

1. Why is Kent County Council introducing this?

This forms part of the Government's election manifesto commitment to increase the free childcare available for working parents of three and four year olds to 30 hours per week. The Childcare Bill which details this commitment received Royal Assent in March 2016 and this new duty on local authorities is now law, as detailed in the Childcare Act 2016.

There are concerns that there is very little information available for parents and providers are anxious about having those conversations with parents as at this point there are so many uncertainties.

The final Statutory Guidance was only released on the 3rd March 2017 and this was originally expected before the end of 2016. If you feel unsure, refer to the documentation that is available.

2. Why is the word 'free' used on all the leaflets?

30 Hours of Free childcare is defined by the DfE as this is in the Government's manifesto – KCC is not able to change this.

3. Who is eligible?

Parents of three and four year olds will need to meet the following criteria in order to be eligible for 30 Hours of Free Childcare:

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

(Department for Education March 2017)

4. Who will not qualify?

A parent will not meet the criteria when:

- Either parent has an income of more than £100,000
- Either parent is a non-EEA national and subject to immigration control (and has no recourse to public funds) What happens if a parent loses eligibility?
- They will receive a "grace period" – this means they will be able to keep their childcare for a short period.
- Once the "grace period" has lapsed, the parent may be entitled to the universal 15 hour entitlement.

(Department for Education March 2017)

5. Is 30 hours replacing 15 hours? Or running alongside each other? Therefore you would have some children on 15 hours and others on 30 hours?

No, it is not replacing the universal 15 hours. All three and four year old children will continue to be eligible to receive 15 hours of free childcare from the beginning of the term after their third birthday. However some children will also be eligible for the additional 15 hours to take their entitlement up to a maximum of 30 hours per week. The eligibility criteria for 30 hours can be found on the Kelsi.gov.uk website.

6. How can parent/carers check if they are eligible?

The Childcare Choices website (www.childcarechoices.gov.uk) is where parents will be able to enter their details and check if they are eligible.

The HMRC 30 hours checker should be in place by the end of April 2017. Parents/Carers will be able to check eligibility from the term before their child's third birthday. If they are eligible they will be given a code to give to their childcare provider(s).

7. How does a parent/carer apply to receive an eligibility code, if they do not have online access?

HMRC will have a dedicated helpdesk where parents who are unable to complete the application online can call and go through the application with a HMRC representative.

Once this number has been made available we will ensure it is on our websites.

8. How does a setting know if a parent changes their status if they do not tell them?

It is proposed that the Government's Eligibility Checking Service will automatically calculate the grace period to minimise administrative burdens on local authorities and providers.

The local authority will re-check eligible families on a regular basis (6 audit points a years) to ensure early communication with settings. This will become clearer when the process has been fully designed.

9. If there is a discrepancy between two or more providers who mediates, HMRC or Local Authorities?

The Local Authority.

10. When will children be entitled to their 30 Hours of Free Childcare?

From the term after their third birthday.

11. How can the 30 Hours be offered?

The Government has published Statutory Guidance for local authorities which takes effect from September 2017.

- Free childcare can be delivered between 6am and 8pm (but for no more than 10 hours a day).
- Childcare can be taken at up to two sites each day.
- The funding is available over 38 weeks per year.
- It can also be stretched across a full year if the provider offers this but the number of hours per week would be reduced (for example, 1140 hours per annum is 30 hours per week for 38 weeks and 22.8 hours per week over 50 weeks).

- Childcare providers will not be restricted to a minimum session length.
- Childcare providers may charge a deposit to secure a free place but must refund this to parents within a reasonable time.

Childcare providers must publish their criteria and show clearly which hours/ sessions can be taken as free provision and any fees charged for additional time.

Invoices should show clearly which periods are free and which additional services or hours taken are being charged for.

Childcare providers will be able to ask for voluntary payments for meals and snacks as part of a free place as well as consumables such as nappies and sun cream and for trips and services such as languages or yoga.

Parents who qualify for the additional hours should also qualify for tax-free childcare to help offset any additional costs.

12. Can we limit the number of children accessing the 30 hours i.e. Only take 15 children on 30 Hours?

The Free Entitlement (FE) should be as flexible as possible for working parent/carers. However, this also has to be weighed against making it financially viable for each setting. In your admissions and/or FE policy you can state how you administer your FE, including how many FE places you have within your setting, and who takes priority to places as they become available. The policy must be written within the FE agreement limits and be in line with the Equality Act. Parents/Carers must also be made fully aware of your policy.

How is funding for different local authorities worked out? The Government ran a funding consultation over the summer which closed on 22 September. The related documents can be found here: The response to the consultation was published in December 2016.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/574040/Early_years_funding_government_consultation_response.pdf

13. Will the first 15 hours be offered at one rate and the other 15 hours at another rate?

No, there will just be one rate for all 3 and 4 year old FE places.

14. What would happen if we started to offer the 30 Hours but then felt it was not viable for us to continue?

Providers are able to opt in or out of offering the 30 Hours, and the needs of parents should be considered when setting notice periods.

15. Do you need to offer the full 30 Hours?

No, you don't have to offer the full 30 Hours, a few extra may be all that's needed by parents/carers or you might choose to make links with another provider to offer a joined-up service.

Parents/Carers do not have to take any of the 30 Hours of Free Childcare at all if they don't want to, or they can take fewer than the 1,140 per year.

If they take more than the 30 Hours of Free Childcare, they will have to pay for any hours on top of the 30. Help towards the cost of hours above 30 is available for eligible families

through the childcare element of Working Tax Credits, or Universal Credit when it replaces Working Tax Credit. Other help is available through the Tax-Free Childcare scheme www.childcarechoices.gov.uk, or their employer may offer a supported childcare scheme.

16. What happens if parents/carers circumstances change?

Parents/Carers will have to go onto the Government’s website every three months to confirm that their circumstances have not changed. If there has been a change, for example, the loss of a job, they will no longer be eligible. However, there will be a grace period that will allow their child to continue having their 30 Hours of Free Childcare while they find another job.

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

Whatever their circumstances, all three and four year olds will still be entitled to 570 hours a year of free childcare.

17. Is there any way that KCC could track Grace Period and eligibility?

Parents/Carers are required to register their eligibility and to update this every three months. If a child falls out of eligibility the ‘Grace Period’ would come into effect. KCC is required to inform providers when a parent becomes ineligible.

18. What happens to parent/carers who are not eligible for 30 Hours?

All 3 and 4 year olds are still entitled to the current universal 15 hours of free early education a week, term time. This equals 570 hours a year and can also be spread over more than 38 weeks if that option is available. It is very important for their development that these children can still access their full 15 hours entitlement and are not disadvantaged by being squeezed out by children taking 30 hours.

19. What if a child’s space is filled when they become ineligible and then become eligible again?

In the first instance there is the Grace Period which is variable (please see the Statutory Guidance). Providers can only offer places if they are available.

20. How does a parent/carer apply to receive an eligibility code, if they do not have online access?

HMRC will have a dedicated helpdesk where parents who are unable to complete the application online can call and go through the application with a HMRC representative.

21. Who determines who is the lead parent if both parents have joint responsibility but are financially independent (two households)?

This will usually be the parent with whom the child usually lives.

22. How will HMRC assess applications from parents/carers applying for 30 Hours that are on zero hours contracts and those that are self-employed?

30 Hours of Free Childcare will be available to families where both parents/carers are working (or the sole parent/carer is working in a lone parent family), and each parent/carer expects to earn, on average, a weekly minimum equivalent to 16 hours at national minimum wage (NMW) or national living wage (NLW), and has an income of less than £100,000 per year. Working will include employed and self-employed persons.

Although the limit is based on earning the equivalent of 16 hours wages per week, there is no requirement to work any particular hours, or to earn any particular amount, in each week. Parents/carers need only expect to earn the stated amount, on average, during the forthcoming three month period. So, for example, parents on zero contract hours can meet the criteria when they know they will not get work every week but they reasonably expect to earn enough on average over the three months.

In looking at whether parents/carers reasonably expect to earn the minimum income in the coming three months HMRC will look at various data. This may include looking at previous earnings. Where previous earnings suggest the parent may not meet the eligibility requirements in the coming 3 months HMRC may contact the parent for more information before determining whether the parent is eligible. Where the information provided by the parent shows that they are just starting work, HMRC will be unlikely to want to seek further information before determining eligibility.

The Government recognises that many small businesses struggle to generate a regular income when they first start up. Therefore, to support newly self-employed parents, the Government will not expect self-employed parents to meet the scheme's minimum income rule in their first year of trading. This 'start-up' period removes the pressures relating to parents having to predict future income in the earliest days of their business.

23. When is the childcare provider able to sign up with HMRC so that parent/carers can deposit funds into their accounts for Tax Free Childcare?

HMRC have already invited childcare providers nationally to register for Tax-Free Childcare to enable parents/carers to start depositing funds into their accounts from Spring 2017. If you are not yet registered please follow this link <https://childcare-support.tax.service.gov.uk/> or call this number **0300 123 4097**

24. Do providers have to be registered to offer Tax-Free Childcare?

Yes. All settings should have received a letter from the Government containing your unique ID which you will need to start the online process. Once you are in the secure site you will need to:

- Confirm your unique taxpayer reference (UTR) number. You can find this on previous tax returns or other communications from HM Revenue and Customs; or your National Insurance number, if you are a nanny and don't have a UTR.
- Provide bank details for the account you wish to receive Tax-Free Childcare payments into.

25. Can parents/carers be eligible for both Tax-Free Childcare and 30 Hours?

Yes. This will be determined by HMRC. HMRC have produced a useful guide called Tax-Free Childcare: 10 things parents should know.

<https://www.gov.uk/government/news/tax-free-childcare-10-things-parents-should-know>

26. When will providers receive their funding?

There are currently three payment periods for providers in the autumn, spring and summer terms. For each term, an initial payment is made in the first month of the period and the balancing payment for the period is made in the month after the headcount is provided. This means that the total funding for the term is paid to providers in the month after the headcount which is normally the month before the final month in the period.

27. Can we be paid monthly?

We are not planning at this stage to change when we make payments to providers. To move to a monthly payment cycle would mean providers would receive funding later than we currently pay out. We will continue to review our policy on this matter and will formally consult with providers ahead of September 2018.

28. Can we add 30 Hours to our estimate claim term 6, ready for payment in September?

This is something we have considered and are looking into the feasibility in the new system we have procured. We will update providers when we know.

29. How do we access the SEN £615? Is it automatically paid or do we have to apply?

We are currently putting the required process in place and will notify providers in due course.

30. Should a family stop working but not inform you and we continue to claim 30 hours, will there be any requirement to return the money?

Eligibility Checking and the Grace Period should prevent this but if not, yes we will recover any overpayment from providers.

31. How will children with special educational needs and disabilities be supported?

Kent County Council (KCC) continues to strategically plan 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 SEND code of practice: 0 to 12 (January 2015)

<http://www.kent.gov.uk/education-and-children/special-educational-needs/children-under-5-with-send>

KCC will provide clear and transparent information about the support and services available to pre-school children through the Kent Local Offer, so that parents can access that support.

32. How will we know who is offering up to 30 Hours?

The Statutory guidance requires local authorities during the period 1 April 2017 to 31 August 2017 to provide information regarding persons who intend to provide the extended 30 Hours entitlement. Please find the link to this below.

<http://www.kent.gov.uk/education-and-children/childcare-and-pre-school/free-childcare/30-hours-free-early-learning-and-childcare/30-hours-free-childcare-providers>

33. Can I work in partnership?

Childcare providers are being encouraged by the Government to offer the entitlement flexibly and extend the 1140 hours over the whole year if possible. For example, the entitlement can be split up between providers but at no more than two locations in any single day.

34. If a parent is splitting hours between settings and the family are no longer eligible, who gets the universal 15 Hours?

It is up to the parent to decide when they become ineligible who gets the funding.

35. What is a collaboration?

The majority of Early Years settings in Kent are now part of a collaboration. Working collaboratively provides an opportunity for settings to share good practice and take collective responsibility for children within a geographical location. Sharing the cost of training makes this more affordable and provides valuable networking opportunities and continuous professional development.

If you would like to join or lead a collaboration please contact EYCollaborations@kent.gov.uk We will be happy to support you in connecting with other local providers.

If you are interested in leading a collaboration, download a Guide for Potential Leaders of Early Years collaborations.

36. The collaboration supplement - will the money go to an increased amount per child attending a setting which is part of a collaboration, or is the money to go towards training?

This is still be determined ahead of September 2017