



Department
for Education

Department for Education
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To: S151 officers
CC: PPP contacts

Date: 29th March 2022

Dear Colleague,

Re: S31 Grant Determination Letter for High Needs Provision Capital Allocations (HNPCA) (31/5995)

This Determination is made between:

- 1. The Secretary of State for Education and**
- 2. Local authorities listed in Annex A**

This letter relates to your local authority's capital allocation for financial year 2022-23 to support the creation of new High Needs places or the improvement of existing provision (for pupils with Special Educational Needs and Disabilities (SEND) or requiring Alternative Provision (AP)). These allocations are published on GOV.UK. Funding will be paid in one instalment in July 2022.

This letter sets out the conditions of grant attached to these capital allocations. Conditions will apply from the date of this letter. A grant determination letter covering HNPCA funding for 2023-24 will be issued in due course.

A separate guidance document is published on GOV.UK. This document should be read in conjunction with this Grant Determination letter. It sets out in more detail the intended

purpose of the grant; the types of capital works the funding is intended to be spent on; recommendations for planning and consultation; and suggested timelines.

In addition, we are asking local authorities to complete a short grant assurance data return by **1st October 2022**, providing high level details on any projects expected to be funded with support of HNCPA. The template for this return is available at the same web address as the guidance document. LAs should return their completed templates to: capital.allocations@education.gov.uk.

Local authorities are required to verify this funding has been spent on capital projects through the section 151 officer's return. We also ask that you provide data on spend through the discretionary Capital Spend Survey returns.

The funding is intended for places needed for academic year 2023/24; however local authorities have the flexibility to carry funding over into subsequent financial years and the funding is un-ringfenced in order that local authorities can make the best decisions for their local area.

If you have any queries, please contact DfE via this email address: capital.allocations@education.gov.uk.

Please ensure this letter is copied to your Chief Finance Officer for information.

Yours faithfully,

Paul Baker

A handwritten signature in black ink that reads "Paul Baker". The signature is written in a cursive style with a long horizontal line extending to the right.

Deputy Director, Central Capital Unit

CAPITAL grant determination (non-ringfenced)

HIGH NEEDS PROVISION CAPITAL ALLOCATIONS (HNPCA) GRANT DETERMINATION (2022): No 31/5995

The Minister of State for Education (“the Minister of State”), in exercise of the powers conferred by section 31 of the Local Government Act 2003, makes the following determination:

Citation

1) This determination may be cited as the High Needs Provision Capital Allocations (HNPCA) grant (2021) No. 31/5995.

Purpose of the grant

2) The purpose of the grant is to provide support to local authorities in England towards expenditure lawfully incurred or to be incurred by them.

Determination

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

Grant conditions

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

Treasury consent

5) Before making this determination in relation to local authorities in England, the Minister of State obtained the consent of the Treasury.

Signed by authority of the Minister of State for Education



Tony Foot, Strategic Finance Director

29th March 2022

ANNEX A

High Needs Provision Capital Allocations (HNPCA) for 2022-23 can be found published at: <https://www.gov.uk/government/publications/high-needs-provision-capital-allocations>. If any adjustments are made to any local authority's allocation, this will be communicated to them directly.

ANNEX B

GENERAL CONDITIONS OF GRANT

1. Grant paid to a local authority under this determination may be used only for the purposes that a capital receipt may be used for in accordance with regulations made under section 11 of the Local Government Act 2003.
2. The Chief Executive and Chief Internal Auditor of each of the recipient authorities are required to sign and return to Capital Funding Team within Capital Group of the Department for Education a declaration, as part of the outturn statement to be received no later than the date communicated by the team, in the following terms:

"To the best of our knowledge and belief, and having carried out appropriate investigations and checks, in our opinion, in all significant respects, the conditions attached to the High Needs Provision Capital Allocations (HNPCA) Grant Determination No. 31/5995 have been complied with".
3. If an authority fails to comply with any of the conditions and requirements of paragraphs 1 and 2, the Minister of State may-
 - a. reduce, suspend or withhold grant; or
 - b. by notification in writing to the authority, require the repayment of the whole or any part of the grant.
4. Any sum notified by the Minister of State under paragraph 3(b) shall immediately become repayable to the Minister.

CONDITIONS RELATING TO EFFICIENCY OF SPEND

5. A local authority should seek to ensure funding paid out under this grant is spent efficiently. To which end, it should thoroughly evaluate all procurement options for projects – including the DfE construction frameworks and output specification – to demonstrate value for money. A local authority should encourage academy trusts and other responsible bodies to do the same, should they procure a construction project directly.
6. A local authority may be required to provide such information as reasonably requested by the Secretary of State, relating to expenditure on new places and the procurement options appraisal conducted.