

THE FREE EARLY YEARS ENTITLEMENT FREQUENTLY ASKED QUESTIONS

The new **Code of Practice for Local Authorities on Delivery of Free Early Years Provision for 3 and 4 Year Olds** was published on the Department for Education website on 16th March 2010

<http://www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00689/>

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The Extended 15 hours Entitlement

Will children be eligible for funding as soon as they turn three years old?

No, this has not changed. A child is entitled to be funded at the **start of the term following their 3rd birthday**. There are sometimes slight differences with the start and end dates of terms, however, the following table can be used as a general rule of thumb.

Children who are 3 years old		Funding starts this term
On or after	And on or before	
1st September	31st December	Spring (after Christmas holiday)
1st January	31st March	Summer (after Easter holiday)
1st April	31st August	Autumn (after Summer holiday)

Do we have to open for 15 hours from September 2010?

No, but if there is a need locally Devon County Council (DCC) would encourage and support you to do so.

You may find it beneficial to **partner** up with another local provider so that parents know how they can access the full 15 hour entitlement by attending 2 different settings. For example if two small rural preschools in neighbouring villages both open for 3 mornings a week; make sure that those mornings are not all the same so that there is always preschool provision during the mornings at one or the other setting.

How much funding will we get for each child?

Devon County Council will fund each hour of the entitlement at £3.62 in all early years settings.

We offer an extra ½ hour session for 4 year olds to get them ready for school. Is the flexible extended offer just for 4 year olds?

No, it is for all children that are eligible for the free entitlement i.e. the term after a child's 3rd birthday up until they start at school. Provision should be fully inclusive for 3 and 4 year olds.

Can parents use the entitlement in more than two settings?

No. It is important that children do not have too many changes. Consistency and continuity help children to feel safe and secure and will in turn impact on the way that they settle into the provision and learn.

How many hours of the entitlement can a parent have that only uses the service on 2 days?

By only taking the entitlement over 2 days the child gets a maximum of 12.5 hours. This could be 10 hours on one day and 2.5 hours on the second day. The full 15 hours can be taken over no fewer than 3 days.

A child does 13 hours in another setting and comes to us for a few hours; can she have 2 hours as part of the entitlement on our setting?

No. The entitlement can only be taken over a minimum of 2.5 hours. In the first roll-out of the 15 flexible hours we told settings that the minimum would be 2 hours. All settings should work towards the 2.5 hours minimum in line with the Code of Practice.

Our new operational model is broken down with quarter of an hour blocks. Will DCC fund less than a half hour block of time?

No. A half hour is the smallest amount of time that will be funded. You may be financially disadvantaging your setting by operating in this way. If possible your model should be based around full and half hours.

We offer a 3 hour session, 2½ hours is funded 10.00 – 12.30 and the rest is chargeable. Can we continue to do this from September 2010?

No. The first 15 hours that a child attends will be the free hours. This means that all the time that you are open must be used as the free entitlement.

Our school nursery class has morning sessions 9.00-11.30 and afternoon sessions 12.30-3.00pm and an independent provider runs a breakfast club 8.00-9.00am, a lunch club 11.30-12.30pm and an afterschool club 3.00-6.00pm. Can the entitlement be taken at any time between 8.00 and 6.00pm?

No. The school will be funded for children to attend the morning and afternoon sessions. Parents would have to pay for the breakfast and lunch clubs as they run for less than 2.5 hours.

The Afterschool Club (if it operates for more than 2.5 hours and is registered on the Office for Standards in Education Early Years Register) could be funded for children to access the entitlement. The main disadvantage with this model is that parents have to pay if they want a full day of provision.

There is a governor run before and after school club that wraps around our maintained nursery provision. Can the entitlement be used between 8.00am and 6.00pm?

Yes because the provision is managed in the same way across the day.

I am a Specialist Early Years Childminder. Can I offer the free entitlement as part of my service?

Yes as long as you meet the basic criteria set out in the Code of Practice and the local conditions, then you are encouraged to offer the free entitlement as part of your service.

What Aspects of the Service are Chargeable?

Do we have to have an hourly rate for all time that a parent can buy on top of the free entitlement from September?

The Local Authority recommends that you do.

Can we charge for food?

Yes, but can't insist that children accessing the free entitlement also access chargeable services. Children must have the option of bringing a packed lunch if they wish. The cost of buying a lunch may put some parents off accessing the free entitlement at your setting.

Can we ask for a registration fee?

If a child only accesses the free entitlement no charge can be made. If a child accesses additional hours (on top of the entitlement) a registration fee may be charged, but only for the bought hours. A registration fee may also be charged if the child is not eligible by age for the entitlement.

Can we ask parents to pay a deposit to hold a place open?

Not if that place is for the free entitlement. You can ask for a registration fee or deposit if it relates to services that the parent buys on top of the free entitlement.

We are open between 7.00am and 7.00pm, what hours can we charge parents to attend?

The entitlement is funded between the hours of 8.00am and 6.00pm, so the chargeable times would be 7.00-8.00am and 6.00-7.00pm.

Can we still charge for lunch club?

No, from September you need to offer any time that you are open as a funded service.

Can we charge for snack?

Yes, but you must give parents the option of not having to pay and allowing their child to bring in a healthy snack instead.

We offer extra classes with a dance teacher. Can we charge for this service?

Yes, but taking up the extra classes must not be a condition of a place being offered.

We are planning an outing to the zoo next month can we ask parents to pay for their child to attend?

No, not if it is part of the free entitlement. You may however ask for a voluntary contribution.

We take the funding off the fees on the bill. Can we still do this?

No, the funding is not a subsidy; it is to deliver a free place. This is wrong. Your billing must be clear and show that the parent has accessed free entitlement.

How has the funding system changed?

Is there going to be a head count week for each term?

Yes, this will be the department's census day for the term which is set nationally by the government. Funding for Summer Term 2010 will be reviewed to capture participation of pupils over the term.

Will I have to fill in termly returns for the council?

Yes, this is the minimum basis that a LA will use in order to count the number of children a setting will have to deliver to and use that information to provide indicative budgets at the start of the year, and adjust during the year where necessary.

Will the Local Authority recover funding from settings?

If a child leaves the setting during the term the setting keeps the funding but if a child joins you won't receive additional funding until the next census return.

Will there still be part week claims?

All settings that are open for 190 days over 38 weeks will be paid for 12 weeks – 14 weeks and 12 weeks over the year. However if you are open for fewer than 38 weeks we will fund actual days.

We offer a 4 hour session (9.00 – 1.00), 2.5 hours is funded (10.00 -12.30) and the rest is chargeable. Can we continue to do this and claim funding?

No. The first 15 hours that a child attends is the funded time.

Will you still send out the leaflet for parents in April?

We will communicate with settings more through the website in the future.

If a child is eligible for the free entitlement at the beginning of term, this does not allow for an induction period.

Induction should be offered prior to the start of the term in which the child becomes eligible. Parents can ask to have the 15 hours as soon as the child is of eligible age.

If a child leaves a setting what happens to the funding that has been received for them?

You keep it.

If a child is away for a week (either sickness or holiday) what happens with the funding?

We recommend you keep a record of attendance as auditors may wish to see these and look for patterns of poor attendance that should not have been funded.

If a child reduces the time they attend keep a record of decisions.

A parent claims for 10 hours in one setting and 10 hours in another setting. Both settings have completed Parent/Provider Contracts or agreements with the parent.

This situation would need to be resolved by both settings before a payment can be made.

How will we know if a child is attending another setting?

If you use the Parent Provider Contract this should help when you speak with parents about the entitlement to gauge whether they are attending or intend to attend another setting.

Will funding be cut for days when a child is sick or on holiday?

No, providers will not be penalised if a child is booked to attend the setting but is absent for these reasons. Please refer to our Guidance if there is absence which is recurring or for extended periods.