

## **Report to CABINET**

# **Continuation of the Holiday Activities and Food Programme**

### **Portfolio Holder:**

Councillor Mushtaq, Cabinet Member for Children and Young People

**Officer Contact:** Neil Consterdine, Director of Communities

**Report Author:** Jodie Barber, Head of Youth Services

**3<sup>rd</sup> March 2025**

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### **Reason for Decision**

To approve acceptance of the Holiday Activities and Food (HAF) programme grant award from the Department for Education (DfE). Further, to approve the implementation of the HAF programme in Oldham for 2025/26, including the proposed onward payment of the grant to providers and the extension of the dedicated internal delivery team via fixed term secondments, covering the 1 year confirmed extension to the programme for 2025/26 (with an option to extend the programme further for up to 3 years should the DfE confirm additional funding)

### **Executive Summary**

The purpose of the report is to request approval to accept the HAF Programme grant award from the DfE together with approval of the implementation arrangements, including the way in which grant payments will be made to the local providers delivering the HAF programme. Further, approval for recruitment of fixed term posts is requested to provide internal staffing resource for the management and delivery of the programme in Oldham.

The Department for Education (DfE) made funds available to every local authority in England under the HAF programme to coordinate free holiday club/activity provision, including healthy food and enriching activities, for children receiving benefits-related free school meals for the Easter, Summer, and Christmas holidays from April 2021 to the end of March 2025.

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Following the success of the HAF programme the DfE has confirmed that the programme will continue in all local authorities in England for the next 12 months, with national funding of over £200m each year. The DfE have also indicated that this will be reviewed further over the next 12 months to potentially extend further (by up to 3 years)

Oldham Council was allocated £1,458,050 from the DfE to deliver HAF in 2024/25 and the DfE have confirmed the funding for the forthcoming year will use the same funding formula and will be very similar financial settlement to the previous year. Oldham's allocation for 2025/2026 will be £1,500,880.

With the funding confirmed for a further 12 months, we are keen to maintain and implement the HAF programme in Oldham for the forthcoming financial year. It is anticipated that with appropriate staffing resources we can meet our ambition to ensure eligible children and young people across Oldham have access to a diverse range of exciting holiday clubs and activities, offering a blend of borough-wide and more locally based activities.

To establish the delivery programme there are areas where a specific decision is required.

### **Payment terms for providers**

It is proposed that we amend the way in which grant payments are made to providers who have successfully applied to the Council for HAF funding. For the 2025/26 financial year, payment of the delivery grants will no longer be made in one up-front payment, providers will receive a 50% up-front payment, and the remaining funding will be released on a payment by results basis. This means that providers will receive up to the remaining 50% of their grant allocation based on the number of places filled and taken up. This is to ensure value for money within the programme and to reduce the possibility of payments being made for unattended places. This will also ensure that the funding is directly benefitting as many young people as possible within the Borough.

### **Recruitment of dedicated HAF programme staffing**

There is a requirement within the DfE programme guidance that each local authority appoints a HAF coordinator/manager alongside having sufficient staff who are dedicated to work on the HAF programme all year round. Local Authorities can use 10% of the allocated funding for administration costs, this includes staffing costs.

We are proposing to continue with the secondment arrangements currently in place for the HAF programme manager and to extend the secondment arrangements for a further 12 months.

### **Development of Central booking system**

The DfE strongly recommend that Local Authorities procure a centralised booking system for the HAF programme that enables families who are eligible for the programme to book on to activities via one system. These booking systems also collate the required data needed for the HAF programme reporting to the DfE. A separate report is being progressed to seek approval for an exemption to rule 4 of the Contract Procedure Rules to enable a direct contract award for the supply of the same booking system used by many local authorities within England. Discussions are taking place internally with colleagues in Information governance, IT, and procurement to progress this. The allocated funding to Oldham includes an allocation for management and coordination of the programme including costs for booking systems.

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## Recommendations

- 1 To approve acceptance of the DfE grant funding for the Holiday Activities and Food Programme 2025/2026 and for up to a further 3 years if the DfE confirm a longer continuation of the national HAF programme and for the Council to enter into a grant agreement with the DfE subject to a legal review of the grant agreement.
- 2 To approve the award of grants by the Council and for a grant agreement to be entered into on terms approved by Legal Services with those providers who successfully apply to the Council for funding to deliver the HAF programme locally and approval for an alteration to the onward allocation of the grant to local providers, specifically a change to create a tiered payment process based on the value of the grant being awarded to the provider with 50% of total grant made in advance and up to 50% paid based on places filled and taken up.
- 3 To approve the extension to the secondment arrangements in place for the HAF programme manager for 2025/6 and for up to 3 years if DfE confirm a longer continuation of the national HAF programme.

**Continuation of the Holiday Activities and food Programme****1 Background**

- 1.1 Since 2018, the Department for Education's Holiday Activities and Food (HAF) programme has provided support to children in receipt of free school meals through holiday periods. Following successful pilots between 2018 and 2020, the programme was rolled out to all upper tier local authorities in 2021. Oldham received just over £1.5 million for delivery of the programme in 2021/22, 2022/2023, 2023/2024, 2024/2025.
- 1.2 Research has shown that the school holidays can be pressure points for some families. For some children this can lead to a holiday experience gap, with children from low-income households being less likely to access organised out-of-school activities, more likely to experience 'unhealthy holidays' in terms of nutrition and physical health, and more likely to experience social isolation. The HAF programme is a response to this issue with evidence showing that free holiday clubs can have a positive impact on children and young people and that they work best when they provide consistent and easily accessible enrichment activities, cover more than just breakfast or lunch, involve children (and parents) in food preparation and use local partnerships and connections, particularly with the Voluntary, Community, Faith and Social Enterprise (VCSFE) sector.
- 1.3 Since 2021 we have delivered the programme in Oldham via a grant-based process, enabling delivery partners to secure funding to provide activities as part of the programme. These delivery partners included a range of organisations working with children and young people.

**2 Current Position**

- 2.1 The pilot year delivery concluded early January 2022. The programme pilot enabled us to devise implementation processes including a steering group of key partners to help shape the HAF programme locally, including the grants-based payment process for delivery partners, and a communications strategy including a bespoke web-based module to promote the scheme and enable families to book places.
- 2.2 With the Government commitment in 2022 to 3-year funding for the HAF programme we were able to build on the learning and success of the pilot year and ensure we had a robust HAF programme in Oldham for the next 3 years. This concludes in March 2025
- 2.3 Over the duration of the HAF programme in Oldham we have delivered a comprehensive programme of activities over the Easter, Summer, and Winter Holiday periods, and this has been further enhanced with additional funding from the Household Support Fund that has enabled us to widen the HAF offer and provide free places for families in need who were not in receipt of Free School Meals.
- 2.4 Over the past 3 years alone over 26,000 children and young people have accessed more than 127,000 HAF sessions
- 2.5 Given the change of Government in 2024, the confirmation of the future of the HAF programme was delayed. In January 2025, the DfE confirmed there would be an extension of the programme for a further 12 months covering 2025/2026, and they also indicated that the longer-term future of the programme will be reviewed within the next 12 months and the decision to extend further will be confirmed.

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### 3 Options/Alternatives

#### 3.1 Acceptance of the HAF Grant

**Option 1:** Accept the HAF Grant from the DfE, enter into a grant agreement with the DfE subject to a legal review of the agreement by Legal Services, and allocate the grant by awarding and entering into grant agreement with successful local providers, in accordance with the terms and conditions of the HAF grant and any additional terms and conditions approved by Legal Services.

**Option 2:** Do not accept the HAF Grant. This is not recommended because the Council would lose the funding, which it has established benefits the community.

#### **Payment terms for delivery providers.**

**Option 1:** To pay all providers in advance of delivering their holiday activities and food provision. This would allow adequate funding for activities to be delivered by small providers with limited reserves. This option presents a level of risk to the council and there is potential for needing to claw money back if they fail to deliver in full.

**Option 2:** To have a tiered payment process based on the value of the grant being awarded to the provider.

- 50% of total grant paid in advance.
- Up to 50% of remain grant total paid based on paying only for placed filled and taken up.

This option allows us to balance the need of small providers with the risk presented to the council. It also ensures that the grant is being spent on direct delivery and reduces the risk of paying for unattended places. It should also be noted that many of these providers are known to the council.

**Option 3:** To pay all providers on completion of delivering their Holiday Activities and Food provision. This option provides maximum security to the council but will exclude many providers from taking up the HAF grant and will ultimately limit the provision we are able to make available for our children and young people.

#### Dedicated HAF programme team

**Option 1:** To not have a dedicated team for the management and delivery of the HAF programme and to bring the current secondment to an end. This option would mean we are not in compliance with the DfE guidance for the programme and would not have sufficient staffing resource for the onward delivery of the programme in Oldham.

**Option 2:** To continue the secondment arrangements in place for one HAF manager and 1 HAF coordinator to lead delivery of the programme for the duration of the programme. This option allows us to ensure the effective management and delivery of the programme.

### 4 Preferred Options

#### 4.1 Acceptance of the HAF Grant

**Option 1:** To accept the HAF Grant from the DfE and to enter into grant agreements with successful providers delivering the HAF programme from time to time.

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### Payment Terms for Delivery Partners

**Option 2:** To have a tiered payment process based on the value of the grant being awarded to the provider.

- 50% of total grant paid in advance.
- Up to 50% of remain grant total paid based on paying only for placed filled and taken up.

### Dedicated HAF programe team

**Option 2:** – To continue the secondment arrangements in place for 1 HAF manager and 1 HAF coordinator to lead delivery of the programme for the duration of the programme. This option allows us to ensure the effective management and delivery of the programme.

## 5 Consultation

- 5.1 During the 4 years of programme delivery a range of stakeholders were consulted in shaping the programme delivery. This included delivery organisations including those from the voluntary, community and faith sector organisations, as well as council services who work with children and young people.

## 6 Financial Implications

- 6.1 Oldham has been notified of the continuation of the Holiday Activities and Food Programme (HAF) for FY2025-26. Based on a Programme total of **£205m**, Oldham's maximum indicative allocation will be **£1,500,800**. The overall programme funding will be allocated to LAs based on the number of FSM pupils taken from the most recent School Census data.



HAF Indicitive  
allocations 202526.p

- 6.2 Whilst Section 31 grants are not statutorily required to be ringfenced, there is a clear expectation as to the purpose of the funding from the sponsoring Government Department. It is therefore proposed that the Council extends the existing ringfencing of the Holiday activities and Food Grant to the Education, Skills and Early Years Directorate to the 2025/26 allocation.
- 6.3 The recommendations in relation to discharging the grant are outlined in **Option 2, namely:**
- To have a tiered payment process based on the value of the grant being awarded to the provider. 50% of total grant paid in advance. Up to 50% of remaining grant total paid based on paying only for places filled and taken up.
  - To recruit one HAF Manager (Grade 8) and one HAF Coordinator (Grade 6) to lead delivery of the programme for the duration of the programme. This option allows us to ensure the effective management and delivery of the programme. The total cost of these posts is in the region of £90k including on costs for a 12-month period.

Local authorities will continue to be able to use up to 10% of their total allocation to cover administrative costs. It is a requirement of the programme that every local authority will appoint or have in place a HAF Coordinator who takes responsibility within the local authority for the delivery of the programme. This will be alongside having sufficient staff who are dedicated to working on HAF all year round. Delivery of the programme of work funded

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by the HAF grant is closely monitored within the Council from both a service and financial perspective and by regular liaison with the Dept. for Education to ensure the full scope of work will be delivered within the resources available over the life of the programme.

**Vicki Hayes – Senior Accountant**

**7 Legal Implications**

- 7.1 The receipt of the HAF grant funding from the DfE is not subject to any requirements, under the Constitution, save that the decision to accept or reject the grant must be taken to the correct decision maker, which is the Cabinet in this case.
- 7.2 Any decision to accept the HAF grant should be subject to a review of any DfE terms and conditions attached to the grant.
- 7.3 In allocating the grant to local providers, the Council will need to comply with any overarching DfE terms and conditions. The payment terms will be as approved under this report. All individual grant awards will be formalised in writing and all grant recipients will be required to sign up to the Council's terms and conditions, incorporating any DfE requirements, in order to receive the funding.
- 7.4 The staffing arrangements have been previously approved, so an extension of those arrangements is needed for the new grant award. As the arrangements are existing, there should be no new implications from a legal perspective.
- 7.5 As with any decision, the acceptance and onward award of the DfE HAF grant, can be challenged, but only where grounds for judicial review (JR) exist. There are limited grounds for bringing a JR claim; a decision made by the Council must be illegal (a decision-maker breaches a legal requirement, misdirects itself in law, exercises a power wrongly, or purports to exercise a power that it does not have, which is known as acting 'ultra vires') or it must be irrational (i.e., if it "is so unreasonable that no reasonable authority could ever have come to it") or if it is procedurally improper (a failure to observe statutory procedures or natural justice) or it is made in breach of legitimate expectation (when a public body has failed to act in line with an expectation that it has created by its own statements or acts). Further, the claimant must have sufficient interest, or "standing" in the matter to which the judicial review relates. It is not anticipated that any ground for a JR claim would arise in this matter.

Sarah Orrell – Commercial & Procurement Solicitor

**8 Equality Impact, including implications for Children and Young People**

- 8.1 No

**9 Key Decision**

- 9.1 Yes

**10 Key Decision Reference**

- 11.1 EE-01-25

**12 Background Papers**

- 12.1 None

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13      **Appendices**

13.1    None