

Executive Board – 21 November 2023

Subject:	Holiday Activity Fund – 2024/25
Corporate Director(s)/Director(s):	Catherine Underwood, Corporate Director for People
Portfolio Holder(s):	Cllr Cheryl Barnard, Portfolio Holder for Children, Young People and Education
Report author and contact details:	Declan Barker – Declan.barker@nottinghamcity.gov.uk
Other colleagues who have provided input:	Jennifer Hardy - Jennifer.Hardy@nottinghamcity.gov.uk
Subject to call-in:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Key Decision:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criteria for Key Decision:	
(a)	<input checked="" type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Income <input type="checkbox"/> Savings of £750,000 or more taking account of the overall impact of the decision
and/or	
(b)	Significant impact on communities living or working in two or more wards in the City <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Type of expenditure:	<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital If Capital, provide the date considered by Capital Board Not applicable
Total value of the decision:	£2,000,000
Wards affected:	All
Date of consultation with Portfolio Holder(s):	21st November
Relevant Council Plan Key Outcome:	
Green, Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input checked="" type="checkbox"/>
Living Well in our Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<p>In 2023, Nottingham City Council was awarded £1,836,270 by the Department for Education (DfE) to deliver the Holiday Activity Fund (HAF) programme. The HAF programme aims to support children in receipt of free school meals during the school holidays, by funding free holiday clubs and helping to combat holiday hunger. The Council, governed by the funding framework from the Department for Education, can choose how to allocate this funding to Community Providers, Schools and Area Based Grant Teams.</p> <p>The HAF programme will contribute towards Nottingham City Council's Cost of Living strategy by offering children and families food and activities during the school holidays.</p>	

Does this report contain any information that is exempt from publication?

No

Recommendation(s):

- 1** To accept the estimated maximum £2,000,000 grant from the Government for HAF and enter into any associated grant agreement with the Government.
- 2** To delegate authority to the Director of Education to allocate the grant, in accordance with to the Council's Contract Procedure Rules and in accordance with the grant conditions from government.
- 3** To note the forecasted budget expenditure, appendix 1.

1. Reasons for recommendations

- 1.1 The HAF programme was first awarded to Nottingham City Council in 2021 and aims to support children at risk of holiday hunger. The Department for Education devolves this funding to Local Authorities as they are best placed to understand the needs of citizens and distribute funds to organisations that support communities
- 1.2 The funding amount for 2024 will not be confirmed until December 2023, so this paper estimates a maximum figure. This is to allow the HAF Project Manager and team to conduct a full bidding process for a Lead Partner, Open and SEND Specific delivery groups in time for delivery in 2024. If the figure awarded to Nottingham City Council is in excess of £2 million a further decision will be written to accept that funding.

It is proposed to delegate approvals relating to this grant to the Director of Education. This is due to the frequency of sign off's on payments to providers/suppliers.

2. Background (including outcomes of consultation)

- 2.1 On 27th October 2021, the Department for Education announced the continuation of the Holiday Activity Fund for the next three financial years. Nottingham City was allocated £1,836,270 to support households for 2023-24. We expect to receive a similar amount for 2024-25.
- 2.2 Funding must be spent on activities during the following school holidays for a minimum of four hours a day for four days a week;
 - Easter
 - Summer
 - October
 - Christmas
- 2.3 Funding must be spent on face-to-face activities and food only. All provision must include at least one hour of physical activity and one meal that meets the school lunches guidance. Full details of the HAF grant can be found on [Holiday activities and food programme 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/holiday-activities-and-food-programme-2023)
- 2.4 Signposting of other services must be provided for all families to ensure support is visible for families outside of holiday periods.

- 2.5 In Nottingham, the programme works solely with locally based community groups and is designed to support and strengthen existing community delivery. For 2023-24, Nottingham Forest Community Trust and Trent Bridge Community Trust were appointed as the Joint Lead Organisations for the programme and collectively allocated £710,000 to run holiday clubs across the city. Funding was also allocated to Area Based Grant Leads and multiple grass roots community organisations who already work with children in their neighbourhoods. The programme has also striven to deliver a mixture of sport and enrichment activities to ensure a broad range of activity.
- 2.6 A key element of the programme has been to support children with Special Educational Needs and Disabilities (SEND) to participate in holiday clubs, both as part of the mainstream delivery and by providing bespoke holiday clubs to meet these needs.
- 2.7 Across 2023, 60 community groups were funded to deliver 1,416 sessions of activity equating to 5,664 hours of activity.
- 2.8 Part of the HAF budget is safeguarded to provide training to our deliverers and this includes Health and Safety, First Aid and Basic Food hygiene as well as training to support our providers with behaviour, SEND, attachment and trauma related practice. Whilst the HAF programme delivers for only six weeks of the year, the community providers we fund work with the most vulnerable children in Nottingham and through our yearly training plan we will invest the some of the HAF grant to support and develop our community partners.
- 2.9 This paper seeks approval to accept the grant for 2024-25 now to allow sufficient time to hold a grant bidding process for a lead partner(s), as well as the grant bidding process for other delivery. Appendix 1 includes a breakdown of predicted spend for the 2024-25 grant but this will be signed off by the HAF Steering Group and the Director of Education. The funding will be distributed as grants to local community providers who are already working to support young people in Nottingham, in accordance with the grant bidding process used for previous HAF awards.
- 2.10 Delivery is mapped across the city to ensure there are enough activities in the places of greatest need, identified by the numbers of children eligible for Free School Meals broken down by ward.

3. Other options considered in making recommendations

- 3.1 Nottingham City Council does not have to accept this funding, but this is not an option we would consider because this support is needed by Nottingham residents.

4. Consideration of Risk

ID	Description of Risk	Impact	Risk Response	Risk Level	Risk owner	Notes
1	DofE Funding Decision.	Pressure to reformulate budget if less funding is received. Effects timelines for grant awarding for 2024/25.	Grant application for 2024 is conducted on a forecasted perspective and with clear wording on grant award pending confirmation of funding totals from DofE.	Medium	HAF Project Manager and Interim Head of Access to Learning	HAF Project Manager to plan and start the grant application process by end of November in an effort to award by end of the year, meeting with grant panel to award by the end of the calendar year.
2	New partners.	Lack of experience/capacity leading to poor performance in managed areas of the city.	Vetting process as part of application process with references and track record to be proven. Grant panel to meet to discuss all applications.	High	HAF Project Manager	Lead partners would be awarded on track record on HAF/similar delivery.
3	Lack of Applications for Lead Partner(s).	Loss of centralised leads within the programme and increased performance management of providers.	Highlight organisations that we think would fit and encourage applications.	High	HAF Project Manager	HAF Project Manager to work with Interim Head of Access to Learning to assess the impact if a lead partner can't be secured in a timely manner.
4	GDPR.	Reputational and financial risk.	HAF Project Manager to work with Information Compliance Team to ensure robust frameworks are in place to safeguard personal data.	High	HAF Project Manager	Centralised booking system now used which involves complex data management systems/processes between Nottingham City Council, Schools and Activity Providers. GDPR training is made available regularly through the learning zone to all activity providers. NCC colleagues conduct yearly refresher training on GDPR.
5	Food Provision.	Participant health and reputational risk for Nottingham City Council.	HAF Project Manager to ensure through procurement that all providers are food hygiene compliant.	High	HAF Project Manager	Regular opportunities to be provided by Nottingham City Council for providers to access food hygiene training throughout the year.

5. **Best Value Considerations, including consideration of Make or Buy where appropriate**
 - 5.1 DIWO – Shared training plans with the VRP and other council services to ensure that training budgets are maximised, and the legacy of the Holiday Activity Fund contributes to developing community/voluntary organisations.
 - 5.2 BIY – Conducting a high quality grant application process to ensure Nottingham City Council procures fairly and ensuring the best organisations are contracted to work on the programme.
 - 5.3 DIWO – Working with the Short Breaks Team to signpost delivery partners across both programmes alongside making it simpler for community/voluntary organisations to apply for funding.
 - 5.4 DIWO – Work with Area Based Grant funded delivery to enhance the funding package offered to organisation alongside increasing the work of those organisations in wards across the city.

6. **Finance colleague comments (including implications and value for money/VAT)**

This decision seeks approval to accept the grant for 2024-25 now to allow sufficient time to hold a bidding process for a lead partner(s), as well as the bidding process for other delivery. The funding amount for 2024 will not be confirmed until December 2023, so this paper estimates a maximum figure. If the figure awarded to Nottingham City Council is in excess of £2 million a further decision will be written to accept that funding.

Nottingham City was allocated £1,836,270 to support households for 2023/24. We expect to receive a similar amount for 2024-25. This activity presents no financial impact on the LA's budget.

**Advice provided by Abi Yusuff (Interim Commercial Business Partner)
on 24/10/2023**

abiola.yusuff@nottinghamcity.gov.uk

7. **Legal colleague comments**

- 7.1 This report seeks authority to accept an estimated sum of £2million from the DfE Holiday Activity Fund (HAF) for 2023-24, on funding conditions anticipated to be substantially the same as previous years, and to start a procurement process to identify Lead Organisation(s) before a final funding decision is made by the DfE.
- 7.2 Such funding has previously been granted pursuant to section 31(3) and 31(4) of the Local Government Act 2003, which allows the Secretary of State to determine the conditions under which the funding will be paid. In using such funding, the Council must comply with all conditions imposed on such funding. It is understood that the Council has previously accepted grants of HAF and complied with the conditions imposed. If the conditions imposed on the 2023-24 HAF grant are materially different, as agreed with Legal Services, to previous years funding conditions, a further decision should be sought.

- 7.3 The Council should also ensure that in distributing the HAF grant, appropriate grant agreements with recipients are put in place before funds are distributed to ensure the Council can meet HAF grant conditions. Those agreements can also be used to create obligations on funding recipients where compliance should mitigate some of the risks identified above, for example in relation to food provision. Legal Services are happy to support the creation of such agreements, either internally or using external resource if funding is available and circumstances dictate the need to use external legal resource.
- 7.4 The risks around starting a procurement process before a final funding decision is made are detailed above; this comment simply emphasises the need for suitable wording in the procurement documents to protect the Council in the prevailing circumstances.
- 7.5 The concern around the potential limiting of the market in contravention of the Public Contract Regulations 2015 by insisting on potential Lead Organisations having a proven track record has been clarified by assurances from colleagues that, in respect of this particular market, that is not the case. Anthony Heath, Senior Solicitor, Contracts and Commercial, 30th October 2023.

8. **Other relevant comments**

Procurement colleague comments

- 8.1 This report relates to the receipt and expenditure of grant funding which is expected to be awarded by Department for Education (DfE) Holiday Activities Fund for the year 2024-25. It is understood that a grant application process is proposed to be undertaken to allocate funding for activities to be delivered by community providers. Arrangements which are deemed to be grant funding as opposed to services contracts are not subject to the UK Public Contracts Regulations or the procedural requirements of the Council's Contract Procedure Rules. In these cases, a fair and open grant application process should be undertaken to allocate funding, and this should seek to secure best value for money. Appropriate grant agreements should be entered into to reflect the award of funding and to ensure compliance with the DfE conditions of funding.
- 8.2 Should any award of this funding be proposed that constitutes a contract for services, supplies or works, the Procurement Team should be consulted to ensure a fully compliant procedure is followed in accordance with the Contracts Procedure Rules and UK Procurement Regulations.

Jo Pettifor, Category Manager – People, 30th October 2023

9. **Crime and Disorder Implications (If Applicable)**

- 9.1 None.

10. **Social value considerations (If Applicable)**

- 10.1 Not applicable

11. **Regard to the NHS Constitution (If Applicable)**

11.1 Not applicable

12. Equality Impact Assessment (EIA)

12.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because funding for the programme is attached to wards and looks to engage as many children within those wards. Throughout delivery HAF in Nottingham City ensures to be as inclusive as possible with specific funding allocations for SEND specific delivery.

Yes

13. Data Protection Impact Assessment (DPIA)

13.1 Has the data protection impact of the proposals in this report been assessed?

No

A DPIA is not required because:

Yes

Attached as Appendix 3, and due regard will be given to any implications identified in it.

14. Carbon Impact Assessment (CIA)

14.1 Has the carbon impact of the proposals in this report been assessed?

No

A CIA is not required because this decision has no carbon implications.

Yes

15. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

15.1 None.

16. Published documents referred to in this report

16.1 None.