

**GUIDANCE for Parents and Providers**  
**2, 3 and 4 Year Old Early Education Entitlement Places September 2017**

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## **Introduction of the Early Education Entitlement**

Families of all three and four year olds can claim up to 15 free hours of Early Education Entitlement, per week. This is a universal entitlement and each child is entitled to a maximum of 570 hours of funding per annum, to be taken over no fewer than 38 weeks in any year.

The Government has introduced a targeted entitlement for **eligible** two year olds to access 15 free hours of early education and each eligible child is entitled to a maximum of 570 hours of funding per annum, to be taken over no fewer than 38 weeks in any year . This is part of the Government's aim to improve life chances for children and families. Parents will be able to check their eligibility through an online system.

From September 2017, there will be an extended entitlement of up to 30 free hours provision – this is an additional 15 hours a week for **eligible** working parents of three- and four-year-olds (on top of the universal entitlement of 15 hours a week for all three and four year olds). Eligibility for the additional hours will be determined and managed by Her Majesty's Revenue and Customs (HMRC).

## **Early Years Providers**

In this guidance 'provider' means:

- a setting like a day nursery, pre-school or playgroup registered on the Ofsted Early Years Register;
- a childminder registered on the Ofsted Early Years Register;
- a childminder registered with a childminder agency which is itself registered with Ofsted;
- schools taking children age two and over

Families will need to contact a provider of their choice and establish if they have any suitable vacancies and then register with the setting.

Parents will need to check that their chosen provider is registered with the local authority to offer the early education places.

It is important that children are registered with an early year's provider near the start of a term so that they are included in providers' records on the headcount day. This headcount day is usually held within the first few weeks of term.

Families must agree a set attendance pattern with the provider for the whole funding period at a minimum. This needs to be agreed when the parent / carer declaration form is completed.

Eligible children have the right to, or guarantee of a funded place in the city, but not the right to a funded place with a particular provider. This will be based on the early year's provider's admissions policy and capacity to accommodate a families' request.

The Early Education Entitlement place can be split between more than one early years provider as long as the total agreed hours per week and funding period are not exceeded. There is also a limit of two providers being accessed in one day.

## Coventry Family Information Service

Coventry Family Information Service (FIS) holds up to date information on all early years' providers in the city that are registered with the local authority to offer early education places. You can access this information by visiting their website <http://coventry.fsd.org.uk> .

## Moving a child from one provider to another

It is the choice of the parent or carer with responsibility for the child where they decide to access an early education place. This is confirmed when a parent carer declaration form is signed with the chosen provider to access the number of hours per week for that funding period. Each funding period has a 'headcount date' within the first few weeks where providers are asked to submit the details of the early education places they are offering during that funding period.

If a child is moved to a different early year's provider **before** the headcount date then **parents will have to pay** the original early year's provider for the hours the child has attended up until the day they leave. Early years providers **cannot** claim funding from the local authority for any hours attended prior to the headcount date for that period.

If a child moves to a different early year's provider after the 'headcount' date for that term, the funding for that term does **not** transfer with the child.

A claim may be made at the new early year's provider for the **following** term. The original provider, who made the claim, is entitled to keep the early years funding for the term in which the child was moved. They may be willing to share it with the new early year's provider, but there is **no requirement** for them to do so. If they choose not to share the early years funding, this may result in the **parent being charged** for any early year's provision that they access for the remainder of the current funding period.

## Funding Periods

Sometimes referred to as funding terms, these are closely in line with the school term dates but are not exactly the same. Providers are given a maximum numbers of hours and weeks within each funding period and would have to agree with parents how these are offered and accessed.

Autumn is usually between 1<sup>st</sup> September and 31<sup>st</sup> December

Spring is usually between 1<sup>st</sup> January and 31<sup>st</sup> March

Summer is usually between 1<sup>st</sup> April and 31<sup>st</sup> August

## **2 Year Old Early Education Entitlement Place (15 Hours)**

For a family who meet the criteria (see below), a child will be **eligible** for an Early Education place from the start of the term **after** their second birthday, for example:

- **Eligible** children born in the period 1<sup>st</sup> January to 31<sup>st</sup> March: Can access a place from 1<sup>st</sup> April following their second birthday
- **Eligible** children born in the period 1<sup>st</sup> April to 31<sup>st</sup> August: Can access a place from 1<sup>st</sup> September following their second birthday
- **Eligible** children born in the period 1<sup>st</sup> September to 31<sup>st</sup> December : Can access a place from 1<sup>st</sup> January following their second birthday

### **Eligibility Route 1**

A child is eligible for a 2 year old entitlement place if their parent is in receipt of any of the following UK benefits and can produce evidence as outlined below:

- Income Support
- Income Based Job Seekers Allowance (Evidence must be provided and dated within the last 12 months of this application)
- Employment & Support Allowance ESA (Income Related)
- Receiving support under Part VI of the Immigration and Asylum Seeker Act 1999 (Evidence of your entitlement must be provided and dated within the last 12 months of this application)
- Child Tax Credit only at a rate higher than the Family Element **Child Tax Credit must be higher than £535.00 per annum and household income less than £16,190 per annum Award Notice TC602.** (Evidence must be provided and dated within the last 12 months of this application)
- Working Family Tax Credits and have an annual gross earnings of no more than £16,190 per year (Evidence must be provided and dated within the last 12 months of this application).
- Extra Working Tax Credit relating to a Disability (Evidence must be provided of your current annual award).
- Pension Credit (Guarantee Element) and proof of Child Tax Credit (Evidence must be provided of your current annual award)

### **Eligibility Route 2**

A child who falls into one of the following categories would also be **eligible**:

- Is in the care of the local authority. Evidence – A letter from a relevant professional with child`s name and DOB
- Has left care through special guardianship, adoption or residence order. Evidence – 2 year old funding letter from LA with child`s name and DOB or Special guardianship, adoption or residence order from the court.
- Has a current statement of Special Educational Need or an Education, Health and Care Plan. Evidence – A letter from a relevant professional working with the family regarding EHCP awarded.

- Has a diagnosed syndrome, condition or disability that significantly affects ability to access learning or Has a delay of at least 6 months in 2 or more areas of development. Evidence – A letter from a relevant professional working with the family regarding the SEN criteria listed here.
- Attracts Disability Living Allowance (DLA). Evidence – Award letter for DLA.
- Has a Child Protection Plan (CPP). Evidence – Letter from relevant professional regarding the CPP with child's name and DOB.
- Is being supported through the Common Assessment Framework (CAF) process. Evidence - Letter from relevant professional regarding the CAF with child's name and DOB.

**Eligibility will be checked by** parents initially using an online portal system similar to applications for school places. They may also be assisted to make the application through this system.

Where eligibility cannot be verified through this system, further relevant evidence as suggested with each of the criteria should be provided by the parent or carer with legal responsibility.

Once a place has been offered to a child, any future change of circumstance will not affect the funding for the place. For example if the parent loses a UK benefit, their child would still receive the early education entitlement until they access the 3 year old early education entitlement.

Once eligibility is confirmed parents/carers will then be required to complete a parent/ carer declaration form with their chosen setting, to agree how the early education entitlement place will be accessed.

The 2 year old Early Education entitlement ends when your child is ready to receive their 3 Year Old Early Education universal entitlement

### **3 and 4 year old Universal Entitlement (15 Hours)**

Children **will become eligible** for an Early Education Place from the start of the term **after** their third birthday for example:

- children born in the period 1<sup>st</sup> January to 31<sup>st</sup> March: Can access a place from 1<sup>st</sup> April following their third birthday
- children born in the period 1<sup>st</sup> April to 31<sup>st</sup> August: Can access a place from 1<sup>st</sup> September following their third birthday
- children born in the period 1<sup>st</sup> September to 31<sup>st</sup> December : Can access a place from 1<sup>st</sup> January following their third birthday

If a child takes up a place part-way through the year (due to exceptional circumstances **which must have prior** approval from the Council) the number of hours available for that child should reflect the portion of the year remaining. All late starters received after headcount will be funded for the number of remaining weeks for that term and not for the full term. Exceptional circumstances include newly arrived families into the country and or city.

## **Early Years Pupil Premium for 3 & 4 year olds**

From April 2015, nurseries, schools, childminders and other childcare providers are able to claim extra funding through the Early Years Pupil Premium (EYPP) to support children's development, learning and care.

The Early Years Pupil Premium is available to the childcare provider and it provides additional funding for three and four year old children whose parents are in receipt of certain benefits or who were formally in local authority care but who left care because they were adopted or were subject to a special guardianship or child arrangements order.

Providers will give parents a letter explaining the EYPP offer in more detail and parents will be asked to complete a section on the parent carer declaration form once a year for the relevant checks to be carried out.

## **3 and 4 year old Extended Entitlement (30 Hours)**

Parents of three and four year olds will need to meet the following criteria in order to be eligible for 30 hours free childcare:

- They earn or expect to earn the equivalent to 16 hours at National Minimum or Living Wage over the coming three months.
- This equates to £120 a week (or c.£6,000 a year) for each parent over 25 years old or £112.80 a week (or c.£5,800 a year) for each parent between 21 and 24 years old and £56 a week for apprentices in their first year.
- This applies whether you are in paid employment, self-employed or on a zero hours contract.
- The parent (and their partner where applicable) should be seeking the free childcare to enable them to work.
- Where one or both parents are on maternity, paternity, shared parental or adoption leave, or if they are on statutory sick leave.
- Where one parent meets the income criteria and the other is unable to work because they are disabled, have caring responsibilities or have been assessed as having limited capability to work.
- Where a parent is in a 'start-up period' (i.e. they are newly self-employed) they do not need to demonstrate that they meet the income criteria for 12 months.
- If one or both parents is a non-European Economic Area (EEA) national, the parent applying must have recourse to public funds

A parent will **not meet** the criteria when:

- Either parent has an income of more than £100,000
- If one or both parents is a non-EEA national and the parent applying does not have recourse to public funds

When a parent loses eligibility;

They will receive a 'grace period' – this means they will be able to keep their extended childcare for a short period of time after they have been notified they are no longer eligible. Once the 'grace period' has lapsed, the parent should be entitled to the universal 15 free hour entitlement.

Local authorities should continue to fund a place for a child whose parents cease to meet the eligibility criteria and ensure that providers are aware of this. This is known as the 'grace period'. During the grace period local authorities should continue to fund a child as set out in table A below (i.e. they should continue to receive the additional 15 free hours a week over 38 weeks of the year, or its equivalent if the entitlement is being stretched).

- A child who becomes ineligible during the first half of a funding block (as defined in table A below) should be funded until the end of that funding block (31 March, 31 August, 31 December) or for as long as they remain under Compulsory School Age, whichever is the shorter.
- A child who becomes ineligible in the latter half of the funding block (up to the last day of the funding block) should be funded until the end of the following funding block or for as long as they remain under Compulsory School Age, whichever is the shorter.

**Table A**

<b>Date Parent receives ineligible decision on reconfirmation:</b>	<b>LA audit date:</b>	<b>Grace Period End date:</b>
<b>1 Jan – 10 Feb</b>	11 February	31 March
<b>11 Feb – 31 March</b>	1 April	31 August
<b>1 April – 26 May</b>	27 May	31 August
<b>27 May – 31 August</b>	1 September	31 December
<b>1 September – 21 October</b>	22 October	31 December
<b>22 October – 31 December</b>	1 January	31 March

## **Flexibility**

Providers may offer flexible packages for Early Education Entitlement Places, subject to the following standards:

- No session is longer than 10 hours
- Children accessing their Extended Entitlement are able to take up their full entitlement to Early Education at a time that best supports their learning, and at a time that fits with the needs of the parents
- The provider should work with the local authority and share information about the times and periods at which they are able to offer free entitlements to support the local authority. The provider should also make information about their offer and admissions criteria available to parents at the point the child first accesses provision at their setting

- Limit to two, the number of sites, on which children can take up their free entitlement in a single day, to avoid the potential negative impact on children of multiple transitions between sites
- Continuity of care is important for the child so local authorities and providers should bear in mind the impact that multiple providers may have on a child's learning, development and wellbeing. Providers need to work in partnership in order to be part of a local network of contacts to help improve quality and to create a joint offer that is appealing to parents.

### **Term time or Stretch options**

Families can claim for up to 15 hours of Early Education per week for their child. This means that a child is entitled to 570 hours per year. This can be taken over a minimum of 38 weeks and to a maximum of 52 weeks per year, however not all settings are able to accommodate this flexibility.

Although funded provision **must** be available over at least 38 weeks of the year; the regulations do not prevent the entitlement being stretched over more than 38 weeks of the year to enable the entitlement to be delivered more flexibly i.e. taking fewer hours per week over more weeks of the year. Providers would need to agree a set pattern over the 'stretch' period (please refer to Early Education Entitlement – funded weeks document) with parents, which is in multiples of a quarter of an hour e.g. 9 hrs, 9 hrs 15 minutes, 9 hours 30 minutes, 9 hours 45 minutes but must not exceed the maximum number of funded hours for the relevant period.

Parents can request to take this over a minimum of 38 weeks and a maximum of 52 weeks per year, as long as the provider of their choice can accommodate this flexibility. The right to, or guarantee of a funded part-time Early Education Place, is a right to a funded place in the city at any appropriate setting, not the right to a funded place with a particular provider.

### **Additional charges**

The Early Education Place is a funded, part time place for **2, 3 and 4 year old children** and **must be completely free at the point of delivery.** Government funding is intended to deliver 15 or 30 hours a week of free, high quality, flexible childcare. It is not intended to cover the costs of meals, other consumables, additional hours or optional activities. Providers can charge for meals, snacks, consumables and optional activities as part of the free entitlement delivery, as long as parents are not required to pay as a condition of taking up their child's free entitlement place. Where parents choose to purchase additional hours of provision or optional activities, this is a private matter between the provider and the parent.

#### **Providers must not therefore:-**

- Charge top up fees in respect of the free hours (the difference between what a provider normally charges and the funding received from the local authority)
- Impose conditions that require payment for the free hours up front and to be refunded at a later date
- Charge a registration or uniform fee if only the Early Education Place is being accessed
- Require the purchase of lunch as a condition of accessing those hours where the Early Education Place is taken over a lunch period. The option of providing a packed lunch must be offered

Providers must ensure that bills/invoices are set out clearly so that families can easily recognise and understand what hours they have accessed in relation to the Early Education Place and how the fees relate to any additional services or hours that are being charged for.

### **Help with Childcare costs**

If a child is attending the early year's provider for more than 15 hours a week because the parent is at work or in training, it may be possible to claim the Working Tax Credit. For more details parents should visit <https://www.gov.uk/help-with-childcare-costs> or call the Working Tax Credit helpline on 0345 300 3900.

Other options to help with childcare costs are available such as tax free childcare. Check <https://www.childcarechoices.gov.uk/> for more information.

### **Complaints regarding the Early Education Entitlement**

If a parent is unhappy with the way the early years provider is administering the Early Education Entitlement, the setting's complaint procedure should be followed. If there is still dissatisfaction with the outcome of the complaint parents should follow the guidance found on the Family Information website page [http://www.coventry.gov.uk/info/38/family\\_support/210/coventry\\_family\\_information\\_service](http://www.coventry.gov.uk/info/38/family_support/210/coventry_family_information_service) This includes the complaints policy and an on-line complaints form.

### **Special Educational Needs**

Refer to the Department of Education Special Educational Needs and Disabilities Code of Practice: Chapter 5, [Early Years Providers SEND code of practice](#)

This section outlines the responsibilities for providers in meeting the needs of children and identifying SEN. Also providers must ensure that they meet their duties under the Equality Act 2010 0-25<sup>[2]</sup> when securing and providing free places. Early year's staff need to feel confident that they can support a child with SEND to access and enjoy their early years setting. The recently published workforce strategy sets out how staff should offer good quality provision to children with SEND.

<https://www.gov.uk/government/publications/early-years-workforce-strategy>

### **Disability Access Fund**

This new fund is to support disabled children to access the early education entitlements, equivalent to £615 per child per year. This is a one off payment made to a provider chosen by the parents of an eligible child that is in receipt of disability living allowance.

## **Data Protection**

Providers are required to keep children's records in a secure place. Information kept on children (in any medium) is regarded as personal data. Data must be managed in accordance with the requirements of the Data Protection Act 1998.

## **Compliance Reviews**

Regular checks of early year's providers are undertaken to ensure that claims for funding are legitimate. Information is regularly monitored to ensure that duplicate claims are not being made by more than one for the same child. **It is important that providers are informed if a child is registered to claim the early education funding at another provider or registered at a nursery class attached to a school.**

Compliance reviews are carried out on a limited notice basis and providers must be able to give access to the reviewer of full and complete records for all funding claims.

## **Useful links**

Childcare Choices <https://www.childcarechoices.gov.uk/>

Legal annex to 30 hours statutory guidance

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/596460/early\\_education\\_and\\_childcare\\_statutory\\_guidance\\_2017.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/596460/early_education_and_childcare_statutory_guidance_2017.pdf)

SEND code of practice

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/350685/Early\\_Years\\_Guide\\_to\\_SEND\\_Code\\_of\\_Practice\\_-\\_02Sept14.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/350685/Early_Years_Guide_to_SEND_Code_of_Practice_-_02Sept14.pdf)

Early Years Workforce Strategy

<https://www.gov.uk/government/publications/early-years-workforce-strategy>