

20 December 2021

## **SECTION 31 GRANT DETERMINATION FOR THE HOLIDAY ACTIVITIES AND FOOD PROGRAMME 2022: 31/5854**

This Determination is made between:

- (1) The **Secretary of State for Education** and
- (2) The upper tier **local authorities** listed in Annex A.

The Secretary of State determines, as set out in Annex A, the authorities to which the grant is to be paid and the amount of grant to be paid.

Pursuant to section 31(3) and 31(4) of the Local Government Act 2003, the Secretary of State determines that the grant will be paid subject to the conditions in Annex B.

The Senior Responsible Owner for this grant, Helen Waite, will require your nominated responsible officer to confirm at the end of each financial year that the funding has been properly expended.

### **Purpose of the Grant**

The purpose of the grant is for local authorities to make free places at holiday clubs available in the Easter, summer and Christmas school holidays in 2022. This will be made available to children in the local authority area who are eligible for and receive benefits-related free school meals.

The core aims and objectives of the programme are outlined in Annex B.

Before making this determination in relation to the upper tier local authorities in England, the Secretary of State obtained the consent of HM Treasury.

For all enquiries about the Holiday Activities and Food Programme, please contact [HAF.Programme@education.gov.uk](mailto:HAF.Programme@education.gov.uk)

Signed by authority of the Secretary of State for Education

Helen Waite  
For and on behalf of Department for Education  
School Food and Flexible Childcare Division  
2 St Paul's Place  
Sheffield  
S1 2FJ  
**Web:** [www.education.gov.uk](http://www.education.gov.uk)

## Annex A: Maximum allocations for local authorities for 2022/23

Local Authority	2022/23
Barking and Dagenham London Borough	£1,199,670.00
Barnet London Borough	£1,175,360.00
Barnsley Metropolitan Borough Council	£1,046,630.00
Bath and North East Somerset Council	£476,720.00
Bedford UA	£596,070.00
Bexley London Borough	£813,930.00
Birmingham City Council	£8,029,880.00
Blackburn with Darwen Borough Council	£729,940.00
Blackpool Borough Council	£869,170.00
Bolton Metropolitan Borough Council	£1,436,710.00
Bournemouth, Christchurch and Poole Council	£1,026,200.00
Bracknell Forest Borough Council	£247,600.00
Brent London Borough	£944,720.00
Brighton and Hove Council	£767,260.00
Bristol Council	£1,803,840.00
Bromley London Borough	£818,270.00
Buckinghamshire Council	£1,144,780.00
Bury Metropolitan Borough Council	£701,290.00
Calderdale Metropolitan Borough Council	£917,670.00
Cambridgeshire County Council	£1,840,940.00
Camden London Borough	£822,040.00
Central Bedfordshire UA	£602,800.00
Cheshire East UA	£878,640.00
Cheshire West and Chester UA	£1,014,220.00
City of Bradford Metropolitan District Council	£2,900,920.00
City of London	£25,000.00
City of York Council	£407,000.00
Cornwall County UA	£1,629,010.00
County of Herefordshire District Council	£430,140.00
Coventry City Council	£1,514,770.00
Croydon London Borough	£1,767,780.00
Cumbria County Council	£1,254,680.00
Darlington Borough Council	£466,240.00
Derby City Council	£1,357,160.00
Derbyshire County Council	£2,858,010.00
Devon County Council	£1,856,110.00
Doncaster Metropolitan Borough Council	£1,364,470.00
Dorset Council	£953,620.00
Dudley Metropolitan Borough Council	£1,267,460.00
Durham County UA	£2,338,740.00
Ealing London Borough	£1,325,210.00
East Riding of Yorkshire Council	£926,000.00
East Sussex County Council	£1,649,780.00
Enfield London Borough	£1,579,590.00

Essex County Council	£4,163,590.00
Gateshead Metropolitan Borough Council	£812,110.00
Gloucestershire County Council	£1,594,880.00
Greenwich London Borough	£1,203,440.00
Hackney London Borough	£1,359,900.00
Halton Borough Council	£786,090.00
Hammersmith and Fulham London Borough	£551,900.00
Hampshire County Council	£3,421,210.00
Haringey London Borough	£964,350.00
Harrow London Borough	£663,060.00
Hartlepool Council	£595,500.00
Havering London Borough	£844,970.00
Hertfordshire County Council	£2,867,600.00
Hillingdon London Borough	£1,061,920.00
Hounslow London Borough	£1,029,400.00
Isle of Wight Council	£428,170.00
Isles of Scilly Council	£10,000.00
Islington London Borough	£1,009,310.00
Kensington and Chelsea Royal Borough	£450,990.00
Kent County Council	£5,467,680.00
Kingston Upon Hull City Council	£1,438,990.00
Kingston upon Thames Royal Borough	£380,130.00
Kirklees Metropolitan Borough Council	£1,851,660.00
Knowsley Metropolitan Borough Council	£918,130.00
Lambeth London Borough	£1,318,480.00
Lancashire County Council	£4,215,400.00
Leeds City Council	£3,491,510.00
Leicester City Council	£1,597,390.00
Leicestershire County Council	£1,508,610.00
Lewisham London Borough	£1,039,780.00
Lincolnshire County Council	£2,638,890.00
Liverpool City Council	£2,538,350.00
London Borough of Richmond upon Thames	£395,280.00
Luton Borough Council	£1,091,140.00
Manchester City Council	£3,870,170.00
Medway Borough Council	£1,136,560.00
Merton London Borough	£686,570.00
Middlesbrough Borough	£1,053,710.00
Milton Keynes Council	£1,047,430.00
Newcastle upon Tyne Metropolitan District Council	£1,679,680.00
Newham London Borough	£1,993,520.00
Norfolk County Council	£2,692,990.00
North East Lincolnshire Council	£789,050.00
North Lincolnshire Council	£702,890.00
North Northamptonshire	£1,066,490.00
North Somerset Council	£506,600.00
North Tyneside Metropolitan Borough Council	£810,390.00

North Yorkshire County Council	£1,361,500.00
Northumberland County UA	£1,020,500.00
Nottingham City Council	£1,814,460.00
Nottinghamshire County Council	£2,633,980.00
Oldham Metropolitan Borough Council	£1,458,050.00
Oxfordshire	£1,478,020.00
Peterborough City Council	£1,090,910.00
Plymouth City Council	£1,037,160.00
Portsmouth City Council	£948,830.00
Reading Borough Council	£509,910.00
Redbridge London Borough	£916,640.00
Redcar and Cleveland Borough Council	£686,340.00
Rochdale Metropolitan Borough Council	£1,197,160.00
Rotherham Metropolitan Borough Council	£1,230,940.00
Rutland County Council District Council	£89,240.00
Salford Metropolitan District Council	£1,302,950.00
Sandwell Metropolitan Borough Council	£1,954,950.00
Sefton	£998,470.00
Sheffield City Council	£2,708,510.00
Shropshire County UA	£701,630.00
Slough Borough Council	£632,590.00
Solihull Metropolitan Borough Council	£997,220.00
Somerset County Council	£1,512,370.00
South Gloucestershire Council	£588,080.00
South Tyneside Metropolitan Borough Council	£752,650.00
Southampton City Council	£1,206,980.00
Southend-on-Sea Borough Council	£690,790.00
Southwark London Borough	£1,522,530.00
St Helens Metropolitan Borough Council	£743,290.00
Staffordshire County Council	£2,313,290.00
Stockport Metropolitan Borough Council	£873,280.00
Stockton-on-Tees Borough Council	£900,670.00
Stoke-on-Trent City Council	£1,483,380.00
Suffolk County Council	£2,201,000.00
Sunderland City Council	£1,329,550.00
Surrey County Council	£2,187,420.00
Sutton London Borough	£653,250.00
Swindon Borough Council	£769,080.00
Tameside Metropolitan Borough Council	£1,174,560.00
Telford and Wrekin Council	£843,030.00
Thurrock Council	£689,080.00
Torbay Borough Council	£548,820.00
Tower Hamlets London Borough	£1,748,610.00
Trafford Metropolitan Borough Council	£669,570.00
Wakefield Metropolitan District Council	£1,321,440.00
Walsall Metropolitan Borough Council	£1,801,680.00
Waltham Forest London Borough	£1,068,430.00

Wandsworth London Borough	£861,980.00
Warrington Borough Council	£720,810.00
Warwickshire County Council	£1,725,210.00
West Berkshire District Council	£383,970.00
West Northamptonshire	£1,055,190.00
West Sussex County Council	£1,746,440.00
Westminster City Council	£730,510.00
Wigan Metropolitan Borough Council	£1,323,150.00
Wiltshire County UA	£1,080,530.00
Windsor and Maidenhead Royal Borough Council	£296,260.00
Wirral Metropolitan Borough Council	£1,466,380.00
Wokingham District Council	£292,630.00
Wolverhampton Metropolitan Borough Council	£1,904,270.00
Worcestershire County Council	£1,627,980.00

## ANNEX B

1. In this Annex:  
“the Programme” means the use by the Authority of as much of the grant money identified in Annex A as it deems necessary to meet the aims and objectives outlined in paragraphs 4-8;  
  
“the Department” means the Department for Education;  
  
“the Authority” means any local authority listed in Annex A;  
  
“the Secretary of State” means the Secretary of State for Education;
2. The grant is only paid to the Authority to support eligible expenditure (see paragraphs 4 to 8 below).
3. The Authority must have regard to any guidance issued by the Department, including the guidance available on gov.uk: [Holiday Activities and Food Programme](#)

### Eligible expenditure

4. Eligible expenditure means payments made, or committed to, by the Authority or any person acting on behalf of the Authority, under the Programme.
5. The purpose of the grant is for local authorities to make free places at holiday clubs available in the Easter, summer and Christmas holidays 2022 to children in their local authority who receive benefits-related free school meals.
6. The holiday club places will be available for the equivalent of at least 4 hours a day, 4 days a week, 6 weeks a year. This covers four weeks in the summer, plus a week’s worth of provision in each of the Easter and Christmas holidays. Local authorities have flexibility about how they spend this grant and deliver this provision to best serve the needs of the children and families in their areas, but provision should remain in line with the framework of standards set out in our programme guidance. Further information for local authorities is available on gov.uk: [Holiday Activities and Food Programme](#)
7. All provision funded by the local authority through the HAF programme must meet our framework of standards (as set out in our published guidance) and meet the following core aims and objectives:
  - **Healthy meals:** holiday clubs must provide at least one healthy meal a day and must meet the [School Food Standards](#) throughout the day.

- **Enriching activities:** holiday clubs must provide fun and enriching activities that provide children with opportunities to develop or consolidate skills or knowledge. Clubs must also provide physical activities which meet the [Physical Activity Guidelines](#) on a daily basis.
  - **Nutritional education:** holiday clubs must improve children's knowledge and awareness of healthy eating and offer advice and training to parents on how to source, prepare and cook nutritious and low-cost food.
  - **Signposting and referrals:** clubs must be able to provide information, signposting or referrals to other services and support that would benefit the children who attend their provision and their families.
  - **Policies and procedures:** clubs must be able to demonstrate and explain their safeguarding arrangements and have relevant and appropriate policies and procedures in place in relation to safeguarding, health and safety, insurance, accessibility and inclusiveness. Where appropriate, clubs must also be compliant with the Ofsted requirements for working with children.
8. The free holiday club places must be targeted at children who are in receipt of benefits-related free school meals.
  9. The Authority can spend up to a maximum of 10% of its allocation on its administration costs for the local coordination of the Programme. The remainder must be spent on the provision of free holiday club places for eligible children. The Department recognises that administration costs may represent a higher proportion of expenditure for smaller local authorities, and will therefore notify smaller authorities in writing of the maximum they can spend on local administration costs.
  10. Local authorities are able to use up to a maximum of 15% of their programme funding to provide free or subsidised holiday club places for children who are not in receipt of benefits-related free school meals but who are considered by the local authority as in need of this provision.
  11. Local authorities must appoint or have in place a nominated HAF coordinator who takes responsibility within the local authority for the delivery of the HAF programme. This will be alongside sufficient staff who are dedicated to working on HAF all year round. The level of resource in each local authority should be proportionate to the level of funding received. Each HAF coordinator must engage with the support offer provided by the Department as set out in the 'administrative costs' section of the HAF guidance.
  12. The local authority will produce and maintain a central register of all of the providers they fund through their HAF programme and make this available to the Department

upon request.

13. The local authority will also put in place a robust system for inspecting every HAF provider that receives funding through the HAF programme and ensuring that every provider meets and adheres to the standards set out in paragraph 7 and in our programme guidance.
14. The Authority must indicate that the programme is funded by the Department for Education in all publicity and press materials.

### **Payment and reporting arrangements**

15. A payment of up to 80% of the Authority's total 2022/2023 allocation will be made in April 2022 to the Authority by the Department following satisfactory receipt by 1 March 2022 of a report to the Department setting out:
  - how the Authority's 2022/2023 programme will work
  - how many children the Authority expects to work with in 2022/23.
16. A payment of up to the remaining 20% of the Authority's total 2022/23 allocation will be made in April 2023 to the Authority by the Department following satisfactory submission to the Department by 15 February 2023 of a report setting out:
  - the actual number of children the Authority worked with during delivery of the programme at Easter, summer and Christmas in 2022.
17. The 15 February 2023 report must include (but is not restricted to):
  - The overall number of unique children who participated in the Authority's programme
  - The overall number of unique children in receipt of FSM who participated in the Authority's programme
  - The number and proportion of children who are in the: primary school age range; the secondary school age range; and any children outside of those age ranges who attended the Authority's programme.
  - The proportion of primary age and secondary age children who have participated in the Authority's programme.
  - The number of children with SEND or additional needs who have participated in the Authority's programme.
  - The average number of days attended per child.
18. The Authority must provide an annual report on their HAF programme to the Department by 30 June 2023. The report will cover a number of different areas, as set out in the "Annual Report" section of the programme guidance.
19. The above reports will be provided in accordance with guidance issued by the Department and will include data on children attending clubs in each local authority

area.

20. The Authority will work with the Department and with any support organisation appointed to work on behalf of the Department in relation to the monitoring and delivery of the Programme. Where the Department identifies that an Authority is not performing adequately in delivering the programme, the Authority will agree an action plan with the Department.

### **Data Collection**

21. The Authority will comply with the collection of data that the Department requires and is set out in the accompanying HAF programme guidance. This will include, but is not restricted to:
  - a. The cost of the Authority's programme
  - b. How many children have participated in the Authority's programme including, but not restricted to:
    - i. The overall number of unique children who participated in the Authority's programme
    - ii. The overall number of unique children in receipt of FSM who participated in the Authority's programme
    - iii. The number and proportion of children who are in the: primary school age range; the secondary school age range; and any children outside of those age ranges who attended the Authority's programme.
22. The Department may require the Authority to undertake additional data collection during the Authority's programme to cross match the data with the Department's National Pupil Database, which contains a variety of information on pupil characteristics, education and family set-up. Annex C of this grant determination letter, sets out the Department's standard GDPR clauses and how personal data will be collected, processed and stored by local authorities. Please note that this Annex applies only to those local authorities who participate in this additional data collection.
23. The Department may publish data on participation and expenditure, including breakdowns of this data at local authority level.
24. If selected for this additional data collection, the Authority is expected to comply with the collection of data and the Department will notify the Authority by 31 December 2021 whether the Authority has been selected.

### **Financial procedures and reporting**

25. If the Authority has not spent and will not spend its maximum allocation, the

Department will reduce the second payment to the Authority to reflect the actual expenditure.

26. If the Authority has not spent and does not plan to spend the initial payment of 80% of the Authority's initial allocation, the Department will seek to recover the unspent funding from the Authority.
27. The Secretary of State reserves the right to alter the timing or amount of grant payments accordingly.
28. The overall annual payment will not exceed the maximum allocation listed for each Authority in Annex A.
29. The Authority will not overspend on the HAF Programme, over and above their maximum funding allocation, without the prior written approval of the Department. Unauthorised overspends will not be reimbursed by the Department. Any identified overpayment of funds will be returned to the Department for Education as soon as identified.
30. The Authority's nominated responsible officer must confirm, through the submission of an annual Certificate of Expenditure, at the end of each financial year that the funding has been properly expended.
31. The Authority must maintain a sound system of internal financial controls. If the Authority has any grounds for suspecting financial irregularity in the use of any grant paid under this Determination, it must notify the Department immediately, explain what steps are being taken to investigate the suspicion and keep the Department informed about the progress of the investigation. For these purposes "financial irregularity" includes fraud or other impropriety, mismanagement, and the use of grant for purposes other than those for which it was provided.

## **Records**

32. The Authority must maintain reliable, accessible and up to date accounting records with an adequate audit trail for all expenditure funded by grant monies under this Determination.
33. The Authority and any person acting on behalf of the Authority must allow:
  - a) the Comptroller and Auditor General or appointed representatives, or b) the Secretary of State or appointed representatives, free access at all reasonable times to all documents (including computerised documents and data) and other information as are connected to the grant payable under this Determination, or to the purposes for which grant was used, subject to the provisions in paragraph 35.

34. The documents, data and information referred to in paragraphs 32 to 35 are such which the Secretary of State or the Comptroller and Auditor General may reasonably require for the purposes of 'spot checking' administrative costs or significant amounts paid under the Scheme or a financial audit of any department or other public body or for carrying out examinations into the economy, efficiency and effectiveness with which any department or other public body has used its resources. The Authority must provide such further explanations as are reasonably required for these purposes.
35. Paragraphs 32 to 34 do not constitute a requirement for the examination, certification or inspection of the accounts of the Authority by the Comptroller and Auditor General under section 6(3) of the National Audit Act 1983. The Secretary of State and Comptroller and Auditor General will seek access in a measured manner to minimise any burden on the Authority and will avoid duplication of effort by seeking and sharing information with local auditors.

### **Recovery of Grant**

36. If the Authority fails to comply with any of these conditions, or if any overpayment is made under this grant or any amount is paid in error, or if any of the events set out in paragraph 37 occurs, the Secretary of State may reduce, suspend or withhold grant payments or require the repayment of the whole or any part of the grant monies paid, as may be determined by the Secretary of State and notified in writing to the Authority. Such sum as has been notified will immediately become repayable to the Secretary of State who may set off the sum against any future amount due to the Authority from central government.
37. The events referred to in paragraph 36 are:
- a) the Authority purports to transfer or assign any rights, interests or obligations arising under this Determination without the prior agreement of the Secretary of State,
  - b) any information provided in any application for grant monies payable under this Determination, or in any subsequent supporting correspondence is found to be significantly incorrect or incomplete in the opinion of the Secretary of State,
  - c) it appears to the Secretary of State that other circumstances have arisen or events have occurred that are likely to significantly affect the Authority's ability to deliver the Scheme,
  - d) the Authority's Section 151 officer is unable to provide reasonable assurance that the Statement of Grant Usage, in all material respects, fairly presents the eligible expenditure in the Period in accordance with the definitions

and conditions in this Determination,

e) the Authority fails to provide the delivery plans, reports or certificate of expenditure specified in this Grant Determination and its Annexes, or

f) the Authority does not deliver effectively against an action plan agreed with the Department to improve performance (as outlined in paragraph 20).

### **Impact of COVID-19**

38. In some cases, face-to-face delivery of holiday clubs may not be possible in the Authority's area due to COVID-19 and associated restrictions and remote delivery of the programme may, in some circumstances, be more viable.
39. If the Authority cannot hold face-to-face holiday clubs as a result of COVID-19, the Authority may be permitted to operate flexibly to ensure that eligible children still receive the type of support detailed in paragraph 7 in line with the accompanying programme guidance.
40. If local authorities are considering any such flexible provision due to COVID-19 they should seek the permission of the Department in advance of the holiday period.

## Annex C - Generic Standard GDPR Clauses for Local Authorities selected by the Department for additional data collection

### Processing, Personal Data and Data Subjects

This Schedule shall be completed by the Controller, who may take account of the view of the Processors, however the final decision as to the content of this Schedule shall be with the Controller at its absolute discretion.

1. The contact details of the Controller's Data Protection Officer are:  
Emma Wharram, DfE, 2 Rivergate, Redcliffe, Bristol, BS1 6ED - [Emma.WHARRAM@education.gov.uk](mailto:Emma.WHARRAM@education.gov.uk).
2. The contact details of the Processor's Data Protection Officer will be supplied to the Controller by 01/04/2022.
3. The Processor shall comply with any further written instructions with respect to processing by the Controller.
4. Any such further instructions shall be incorporated into this Schedule.

Description	Details
Identity of the Controller and Processor	The Parties acknowledge that for the purposes of the Data Protection Legislation, the Customer is the Controller (the Department for Education) and the Local Authority (List of Local Authorities is at Annex C of this agreement) is the Processor in accordance with Clause 50.1.
Subject matter of the processing	The processing is needed in order to ensure that the Processor can effectively deliver the grant to provide a service to members of the public.
Duration of the processing	From 1 April 2022 until 31 July 2023.
Nature and purposes of the processing	<p>The Local Authority coordinator (List of Local Authorities is at Annex C of this agreement)) and their providers (data processors) will process personal data to enable the Department (data controller) to assess the extent to which they have met the aims and objectives of the grant.</p> <p>A minimum amount of personal data is collected to enable the Department to ensure that public money is being spent effectively to achieve the policy programmes.</p>

	<p>The controller requires the processor to make all reasonable endeavours to collect personal data from all children (and parents/ carers) attending the session.</p> <p>The data will be collected in order to allow the Controller to assess whether or not the Processor is meeting the aims and objectives of the programme.</p> <p>The data is required for the Controller (DfE) to fulfil its remit - to ensure that public money is being used to achieve the desired outcome - and supply of the data is therefore a requirement of participation on the programme being funded by the Controller.</p> <p>The Controller requires the Processor to collect data from all attendees of sessions at providers funded through the HAF programme consisting of their:</p> <ul style="list-style-type: none"> <li>• Date of birth</li> <li>• Full name</li> <li>• Gender</li> <li>• Free School Meal (FSM) status</li> <li>• Home postcode</li> <li>• School name and LA area</li> <li>• Unique pupil ID (where possible)</li> <li>• Whether classed as vulnerable (if FSM status is unknown)</li> <li>• The total number of days they attended HAF provision.</li> </ul>
Type of Personal Data	<ul style="list-style-type: none"> <li>• Personal data: Name (needed to identify unique participants for numbers), DOB</li> <li>• Sensitive data: Free School Meal status, vulnerable classification</li> </ul>
Categories of Data Subject	Children participating in HAF provision, parents and carers participating in HAF provision.
Plan for return and destruction of the data once the processing is complete UNLESS requirement under union or member state law to preserve that type of data	Coordinators to arrange for all data they hold to be securely destroyed once annual report for 2022/23 has been returned to DfE: by 31 July 2023.