

PE2158/A: Introduce a maximum temperature for serving hot liquids to children in childcare settings

Scottish Government written submission, 3 June 2025

Does the Scottish Government consider the specific ask[s] of the petition to be practical or achievable? If not, please explain why.

The Scottish Government is deeply sorry to hear about the Petitioner's daughter and her family's experience. It is important parents and carers know their children are safe at nursery.

The petition is calling for the Scottish Government to introduce a maximum temperature for the serving of hot liquids to children within childcare settings. The Scottish Government has given this careful consideration with key partners, including the Care Inspectorate, and considers that current guidance in this area is appropriate.

The [Setting the Table](#) guidance for Early Learning and Childcare (ELC) providers outlines nutritional standards and practical guidance for providing food and drinks to children aged 0-5 in ELC settings. The guidance was updated by a Scottish Government led expert group including our key partners in the Care Inspectorate, Public Health Scotland and Food Standards Scotland and representatives from across the ELC sector and published on 8 October 2024. The guidance states that:

*"It is important when you serve hot food that you follow the guidance from Food Standards Scotland to ensure food is heated to the correct temperature before serving. This is to avoid food poisoning. However, food should not be served to children at this temperature. **Food should be left to cool a little in a safe area, away from children and should be tested by tasting, before serving.** For management of burns and scalds, follow the guidance on NHS Inform website."*

The Scottish Government is clear we expect all ELC providers to ensure the safety of children in their care and to adhere to all duties and guidance relating to food provision. Most local authorities set their own maximum temperatures depending on their local policies and risk assessments.

In respect of preventing scalding incidents, the Care Inspectorate has emphasised the importance of leadership teams in settings ensuring that staff teams are skilled, knowledgeable, and deployed in an appropriate way that supports safe and high-quality mealtime routines.

What, if any, action is the Scottish Government currently taking to address the issues raised by this petition, and is any further action being considered that will achieve the ask[s] of this petition?

Since the incident occurred, several steps have been taken to address the issues raised by this petition:

- The Scottish Government and our partners in the Care Inspectorate, Public Health Scotland and Food Standards Scotland have worked with representatives from across the ELC sector to update the [Setting the Table](#) guidance for all registered childcare settings in Scotland.

- Guidance on serving soup and other hot liquids in ELC settings was included in the updated guidance, published on 8 October 2024 (as above). The expert working group established to advise on the updated 'Setting the Table' guidance agreed that the national guidance should include general advice outlining the need for food to be cooled, and tested by tasting, before serving, but they did not identify the need to set a temperature for serving foods.
- It is expected that the updated Setting the Table guidance will be fully implemented by 1 August 2025.
- On 17th December 2024, the Care Inspectorate published additional good practice guidance on the [prevention and management of scalding episodes in daycare of children and childminding services](#) to help childcare providers prevent and manage scalding episodes. The document provides essential information on:
 - understanding why young children are particularly vulnerable to scalding accidents;
 - implementing safe food handling and serving procedures; and
 - knowing how to react quickly and effectively in a scalding emergency.

In addition, the Care Inspectorate also published a practice note on [Keeping Children Safe; supporting positive mealtime experiences in early learning and childcare](#).

Is there any further information the Scottish Government wish to bring to the Committee's attention, which would assist it in considering this petition?

We have engaged with the Care Inspectorate on these issues. The Care Inspectorate's expectations would be that services risk assess food preparation and serving, following local and national guidance. Even if a service has a chef/cook on site, there are still risks. According to the Care Inspectorate, staff should not be assuming that whatever comes from the kitchen is ready to be served.

The Care Inspectorate has outlined that children all develop differently and what might seem a reasonable temperature for one, may not be for another. In their guidance, the Care Inspectorate suggests that staff ensure the food is cooled to an appropriate temperature, but they would also expect staff to support individual children to assess the risk for themselves recognising their age and stage of development and be able to alert staff if the food is too hot or too cold. The Care Inspectorate highlights the need for leadership teams to ensure that the staff team is skilled, knowledgeable and deployed in an appropriate way that supports safe and high-quality mealtime routines.

We will work with partners, including the Care Inspectorate, to keep these issues under review and to consider what additional actions may be required to keep children safe in settings.