



Early Years Education & Childcare Funded Entitlements



Warwickshire County Council Requirements of Early Education and Childcare Funding Entitlements 2024



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Warwickshire County Council Requirements of Early Education and Childcare Funding Entitlements 2024 – title updated from Guidance and Requirements of Early Education Funding for 2-, 3- and 4-Year Olds 2022 updated July 2023

Summary of Main Changes:

The Requirements of Early Education and Childcare Funding Entitlements 2024 has been updated in line with the Early Education and Childcare, Statutory guidance for Local Authorities April 2024, previously the Early Education and Childcare Statutory Guidance for Local Authorities 2018.

Particular changes apply to the expansion of the working parent entitlements as follows:

- from April 2024, the 15-hour entitlement for children of eligible working parents from the age of 2
- from September 2024, the 15-hour entitlement for children of eligible working parents from the age of 9 months
- from September 2025, the 30-hour entitlement for children of eligible working parents from the age of 9 months

Wording has been changed throughout the document to reflect the introduction of the working parent entitlements as above and to differentiate between the current entitlements.

All reference to 30 hours eligibility codes has been changed to eligibility codes throughout.

Throughout the document any references to procedures and processes to claim the entitlements have been removed and will be included in a separate guidance document to accompany the Requirements.

Specific Changes:

Green = Reference to the Guidance and Requirements of Early Education Funding for 2-, 3- and 4-Year Olds 2022 updated July 2023

- **Section 1.3 Framework for Delivery** has been removed and the information added to Section 3 Flexibility in line with Section A2: Flexibility of the Statutory Guidance
- **Section 2** has been renamed The Early Years Education and Childcare Entitlements in line with Part A: Free Places of the Statutory Guidance
- All the separate entitlements are identified and listed individually under Section 2.1 Determining Eligibility for the Entitlements and mirrors the order of the information from A1.1 to A1.29 of the Statutory Guidance
- **Section 2.3 Deferred or Delayed Entry into Reception Year** has been moved to Section 2.4

- **Section 2.4 Payment Arrangements** has been moved to Section 2.3 and renamed Claiming the Funded Entitlements
- The Funding Rates have been updated for the financial year 2024/2025
- **Section 2.7 The 'Stretch' Offer** has been removed to be included in a separate guidance document
- **Section 2.8 Charges** have been moved to Section 2.5 and renamed Charging. The wording has been updated to reflect the Statutory Guidance
- **Section 2.9 Parent/Guardian Declaration Form** has been moved to Section 3.1.1 in line with Section A2: Flexibility of the Statutory Guidance
- **Section 2.16 Withdrawal from delivering the Free Entitlement** has been moved to Section 5.2 and renamed Withdrawal from delivering the Funded Entitlements to sit in the more relevant Section 5 Local Directory of Providers
- **Section 2.17 Indicative Budgets** has been moved to Section 2.3.6
- **Section 3 – Directory of Providers** has moved to Section 5 Local Directory of Providers
- **Sections 3.1 and 3.2** have been moved to Section 5 Local Directory of Providers
- **Sections 3.3 and 3.4** have been moved to Section 4 Quality
- **Section 3.5 Inclusion and Special Educational Needs** has been moved to Section 2.6 in line with the Statutory Guidance (A1.41 – A1.46)
- **Section 3.6, 3.7, 3.8, 3.9 and 3.10** have all been moved to Section 5 Local Directory of Providers
- **Section 4 Quality** has been expanded and wording added in line with the Statutory Guidance Section A3: Quality to reflect the government requirements that funded places can be delivered by providers judged 'good' or 'outstanding' by Ofsted for eligible 2Help 2-year-olds and funded places can be delivered by providers judged 'requires improvement' or better by Ofsted for children eligible for the universal or working parent entitlements

1 Introduction, Roles and Requirements

1.1 Introduction

Welcome to Warwickshire County Council's 'Requirements of Early Education and Childcare Funding Entitlements'.

The requirements reflect ['Early education and childcare - Statutory guidance for local authorities'](#) issued by the Department for Education. The Statutory Guidance refers to legislation contained in The Childcare Act 2006 and The Childcare Act 2016.

The Statutory Guidance applies to the duty on Local Authorities:

- to secure early years provision free of charge
- to secure sufficient childcare for working parents, including wraparound childcare
- to secure childcare free of charge for eligible working parents of 3- and 4-year-olds
- ensure the provision of information, advice and assistance to parents, and
- ensure the provision of information, advice and training to childcare providers

It also supports the introduction of the following working parent entitlements:

- from April 2024, the 15-hour entitlement for children of eligible working parents from the age of 2
- from September 2024, the 15-hour entitlement for children of eligible working parents from the age of 9 months
- from September 2025, the 30-hour entitlement for children of eligible working parents from the age of 9 months

Warwickshire County Council's Requirements of Early Education and Childcare Funding Entitlements document sets out the Local Authority's expectations for registered providers offering Funded Early Education Entitlement places, and the Local Authority support available and explains:

- what the funding entitlements are
- who is eligible
- how to apply for it
- how to meet the Local Authority requirements
- what will happen if settings receive an Ofsted judgement of Inadequate or Requires Improvement (including what happens if settings are unable to make the necessary improvements)

1.2 National and Local Requirements

The funded entitlements enable eligible 2-, 3- and 4-year-old children, and, from September 2024 children from the age of 9 months, to access funded early years provision before they reach compulsory school age.

Local Authorities receive the funding to enable them to meet their statutory responsibility to provide these funded places through the Dedicated Schools Grant (DSG) – this is calculated from information collected during the annual Early Years Census in January.

Completing census information is important. If providers do not complete the information on time, it has an impact on the amount of funding the Local Authority receives (and therefore the amount of funding providers may receive). Submitting such information is included in the Provider Agreement for Funded Early Years and Childcare Provision which providers must sign before being included in the Local Authority Directory of Providers.

The Local Authority is responsible for maintaining the Directory of Providers, detailing those eligible to claim funding for the provision of funded places.

To be added to the Directory a setting must be:

- An early years provider or a childminder registered on the Ofsted Early Years Register, and have received a Certificate of Registration OR
- A childminder registered with a childminding agency which is itself registered with Ofsted on the Early Register
- Independent Schools and Academies taking children aged two and over and which are exempt from registration with Ofsted as an early years provider OR
- A school taking children aged two and over and which is therefore exempt from registration with Ofsted as an early years provider

The owner / person responsible for the setting must sign an annual Provider Agreement and grant reasonable access to all financial and non-financial records relating to early years entitlement places for financial monitoring and audit purposes to officers from the Early Years and Childcare Entitlements, Sufficiency and Business Team.

All Providers must have regard to the [Special educational needs and disability code of practice: 0 to 25 years](#)

These Requirements explain how the early years entitlements are administered in Warwickshire, and how to apply for funding.

Please contact the Early Years Entitlements Team for any specific information not included in this document:

01926 742233 / 01926 742218 / 01926 743039

or eyfunding@warwickshire.gov.uk

childminderfunding@warwickshire.gov.uk

1.3 The Role of Early Years Providers

All children should be able to take up their entitlement to funded early education in a high-quality setting. Providers should consider how to raise the quality of provision through continuous self-evaluation. Throughout the self-evaluation process, everyone who is connected with the setting should be involved – staff team, children, parents and families – to get a clear picture of strengths and limitations and how to address any gaps. Areas for development might include learning new skills, personal or professional development, more training, sharing values and ideas, taking on new staff or creating a more flexible offer.

Settings should be clear about how to deliver a more flexible service. The universal entitlement equates to 570 hours a year accessed over a minimum of 38 weeks of the year (equating to 15 hours a week). Providers can ‘stretch’ this offer, so families receive fewer hours per week, but over more weeks per year. This may meet some families’ needs better than a set pattern of 15 hours per week for 38 weeks per year, which has been the traditional offer. The extended working parent entitlement (an additional 570 hours per year equating to 15 hours per week over 38 weeks) equates to 1140 hours per year and can also be stretched.

Availability, flexibility, business sustainability, affordability and inclusivity are key issues, and this guide highlights information sources which can help with these areas. Consideration also needs to be given to learning, development, safeguarding and welfare requirements. Well-evidenced evaluation will support providers in maintaining the necessary Ofsted grading that will retain a place in the Local Authority’s Directory of Providers.

If a setting fails to meet Ofsted’s required standards, its funding from the Local Authority is at risk. The Local Authority will adhere to the requirements of the [‘Early education and childcare - Statutory guidance for local authorities’](#) when making a decision to withdraw or suspend funding. The Provider Agreement sets out arrangements for termination and withdrawal of funding in more detail. This is a contract between the setting and the Local Authority for delivering funded places and contains details of the Local Authority’s expectations of what providers should do to maintain their place in the Directory of Providers.

1.4 The Role of the Local Authority

The Childcare Acts 2006 and 2016 place a duty on all English Local Authorities to secure free early years provision for all eligible children in their area. The Acts stipulate the type and amount of provision and the age of children to benefit.

[‘Early education and childcare - Statutory guidance for local authorities’](#) is a legal framework which all Local Authorities must follow for the delivery of funded early years provision for eligible children.

Local Authorities are required to secure sufficient free places of 570 hours per year over no fewer than 38 weeks of the year and up to 52 weeks of the year of the year for every eligible child in the area from the term after their 2nd birthday, and from September 2024, from the term after the child turns 9 months old, until they reach compulsory school age (or 1140 hours per year for the extended entitlement).

The entitlement can be delivered through a range of providers including nursery schools and classes, private and voluntary sector providers, school-run provision, independent schools, and childminders.

Wherever possible, the Local Authority will concentrate early education funding on the highest quality providers, only funding others where it is necessary to maintain sufficiency and accessibility.

Warwickshire County Council administers the funding for all children receiving the early years entitlements within the Local Authority area. The funding is paid directly to providers, rather than parents, and is calculated on the number of hours each eligible child attends the setting.

Providers from all parts of the early years sector are funded on the basis of a single funding formula – the Early Years Single Funding Formula (EYSFF). This is a government requirement, and must be ‘participation led’, which means the Local Authority funds providers based on how many children they have in the setting each term, and how many hours they attend.

A universal base rate must be used for all types of provider, although additional funding is available for Maintained Nursery Schools via a direct Government grant.

In exceptional circumstances, to protect funds, Warwickshire County Council may be required to make a financial adjustment for a provider. In these situations, the Local Authority will contact the setting and confirm the arrangements in writing - for example, where information is received that supports concerns about financial sustainability or closure.

2 The Early Years Education and Childcare Entitlements

2.1 Determining Eligibility for the Entitlements

2.1.1 2Help entitlement for 2-year-olds

Reference: A1.1 – A1.5 of the Statutory Guidance for Local Authorities

2Help is the name for the entitlement for eligible families receiving some additional forms of government support, such as certain benefits or credits or those meeting other criteria as detailed at: [Help paying for childcare: Free education and childcare for 2-year-olds - GOV.UK \(www.gov.uk\)](https://www.gov.uk/help-paying-for-childcare)

In accordance with the Statutory Guidance, a child will be entitled to the 2Help funding entitlement when **both** of the following criteria are met: (1) from the term after the child has attained the age of two and (2) the child or parent meets the eligibility criteria, and a successful application has been completed.

Local authorities are required to secure funded places offering 570 hours a year, over no fewer than 38 weeks of the year and up to 52 weeks of the year. This equates to 15 hours a week for 38 weeks of the year. Children may stretch their entitlement over more than 38 weeks (and up to 52 weeks). This means taking fewer hours per week, subject to a maximum of 570 hours a year.

Full details of the government's eligibility criteria for the 2Help entitlement for 2-year-olds can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

Families can apply online at www.warwickshire.gov.uk/children-families/help-childcare-costs/2 or a paper application is available if the parent does not have access to the internet and can be requested from 2help@warwickshire.gov.uk

The following table shows when a child is eligible to receive the 2Help entitlement funding (all dates are inclusive):

A child born between:	Will be eligible for a funded place from:
1st January and 31st March	The start of the Summer Term following their 2 nd birthday
1st April and 31st August	The start of the Autumn Term following their 2 nd birthday
1st September and 31st December	The start of the Spring Term following their 2 nd birthday

2.1.2 Universal Entitlement - All 3- and 4-year-olds

Reference: A1.6 – A1.9 of the Statutory Guidance for Local Authorities

In accordance with the Statutory Guidance, **all** 3- and 4-year-old children are eligible for the 15 hours Universal Entitlement from the start of the term after their 3rd birthday, until they reach compulsory school age.

Local Authorities are required to secure funded places offering 570 hours a year, over no fewer than 38 weeks of the year and up to 52 weeks of the year. This equates to 15 hours a week for 38 weeks of the year. Children may stretch their entitlement over more than 38 weeks (and up to 52 weeks). This means taking fewer hours per week, subject to a maximum of 570 hours a year until the child reaches compulsory school age (the beginning of the term following their fifth birthday or where the child is taking up a full-time school place in reception).

3- and 4-year-old children moving to England from another country can access their funded place on the same basis as any other 3- and 4-year-old child in the local authority area

The following table shows when a child is eligible to receive the universal entitlement for 3- and 4-year-olds (all dates are inclusive):

A child born between:	Will be eligible for a funded place from:
<i>1st January and 31st March</i>	<i>The start of the Summer Term following their 3rd birthday until statutory school age</i>
<i>1st April and 31st August</i>	<i>The start of the Autumn Term following their 3rd birthday until statutory school age</i>
<i>1st September and 31st December</i>	<i>The start of the Spring Term following their 3rd birthday until statutory school age</i>

There is **NO** application process required for the Universal Entitlement.

2.1.3 Working Parent Entitlements

Reference: A1.10 – A1.11, A1.16 – A1.20 of the Statutory Guidance for Local Authorities

2.1.3.1 3- and 4-year-old 30 Hours

In accordance with the Statutory Guidance, a child is entitled to the 30-hour entitlement for working parents of 3- and 4-year-olds from the term after **both** of the following criteria are met: (1) the child has attained the age of three and (2) the child's parent has a current positive determination of eligibility from HMRC, i.e., a valid eligibility code.

This equates to an additional 15 hours a week for 38 weeks of the year. Children may stretch their entitlement over more than 38 weeks (and up to 52 weeks). This means taking fewer hours per week, subject to a maximum of 570 hours, or a total of 1140 hours where both the Universal and Working Parent entitlements are claimed, a year until the child reaches compulsory school age (the beginning of the term following their fifth birthday or where the child is taking up a full-time school place in reception).

The following table shows when a child is eligible to receive the 3- and 4-year-old 30 Hour Working Parent Entitlements (all dates are inclusive):

A child born between:	Will be eligible for a funded place from:
<i>1st January and 31st March</i>	<i>The start of the Summer Term following their 3rd birthday until statutory school age</i>
<i>1st April and 31st August</i>	<i>The start of the Autumn Term following their 3rd birthday until statutory school age</i>
<i>1st September and 31st December</i>	<i>The start of the Spring Term following their 3rd birthday until statutory school age</i>

2.1.3.2 2-year-olds – From April 2024

In accordance with the Statutory Guidance, a child is entitled to the 15-hour entitlement for working parents of 2-year-olds from the term after both of the following criteria are met: (1) the child has attained the age of two and (2) the child's parent has a current positive determination of eligibility from HMRC, i.e., a valid eligibility code.

This equates to an additional 15 hours a week for 38 weeks of the year. Children may stretch their entitlement over more than 38 weeks (and up to 52 weeks). This means taking fewer hours per week, subject to a maximum of 570 hours.

The following table shows when a child is eligible to receive the 2-year-old Working Parent Entitlements (all dates are inclusive):

A child born between:	Will be eligible for a funded place from:
<i>1st January and 31st March</i>	<i>The start of the Summer Term following their 2nd birthday</i>
<i>1st April and 31st August</i>	<i>The start of the Autumn Term following their 2nd birthday</i>
<i>1st September and 31st December</i>	<i>The start of the Spring Term following their 2nd birthday</i>

From April 2024, there may be some circumstances where households meet the eligibility criteria for both the 2Help entitlement and the 2-year-old working parent entitlement. In these circumstances, the childcare should be provided under the 2Help entitlement. The child will remain on the 2Help entitlement until they become eligible for the universal entitlement for 3- and 4-year-olds or 30 hours funded childcare for 3- and 4-year-olds if they meet the eligibility criteria. Therefore, households will not lose eligibility for their 15 hours funded early education, as is currently the case for the 2Help entitlement.

2.1.3.3 9 months old and above – From September 2024

In accordance with the Statutory Guidance, a child is entitled to the 15-hour entitlement for working parents of children 9 months old and above from the term after **both** of the following criteria are met: (1) the child has turned 9 months old and (2) the child's parent has a current positive determination of eligibility from HMRC, i.e., a valid eligibility code.

This equates to an additional 15 hours a week for 38 weeks of the year. Children may stretch their entitlement over more than 38 weeks (and up to 52 weeks). This means taking fewer hours per week, subject to a maximum of 570 hours.

The following table shows when a child is eligible to receive the Working Parent Entitlements from the age of 9 months (all dates are inclusive):

A child born between:	Will be eligible for a funded place from:
<i>1st January and 31st March</i>	<i>The start of the Summer Term following the date of turning 9 months old</i>
<i>1st April and 31st August</i>	<i>The start of the Autumn Term following the date of turning 9 months old</i>
<i>1st September and 31st December</i>	<i>The start of the Spring Term following the date of turning 9 months old</i>

Full details of the government's eligibility criteria for the Working Parent Entitlements can be found in the separate **Guidance for Early Education and Childcare Funding Entitlements** document, which accompanies these Requirements.

2.1.3.4 Application Process for the Working Parent Entitlements

Reference: A1.13 of the Statutory Guidance for Local Authorities

In order to receive the Working Parent Entitlements funding, the parent **MUST**:

- have applied through the HMRC's website: www.childcarechoices.gov.uk
- have a current confirmation of eligibility from HMRC via their Gateway account
- be issued with an 11-digit eligibility code starting with 50, to give to their childcare

provider to verify eligibility. If a permanent code cannot be issued, parents must have a temporary code beginning with 11

- have a valid eligibility code for the term in which they want to start the working parent entitlement funding, provided that the eligibility code remains valid on:
 - 31 March to take up a place during the term beginning on or after 1 April
 - 31 August to take up a place during the term beginning on or after 1 September
 - 31 December to take up a place during the term beginning on or after 1 January
- ensure the eligibility code is renewed, as required by HMRC, usually every 3 months. The parent should be prompted by text or email from HMRC; however, providers should also prompt the parent prior to the validity end date

Where a parent requires further guidance, they should contact the Customer Interaction Centre at HMRC on 0300 123 4097.

Where the parent does not agree with the eligibility outcome, there is an appeal process available. The review and appeals process is managed by HMRC. Their complaints form is available at: [Complain about HMRC - GOV.UK \(www.gov.uk\)](https://www.gov.uk/complain-about-hmrc)

Local Authorities do not have any involvement in the application process for the working parent entitlements eligibility code.

Once the parent has been issued with an eligibility code, the process for parents and providers is as follows:

- The parent must give the details of the eligibility code to their early years provider together with their NI number and child's date of birth
- Written consent **MUST** be obtained from the parent(s) whose details are being checked, the Parental/Guardian Declaration Form (PDF) should be completed or the provider's equivalent document and signed by the parent
- On receipt of an eligibility code from the parent the provider must validate the code using the Eligibility Checker on the Access Synergy Provider Portal to confirm the validity dates of the code before a start date for the working parent entitlement funding is agreed with the parent, preferably the term before funding will start
- The provider must make a note of the validity start date, end date and Grace Period end date to be aware of the expiry dates

Refer to the Termly Information Letter on the website at [Early education funding for two, three and four-year-olds – Education and Early Years providers \(warwickshire.gov.uk\)](https://www.warwickshire.gov.uk/early-education-funding) for details of the accepted eligibility codes for the term.

2.1.4 Working Parent Entitlements for children in Foster Care

Reference: A1.12 – A1.15 of the Statutory Guidance for Local Authorities

3- and 4-year-old children in foster care are eligible for the extended 30-hour entitlement providing that they meet **all** of the following criteria: (1) the term after the child has attained the age of three; (2) that this is consistent with the child's care plan (3) the foster parent is taking up paid employment outside of their fostering role.

From April 2024, 2-year-old children in foster care are eligible for the expanded 15 hours entitlement providing that they meet **all** of the following criteria: (1) the term after the child has attained the age of two; (2) that this is consistent with the child's care plan (3) the foster parent is taking up paid employment outside of their fostering role.

From September 2024, children from the age of 9 months in foster care are eligible for the expanded 15 hours entitlement providing that they meet **all** the following criteria: (1) the term after the child has attained the age of 9 months; (2) that this is consistent with the child's care plan (3) the foster parent is taking up paid employment outside of their fostering role.

To make an application, foster carers should apply directly to the responsible Local Authority, who will allocate an eligibility code to the foster carer, as the Government Childcare Service will not be able to make the relevant checks.

Other than the application, reconfirmation process and the minimum income requirement, all other eligibility criteria and provision set out in Section 2.1.3 above apply to children in foster care taking up the working parent entitlements in the same way as they do to all other children.

Full details of the application process and the government's eligibility criteria for the Working Parent Entitlements for children in foster care can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

2.1.5 Working Parent Entitlements - The Grace Period

Reference: A1.21 – A1.29 of the Statutory Guidance for Local Authorities

The Local Authority will continue to fund a place for an existing funded child where parents cease to meet the eligibility criteria for the working parent entitlements upon reconfirmation of the code, or do not reconfirm their eligibility code at the validity end date, until the end of a limited **Grace Period** as set out in the table below. The end date of the grace period is shown on the Eligibility Checker.

During the grace period they should continue to receive the working parent entitlement funding, as set out in Section 2.1.3 above.

If the parent has not been able to reconfirm their eligibility code before the end of the grace period, the funding will cease for the extended hours at the grace period end date, and they will not be funded for them in the following term. Information about parents that have entered

the grace period will be identified from the Eligibility Checking System via the Access Synergy database and Provider Portal.

When an eligibility code falls into the grace period, a yellow triangle with an exclamation mark (⚠) will be displayed next to the child's name on the Access Synergy Provider Portal. This is to prompt providers to contact the parent to reconfirm their code.

The Local Authority should complete an audit check on eligibility codes at 6 fixed points in the year, both at the start of the term and half-term across the year (in line with the dates as listed in the table below).

The Local Authority will send reminders to the provider when an eligibility code falls into the grace period asking them to remind parents to reconfirm their code before the end of the current term. This is to avoid parents and providers from losing their working parent entitlements funding in the following term.

The Local Authority should communicate the grace period (through providers) to parents who are found to be ineligible for the working parent entitlements at the audit check date, being aware of the importance of prompting providers to notify parents in good time.

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

The Local Authority should consider extending the grace period set out above for a short time in very exceptional circumstances, if the parent has been forced to leave their home and paid employment, for example, where the parent is a victim of domestic abuse or in other emergency situations.

Children should not start a new working parent entitlement place at a provider during the grace period. This includes:

- where a parent falls into their grace period before the child has started a place
- where a parent falls into their grace period whilst their child is in a place, and the parent seeks to move the child to a different provider

In some exceptional circumstances, that are outside of a parent's control, parents may need to move providers during the grace period. The Local Authority will use their discretion to allow the child to continue their working parent entitlement place in a new setting. Circumstances may include if the provider closes or receives an Ofsted inspection judgement of "inadequate" and the Local Authority withdraws funding, or the parent(s) moves home as a result of domestic abuse or other emergency situation.

A parent can take up a working parent entitlement place in their grace period if their eligibility code is valid on the termly deadline (31st August, 31st December or 31st March), even if they fall out of eligibility in the period after the termly deadline but before a provider's term start date.

Local Authorities should ensure that parents are aware that if they cease to meet the eligibility criteria and the grace period has expired, children aged 3 and 4 can continue to take up the 15-hour universal entitlement, provided they have not exceeded the number of hours as set out at Section [2.1.3](#).

If a child ceases to be a foster child and the parent has a special guardianship order or has adopted the child, the same guidance relating to the grace period applies.

If the parent has been taking up the funded hours at more than one provider, the local authority should continue to fund 15 hours at the provider of the parent's choice.

Local Authorities should make parents of 2-year-olds aware of the 2Help entitlement and encourage them to check their eligibility for this entitlement. Falling out of eligibility for the working parent entitlement will not necessarily make a 2-year-old child eligible for the 2Help entitlement.

2.2 Additional Premiums

2.2.1 Early Years Pupil Premium (EYPP)

The Early Years Pupil Premium (EYPP) is additional funding of 68p per hour from April 2024, the equivalent of £387.60 for the financial year 2024/2025, paid termly, based on the funded hours claimed, to providers who have children receiving the 3- and 4-year-old Universal Entitlement, the 2Help and 2-year-old Working Parent Entitlements and, from September 2024, under 2s Working Parent Entitlements, up to a maximum of 15 hours per week **and** where the child's parents are in receipt of qualifying benefits or other qualifying criteria is met.

Providers are able to use this extra funding to support each eligible child to improve outcomes for them. Detailed information for each child should be kept about what the funding was used for, how the decision was made to use it, and how outcomes for each child have been improved – Ofsted may ask providers about how they have supported eligible children when they inspect the setting.

Full details of the government's eligibility criteria for the Early Years Pupil Premium (EYPP) and how to claim the additional funding can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

2.2.2 Deprivation Factor (DF)

The Deprivation Factor (DF) is an additional premium of 68p per hour from April 2024, paid to the provider based on children living in a postcode that falls within the most deprived 30% of postcodes as determined by IDACI (Income Deprivation Affecting Children Index). The DF is paid automatically to the provider.

If this has been added to the child's funding base rate, 'DF' will show in the **Weightings** column next to the child's name on the Access Synergy Provider Portal.

2.2.3 Disability Access Fund (DAF)

The Equality Act 2010 offers protection against discrimination, harassment and victimisation, and applies to statutory and non-statutory early years organisations. Local authorities must comply with the provisions of the Act in finding suitable provision for eligible disabled children.

The Disability Access Fund (DAF) is to support disabled children's access to all the entitlements. Providers receive £910.00 per eligible child per calendar year. The funds could be used, for example, to support providers in making reasonable adjustments to their settings and/or helping with building capacity, either for the child in question or for the benefit of children as a whole attending the setting.

Full details of the government's eligibility criteria for the Disability Access Fund (DAF) and how to claim can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

Four-year-olds in primary school reception classes are not eligible for DAF funding.

All early years providers who are eligible to receive funding for the early years entitlements, qualify to receive DAF payments if they have eligible children.

Local authorities must fund all settings providing a place for DAF eligible children at a fixed annual rate of £910.00 per eligible child. The DAF is payable annually as a lump sum and will not be reduced if a child does not take up their full 15 hours entitlement.

Local authorities should distribute DAF funding in its entirety to providers, and DAF funding should not be offset against any other funding which the local authority may ordinarily be providing for children eligible for the DAF.

If a child eligible for the DAF is splitting their funded entitlement across two or more providers, the local authority will ask parents to nominate the main setting. This setting will receive the full DAF payment for the child.

If a child receiving DAF moves from one setting to another, the new setting is not eligible to receive DAF funding for this child until the anniversary of the first payment has passed. DAF funding received by the original setting will not be reclaimed.

Where children are still eligible for the DAF; the provider where the child is attending should receive a second payment the term after the 12 month anniversary of the first payment.

In cases where a child who lives in one local authority attends a setting in another local authority area, the local authority where the setting is based is responsible for funding the DAF for the child and eligibility checking.

2.3 Claiming the Funded Entitlements

2.3.1 Funding Rates

Reference: A4.6 of the Statutory Guidance for Local Authorities

The 2024/2025 Early Education Funding rates are as follows:

Early Education Funding Rates	2023 – 2024 Autumn & Spring Terms £ - per hour	2024 – 2025 £ - per hour
Funding Rate for under 2's from September 2024 – Working Parent Entitlement hours	N/A	10.07
Funding Rate for 2 Year Olds – 2Help and Working Parent Entitlement hours	7.81	7.39
Funding rate for 3- & 4-year-olds -Universal and Working Parent (Extended) Entitlement hours	5.01 (£4.98 + £0.03 Teachers Pay and Pension Grant)	5.25 (5.22 + 0.03 Teachers Pay and Pension Grant)
Early Years Pupil Premium- allocated to Universal Hours for 3- & 4-year-olds, under 2's and 2-year-olds, up to a maximum of 15 hours per week	0.66	0.68
Deprivation Factor – allocated to all hours	0.62	0.68
Disability Access Fund – annual payment for eligible children in receipt of Disability Living Allowance	858.92	910.00

Providers will be informed in advance of any changes to these rates.

The School and Early Years Finance (England) Regulations set out the framework for early years funding. These regulations are updated annually for each financial year.

To fund places, the Local Authority is required by legislation to use locally determined, transparent formulae to set the funding rates for all types of provider. Any proposed changes to the formulae must be consulted on locally.

For 2024/2025 the main requirements imposed on Local Authorities by the regulations are as follows:

- to pass-through a minimum of 95% of government funding to providers for each of the early years entitlements separately (note for 3- and 4-year-old entitlements, the pass-through rate is calculated together for the universal and working parent hours)
- to ensure that the total funding rate (base rate plus supplements if applicable) they pay to providers for the 2Help entitlement is at least equivalent to their total funding rate for the 2-year-old working parent entitlements
- to include a mandatory deprivation supplement for the 3- and 4-year-old entitlements in their local formula (the deprivation supplement is not mandatory for the working parent entitlements for children aged 9 months up to and including 2-years-old)
- to restrict the total amount of planned value of funding supplements to a maximum of 12% of the total planned formula funding to providers for the early years entitlements (note for 3- and 4-year-old entitlements, the supplements cap is calculated together for the universal and working parent hours)
- to pay providers the Disability Access Fund in respect of their eligible children
- to establish a special educational needs inclusion fund for children with special educational needs taking up any of the entitlements for 2-years-old and under and 3- and 4-year-olds
- to pay providers the Early Years Pupil Premium in respect of their eligible children

2.3.2 Patterns of Payments

Reference: A4.12 of the Statutory Guidance for Local Authorities

The Early Years Entitlements Funding is provided for a minimum of 38 weeks per year. In order to assist in your financial planning, the funding will always be paid as follows:

Autumn Term	14 weeks
Spring Term	11 weeks
Summer Term	13 weeks

This pattern may not always correspond to school term dates. A Termly Information letter will be sent out, prior to the end of each term, with all relevant dates and deadlines for the following term and can be found on the website: [Early education funding for two, three and four-year-olds – Education and Early Years providers \(warwickshire.gov.uk\)](http://www.warwickshire.gov.uk/early-education-funding)

Funding will continue to be paid for inset days taken up to a total of 5 days per school year, however it must be noted that **funding is paid for 38 weeks** per year and a school year is classed as **39 weeks including inset days**.

The Local Authority is required to secure a minimum of 38 weeks of pre-school education over the course of an academic year. Any phased induction should be in the best interests of the child and the family and should usually be completed within three weeks.

2.3.2.1 Early Years Providers (excluding Childminders)

PVI Providers, Academies and Maintained Nursery Schools and Classes are paid twice termly.

Full details of the process can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

2.3.2.2 Childminders

Childminders are paid monthly.

Full details of the process can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

2.3.3 Funding Claims - Dates and Payment Dates

Full details of Headcount Dates set by the Department for Education, deadline dates for submissions and payment dates can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

2.3.4 Entering the Estimate and Headcount Claims

All funding claims for the Early Years Entitlements must be made using the Access Synergy Provider Portal.

This can be accessed using: <https://admissions.warwickshire.gov.uk/synergy/providers>

The Provider is solely responsible for submitting accurate details of children and claims on time as requested by the Local Authority. Failure to do so will result in payments to the Provider being delayed.

The Provider must have access to the internet and the relevant associated resources and equipment to complete funding claims, sufficiency, census returns and other requests for information. All related communications are made using internet linked systems or email.

To ensure Providers are kept informed a **Termly Funding Information Letter** will be sent via email at the end of each term which includes all the important dates and deadlines needed to enter the Estimate hours and Headcount claim for the next term.

Full details of the Estimate and Headcount claims process can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

Full guidance on how to access and use the Access Synergy Provider Portal can be found in the FIS Synergy Online Provider Portal Guidance which is emailed to providers at the start of each term and can also be found on the website at: [Early education funding for two, three and four-year-olds – Education and Early Years providers \(warwickshire.gov.uk\)](https://www.warwickshire.gov.uk/early-education-funding-for-two-three-and-four-year-olds-education-and-early-years-providers)

2.3.5 Payment Summary

The Access Synergy Provider Portal must be used to check your final Headcount **Summary** at the end of each term.

This can be accessed using: <https://admissions.warwickshire.gov.uk/synergy/providers>

The funding details on the Summary tab from the previous academic year are to be used for the setting's Indicative Budget information (see Section 2.3.6).

2.3.6 Indicative Budgets

Reference: A4.2 of the Statutory Guidance for Local Authorities

Historical payment information is supplied to enable providers to manage their financial planning and give an initial budget.

Providers can access this information via The Summary Tab in the Access Synergy Provider Portal which gives the actual funding amounts paid to the setting for the Summer, Autumn and Spring term in the previous year.

Providers will be able to access actual updated budget information on a termly basis once each terms Headcount is completed. This information will be notified via The Summary Tab for the current term.

2.3.7 Summer Term Sufficiency Return (Except Childminders)

The Local Authority collects funded entitlements place and vacancy information from funded Early Years providers in the Summer Term during the Headcount period. The submission deadline date will be notified in the Termly Information letter.

The return is completed by selecting the **Sufficiency Tab** on the Access Synergy Provider Portal: <https://admissions.warwickshire.gov.uk/synergy/providers>

For details on how to complete the Sufficiency return please refer to the **Access Synergy Provider Portal Guidance** which can be found at the website: [Early education funding for two, three and four-year-olds – Education and Early Years providers \(warwickshire.gov.uk\)](https://www.warwickshire.gov.uk/early-education-funding)

By completing this information, the setting is giving Warwickshire County Council an accurate insight into place sufficiency in the local area. Being able to follow the trends in sufficiency helps Warwickshire County Council to locate areas of high demand and investigate the need to create additional early years places to ensure parents can access their funding entitlement. Any information used for reporting purposes will be anonymised.

The Sufficiency return **MUST** be completed in line with the requirements in the Provider Agreement, there may be a delay to the final termly payment where a return is not completed.

2.3.8 Adjustment to Payments

Reference: A4.38 of the Statutory Guidance for Local Authorities

The Early Years Entitlements funding will normally be paid for the whole term to the provider the child attends on Headcount Day.

For children attending a setting on Headcount Day (or within the week of the specified Headcount date), a claim should be made for the whole of the term, even if they joined after the term started. This will enable the provider to pass a proportion of the funding to another Warwickshire setting if the child has already taken sessions with them, where agreed between the settings.

Where a child leaves a setting after Headcount, providers should make a private arrangement between themselves to agree to pass a proportion of the funding to the other setting for the remainder of the term. There is no obligation to do so. Refer to Sections 2.3.9 and 2.3.10 below.

Adjustment claims should only be entered via the Adjustment tab for a child where a claim has already been made at Headcount, when both settings have agreed to make corresponding online adjustments.

Note: It is Warwickshire's policy that funding claimed at Headcount must not be transferred to another setting outside of Warwickshire.

Where an arrangement is made by a setting from another local authority to transfer funding to a Warwickshire setting, the setting will be paid at the funding rate of the other local authority. This may be higher or lower than the funding rate paid by Warwickshire and no additional funds can be paid by Warwickshire e.g., to adjust a lower hourly rate.

Adjustments to the Headcount claim must be made using the Online Adjustment process via the Access Synergy Provider Portal:

<https://admissions.warwickshire.gov.uk/synergy/providers>

Full details of the Adjustment process can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

2.3.9 Child Leaving Before Headcount

Where a child leaves before the Headcount date they **cannot** be included in the Headcount funding claim and the Local Authority **cannot** pay for any hours they have already attended.

Please ensure that parents are aware of this, as they will be responsible for paying for these hours as outlined in the Parental/Guardian Declaration Form (PDF).

Providers **may** be able to receive this proportion of the term's funding by agreement from the setting who makes the Headcount claim. This should be arranged directly between the providers concerned however this is not mandatory.

2.3.10 Child Leaving After Headcount

Where a child leaves after the Headcount date and the provider has made a funding claim for them, they are entitled to retain the funding for the remainder of the term.

If there is agreement, the provider can arrange to pass the relevant proportion of the funding entitlement to the new setting for the remainder of the term. This should be arranged directly between the providers concerned however this is not mandatory.

2.3.11 Child Starting After Headcount

Where a child starts the setting after the Headcount date and has moved from another setting where funding has been claimed they will not normally be entitled to further funding until the following term. See Section [2.3.10](#).

If a child joins the setting after headcount for whom claim has not been made at another setting in the current term and fits within the below specified categories, a claim must be made via the Online Adjustment process via the Access Synergy Provider Portal during the specified dates as notified in the Termly Information Letter.

Categories where adjustments may be made after the termly headcount:

- A house move into the area for the child or parent
- If the child's primary care giver changes resulting in the need to change setting
- Where a sibling moves school and the child needs to move to attend adjacent/nearby

nursery provision

- Military family posted in / out of the area
- Child protection and safeguarding reasons
- Where the child has not previously taken up a place and is a new starter eligible for funding
- Family requirements change and funded hours need to be increased e.g., change in parents working patterns

Children who are eligible for the 2Help funding entitlement may start immediately at any point during the term if they meet the age criteria for the term.

Please ensure that all parents/guardians sign their Parental/Guardian Declaration Form (PDF) each term, which sets out the hours and patterns of attendance for the funded entitlement that the parent and provider have agreed.

The current PDF can be found on the website at: [Early education funding for two, three and four-year-olds – Education and Early Years providers \(warwickshire.gov.uk\)](https://www.warwickshire.gov.uk/early-education-funding)

Please contact the Early Years Entitlements Team to discuss individual situations or for further advice.

Adjustment payments will be made for the number of weeks in the term from when the change or start date occurred.

2.3.12 Sharing of Funding

Every session attended by a child must be declared on the Parental/Guardian Declaration Form (PDF). Where the funded entitlement is accessed through a partnership of 2 providers or more, the child's attendance at all providers they attend must be shown on the PDF and their combined offer should be within the national minimum standards outlined in Section 3.1.

The Parental/Guardian Declaration Form (PDF) must show how the funding is going to be split over all providers and where the Universal entitlement is to be paid if the working parent (extended) entitlement for 3- and 4-year-olds is being claimed.

Where a child attends two providers and receives in total more than the maximum funded entitlement, the Local Authority will apportion the amount of funding payable in respect of that child, based on the number of hours accessed at each setting. Parents will be liable to pay the provider(s) for any additional hours taken over and above the funded entitlement.

The Local Authority will review the PDFs in place at each provider prior to apportioning the amount of funding to each provider.

2.3.13 Child Attendance

Providers are responsible for ensuring parents understand the need to achieve regular, fully attended patterns of attendance, including the claimed funded entitlement hours. Settings should always check and record why a child is absent and record any follow up action they have taken if they have any concerns about the absence.

Providers must be alert to patterns of absence that may indicate wider safeguarding concerns (please also refer to Section [4.2.2 Safeguarding](#)).

Issues of poor attendance must be proactively managed by the provider and will be reviewed at audit. Failure to take robust action may result in loss of funding for the setting.

Providers can only claim for hours that are regularly attended by the children, and the Parent/Guardian Declaration Form (PDF) must reflect the attendance and claim patterns for every child.

Warwickshire County Council will not penalise providers for short term absences of children, for example through sickness or a family emergency, but if absence is recurring or for extended periods the Local Authority may reclaim funding. The provider's attendance/absence management policy will be considered and how effectively appropriate follow up action has been taken or support provided to the family, when considering whether funding should be reclaimed.

The provider should keep all correspondence and records relating to the management of poor attendance issues.

If further guidance on how attendance can affect funding is needed, please contact the Early Years Entitlements Team.

Further guidance on Warwickshire's Children Missing from Early Education can be found here: [Child Missing from Education \(safeguardingwarwickshire.co.uk\)](https://safeguardingwarwickshire.co.uk/child-missing-from-education)

2.3.14 Cross-Border Arrangements

The Local Authority where the child is accessing the funded place, rather than where they live, pays the early years funded entitlement. Therefore, providers in Warwickshire should claim for all eligible children on their register irrespective of where the children live. If a child also attends another setting which is not in Warwickshire, please ensure that no more than the maximum 15 hours for 2Help 2-year-olds, 15 hours working parent entitlement or 30 hours working parent (extended) entitlement for 3- and 4-year-olds are claimed between the different authorities. These details should be clearly indicated on the Parental/Guardian Declaration Form (PDF) to avoid any potential over-payments.

Cross checking arrangements are always carried out with neighbouring local authorities to identify any potential funding issues.

Out of County Children Looked After (CLA) must be identified by the Provider. The CLA child's carer will need to show them evidence that the child is CLA or supply details of the child's social worker for the Early Years Entitlements Team to contact. It is requested that this information is sent via the Notes tab on the Access Synergy Provider Portal during the Headcount period. After the Headcount has been completed an email will be sent to providers requesting that the Access Synergy Provider Portal is checked, and that Early Years Pupil Premium (EYPP) has been allocated to all children as expected. The Early Years Entitlements Team will need to be contacted where there continues to be a query around allocations.

2.3.15 Early Years Census

Reference: A4.17 of the Statutory Guidance for Local Authorities

The Department for Education (DfE) requires Local Authorities to carry out an annual Early Years Census of all providers of funded entitlement places in the private, voluntary and independent sectors and school run provision (excluding maintained nursery classes and nursery schools). The Early Years Census is mandatory for Local Authorities and Providers and data must be collected at the individual child level. There may be additional Census collections as required by the Department for Education.

The Early Years Census information is collected using the Access Synergy Provider Portal in the Spring Term. The online Census Form **MUST** be completed by the submission deadline date as detailed in the Termly Funding Information Letter for the Spring Term and in line with the requirements in the Provider Agreement, there may be a delay to payments where a return is not completed.

Full details of the Early Years Census process can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

2.3.16 Information for Parents

Copies of the information leaflets for parents and providers are available from the Early Years Entitlements Team on **01926 742233 / 01926 742218 / 01926 743039**

All leaflets included translated versions can be accessed via the website: [Early education funding for two, three and four-year-olds – Education and Early Years providers \(warwickshire.gov.uk\)](https://www.warwickshire.gov.uk/early-education-funding-for-two-three-and-four-year-olds-education-and-early-years-providers)

Parents may also obtain information about the early education entitlements, and access help in choosing and applying for childcare, by going to the Warwickshire County Council website: [Help with childcare costs – Warwickshire County Council](https://www.warwickshire.gov.uk/help-with-childcare-costs-warwickshire-county-council)

Information for parents regarding all government help with childcare costs can be found at: [Childcare Choices | 30 Hours Childcare, Tax-Free Childcare and More | Help with Costs | GOV.UK](https://www.gov.uk/childcare-choices-30-hours-childcare-tax-free-childcare-and-more-help-with-costs)

2.3.17 Changes to Provider Details

The Local Authority and Ofsted must be informed in writing, of any changes to a registered providers details e.g., change of premises, ownership or payment details. Both MUST be informed immediately should the setting close.

Providers should give parents reasonable notice of any changes that may impact on the level of services provided.

A change in registration with Ofsted may mean that the old registration will close, and a new registration is opened. If this is the case, it may have an impact on funding and access to the Access Synergy Provider Portal. A new Provider Agreement and new access to the Access Synergy Provider Portal may be required. This will result in delays to payments if the Local Authority is not made aware of changes in advance.

Changes to bank details:

If there is a change to bank details, providers must contact the Warwickshire County Council Exchequer Services Department, email: suppliermaintenance@warwickshire.gov.uk

Changes to setting contact details:

If there is a change to contact details, especially the email address or telephone number, please advise the following as soon as possible as most correspondence and information is sent electronically:

Early Years Funding at: eyfunding@warwickshire.gov.uk and earlyyearsadmin@warwickshire.gov.uk

Childminder Funding at: childminderfunding@warwickshire.gov.uk

Early Years Advisory Team at: earlyyearsadvisors@warwickshire.gov.uk

Exchequer Services at: suppliermaintenance@warwickshire.gov.uk

Ofsted at: 0300 123 1231

2.4 Deferred or Delayed Entry into Reception Year

Warwickshire County Council provides full time places in school reception classes for all children in the September following their fourth birthday. The Universal 3- and 4-year-olds and 3- and 4-year-old working parent entitlements funding as detailed in these requirements does not apply to children attending school reception classes of maintained schools, as they will be funded through school budgets and have different administrative arrangements.

Children attending a non-maintained (independent) school remain eligible to claim funding until they are of statutory school age, which is the term after their fifth birthday.

The Local Authority's (LA) policy is that pupils should be educated in the year group appropriate to their chronological age.

Some children may start in Reception later in the school year, due to medical issues or because they are a summer-born child and are not considered ready to start school in

September. This is referred to as Deferred Entry. The child has a school place, in their correct academic cohort, but is not taking up the place until later in that academic year.

Early Years Entitlements funding may be claimed in the usual way in respect of a child whose parent/guardian has **formally** arranged with the Head Teacher and Local Authority to **defer** the child's entry into school, until they reach statutory school age, the term following their 5th birthday. Please note that this does not apply to a child who is being "phased in" during the Autumn Term at the beginning of the reception year, as Early Years funding cannot be claimed once a child is on the school's register.

Parents must still apply for a school place in line with the co-ordinated admission arrangements, and meet the standard Local Authority deadlines, so that an offer of a school place can be made **before** the request for deferred entry is agreed. Parents must be made aware of this requirement, and all enquiries about deferred entry should be referred to the School Admissions Service at www.warwickshire.gov.uk/admissions

In a small number of cases, it may be appropriate for parents to request that the child starts school a year later, so that the child is educated in the chronological year group below where they would normally be. This is referred to as Delayed Entry.

In September 2015 the Department for Education (DfE) wrote to all Local Authorities to advise that the School Admissions Code (2014) would be updated in respect of the admission of summer born children into schools. Requests for children who are due to start school can be made to the Local Authority, and those requests will be considered in line with Local Authority guidance. Requests for children to be educated outside of their year group who are already of compulsory school age will be considered on an individual basis, in line with the guidance. Warwickshire's 'Guidance Notes relating to the education of children outside of their chronological year group' can be found at [Deferring or delaying your child starting school – Warwickshire County Council](#)

Additional DfE guidance for parents on delayed entry considerations can be located, here: [Summer born children starting school: advice for parents - GOV.UK \(www.gov.uk\)](#)

Parents need to make a formal request for delayed entry, along with an application for the child to start school, in line with the co-ordinated admission arrangements. Parents must be made aware of this requirement, and all enquiries about delayed entry should be referred to the School Admissions Service at www.warwickshire.gov.uk/admissions

There are significant implications for a child who is educated out of year group, and parents need to consider the long-term view of their child's educational needs. It is important to also be aware that children who are in receipt of Warwickshire's SEND Inclusion Grant are not eligible to receive the grant where they delay/defer their entry into school.

If providers are aware of potential delayed or deferred entry children, these **MUST** be discussed with the Statutory Assessment Team as early as possible, to ensure Early Years providers are aware of the statutory obligations that they will have to meet when Reception aged children remain with childminders or in nursery provision.

The Statutory Assessment Team can be contacted at:
edassessmentteam@warwickshire.gov.uk

2.5 Charging

Reference: A1.30 – A1.40 of the Statutory Guidance for Local Authorities

Government funding is intended to deliver 15 or 30 hours a week of funded, high quality, flexible childcare. It is not intended to cover the cost of meals, other consumables, additional hours or additional services.

Providers should be aware that they can charge for meals and snacks as part of a funded entitlement place, and that they can also charge for consumables, such as nappies or sun cream, and additional services, such as trips and specialist tuition. Consumables are items that are used by the child and must not include standard items that all children must have access to, such as standard art resources e.g., paint, or PPE for staff to support personal hygiene requirements.

Local authorities should ensure that providers are mindful of the impact of additional charges on parents, especially the most disadvantaged.

Providers who choose to offer the funded entitlements are responsible for setting their own policy on providing parents with options for alternatives to additional charges, including waiving or reducing the cost of meals and snacks or allowing parents to supply their own meals and consumables. Providers should make their policy clear in writing to parents prior to a child taking up a place.

The local authority will not intervene where parents choose to purchase additional hours of provision or additional services, provided that this is not a condition of accessing the funded entitlement hours.

Children accessing any of the funded entitlements must receive the same quality and access to provision, regardless of whether their parents opt to pay for additional hours, services, meals or consumables.

Providers can charge for additional services over and above the funded hours and the level of such fees should be a private matter for agreement between the provider and the parent. However, parents must not be required or expected to take up additional services to access a funded place. **Arrangements for charging for additional services must be clear and transparent, including separate, clear details provided as to what is included as a ‘consumable’, meal or snack.**

Parents must be permitted to send their child to the setting for funded hours without paying any charges, should they choose to do so. Parents, including disadvantaged families, must have fair access to a funded place, which must be delivered completely free of charge. Providers **MUST NOT**:

- charge parents “top-up” fees (any difference between a provider’s normal charge to parents and the funding they receive from the local authority to deliver funded places)
- require parents to pay a registration fee as a condition of taking up their child’s funded place

The Local Authority must ensure that no other fees are being charged in relation to the funded entitlement, for example for registration or uniform. Providers risk removal from the Directory of Providers and withdrawal of funding if they do so. Providers must also ensure that parents are not charged in advance for funded places and then refunded at a later date (other than a deposit).

Providers can charge a refundable deposit to parents accessing the funded entitlements but should also consider if this would prevent take up, especially for disadvantaged families. The purpose of the deposit is to give providers certainty that a parent will take up the place. For parents just accessing the funded entitlements, providers should refund the deposit in full to parents within a reasonable time scale and, except in exceptional circumstances, by the end of the first month of attendance. Providers are entitled to retain the deposit if parents subsequently do not take up the place they have reserved.

Providers should not charge a deposit where families are accessing a 2Help place or where the provider is aware that the family are on a low income or not in employment.

Where children are accessing the funded entitlement over the lunch period, any charge that a provider makes for lunch must be agreed with the parents in advance or alternative arrangements made, such as the parents providing their own meals e.g., a packed lunch.

If a child's attendance exceeds the funded entitlement, providers can charge a fee for the additional hours which are not covered by the funded place.

Providers must publish their admissions criteria and any fees for services including consumables, additional hours and services and make these easily available to parents to enable parents to make an informed choice of provider.

Providers must work with parents so that parents understand which hours / sessions can be taken as funded provision. Not all providers will be able to offer fully flexible places, but providers should work with parents to ensure that as far as possible the pattern of hours are convenient for parents' working hours.

Providers must ensure their invoices and receipts are clear, transparent and itemised so that parents can see that they have received their child's funded entitlement completely free of charge and can identify and understand fees paid for any additional hours or services as listed within the fee and session information provided.

Clear written information must be given to parents outlining the funded entitlement and any fees charged for additional services, including any extra hours that the parents have agreed to buy. This information should clearly show where funded hours form part of a longer session or contractual arrangement and clearly include what the extra charges are for listing these separately.

The provider must ensure that the business name and address is shown on invoices and receipts, so they can be clearly identified as coming from a specific provider.

2.6 Inclusion and Special Educational Needs

Reference: A1.41 – A1.46 of the Statutory Guidance for Local Authorities

To ensure an inclusive approach, providers must have regard to the [Special educational needs and disability code of practice: 0 to 25 years](#) and the Equality Act 2010 and ensure all staff members are aware of their duties under it.

Settings must have:

- An up to date SEND or Inclusion Policy that meets the requirements of EYFS and the SEND Code of Practice and describes what the setting does to identify, assess and intervene with regard to SEN and disabilities
- A named and fully trained SENDCo (Special Educational Needs Co-ordinator) specific to the setting and based on site
- Regular professional development for the setting SENDCo and other staff to meet the needs of children with SEND. Providers must regularly attend SENDCo surgeries
- Universal practice of identification, intervention, and monitoring of children with possible/identified SEND which must meet the requirements of the SEND Code of Practice
- Targeted and Specialist support which must be implemented, monitored, recorded and reviewed with parents/carers for any child with possible or previously identified additional educational, health or social care needs. This cycle of intervention must involve referral to external professionals as required
- A commitment to work fully with families in the development of SEND provision not only for their child but across the setting
- Information on Warwickshire SEND and Advice Service (SENDIAS) which is available to all parents. Parents must be signposted to the Local Authority's Local Offer

Children and parents must be involved at all stages of identifying and assessing need, and reviewing targets identified within targeted and specialist intervention, wherever possible.

The Equality Act 2010 brings together disability, sex, race and other grounds of discrimination within one piece of legislation. The Equality Act 2010 requires providers to comply with two main duties:

- Not to treat a child, parent/carer or member of staff with a disability 'less favourably'
- To make 'reasonable adjustments' for those with disabilities

Where there is a newly designated SENDCo, support and training will be available from the IDS Specialist Early Years Teachers. All SENDCo's will be able to access general SEND support and advice when needed and will be expected to attend briefings and "SENDCo Surgeries" to update their knowledge and skills.

Setting managers, pre-school SENDCo's & childminders can access support and guidance from the Integrated Disability Service (IDS) for children with specific needs and/or disabilities. See [Section 8](#) for contact details.

Providers who have funded entitlement children in receipt of Disability Living Allowance (DLA) at their setting are entitled to receive an additional payment (currently £910.00 per year) to support disabled children's access to funded sessions - the Disability Access Fund (DAF). Providers are responsible for identifying eligible children, and ensuring parents complete the relevant section on the Parental Declaration Form (PDF). Please see [Section 2.2.3](#) for more information.

3 Flexibility

3.1 Delivering the Funded Entitlements

Reference: A2.1 – A2.17 of the Statutory Guidance for Local Authorities

In delivering the funded entitlements and to secure flexible delivery, Local Authorities should consult with parents and involve them in local assessments of demand for flexibility and act as a broker between overall parental demand in the area and provider capacity, seeking to provide the maximum possible flexibility for parents.

Strong partnership working should be encouraged between providers from all sectors (maintained schools, academies and free schools, private, voluntary and independent providers and childminders) to ensure the market offers maximum flexibility for parents to access the funded entitlement hours to meet their needs and the needs of their child.

Providers can choose not to deliver funded entitlement places, however, where funded entitlement places are offered, Local Authorities should encourage providers to offer flexible packages of funded entitlement hours, subject to the following standards which will enable children to access regular, high-quality provision, whilst maximising flexibility for parents and ensuring a degree of stability for providers. These standards are:

- No session longer than 10 hours
- No minimum session length (subject to the requirements of registration on the Ofsted Early Years Register)
- Not before 6.00am or after 8.00pm
- A maximum of 2 sites in a single day (separate provision on a school site is counted as one site)

In order to meet their statutory responsibilities, Local Authorities are required to ensure that, where reasonably practicable, children are able to take up their funded hours in continuous blocks and avoid artificial breaks being created throughout the day, for example over the lunch period.

Providers can ‘stretch’ the entitlement by offering fewer hours a week over more weeks of the year, where there is provider capacity and parental demand. This means they can deliver funded entitlement places:

- Over up to 52 weeks of the year
- Outside of maintained school term times
- At weekends

Further guidance on delivering a ‘stretched’ offer can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements and on the website at: [Early education funding for two, three and four-year-olds – Education and Early Years providers \(warwickshire.gov.uk\)](http://www.warwickshire.gov.uk/EarlyEducationFunding)

Parents must be made aware that whilst they have a choice of provider, they may not always be offered the full entitlement at the times they want at their provider of choice. The entitlement is to an early education place and does not guarantee a place at any one provider, or a particular pattern of provision.

Parents and providers must be made aware that there is no requirement that providers must be open for at least 38 weeks of the year, or that providers must offer all the funded entitlements in order to receive funding to deliver funded places.

The funded entitlement hours cannot be compressed i.e., a parent cannot take more than 15 or 30 hours per week over fewer than 38 weeks of the year. However, a parent can choose a provider that is open for fewer than 38 weeks of the year and therefore receive 15 or 30 hours a week during fewer weeks.

3.1.1 Parental/Guardian Declaration Form (PDF)

Reference: A2.2 of the Statutory Guidance for Local Authorities

The Local Authority issues Parental/Guardian Declaration Forms each academic year to support Providers to establish parental declarations setting out their hours and patterns of hours during which the funded entitlement places are offered.

The Parental/Guardian Declaration Form (PDF) is an agreement between providers and parents to commit to the provider the number of hours they claim for the whole of the term.

In order to claim the early years entitlements funding, a Parental/Guardian Declaration Form (PDF) must be fully completed, signed and retained for each child by the provider.

Early years provision is defined in section 20 of the 2006 Act as the provision of childcare. “Childcare”, as defined in section 18 of the 2006 Act, specifically excludes care provided for a child by a parent, stepparent, foster parent or other relative, or by a person who fosters the child privately or has parental responsibility for the child. **Early years provision by a childminder (either independently registered with Ofsted or registered with a childminder agency) for a related child does not count as childcare in legal terms. The early education funding entitlements cannot be claimed by childminders providing childcare for their own child or a related child, even if they are claiming for other children.**

The parent should be directed to [Help with childcare costs – Warwickshire County Council](http://www.warwickshire.gov.uk/ChildcareCosts) for full details of the funding entitlements **and** the Parental/Guardian Declaration Form (PDF) terms and conditions of funding before signing the form.

A copy of the Parental/Guardian Declaration Form (PDF) can be found at [Early education funding for two, three and four-year-olds – Education and Early Years providers \(warwickshire.gov.uk\)](https://www.warwickshire.gov.uk/Early%20education%20funding%20for%20two%2C%20three%20and%20four-year-olds%20%E2%80%93%20Education%20and%20Early%20Years%20providers)

Full details of how to complete the Parental/Guardian Declaration Form can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

4 Quality

It is the government's intention that all children are able to take up their funded entitlement hours in a high-quality setting. Evidence shows that higher quality provision has greater developmental benefits for children, particularly for the most disadvantaged children, leading to better outcomes.

The Local Authority relies solely on the Ofsted inspection judgement of the provider or the childminder agency as the benchmark of quality.

4.1 Securing Quality for the Funded Entitlements

Reference: A3.1 – A3.16 of the Statutory Guidance for Local Authorities

To secure quality, Local Authorities are required by legislation to deliver funded places through either:

- early years providers other than a childminder registered on the Ofsted Early Years Register
- a childminder registered on the Ofsted Early Years Register
- a childminder or childcare provider registered with a childminder agency which is itself registered with Ofsted
- schools taking children aged 2 and over and which therefore are exempt from registration with Ofsted as early years providers

The Local Authority will fund 2Help places for eligible 2-year-olds at any provider judged 'good' or 'outstanding' by Ofsted or at any childminder or childcare provider registered with a childminder agency judged 'effective' by Ofsted if a parent wants their child to take up their funded entitlement place at that provider and the provider is willing to accept the Local Authority funding and any other Local Authority requirements, in line with the Provider Agreement.

The Local Authority will fund places for children eligible for the universal or working parent entitlements at any provider judged 'requires improvement' or better by Ofsted or at any childminder or childcare provider registered with a childminder agency judged 'effective' by Ofsted if a parent wants their child to take up their funded entitlement place at that provider and the provider is willing to accept the Local Authority funding and any other Local Authority requirements, in line with the Provider Agreement. We will not usually fund 2Help places for eligible 2-year-olds at providers in these categories but may choose to do so to ensure sufficiency of funded places where there is not sufficient accessible 'good' or 'outstanding' provision in the local area or to ensure continuity of care of children already receiving their early years funded entitlement.

The Local Authority will fund places for children eligible for a funded entitlement place at new providers registered with Ofsted until the provider's first full Ofsted inspection judgement is

published or at a childminder or childcare provider registered with an agency until the agency's first full Ofsted inspection judgement is published if a parent wants their child to take up their funded entitlement place at that provider and the provider is willing to accept the Local Authority funding and any other Local Authority requirements, in line with the Provider Agreement.

The Local Authority will fund Providers with an Ofsted inspection judgment of 'met' until their Ofsted quality inspection judgment is published, when future funding will be based on the published inspection judgment. We will not fund Providers with an Ofsted inspection judgment of 'not met'.

Where the Local Authority agrees to fund Providers in an Inadequate setting or in a Requires Improvement setting for 2Help places for 2-year-olds, this will be on the understanding that the Provider will work closely with the Early Years Quality, Standards and Safeguarding Team (EYQSS team) at a targeted support level to address the issues raised in the Ofsted report. The EYQSS team will generate regular update reports, to ensure that substantial progress is being made in addressing the identified areas. The Local Authority is under no obligation to maintain this arrangement and is doing so on the basis that progress is being made in addressing the identified areas.

The Local Authority will fund providers with exemptions from the Learning and Development requirements of the Early Years Foundation Stage if a parent wants their child to take up their funded entitlement place at an exempt provider and the provider is willing to accept the Local Authority funding and any other Local Authority requirements.

The Local Authority will fund individual children who have exemptions from the Learning and Development requirements of the Early Years Foundation Stage. Further information on exemptions for provider and individual children can be found at [Exemptions from the EYFS for providers and individual children](#).

The Local Authority will not fund Providers who do not actively promote fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those of other faiths and beliefs, as detailed in the Early Education and Childcare Statutory Guidance for Local Authorities.

The Local Authority will secure alternative provision and withdraw funding from a provider (other than a local authority maintained school), as soon as is practicable, when Ofsted publish an inspection judgement of the provider of 'inadequate' or when Ofsted publish a second consecutive inspection judgement of a childminder agency of 'ineffective'. Following a second consecutive 'ineffective' inspection judgement, local authorities should continue to fund the childminder agency's providers if the childminder agency has assessed them as being of acceptable quality and Ofsted has not identified any concerns about the childminder agency's assessment arrangements and should endeavour to treat all of the childminder agency's other providers in a comparable way to Ofsted-registered providers with equivalent judgements. Subject to this, it is for local authorities to determine an appropriate timeframe for withdrawing funding. When withdrawing funding, local authorities should take into account

the continuity of care for children who are already receiving their funded hours at a provider or with an agency registered childminder or childcare provider and Ofsted monitoring information about the provider or agency. When withdrawing funding from a childminder agency-registered provider, local authorities should also take account of parents' wishes. Local authorities should take appropriate action to improve the quality of provision at a local authority maintained school which has been judged by Ofsted to require significant improvement or has been placed in special measures.

The Local Authority will not withdraw funding from providers or from childminders or childcare providers registered with an agency until the provider's or childminder agency's Ofsted inspection judgement is published.

The Local Authority will not fund childminders or childcare providers registered with a childminder agency where the agency has indicated to the local authority that the childminder or childcare provider is not of the appropriate quality unless it is necessary to do so to ensure sufficiency of accessible places or support parental choice. Local authorities should also consider any information provided by a childminder agency about the childminder or childcare provider registered with them and the childminder's premises.

The Local Authority will consider any information published by Ofsted about a provider or childminder agency including the recent history about childcare provision by a particular provider or agency or childcare provision at a particular address. This may include, for example, where the local authority has concerns that a provider judged "inadequate" by Ofsted may have re-registered their setting with Ofsted to avoid making the quality improvements identified by Ofsted.

4.2 Continuous Quality Improvement, Workforce Development and Safeguarding

4.2.1 Quality Improvement

Every child should have access to an Early Years setting where there is excellent learning and development adapted to the needs of each individual child and delivered by well qualified and well-trained practitioners. All parents should be confident that the setting their child attends is aspiring to deliver the best quality provision.

In order to ensure that children have the best start in life, they need high quality provision.

Warwickshire County Council currently commissions learning and development opportunities through the Warwickshire Early Years Hub as a part of the Lawrence Sheriff Teaching School hub. Providers can find more information at <https://warwickshireeyh.co.uk/>

Training can be accessed at www.warwickshireearlyyears.co.uk

Settings are able to access training at other providers, including those delivering online training, if they wish.

4.2.2 Safeguarding

Every setting has a duty under the Childcare Act 2006 to comply with the Statutory Framework of the Early Years Foundation Stage, under which they are required to demonstrate that they take the necessary steps to safeguard all children in their care. Please also refer to Section [2.3.13](#) Child Attendance and Warwickshire's Children Missing Early Years Education guidance.

Providers who receive Early Education Entitlement Funding must meet all the requirements laid down in the Provider Agreement that all settings must sign before they are entitled to access funding. This will include completion of an annual Safeguarding Audit. Failure to complete the Audit, or any other return that the Local Authority requires, may result in a delay to funding payments.

Providers must also comply with all safeguarding arrangements as laid down by Warwickshire Safeguarding Partnership.

Information may be shared with other agencies in order to ensure effective safeguarding and promote the welfare and protection of children.

4.2.3 Ofsted

Before being accepted by Warwickshire County Council onto the Directory of Providers and deemed eligible to claim the funding entitlements, settings must be registered with Ofsted. A childminder may register with a childminder agency which is itself registered with Ofsted, instead of holding an individual Ofsted registration.

The Local Authority will withdraw funding with immediate effect if it is notified by Ofsted that they have suspended or terminated a provider's registration.

Providers **MUST** inform the Local Authority of the outcome of an Ofsted inspection **within 3 working days**. If the Ofsted inspection has resulted in an 'Inadequate' or 'Not Effective' judgement, the Local Authority will not usually fund any places for children who have started at the setting after the publication of the Ofsted inspection report.

Following inspection, if a setting is judged by Ofsted to be less than 'Good,' it is a requirement that the setting works to improve the quality of their provision, by addressing the issues identified in the Ofsted inspection report. The requirements may include, where applicable, participating in training or other quality improvement programmes.

Providers delivering 2Help funded places must generally hold an Ofsted grading of Good or above, unless the Local Authority cannot otherwise secure sufficient local provision.

If a provider receives a 'Requires Improvement' judgement or childminder agency receives a 'Not Effective' judgement, Warwickshire County Council will not usually fund any new 2Help

places for 2-year-olds at the setting, although new places for children eligible for the universal and working parent entitlements will continue to be funded, and existing funded 2Help 2-year-olds may retain their place.

Funding will be withdrawn and alternative provision secured for new funded children if Ofsted publishes an inspection judgement of 'Inadequate' (or 'Not Effective' in the case of a childminder agency). Warwickshire County Council may allow existing funded children to remain at the provision in order to maintain continuity of care and sufficiency, but each individual case will be considered separately. The Local Authority will not fund any new places in a setting that receives an Ofsted judgement of 'Inadequate' (or 'Not Effective' in the case of a childminder agency).

Warwickshire County Council will adhere to the requirements of the Early Education and Childcare Statutory Guidance when deciding to withdraw or suspend funding.

4.3 Advice and Support for Settings

Where early years providers, including maintained nursery classes and schools, categorised by Ofsted as below 'Good' are delivering the funded entitlements, they must improve the quality of their provision, and complete actions identified in their Ofsted or Childminder Agency inspection report. This may include, where applicable, participation in training or other quality improvement programmes, alongside peer support from other settings.

The Local Authority currently offers support via an Early Years Adviser or Early Years Advisory Practitioner to providers who are judged less than 'Good' by Ofsted. This support will focus on addressing the issues identified in the Ofsted report, which will form the basis for the setting action plan.

Support will also be available following a Business Health Check and Funding Audit by Early Years & Childcare Sustainability Officers where areas have been identified for development or actions are required to be completed by the setting.

A written record of visit will be sent to the setting following any support visits given.

Copies of all documents associated with the Business Health Check and Funding Audit can be found on the website at: [Early Years and Childcare Business Support – Education and Early Years providers \(warwickshire.gov.uk\)](https://www.warwickshire.gov.uk/early-years-and-childcare-business-support-education-and-early-years-providers)

5 Local Directory of Providers

All Local Authorities are required to keep and maintain a Directory of Providers. Providers cannot offer funded places until they have been registered on this Directory.

2Help

To become eligible to register to offer 2Help 2-year-old funded places, providers must be based in Warwickshire and be one of the following:

- A Private, Voluntary or Independent early year setting registered on the Ofsted Early Years Register
- A school taking children aged 2 and over and therefore exempt from separate registration with Ofsted as an early years provider
- Independent School or Academy taking children aged two and over and which are exempt from registration with Ofsted as an Early Years Provider
- A Childminder registered on the Ofsted Early Years Register (or registered with a Childminder agency which is itself registered with Ofsted on the Early Years Register)

All newly registered providers can normally offer 2Help funded places for eligible 2-year-olds until their first full Ofsted inspection judgement is published. When providers have received an Ofsted inspection, Warwickshire County Council will normally only fund eligible 2Help 2-year-olds if the judgement is 'Good' or 'Outstanding', although the Local Authority may sometimes allow 'Requires Improvement' providers to offer 2Help funded places if sufficient local places cannot otherwise be secured.

Universal and Working Parent Entitlements

To become eligible to register to offer the universal and working parent entitlements funded places, providers must be based in Warwickshire and be one of the following:

- A Private, Voluntary, or Independent early year setting registered on the Ofsted Early Years Register
- A school taking children aged 2 and over and therefore exempt from separate registration with Ofsted as early years providers
- Independent School or Academy taking children aged two and over and which are exempt from registration with Ofsted as an Early Years Provider
- A Childminder registered on the Ofsted Early Years Register (or registered with a Childminder agency which is itself registered with Ofsted on the Early Years Register)

All newly registered providers can normally offer funded places for children eligible for the universal and working parent entitlements until their first full Ofsted inspection judgement is published. When providers have received an Ofsted inspection, Warwickshire County Council will only fund children eligible for the universal and working parent entitlements if the

judgement is at least 'Requires Improvement' (or 'Effective' in the case of a childminder agency).

Prior to acceptance onto the Directory of Providers, the owner / person responsible for the setting (or childminder) must make contact with their Warwickshire County Council Early Years and Childcare Sustainability Officer to arrange completion of the current Provider Agreement. Providers will then be issued with the full Requirements of Early Education and Childcare Funding Entitlements.

5.1 Provider Agreement and Local Authority Requirements

5.1.1 Provider Agreement

All providers registered to claim funding for the early years funding entitlement places must sign to agree to the annual Provider Agreement. This agreement is reviewed and reissued annually each academic year. All providers must have regard to the current ['Early education and childcare - Statutory guidance for local authorities'](#) and follow all Department for Education requirements.

For existing settings on the Directory of Providers:

The annual Provider Agreement will be sent electronically from DocuSign EU, usually at the end of the Summer Term or in line with updates to the Early Education and Childcare Statutory guidance for Local Authorities issued by the Department for Education.

For new settings being added to the Directory of Providers:

To join the Directory of Providers a Provider Agreement must be requested and completed prior to offering places to parents.

Providers **MUST** have adequate equipment to access the internet as all funding claims and communications are made via the internet and email.

Full details of how to complete and return the Provider Agreement can be found in the separate Guidance for Early Education and Childcare Funding Entitlements document, which accompanies these Requirements.

5.1.2 Local Authority Requirements

The Local Authority is required by legislation to secure information, advice and training for the following childcare providers:

- Those registered on the Ofsted Early Years Register who are judged less than 'Good' by Ofsted in their most recent inspection report

- Newly registered providers on the Ofsted Early Years Register who have not yet had an inspection report published

Information, advice and training must include the following:

- Meeting the requirements of the Early Years Foundation Stage
- Meeting the needs of children with special educational needs and disabilities, vulnerable and disadvantaged children
- Effective safeguarding and child protection

The Local Authority currently offers support via the Early Years Quality Standards and Safeguarding Team to settings who are judged less than 'Good' by Ofsted.

The Local Authority will conduct Business Health Checks and Funding Audits by Early Years and Childcare Sustainability Officers to ensure that providers are meeting the requirements laid down in the Provider Agreement. These requirements include:

- The Early Years Entitlements funded places are delivered completely free of charge to parents
- Funding provided is used properly and in accordance with any local authority arrangements made with providers
- Providers offer funded places in accordance with the ['Early education and childcare - Statutory guidance for local authorities'](#)

Please see Section 5.6 for details of Audit Requirements.

5.2 Withdrawal from Delivering the Funded Entitlements

Where a provider chooses to withdraw from delivering the funded entitlements, or closes, they should inform the parents and the local authority in writing, giving where possible at least 3 months / one term's notice to enable parents to make alternative arrangements.

The person(s) responsible for the setting will be invoiced if an overpayment of funding occurs when a setting closes or withdraws from the directory of funded providers.

The setting will be removed from the Directory of Providers by the Local Authority.

5.3 Rejection or Removal from the Directory

If a provider fails to meet any of the conditions that Warwickshire County Council has set, in line with Statutory Guidance, the setting may be removed from the Directory. The provider may be required to repay the whole or part of any funding that has been paid in respect of funded places. If removed from the Directory of Providers, the setting will no longer be eligible to claim for the funded entitlement places.

Rejection or removal from the local Directory of Providers **will** occur if:

- The local authority is notified by Ofsted that they have suspended or terminated a Provider's registration
- Any finding by Ofsted or any other agency, including Warwickshire County Council, concludes that children are not adequately safeguarded by the Provider and, as such, children are being placed at risk of harm.
- The Provider receives a second consecutive Inadequate Ofsted inspection judgement (or a childminder agency receives a second 'Not Effective' judgement)

Rejection or removal from the local Directory of Providers may occur if:

- The setting receives an Inadequate Ofsted judgement and does not make significant progress in working towards improved quality with an agreed action plan. This must address the required improvements as identified in the provider's Ofsted inspection report
- The setting fails to comply with the conditions of Warwickshire County Council's Requirements of Early Education and Childcare Funding Entitlements

Any decision regarding refusal or removal from the Directory will be made in writing and the provider will be given the date by which an application to appeal against the decision must be made.

Should the Local Government & Social Care Ombudsman, or any other competent authority, recommend that Warwickshire County Council makes a compensatory payment to any individual or organisation as a consequence of acts or omissions by a Provider which are in breach of the Provider Agreement, then Warwickshire County Council shall recover all such monies payable from the Provider.

5.4 Appeals Procedure

Providers wishing to appeal against the decision to be removed from the Directory of Providers should:

- Write to the Early Years Entitlements Team (which will have provided a written explanation of the reason for removal from the Directory), clearly stating the grounds for having the decision re-considered. Providers should take into account the requirements of the Early Education and Childcare Statutory Guidance when considering this step
- If the original decision is upheld, the provider may then write to the Director of Education, Warwickshire County Council, who will review the case
- No further appeals are available, but providers have the option to write to the Local Government Ombudsman if they believe their case has not been correctly considered

The address for the Local Ombudsman is:

Local Government Ombudsman
Earlsdon Park
53-55 Butts Road
Coventry
CV1 3BH

Tel: 0300 061 0614

Email: advice@lgo.org.uk

Website: www.lgo.org.uk

5.5 Financial Management Guidance

All providers in receipt of the Early Years Entitlements funding must ensure that they have robust financial procedures in place in order to ensure that payments for funded places are administered appropriately.

Financial guidance from Warwickshire County Council can be found on the website at: [Early Years and Childcare Business Support – Education and Early Years providers \(warwickshire.gov.uk\)](http://warwickshire.gov.uk/Early_Years_and_Childcare_Business_Support_-_Education_and_Early_Years_providers)

The website also includes a number of financial controls that are essential tools to help provide a degree of financial security from the misappropriation of money from the business and sets out how employees can protect themselves from allegations of theft or impropriety.

To ensure that there are robust financial management procedures in place, officers from the Early Years & Childcare Sustainability Team will conduct regular Business Health Checks and Audits. A copy of the Business Health Check and Audit template can be found on the website at: [Early Years and Childcare Business Support – Education and Early Years providers \(warwickshire.gov.uk\)](http://warwickshire.gov.uk/Early_Years_and_Childcare_Business_Support_-_Education_and_Early_Years_providers)

5.6 Audit Requirements

The Statutory Guidance for Local Authorities places a duty on the local authority to ensure:

- early education places are delivered completely free of charge to parents
- early education places are provided flexibly in a pattern which should meet the needs of parents
- that the funding provided is used properly and in accordance with any arrangements made with providers
- that providers meet the needs of disabled children and children with special educational needs
- effective safeguarding and promotion of the welfare of the children for whom the early education is provided

- that providers actively promote fundamental British values
- that providers take any measures identified in a report from Ofsted to improve the overall effectiveness of the provision
- there are effective administration arrangements

Warwickshire County Council will audit providers on a regular basis, in conjunction with a Business Health Check, to monitor the above requirements. The Local Authority will also audit where a concern or complaint has been received, or where additional support may be required – e.g., if there is a new manager or owner, or the setting appears to be in financial difficulties. Settings must agree to these visits as part of the Provider Agreement.

Please visit the website at [Early Years and Childcare Business Support – Education and Early Years providers \(warwickshire.gov.uk\)](https://www.warwickshire.gov.uk/EarlyYearsandChildcareBusinessSupport) for clarification on the information that will be requested as part of the audit process.

The Local Authority will need to be satisfied that the required paperwork has been completed correctly, the funding claim has been made in accordance with the instructions given by the Early Years Entitlements Team and that the setting complies with the Statutory Guidance.

Guidance will be given at the time of the health check and audit, or on request, to support providers if they are not sure of the correct procedures or if it is found that they are not administering the funding correctly. Guidance may be in the form of email / phone support, in person visit or by signposting to written guidance.

Particular attention is given to:

- The number of hours claimed on the Parental/Guardian Declaration Form (PDF), that all the relevant sections are completed and signed, and that it corresponds to the 'Actual' funding claim made and the setting's attendance records
- Children's attendance, which must match the hours claimed for by the provider
- The funded place being given completely free at the point of delivery, with no 'top up' fee charged. Invoices issued to parents/guardians must clearly state the number of funded hours delivered and a breakdown of any additional hours or services as stipulated on fee sheets

Following the health check and audit, a report with the outcome, detailing any actions, will be sent. The provider will be required to make any necessary changes identified as actions to meet the requirements of funding.

The Local Authority may need to undertake further visits to confirm that the requirements of funding are being met.

Where actions following the health check and audit remain outstanding, the Local Authority may review the provider's ability to offer funded places and future funding could be at risk.

In such instances, a letter will be issued notifying the provider of this intent.

The Early Years Entitlements funding payments may be suspended if a setting does not take reasonable steps to comply with any changes required by the Local Authority.

The provider must ensure that the following information is retained for 7 years (6 years plus current year):

- Parental/Guardian Declaration Forms (PDFs)
- Actual session reports – Synergy system
- Registers or records of attendance
- Invoices and / or £0 Charge forms
- Copies of receipts

5.7 Additional Requirements

The additional conditions that providers must meet are as follows:

- Settings must ensure that standard Parental/Guardian Declaration Forms (PDF) are **fully** completed for every child eligible to claim funding prior to making the funding claim. Only one PDF needs to be completed each academic year and this form should be updated and amended termly as necessary

Parental Contributions and Charges:

- Warwickshire County Council must ensure that the basic entitlement is completely free at the point of delivery – providers **MUST NOT** charge any fees in respect of the funded entitlement. Any charges made for additional services such as consumables or meals must be clearly listed in writing and include a policy on how the setting will respond if a parent is unable or unwilling to pay. Providers must also ensure that parents are not charged in advance for funded places and then refunded at a later date (other than a deposit, which must be refunded to the parent within a reasonable time scale and, except in exceptional circumstances, by the end of the first month of attendance)
- Providers can charge for additional services over and above the funded hours and the level of such fees should be a private matter for agreement between the provider and the parent. However, parents must not be required or expected to take up additional services to access a funded place. Arrangements for charging for additional services must be clear and transparent, including clear details provided as to what is included as a 'consumable'
- As a condition of receiving the Early Years Entitlements funding all settings will need to comply with all auditing and monitoring requirements for children accessing funding. This will include the requirement to:

- Accurately complete and submit online 3 headcount forms per academic year using the Access Synergy Provider Portal (or any replacement Warwickshire County Council system)
- Accurately complete the online sufficiency return in the Summer Term each year (except Childminders) using the Access Synergy Provider Portal (or any replacement Warwickshire County Council system)
- Accurately complete and submit online the Department for Education (DfE) Early Years Census Information using the Access Synergy Provider Portal (or any replacement Warwickshire County Council system)
- Accurately complete and return any other audit or monitoring information required by Warwickshire County Council or the Department for Education in relation to the Early Years Entitlements funding

Please note that all forms must be completed online, as advised in termly communications. Where a provider does not complete all required forms and meet the specified deadlines funding may be delayed or withdrawn.

SUMMARY

All the requirements detailed in this document and the Provider Agreement must be met. They have been introduced to ensure that funding is spent in accordance with the ‘Early Education and Childcare Statutory Guidance for Local Authorities’ and to meet the financial requirements of Warwickshire County Council.

If a setting fails to meet these requirements, Warwickshire County Council will take action which may result in the withdrawal of funding.

6 Government Help with Childcare Costs

All information about government help with childcare costs, including the Early Years Entitlements, can be found at www.childcarechoices.gov.uk



6.1 Tax Free Childcare

Working parents are able to apply for Tax-Free Childcare through the digital childcare service, www.childcarechoices.gov.uk. For every £8 parents pay into their childcare account, the Government will add an extra £2, up to a maximum of £2,000 per child per year, or £4,000 per year, if the child is disabled. Parents can then use these funds to pay for registered childcare outside of the funded entitlements.

The eligibility criteria for Tax-Free Childcare are broadly aligned with the working parent entitlements funding. The main differences are that Tax-Free Childcare is available for children under 12, or 17 if disabled, and is not available to parents in receipt of Tax Credits, Universal Credit or childcare vouchers.

As part of their childcare service application, parents in receipt of Tax Credits, Universal Credit or childcare vouchers can choose whether they want to keep these benefits and apply for the working parent entitlement only or apply for Tax-Free Childcare as well as the working parent entitlement.

Parents can use Tax-Free Childcare alongside the working parent entitlement to cover additional childcare costs, e.g., during school holidays.

Many parents are not aware of the benefits of Tax-Free Childcare, and Warwickshire County Council encourages providers to promote the scheme to parents - this additional funding can help to make the business more sustainable financially, because parents are getting help with their childcare fees. This makes it easier for settings to charge a realistic market rate for their services.

Childcare providers need to sign-up to the childcare service in order to receive Tax-Free Childcare payments using the Childcare Service at www.childcarechoices.gov.uk. All providers registered with a regulator (e.g. Ofsted) will have received an invitation to apply, containing the information they need to sign up.

Providers who need assistance with the sign-up process should contact the digital childcare service helpline on 0300 123 4097.

6.2 Universal Credit for Childcare

Eligible working parents on Universal Credit are now able to receive even more financial help with their childcare costs for children under 17. This can be up to the maximum amount of

£951 per month for 1 child or up to £1,630 per month for 2 or more children. Parent(s), and any partner, must be working, or due to start work, and claiming Universal Credit.

Universal Credit for Childcare is for working families claiming Universal Credit, in England, Scotland, Northern Ireland and Wales:

- With children under 17
- Up to 85% of eligible childcare costs
- Who aren't receiving Tax-Free Childcare

And can be used to help pay:

- Registered childminders, nurseries, and nannies
- Registered after-school clubs and playschemes
- Registered schools
- Home care workers working for a registered home care agency

Parents can find out more information about both Tax-Free Childcare and Universal Credit for Childcare at www.childcarechoices.gov.uk

6.3 Wraparound Care

Wraparound childcare is *childcare that wraps around the conventional school day*, offering before and after school childcare for primary school aged children in England during term time, such as breakfast clubs and regular afterschool provision that run until 6pm or later. Wraparound childcare should be available every school day outside of regular school hours and is aimed at helping parents access more childcare and work the hours they want to.

Wraparound childcare is different from out-of-school activities, or school clubs, which are less frequent and can be a one-off activity.

From September 2024, parents can expect to see an increase in the number of wraparound childcare places available across the country with the start of a two-year national programme of wraparound childcare support to enable schools and childcare providers to set up wraparound childcare provision either side of the school day, so that parents of school-age children can access childcare in their local area from 8am – 6pm, with the expectation that by September 2026, parents who need it have access to wraparound care, either from their school or from another provider in their local area.

Further information is available from: [Education Hub: Wraparound Childcare](#)

7 Frequently Asked Questions

When can a child access a funded place? Section 2.1

- 2Help places: eligible 2-year-old children are funded from the start of the following term after their second birthday until they are eligible for the 3- and 4-year-old Universal Entitlement
- Universal Entitlement for 3- and 4-year-olds: all children are funded from the start of the following term after their third birthday, all children are entitled to up to six terms of funded early education before reaching statutory school age (the first term following their fifth birthday)
- Working Parent Entitlements: eligible children are funded from the start of the following term after their second birthday until they reach statutory school age (the first term following their fifth birthday). From September 2024, eligible children are funded from the start of the following term after they turn 9 months until they reach statutory school age (the first term following their fifth birthday)
- Depending on local arrangements for admission to school, many children start full time education in school reception classes before reaching compulsory school age
- The start date of each term is on or after:
 - Autumn term - 1st September
 - Spring term - 1st January
 - Summer term - 1st April

What is the minimum funded early education entitlement? Section 2.1

- The 2Help 2-year-old funded entitlement with an EY Voucher Code, is for up to 570 hours per year delivered over a minimum of 38 weeks of the year (equating to 15 hours a week)
- The 3- and 4-year-old Universal funded entitlement is for up to 570 hours per year delivered over a minimum of 38 weeks of the year (equating to 15 hours a week)
- The Working Parent (Expanded) Entitlement with an eligibility code, for 2-year-olds from April 2024 and for children aged 9 months from September 2024, is for up to 570 hours per year delivered over a minimum of 38 weeks of the year (equating to 15 hours a week)
- From September 2025, the Working Parent (Expanded) Entitlement with an eligibility code, for children aged 9 months is for up to 1140 hours per year delivered over a minimum of 38 weeks of the year (equating to 30 hours a week)
- The 3- and 4-year-olds Working Parent (Extended) entitlement with an eligibility code, is up to an additional 570 hours per year delivered over a minimum of 38 weeks of the year (equating to 15 hours a week)
- If both the 3- and 4-year-old Universal and Working Parent Extended hours are used, the entitlements are up to 1140 hours funding per year delivered over a minimum of 38 weeks of the year (equating to 30 hours a week)
- The funded entitlement is a guarantee of a funded place, but it does not offer a guarantee of a place at any one specific provider or a particular pattern of provision

- Parents may need to contact more than one provider to obtain the offer that meets their particular circumstances

What if providers are not open for the full 38 weeks?

- A parent can choose a provider that is open for fewer than 38 weeks of the year and receive 15 or 30 hours per week during fewer weeks
- The funded entitlement hours cannot be compressed i.e., a parent cannot take more than 15 or 30 hours per week over fewer than 38 weeks of the year

Does it matter which Local Authority the child is resident in?

- All Local Authorities have a duty to provide sufficient childcare, so far as is reasonably practicable, for the Universal 3- and 4-year-olds entitlement, the 2Help 2-year-old entitlement and the Working Parent Entitlements.
- Local Authorities receive funding for the number of children attending funded Early Entitlement places within their area, regardless of where the children live
- No child should be refused a funded place based on where they live and the Local Authority in whose area the setting is situated will receive and administer the funding

Will parents be expected to make a financial contribution towards their child's funded early education place? Section 2.5

- Parents cannot be required to contribute to the cost of the basic funded entitlement but may be charged fees for meals, other consumables, additional hours or additional services
- Parents should be made aware of these charges in advance of their child taking up a funded place
- Providers must not levy any fee in respect of the funded entitlement, nor should they charge parents fees in advance for their entitlement to be refunded later (other than a deposit to reserve a place, which must be refunded within a reasonable time scale)
- All invoices for parents must clearly show the number of funded entitlement hours they have received completely free, and how the charges have been calculated for any additional hours, services or consumables that the parent has agreed to pay for over and above the funded entitlements

Do parents have a right to a place with a particular provider?

- The right to a funded early education place is for a funded place in the local area, not the right to a funded place with a particular provider or for a specific session

What happens to the early years entitlements funding if a child moves from one provider to another during the course of a term? Section 2.3.9 and 2.3.10

- Normally the setting where the child is attending during headcount week receives the funding for the whole of the term

- Adjustments to payments for the early entitlements funding will only be made in exceptional circumstances as outlined in Section 2.3.11 of the Requirements of Early Education and Childcare Funding Entitlements
- Providers should use Parental/Guardian Declaration Forms, which set out the hours and patterns of access to the funded entitlement that the parent and provider have agreed to, usually on a termly basis. The Parental/Guardian Declaration Form can be found on the website at: [Early education funding for two, three and four-year-olds – Education and Early Years providers \(warwickshire.gov.uk\)](http://www.warwickshire.gov.uk/EarlyEducation)

What happens if a child attends sessions at more than one provider?

- Parents should detail the hours and pattern of attendance for all settings their child attends on the Parental/Guardian Declaration Form (PDF)
- Where a child attends two providers and receives in total more than the minimum funded entitlement, if a local agreement cannot be made on how the funding will be allocated, the Local Authority will apportion the amount of funding payable in respect of that child, based on the number of hours accessed at each provision on a pro-rata basis

Can parents receive the early entitlements funding if their child attends both a School Nursery and PVI provider?

- The same rules apply to the Maintained Nursery Class or School and PVI sector. Parents should detail the hours and pattern of attendance for all settings their child attends on the Parental/Guardian Declaration Form (PDF)
- If a child attends two providers and receives in total more than the minimum funded entitlement, if a local agreement cannot be made on how the funding will be allocated, the Local Authority will apportion the amount of funding payable in respect of that child based on the number of funded hours accessed at each provision on a pro-rata basis

How is funding for the provision of the early years entitlements places allocated to Local Authorities?

- Funding is provided through the Dedicated Schools Grant (DSG), which is a ring-fenced grant provided to Local Authorities to fund educational provision in all types of providers. This includes Private, Voluntary and Independent providers offering the funded early years entitlements
- The Warwickshire Schools Forum approves how the DSG is allocated, and the Early Years sector has representatives who sit on this body. Local Authorities have a statutory duty to secure sufficient funded places for the Universal 3- and 4-year-olds entitlement, the 2Help 2-year-old entitlement and the Working Parent Entitlements
- Local Authorities are responsible for determining the rate at which providers will be funded for delivering the funded entitlements and the arrangements for making associated payments
- The Warwickshire Schools Forum and the EY Funding Working Group approves the level of funding rates for early years providers, based on the Department for Education's guidance

8 Where to Get Help and Useful Contacts

Early Years and Childcare, Entitlements, Sufficiency and Business Team
Shire Hall
Market Place
Warwick CV34 4RL

Website: [Early education funding for two, three and four-year-olds – Education and Early Years providers \(warwickshire.gov.uk\)](https://www.warwickshire.gov.uk/early-education-funding)

Mandy Latham

Early Years & Childcare Entitlements, Sufficiency & Business Lead Commissioner

Tel: 01926 742216

Email: mandylatham@warwickshire.gov.uk

Early Years & Childcare Administrator

Early Years & Childcare Entitlements, Sufficiency & Business Team

Email: earlyyearsadmin@warwickshire.gov.uk

Early Years Entitlements Funding Enquiries

PVI, Academies, Maintained Nursery Schools and Classes

Tel: 01926 742233

Email: eyfunding@warwickshire.gov.uk

Website: [Early Education Funding for 2, 3 & 4 year olds](https://www.warwickshire.gov.uk/early-education-funding)

Childminder Funding Enquiries

Tel: 01926 743039

Email: childminderfunding@warwickshire.gov.uk

Website: [Early Education Funding for 2, 3 & 4 year olds](https://www.warwickshire.gov.uk/early-education-funding)

2Help Funding Application Enquiries

Tel: 01926 742218

Email: 2help@warwickshire.gov.uk

Website: [Help with childcare costs – Warwickshire County Council](https://www.warwickshire.gov.uk/help-with-childcare-costs)

Early Years & Childcare Sustainability and Business Support Enquiries

Email: earlyyears@warwickshire.gov.uk

Website: [Early Years & Childcare Business Support](https://www.warwickshire.gov.uk/early-years-childcare-business-support)

Early Years Advisors

Tel: 01926 742547

Email: earlyyearsadvisors@warwickshire.gov.uk

Integrated Disability Service (IDS) Birth to Five Team

Tel: 01926 413737 (option 6) or 01926 413 777

Email: idsteachingandlearning@warwickshire.gov.uk



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Tel: 0800 408 1558 or 01926 742274

Email: fis@warwickshire.gov.uk

Website: www.warwickshire.gov.uk/fis

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Customer Care Line: 0300 123 4097



www.warwickshire.gov.uk

www.warwickshire.gov.uk/childcarecosts

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