I certify that:

1. All tokens received from beneficiaries are shown as above and overleaf and have been retained in secure keeping and subsequently destroyed by or under the supervision of an officer of the Health Board/Trust.

2. To the best of my knowledge and belief, the entries on this form are correct.

Signed: _____

Position: _____

Date: _____

WELFARE FOOD SCHEME - MILK TOKENS FOR FAMILIES ON INCOME SUPPORT

IS YOUR CHILD AGED UNDER ONE?

Please remember that you can only receive 900 grammes of dried babymilk (infant formula) in exchange for a milk token if your child is under one year old.

Even if you have a token stamped in the dried milk box, you are still only legally entitled to dried babymilk if your child is aged under one.

Do not ask the person issuing you with your milk token to stamp it for dried babymilk if you are not entitled to it. He or she may ask you to produce proof that your child is aged under one.

IF YOU EXCHANGE A TOKEN FOR DRIED BABYMILK TO WHICH YOU ARE NOT ENTITLED YOU ARE COMMITTING AN OFFENCE AND ARE LIABLE ON CONVICTION TO A FINE OF £1,000.

If you are breastfeeding your baby you should obtain a liquid milk token so that you can exchange it for milk to drink yourself.

IS YOUR CHILD AGED ONE YEAR AND OVER BUT UNDER 5?

If so, you may exchange your token for 7 pints (or 8 half-litres) of liquid cows' milk only. You can obtain liquid milk from any milk supplier (eg a shop or milk roundsman) who accepts tokens.

If you have a token stamped for dried babymilk and you need liquid milk, you should apply to your Benefits Agency office for a replacement token.