

# Telford & Wrekin Council Provider Agreement

Early Years provision free of charge and  
free childcare

**September 2023**

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## Section 1: Overview

- 1.1. This agreement sets out Telford & Wrekin Council's (the Council) expectations for providers (. It encompasses early years provision free of charge (sections 7 and 7A of the Childcare Act 2006) and free childcare (section 2 of the Childcare Act 2016) as the 'free entitlement(s)' or 'free hours' or a 'free place'.
- 1.2. The agreement applies to the 15 hour entitlement for the most disadvantaged two-year-olds, the 15 hour entitlement for parents of three- and four-year-olds (the universal entitlement) and the 30 hours entitlement for working parents of three- and four-year-olds (the extended entitlement).
- 1.3. This agreement is based upon the DfE's model agreement, which was developed in partnership with early years providers and local authorities. The model agreement was intended to bring greater consistency to provider agreements across all local authorities and all types of providers. It does not however prevent local authorities from exercising their statutory powers to include other requirements.
- 1.4. This document does not provide guidance on how providers operate their private businesses, including charges for provision over and above a child's free hours. It is not the local authority's role to intervene where parents choose to purchase additional hours of provision or additional services providing that this does not affect the parent's ability to take up their child's free place.
- 1.5. This agreement will be kept under review and updated as necessary.

## Who is the agreement for?

- 1.6. This agreement is for:
  - Schools
  - Early years providers who are referred to as 'providers' and include:
    - Early years providers and childminders registered on the Ofsted Early Years Register;
    - Childminders registered with a childminder agency that is registered with Ofsted;
    - Independent Schools and Academies taking children age two and over and which are exempt from registration with Ofsted as an early years provider.
- 1.7. The parental declaration at Annex A is for:
  - Early years providers, as set out above
  - Parents

## Supplementary provisions

- 1.8. This agreement does not replace, supersede or negate the requirements or expectations set out in legislation, other published statutory guidance and government advice.
- 1.9. Local authorities and providers must comply with all relevant legal obligations.
- 1.10. Local authorities should develop their provider agreements in line with their own legal advice, however the Department recommends that local authorities include the following provisions:
  - A right to unilaterally vary the agreement to reflect changes in legislation and departmental guidance.
  - A clause stating that references to legislation will be to that legislation as amended from time to time, without express change in the model agreement and/or provider agreement.
  - Freedom of Information provisions.
  - Termination and enforcement clauses, to cover all enforcement stages up to and including termination of the agreement. The local authority should also make clear that they do not waive the right to act if they do not act immediately (a slower evidence based approach may be required on occasion).
  - An obligation to comply with all relevant legislation.
  - Provisions for dealing with data protection and confidentiality.
  - An obligation to take out and maintain adequate levels of insurance.
  - Provisions dealing with how funding must be accounted for and recorded for audit purposes.
  - A clear process for resolving any disputes.

## **Legal framework and statutory guidance**

1.11. The following frameworks and legislation underpin this agreement:

- Early Education and childcare, Statutory guidance for Local Authorities 2018
- Childcare Act 2006
- Childcare Act 2016
- Equality Act 2010
- School admissions code 2014
- Statutory framework for the early years foundation stage 2017
- Local authority, (Duty to Secure Early Years Provision Free of Charge) Regulations 2014
- The Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016
- Special educational needs and disability code of practice: 0 to 25 years 2015
- Data Protection Act 2018

## **Section 2: Provider agreement requirements**

### **Key local authority responsibilities**

- 2.1. Telford & Wrekin Council must secure a free entitlement place for every eligible child in the area.
- 2.2. The Council will work in partnership with providers to agree how to deliver free entitlement places.
- 2.3. The Council will be clear about its role and the support on offer locally to meet the needs of children with special educational needs and/or disabilities (SEND) as well as its expectations of providers.
- 2.4. The Council will promote the safeguarding and welfare of children and young people in the area.

### **Key provider responsibilities**

- 2.5. The provider must comply with all relevant legislation and insurance requirements.
- 2.6. The provider should deliver the free entitlements consistently to all parents, whether in receipt of 15 or 30 hours and regardless of whether they opt to pay for optional services or consumables. This means that the provider should be clear and communicate to parents details about the days and times that they offer free places, along with their services and charges. Those children accessing the free entitlements should receive the same quality and access to provision.

- 2.7. The provider must ensure parents are not penalised for short term absences of children through withdrawing funding but use their discretion where absence is recurring or for extended periods taking into account the reason for the absence and the impact on the parent.
- 2.8. On days where the Provider has influenced a closure of the provision for purposes such as training, adverse weather conditions, medical appointments and day trips when a child does not participate; the provision should offer an alternative to the funded hours missed by children if it is reasonably practicable. Under no circumstances should the provider withhold funded hours and then charge the parent/ carer on such days.
- 2.9. Information, advice and assistance must be provided to parents and prospective parents describing the provision of the free entitlement in their area
- 2.10. Parents must be able to clearly see, from the information they receive from their provider, that they have received their child's full entitlements completely free.
- 2.11. The provider must have a complaints procedure for parents who are not satisfied that their child has received their free place or with any aspect of the way in which they have received it and publicise this to parents.
- 2.12. For children who leave during the term and move onto a new childcare provider, the funding will follow the child to the new provision. It will be the responsibility of the childcare provider that the child has left to inform the Council of the last date of attendance and to arrange the transfer of funding. If this is not done, the relevant funding will be reclaimed by the Council.
- 2.13. For children who leave but do not move onto another childcare provider, it will be the responsibility of the childcare provider that the child has left to inform the Council.
- 2.14. The Council will not fund providers when parents/ carers breach notice periods. This is a private matter for the provider to resolve, It is the parent/carer's responsibility to commit to any private arrangement. The provider is entitled to such payment from the parent/ carer.
- 2.15. Providers are responsible for checking that the child is eligible for a funded place and ensuring all parents sign under the conditions of the provider agreement and the statutory guidance.
- 2.16. Providers must maintain an up to date record of attendance for all children for whom they provide funded places and make it available to the Council when required along with other monitoring information.
- 2.17. The duration of the lunch break can be included as part of the funded hours. Where it is reasonably practicable for the setting, parents should be given the option of providing a packed lunch. Providers can make a reasonable charge

for food that is supplied as part of a meal; the charge to parents accessing a free place should be the same as to other parents. Funding of lunches for 3 and 4 year olds is not provided by the Council.

- 2.18. The provider will complete information as requested by the local authority to assess and **MUST** complete the termly and annual childcare sufficiency assessment via the online portal and/or alternative requests. The provider will also inform/promote parent/carers surveys.
- 2.19. The provider will access the provider portal to submit their funding information. NB – All providers **MUST** attend provider portal training prior to being given access.

## Safeguarding

- 2.20. The local authority has overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area. There are a number of statutory functions under the 1989 and 2004 Children Acts which make this clear, and the 'Working Together to Safeguard Children' 2018 guidance<sup>1</sup> sets these out in detail. Whilst S11 does not apply to individual early years and childcare providers, rather to the Local Authority, S10 of the Childcare Act 2004 (page 11, paragraph 28) sets out that the Local Authority should make arrangement to promote co-operation between itself and its relevant partners and other organisations who are engaged in activities relating to children. You **MUST** complete a S11 self-assessment and receive a S11 audit visit annually (provided by the Early Years and Childcare team). **Failure to complete will result in the withdrawal of delivering funding.**
- 2.21. The provider must follow the EYFS and have clear safeguarding policies and procedures in place that are in line with local guidance and procedures for responding to and reporting suspected or actual abuse and neglect. A lead practitioner must take responsibility for safeguarding and all staff must have training to identify signs of abuse and neglect. The provider must have regard to 'Working Together to Safeguard Children' 2018 guidance and taking into account advice from the Telford & Wrekin Safeguarding Partnership or Telford & Wrekin on appropriate training courses.
- 2.22. The provider must ensure that all Practitioners are trained in safeguarding (taking into account advice from the Telford & Wrekin Safeguarding Partnership or Telford & Wrekin on appropriate training courses) and a Designated Person for safeguarding is identified in the setting. This person should attend the Designated Person training, 2 Yearly Updates and DSL network meetings.
- 2.23. The provider should keep records of the progress of Looked after Children and share these with the Corporate Parent if requested.
- 2.24. The provider must inform the Council of any children who have had prolonged absences or otherwise shown causes for concern so the appropriate agencies can be contacted for investigation.

## Eligibility

- 2.25. The provider should check original copies of documentation to confirm a child has reached the eligible age on initial registration for all free entitlements. The provider can retain paper or digital copies of documentation to enable the local authority to carry out audits and fraud investigations. Where a provider retains a copy of documentation this must be stored securely and deleted when there is no longer a good reason to keep the data. Please refer to the data privacy guidance set out in Annex A: Parent declaration, part 6.
- 2.26. The provider should offer places to eligible two-year-olds on the understanding that the child remains eligible until they become eligible for the universal entitlement for three- and four-year-olds.
- 2.27. The local authority must ensure that a child has a free entitlement place no later than the beginning of the term following the child and the parent meeting the eligibility criteria for the free entitlements.
- 2.28. Alongside the 30 hours eligibility code, which is the child's unique 11-digit number, and original copies of documentation (see 2.24), a provider must acquire written consent from, or on behalf of, the parent to be able to receive confirmation and future notifications from the Council of the validity of the parent's 30 hours eligibility code.
- 2.29. Once a provider has received written consent from the parent, they should verify the 30 hours eligibility code with the Council.
- 2.30. The Council will confirm the validity of 30 hours eligibility codes to allow providers to offer 30 hours places for eligible three- and four-year-olds. The Council will provide a validity checking service to providers to enable them to verify the 30 hours eligibility code. The Eligibility Checking Service (ECS) allows all local authorities to make instant checks for code validity.
- 2.31. Thereafter, the Council and providers will complete audit checks to review the validity of eligibility codes for children who qualify for 30 hours free childcare at 6 fixed points in the year, both at half-term and at the end of term across the year (dates listed at table A below). The Council will notify a provider where a parent has fallen out of eligibility and inform them of the grace period end date.

**Table A:**

<b>Date Parent receives ineligible decision on reconfirmation:</b>	<b>LA audit date:</b>	<b>Grace Period End date:</b>
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 Grace Period**

- i. A child will enter the grace period when the child's parents cease to meet the eligibility criteria set out in the Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016, as determined by HMRC or a First Tier Tribunal in the case of an appeal.
- ii. The Council will access information about whether a child has ceased to meet the eligibility criteria and entered the grace period via the Eligibility Checking Service. The grace period end date will automatically be applied to eligibility codes.
- iii. The Council will continue to fund a place for a child who enters the grace period as set out in the Early Education and Childcare Statutory guidance for Local Authorities.
- iv. The Council will continue to fund the child until the grace period has ended. Failure to renew claims will result in the extended 15 hours funding being revoked.

## **Flexibility**

- 2.32. Provision must be offered within the national parameters on flexibility as set out in Section A2 of Early Education and Childcare Statutory guidance for Local Authorities.
- 2.33. The provider should work with the Council and share information about the times and periods at which they are able to offer free entitlements to support the Council to secure sufficient stretched and flexible places to meet parental demand. The provider should also make information about their offer and admissions criteria available to parents at the point the child first accesses provision at their setting.

2.34. Children will be eligible for their free place from the start of the term beginning on or following the dates set out below.

<b>1 Jan – 31 Mar</b>	<b>1st April following the child's birthday (Summer Term)</b>
<b>1 April – 31 Aug</b>	<b>1st September following the child's birthday (Autumn Term)</b>
<b>1 Sept – 31 Dec</b>	<b>1st January following the child's birthday (Spring Term)</b>

2.35. The provider should promote equality and inclusion, particularly for disadvantaged families, looked after children, children in need and children with disabilities or special educational needs by removing barriers of access to free early education and working with parents to give each child support to fulfil their potential.

2.36. The provider should offer flexible packages of free early education, subject to the following standards on flexibility:

- i. No session longer than 10 hours
- ii. Not before 6.00am or after 8.00pm
- iii. In consultation with parents, providers can stretch a funded place over a maximum of 51 weeks.
- iv. Parents should be able to split the funded hours between two providers and providers must work together to ensure the child's needs are met.
- v. Where a provider cannot offer a flexible package of free early education they should inform the Council. Failure to provide flexible funded sessions will result in the removal of the Uplift Incentive.
- vi. Offering only 3 hours in a morning and 3 hours in an afternoon term time only is NOT flexible.

## Partnership working

2.37. Partnerships will be supported by the Council on four levels between:

- i. The Council and providers
- ii. Providers working with other providers, including childminders, schools and organisations
- iii. Providers and parents
- iv. The Council and parents

2.38. The Council will promote partnership working between different types of providers, including childminders, across all sectors and encourage more providers to offer flexible provision, alongside other providers.

2.39. The provider should work in partnership with parents, carers and other providers to improve provision and outcomes for children in their setting. An interactive toolkit<sup>2</sup> has been developed to help providers set up or join a partnership, maximise the benefits of working together and tackle the challenges joint working can bring.

- 2.40. The provider should discuss and work closely with parents to agree how a child's overall care will work in practice when their free entitlement is split across different providers, such as at a maintained setting and childminder, to ensure a smooth transition for the child.

## **Special educational needs and disabilities**

- 2.41. The provider must have arrangements in place to support children with special educational needs and/or disabilities (SEND). These arrangements should include a clear approach to identifying and responding to SEND. Providers should utilise the SEN inclusion fund and Disability Access Fund to deliver effective support, whilst making information available about their SEND offer to parents.
- 2.42. The Council strategically plans support for children with special educational needs and/or disabilities (SEND) to meet the needs of all children in their local area as per the Special Educational Needs and Disability code of practice: 0 to 25 years (January 2015).
- 2.43. The provider must ensure owners and all staff members are aware of their duties in relation to the SEND Code of Practice and the Equality Act 2010.
- 2.44. The Council provides clear and transparent details about the support on offer in their area, through their Local Offer, enabling parents and providers to access appropriate support.
- 2.45. The provider should be clear and transparent about the SEND support on offer at their setting and make information available about their offer to support parents to choose the right setting for their child with SEND.
- 2.46. Providers must have arrangements in place to support children with SEN or disabilities. Maintained schools, maintained nursery schools and all providers who are funded by the Local Authority to deliver early education places must have regard to the Special Educational Needs Code of Practice. Maintained schools and maintained nursery schools must identify a member of staff to act as a Special Educational Needs Co-ordinator (SENCO) and other providers (in group provision) are expected to identify a SENCO. Childminders are encouraged to identify a person to act as a SENCO and childminders who are registered with a childminder agency or who are part of a network may wish to share the role between them.
- 2.47. Providers must act with integrity to ensure that all children, particularly those with SEND, have full access to their entitlement to early education. As per the Early Years Inspection Framework (EIF).
- 2.48. Providers must not over claim hours where children are on a reduced timetable, if a child's hours are reduced an amendment or arrangement must be made.  
(Arrangement – can be offered unused hours at a different time during the specific term, for example can attend during holiday time)

## Social mobility and disadvantage

- 2.49. The Council promotes equality and inclusion, particularly for disadvantaged families, looked after children and children in need by removing barriers of access to free places and working with parents to give each child support to fulfil their potential.
- 2.50. The provider should ensure that they have identified the disadvantaged children in their setting as part of the process for checking EYPP eligibility. They will also use EYPP and any locally available funding streams or support to improve outcomes for this group.
- 2.51. The provider should ensure that they have identified children who are eligible for Disability Access Funding (DAF) and where necessary the parent/carer identifies the provider who receives the funding. The DAF funding must be used appropriately and outcomes should be measured.

## Quality

- 2.52. The Early Years Foundation Stage (EYFS) statutory framework is mandatory for all schools that provide early years provision and Ofsted-registered early years providers in England. The EYFS sets the standards that all early years providers must meet to ensure that children learn and develop well and are kept healthy and safe.
- 2.53. Ofsted are the sole arbiter of quality for all free entitlements and Ofsted and inspectorates of independent schools have regard to the EYFS in carrying out inspections and report on the quality and standards of provision.
- 2.54. The Council has a legal duty to provide information, advice and training on meeting the requirements of the EYFS, meeting the needs of children with SEND and on effective safeguarding and child protection for providers who are rated less than 'Good' by Ofsted or newly registered providers (charges apply).
- 2.55. Provision must be offered in accordance with the national parameters on quality as set out in Section A3 of Early Education and Childcare Statutory Guidance for Local Authorities and the EYFS statutory framework.

## Business planning

- 2.56. The Council will clearly set out the documentation that is needed from providers to support payment and delivery of free entitlements and the timetable which providers should follow when submitting their documentation. This will include setting out the importance of timely and accurate census returns.
- 2.57. The local authority reserves the right to charge providers penalties for providing late or incomplete information leading to additional administration in the processing of free entitlements. Any charges will be reasonable and proportionate to the inconvenience or costs incurred to the Council as a result of the lateness. The Council will ensure charges are clearly communicated to providers.
- 2.58. The Council will not carry out audit regimes which are disproportionate or are unnecessarily burdensome to providers.

- 2.59. The provider should ensure they submit timely and accurate information, including, but not limited to, headcount data, census data, parental declarations and invoices, in accordance with the Council's financial guidelines. Failure to do so may result in inaccurate, delayed or suspended payment of funding.
- 2.60. The provider should maintain accurate financial and non-financial records relating to free entitlement places and should give the Council access on reasonable notice to all financial and non-financial records relating to free entitlement places funded under the provider agreement, subject to confidentiality restrictions.

## Charging

- 2.61. Public funding is intended to cover the cost to deliver 15 or 30 hours a week of free, high quality, flexible childcare. It is not intended to cover the cost of meals, consumables, additional hours or additional services.
- 2.62. The provider can charge for meals and snacks as part of a free entitlement place and they can also charge for consumables such as nappies or sun cream and for services such as trips and yoga. These charges must be voluntary for the parent. Where parents are unable or unwilling to pay for meals and consumables, providers who choose to offer the free entitlements are responsible for setting their own policy on how to respond, with options including waiving or reducing the cost of meals and snacks or allowing parents to supply their own meals.
- 2.63. **The provider should deliver the free entitlements consistently so that all children accessing any of the free entitlements will receive the same quality and access to provision, regardless of whether they opt to pay for optional hours, services, meals or consumables.**
- 2.64. The Council will not intervene where parents choose to purchase additional hours of provision or additional services, providing that this does not affect the parent's ability to take up their child's free place. The provider should be completely transparent about any additional charges.
- 2.65. The provider should publish their admissions criteria and ensure parents understand which hours/sessions can be taken as free 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.
- 2.66. The provider can charge parents a deposit to secure their child's free place but should refund the deposit in full to parents within a reasonable time scale.
- 2.67. **The provider cannot charge parents "top-up" fees (the difference between a provider's usual fee and the funding they receive from the local authority to deliver free places) or require parents to pay a registration fee as a condition of taking up their child's free place.**

- 2.68. **The provider should ensure their invoices and receipts are clear, transparent and itemised, allowing parents to see that they have received their free entitlement completely free of charge and understand fees paid for additional hours. The provider will also ensure that receipts contain their full details so that they can be identified as coming from a specific provider.**

## Funding

- 2.69. The Council pays all providers monthly **in advance**.
- 2.70. The provider should accurately complete and submit headcount and other necessary data returns by the agreed date to support the Council to make payment. **Failure to submit on time will result in your funding payment being delayed, this could mean waiting until the end of a term.**
- 2.71. The provider is responsible for the data submitted on the provider portal within the specified time scales, the council relies on the information supplied. Errors should be reported as soon as they are identified so the appropriate action can be taken. This could lead to the recovery of overpayment of funding.
- 2.72. The provider should hold fully completed and up to date parental agreement/declaration forms including eligibility evidence, which relate to each child receiving funding and the term in which funding is to be provided. (These need to be completed termly).
- 2.73. **The provider is responsible for checking and reconciling all funding payments received, variances should be reported to the Council immediately so that the appropriate action can be taken. Failure to report or repay funding will result in the withdrawal of the delivery of funded places.**
- 2.74. The provider is responsible for ensuring a child is eligible to receive funding by checking all relevant documentation, this includes date of birth, eligibility codes and validity dates. Incorrect submissions will be reclaimed.

## Compliance

- 2.75. The Council will carry out checks and/or audits on providers to ensure compliance with the requirements of delivering the free entitlements.
- 2.76. The provider must have in place the correct Governance and Management arrangements for the setting, including where applicable sufficient members for the management Committee (VMC).
- 2.77. The provider must provide Telford & Wrekin Council team with a copy of appropriate insurance certificates annually.
- 2.78. The provider **must** supply the Council with information required to complete the Department for Education Early Years Census, completing and returning it within the stated time.

- 2.79. The provider must retain checks of proof of date of birth relating to every child upon initial registration and hold these for three years in line with the Data Protection Act.
- 2.80. The provider must keep an accurate and up to date children's attendance register in permanent ink, which clearly identifies the total number of hours provided and where appropriate and if possible, differentiate between paid for and funded sessions.
- 2.81. The provider must inform the Council's Family Connect service whenever there is a change in details affecting the provision i.e. change of ownership.
- 2.82. The provider must make copies of accounts relating to Government Funded nursery education available to the Council for this funding on request.
- 2.83. The provider must consult with parents/carers to obtain feedback on their needs with regard to Early Years provision e.g. flexibility
- 2.84. Providers must allow for officials from the Council to have access to the premises and providers records to ensure that funding paid for the provision of free places is being used appropriately.
- 2.85. Providers are required to maintain a specific bank account for their setting, funding will only be paid into this account.
- 2.86. Providers must retain financial records regarding funded children for a minimum of 6 years after the child has left the setting.
- 2.87. Invoicing of free childcare places should be transparent and understandable. Where possible hours and rate of deduction should be shown to parents and carers.

## Termination and withdrawal of funding

- 2.88. Suspension of registration by Ofsted or a breach of statutory requirements or safeguarding issues may result in the termination of the arrangement and withdrawal of funding.
- 2.89. Settings will be inspected by Ofsted in accordance with Ofsted's statutory powers and should work towards/ maintaining at least a **"good"** judgement.
- 2.90. Providers rated as **"requires improvement"** by Ofsted will have a period of two years to become "good". Funding conditions for these settings will be linked to addressing concerns raised by the Ofsted inspection.
- 2.91. Providers rated as **"inadequate"** by Ofsted will have a period of six months to improve. If the setting is still judged as inadequate after six months, public funding will be withdrawn and alternative provision secured.
- 2.92. The provider must ensure that the Safeguarding and Welfare requirements of the EYFS are met fully, including receiving a S11 audit.
- 2.93. Termination provisions include those required by regulation 7 (Termination of the arrangements) of the Local authority, (Duty to Secure Early Years Provision Free of Charge) Regulations 2014 and regulation 37 (Arrangements between local authorities and early years providers: termination) of The Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016]

- 2.94. Settings on the Council Debtors relating to nursery funding will have all funding suspended until the debt is cleared or an agreed payment plan is in place and a record of regular payments is evident.

## Appeals process

- 2.95. A provider may be denied approval to offer the free entitlements or have their funding withdrawn as set out above. The provider can appeal against such a decision.
- 2.96. Childcare providers may be denied approval to join the Directory of Providers or have their funding withdrawn for a number of reasons that include concerns about quality of care provided, or other factors related to the ability of the provider to adhere to the framework set out in this and other relevant documents.
- 2.97. Providers can appeal against a decision to refuse entry to, or on the removal from the Telford & Wrekin Directory of Providers by writing in the first instance to the Family Connect Service.

## Complaints process

- 2.98. We are committed to ensuring that providers receive the information, advice and guidance they require to meet the requirements of the national statutory guidance and this local agreement. If providers or parents believe that the requirements of the national statutory guidance or the local agreement are not being met they can in the first instance complain to:

Family Connect  
Telford & Wrekin Council  
Darby House  
Lawn Central  
Telford  
TF3 4JA

Tel: 01952 385385

Email: [familyconnect@telford.gov.uk](mailto:familyconnect@telford.gov.uk)

If providers or parents are not satisfied with the response received they can pursue the complaint through Telford & Wrekin Council complaints procedure which can be found at

[http://www.telford.gov.uk/info/20384/complaints/34/make\\_a\\_complaint\\_and\\_the\\_complaints\\_process](http://www.telford.gov.uk/info/20384/complaints/34/make_a_complaint_and_the_complaints_process)

The provider should ensure they have a complaints procedure in place that is published and accessible for parents who are not satisfied their child has received their free entitlement in the correct way, as set out in this agreement and in Early Education and Childcare Statutory guidance for Local Authorities.

If a parent or provider is not satisfied with the way in which their complaint has been dealt with by the local authority or believes the local authority has acted unreasonably, they can make a complaint to the Local authority Ombudsman. Such complaints will only be considered when the local complaints procedures have been exhausted

## Annex A: Monitoring Requirements

- Estimate Headcount
- Actual Headcount
- Annual Census
- Childcare Sufficiency Assessment updates
- S11 Audit
- Family Connect Information – service directory
- Change of contact details
- Eligibility checks and monitoring
- Business Audits

This list is not exhaustive and subject to change as required by government/legislation

## Annex B: Sample parent declarations

If you require a version of these documents please contact Childcare Funding Team.

### Sample Declaration

Child's Legal Family Name		Child's Legal Forename(s):	
Name by which the child is known (if different from above):			
Date of Birth:		Male/Female:	
Address:		Post Code:	
Documentary proof of DoB Type (eg Birth Certificate, Passport):		Document recorded by (name of staff member):	
Date document recorded (dd/mm/yyyy):		30 hours eligibility code: (e.g 12345678912)	

#### Setting and attendance details

- You need to agree and complete this Declaration Form with each setting your child attends for their early education entitlement of 15 or 30 hours per week in order to ensure that funding is paid fairly between them.
- Your child can attend a maximum of two sites in a single day and if your child attends more than 1 setting we will split the funding fairly between the settings.

My child is attending the following settings:

Setting Name(s)		Please enter total free entitlement hours attended per day					Total number of hours per week	Number of weeks per year (e.g 38, 48, 51)
		Mon	Tue	Wed	Thur	Fri		
A								
B								
Total daily hours attended								

#### Parent & Childcare and Early Education Settings declaration

I agree to .....setting (s) receiving the Universal funding.

and.....setting (s) receiving the Additional funding.

Signed \_\_\_\_\_ (parent) Autumn Term Date \_\_\_\_\_

Signed \_\_\_\_\_ (parent) Spring Term Date \_\_\_\_\_

Signed \_\_\_\_\_ (parent) Summer Term Date \_\_\_\_\_

# Early Years Pupil Premium Registration

## About this form

From April 2015 all early years providers who deliver Government funded early education will be able to claim the Early Years Pupil Premium (EYPP) for three and four year old children. If your child is eligible, the EYPP will provide your child's childcare provider with extra funding to enhance the opportunities, experiences and the support offered to your child. We need information about you and your child to provide the best education and support by making sure we receive all the government funding to which the childcare provider and your child are entitled.

## What makes you eligible?

Children will be eligible if they are 3 or 4 years old, receiving Free Early Education Entitlement with any OFSTED registered childcare provider and their parent(s)/carer(s) are in receipt of one or more of the following benefits:

- Income Support
- Income-based Jobseekers Allowance
- Universal Credit
- Income-related Employment and Support Allowance
- Support under Part VI of the Immigration and Asylum Act 1999 the guaranteed element of State Pension Credit
- Child Tax Credit (provided you are not also entitled to Working Tax Credit) and have an annual gross income as assessed by HM Revenue and Customs of no more than £16,190

### Or if they have been:

- Looked after by the local authority for 1 day or more in England or Wales
- Have been adopted from care in England or Wales
- Have left care through a special guardianship order or a child arrangement order in England or Wales

Early Years  
Pupil  
Premium

## Registering could result in extra funding for your child's early years provider

Registering could provide up to an extra £300 for your child's nursery, pre-school or child minder to fund valuable support like extra training or resources to help raise the quality of your child's early education.



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## Early Years Pupil Premium Registration

We need information about you and your child, to make sure we receive all the government funding (the Early Years Pupil Premium) to which the childcare provider and your child are entitled. Please complete this form and return to your child's childcare provider. If you require any help, please speak to your childcare provider.

**Please complete all sections in BLOCK CAPITALS.**

### Information about your child/children

#### Child Details:

Child's Last Name	Child's First Name	Date of Birth	Name of childcare provider

**Information about you:** The information you provide in this form will be used by Telford & Wrekin Council to check for eligibility to claim additional grant money (the Early Years Pupil Premium) from central government. It will be used for no other purpose and will remain confidential.

**Parent(s)/Carer(s) Details:** If two people are maintaining a household as husband and wife, whether married or not, details are required from **BOTH** people.

Title	Parent/Carer Surname	First Name	Date of Birth (DD/MM/YYYY)	National Insurance or NASS Reference Number

Address:

Postcode:

Telephone No:

Email:

Please state your relationship to the child named above, for example Mother/Father/Carer etc.

**Declaration to be signed by both Parent(s)/Carer(s)** (as applicable) **Important reminder:** We require the signature of the parent/s that provide NI/NASS details.

- I understand that my NI or NASS number will be checked against the national database.
- I agree that Telford & Wrekin Council may check any of the information on this form. I declare that the above details are true and I understand that any false or incorrect information could lead to funding being withdrawn.
- I agree that my information can be held on a Telford & Wrekin Council confidential database and will be shared with my local Children and Family Locality Services Centre.

Signed:

Signed:

Date:

### FOR OFFICE USE ONLY

ECS Data Checked:	Eligible for EYPP:	NOT Eligible for EYPP:	Initials:



## Disability Access Fund Declaration

Three and four year old children who are in receipt of child Disability Living Allowance and are receiving the free entitlement are eligible for the Disability Access Fund (DAF). DAF is paid to the child's early years setting as fixed annual rate of £615 per eligible child.

**Is your child eligible and in receipt of Disability Living Allowance (DLA)?:**

☐ Yes

☐ No

**If your child is splitting their free entitlement across two or more providers please nominate the main setting where the local authority should pay the DAF:**

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<b>Name of Child:</b>	
<b>Date of Birth:</b>	
<b>Address:</b>	
<b>Date:</b>	<b>Signature:</b>

## Data privacy

The Data Protection Act 2018 puts in place certain safeguards regarding the use of personal data by organisations, including the Department for Education (DfE), local authorities and schools. The Act gives rights to those (known as data subjects) about whom data is held, such as pupils, their parents and teachers. This includes:

- the right to know the types of data being held
- why it is being held, and
- to whom it may be communicated

A 'privacy notice' is a good way to be able to meet data subject's rights and therefore DfE recommend they are used to explain to parents, pupils and staff how their data is being used. The Department has drafted template [privacy notices](#) that schools and local authorities may like to use, however, they should be reviewed, amending as necessary to reflect business need and ideally include [this link](#) to the gov.uk webpage on how the Department collects and shares data.

It is recommended that the privacy notice be included as part of an induction pack for staff and be put on the school website for parents, as well as potentially featured on the staff notice board/intranet. They do not need to be issued on an annual basis as long as new pupils and staff are made aware of the notices and they are readily available electronically or in paper format.

Please note that information about whether a child is in receipt of Disability Living Allowance is sensitive personal data which should be handled appropriately. Providers are asked to pay particular note to advice from the ICO on holding personal data including sensitive personal data available at:

<https://ico.org.uk/for-organisations/guide-to-data-protection/principle-3-adequacy/>

Downloads [www.gov.uk/government/publications](http://www.gov.uk/government/publications)

## Addendum 1

### Addition to compliance the following will be required:

S11 audits are to be completed and submitted prior to the consultant visit.

The provider is responsible for informing the local authority as soon as the inspection is completed, and result is given. This is inline with

Point 143 of the early year inspection handbook which states:

*“If the provision is judged to be inadequate, however, the provider is advised to inform the local authority immediately after the inspection”.*

Point 145 of the early years inspection handbook which states:

145. The inspector must ensure that the provider or their representative is clear about the grades awarded for each judgement. The inspector should:

- *refer to specific evidence if any judgements differ from the provider's view of the provision's strengths and areas for improvement*
- *state clearly the areas that are judged as inadequate and the reasons for this*
- *explain the areas for improvement and be prepared to discuss these with the provider so that they understand what should or must be improved and the reasons why*
- *state that the grades are provisional and so may be subject to change as a result of quality assurance procedures and should, therefore, be treated as restricted and confidential until the provider receives a copy of the inspection report; in the case of an inadequate judgement, the provider is advised to inform the local authority*
- *where relevant, set out the next steps for provision judged as requires improvement or inadequate*
- *provide information about making a complaint about the inspection*
- *encourage the provider to complete the voluntary post-inspection survey in order to contribute to inspection development*