

Childcare Provider Frequently Asked Questions for Free Early Education for 2, 3 and 4 year olds

General Queries: New DfE Guidance September 2013

1. What are the eligibility criteria for offering 15 hours?

All providers registered to provide the Free Early Education will be funded to offer a maximum of 15 hours over a minimum of 38 weeks. Providers can choose to stretch the funding to a maximum of 12 hours over 48 weeks for a maximum of 570 hours per year.

2. Can the offer be split between providers?

Yes. The offer can be accessed across two providers including childminders. The funding will be made available to a maximum of 15 hours per child. If claims are received by KCC for more than 15 hours, payments for the child / children involved will be suspended until the situation is resolved.

3. Are parents able to split the offer between a maintained nursery class and PVI provision?

Yes - parents are able to split their entitlement between a maintained nursery class and a PVI provider.

4. Can a provider refuse to offer the Free Early Education for a child if the parent only wants them to take up the place part-time?

No - a provider who is registered to claim the Free Early Education Entitlement must have a pattern of offer for a parent who only wants to attend for 15 hours per week, 38 weeks per year or 12 hours over 48 weeks to a maximum of 570 per year.

5. Will providers be required to offer Free Early Education?

No – providers always have the option not to register to offer Free Early Education.

The Offer: Time

6. Is it essential that providers are able to provide the offer flexibly for them to participate?

No – the pattern of the free entitlement offer is for each provider to decide. The Local Authority however would encourage providers to offer the most flexible pattern available to meet their business model.

7. What is the flexibility framework?

This shows the 'outer limits' of when the Free Early Education may be accessed – there is no expectation that all providers should offer this full range, but the funding may not be accessed outside these limits.

Entitlement	15 hours a week over a minimum of 2 days
Length of Offer	38 weeks
Minimum Hours in Day	2.5 hours
Maximum Hours in Day(s)	10 hours in one day
Timing	7am – 7pm
Providers	2 maximum

- If taking only 1 day, maximum is 10 hours (7am – 7pm)
- If taking only 2 days, maximum is 15 hours
- If the provider is offering a sessional pattern rather than full flexibility, the provider will set out their offer – as long as this meets the Guidance, any combination can be offered within the minimum and maximum outlined above. Providers can choose to stretch the funding to a maximum of 12 hours over 48 weeks for a maximum of 570 hours per year.

8. If a parent wants their child only to access the free hours, but the provider runs longer sessions, does the provider have to take this child?

Yes - Section A1, 9 of the guidance states *Local Authorities should ensure that if providers charge for goods or services, for example meals, optional extras or additional hours of provision outside of the place, this is not a condition of children accessing their place.* Providers must therefore have a pattern of offer within their week to accommodate children who only want to access their 15 hours of free entitlement.

9. Can providers insist that parents access the funding in a certain way or can parents stipulate how they access the funding?

Yes – providers must state what their pattern of offer is to ensure this is clear and transparent to parents before accepting a place. Providers can offer the free entitlement sessionally or if providers offer the free entitlement flexibly, they can allow parents to access a mutually agreed pattern within the minimum and maximum set out in the guidance (above question 7).

10 (i). Will KCC decide on the model of flexibility?

(ii). Will providers choose how they want to offer it?

(iii). Will parents be able to demand how to access it?

(i) No – KCC is not planning to add any additional requirements beyond the Guidance requirements. The Guidance states that local authorities should encourage providers to offer flexible packages of free early education and as a minimum ensure parents are able to access their child's free early education place in the following patterns - 3 hours a day over 5 days of the week, 5 hours a day over 3 days of the week.

(ii) Yes - providers will be able to choose how they offer the free early education as long as they operate within the Statutory Guidance.

(ii) No - parents do not have a right to any particular pattern or to a place at any particular provider other than the entitlement to 15 hours (via either the model 3 days x 5 hours or 5 days x 3 hours) and there is no expectation that they would change their hours frequently within a seasonal term.

11. Can the offer be stretched?

Yes – providers can choose to offer the 570 free hours a year over 38 weeks or 48 weeks.

12. Can fewer than 38 weeks be delivered?

Yes – the provider **must** inform parents / carers if they cannot offer the full Free Early Education of 15 hours / 38 weeks per year. Where only a reduced number of **weeks** are available, KCC does not have an obligation to fulfil the rest of the Free Early Education quota at another provider where parents have chosen providers offering less than the minimum entitlement.

The Offer: Finance

13. How is the offer delivered?

Each eligible child is entitled to a maximum of 570 hours of Free Early Education a year. In Kent, providers may choose to offer the first 15 hours per week of free entitlement over 2 days before they charge for any additional time. However, they may also offer the free entitlement in sessions (for example 5 x 3 hour sessions or 3 x 5 hour sessions per week or 12 hours a week for 48 weeks).

14. Can parents be charged any fee for the child's free entitlement?

No – parents must not be charged any kind of “top up” fee for any part of the Free Early Education, it must be free at the point of delivery and providers should not levy any fee, or charge.

15. Can providers charge what they like for any additional time after the funded hours or sessions (wrap-around care)?

Yes – but providers must tell parents what these charges are before they are asked to accept the additional time / services.

This means that the charges made for additional time do not have to be at the same rate as the hours funded as free entitlement. However these charges cannot be made as a condition of children accessing their Free Early Education.

16. Can providers charge for additional services?

Yes - any additional services can only be made compulsory and charged for if they take place outside of the free entitlement hours – any additional services provided during the free entitlement period may not be charged to parents as a compulsory fee or made a condition of them accessing their Free Early Education.

17. Can providers charge retainers for additional weeks of provision over and above 38 weeks of Free Early Education?

Providers must not make compulsory charges a condition of access to the Free Early Education, but they are able to set out their own requirements for charges in relation to any privately funded hours.

18. Can the Free Early Education cover the lunch period?

A provider may choose to include lunch as part of the Free Early Education – if so, this must be delivered as part of a learning experience. In these circumstances charges cannot be made for the time period and any charge made for provision of food cannot be compulsory. Charges have to be agreed with parents in advance and parents be given the option of providing a packed lunch if this would be more affordable.

19. How should the Free Early Education be shown on invoices to parents for chargeable hours?

Where invoices are provided for privately funded hours, the Free Early Education should be shown as free hours provided and not a monetary deduction. Examples are given to assist providers with billing.

20. For additional hours and services above the Free Entitlement do providers have to show a cost breakdown for parents on their invoices?

Yes – for any additional hours / services providers must make clear on all invoices exactly what the additional charges are for.

21. Will the rates paid to providers change each term?

No – rates are fixed for a financial year, so any amendments to a setting's position (e.g. recruitment of an Early Years Professional) will not be reflected until the following financial year.

22. If a term starts and ends mid week, is the part week covered by the Free Early Education?

No - Kent pays only complete weeks although a week can be from Tuesday to Monday or Wednesday to Tuesday etc.

The Offer: Data

23. How will the scheme be administered?

For 3 and 4 year olds, Management Information will continue to conduct a headcount 3 times each year and will make the payments according to information provided by providers. For 2 year olds, the FF2 team will make payments to providers three times per term in accordance with the Provider Payment Schedule.

24. Who does the money get paid to and how?

Payment is made directly by KCC to the provider's bank account for the hours claimed by that provider for each child. There is no monetary value to parents.

25. How much flexibility is there around the birth date of a child?

None, the regulations prescribe that children become eligible for free early years provision on the dates set out below.

* based on a 3 term school year

PLEASE BE AWARE THAT 2 YEAR OLD CHILDREN MUST MEET ADDITIONAL CRITERIA AS THIS IS NOT A UNIVERSAL OFFER. FULL DETAILS OF THE CRITERIA ARE AVAILABLE FROM

http://www.kent.gov.uk/education_and_learning/childcare_and_early_education/paying_for_childcare/free_childcare_for_2_year_olds.aspx

A child born on or between	Will become eligible for a free place from
1 April and 31 August	Start of term 1 (Autumn), in September, following their second or third birthday
1 September and 31 December	Start of term 3 (Spring), in January, following their second or third birthday
1 January and 31 March	Start of term 5 (Summer), in April, following their second or third birthday

26. Can a child's place be moved to a different setting within a seasonal term?

No - Free Early Education hours are paid for the whole term (Autumn, Spring, Summer). If parents wish to move their child during the course of the term they would have to pay for hours taken at the new provider until the start of the next term. In exceptional circumstances an appeals process is in place for parents and all enquiries should be directed to CFIS.

27. Are parents allowed to appeal against the decision of not being able to move and fund a child mid-term?

Yes – in exceptional circumstances an appeals process is in place for parents and all enquiries should be directed to CFIS - kentcfis@kent.gov.uk 03000 41 23 23

Parental Queries

28. Does the Statutory Guidance guarantee that the Free Early Education can be accessed flexibly?

Yes – but there is no guarantee of a place or pattern at any particular provider.

29. Does the new statutory guidance guarantee that the Free Early Education can be accessed in set patterns of 5 x 3 hours or 3 x 5 hours?

Yes – but there is no guarantee of a place at any particular provider. If there is demand for these patterns or any other pattern then the local authority is required to step in to ensure this is available locally.

30. Can a parent claim Free Early Education hours in a PVI setting whilst their child is part time in a maintained school reception class.

No - if a child is registered in a maintained school reception class, the child is funded through the main schools budget and would not be able to claim Free Early Education.