

Kent County Council and The Education People

Covid-19 Related Closures and Early Education Entitlement Funding

Introduction

This document addresses the funding of early years and childcare provision in Kent for any period of time where a setting may need to close for COVID-19 related reasons but has been unable to secure evidenced advice or instruction from the Department for Education (DfE) and/or Public Health England (PHE).

The document must always be read in the context of government advice current at the time of reading. At the time of writing, specific guidance relating to the funding of early years providers during the national lockdown from 5 November has not yet been issued and therefore we are continuing to adhere to the latest DfE guidance whereby:

“Local Authorities should continue to fund providers which have been advised to close, or left with no option but to close, due to public health reasons. Local authorities should not fund providers which are closed, without public health reason, from the start of the autumn term”.

Principle

The approach is based on the principle that, working together, Kent County Council (KCC), The Education People and the Kent Early Years and Childcare Sector share the same aim to, through the COVID-19 pandemic and wherever possible, ensure a continuing and consistent level of early years and childcare provision for children and families.

We recognise that providers want to stay open fully and may feel concerned about having to close but, under the current circumstances and on occasions, it is inevitable and absolutely right that settings close either partially or fully for a defined period.

Expectations

In this context, KCC and The Education People have the following expectations of early years and childcare providers, as independent businesses that are registered to deliver one or all of the three Free Entitlements:

- to do everything reasonably possible to remain open with their full publicly funded offer
- where closure for Covid-19 related reasons looks likely, in the first instance to endeavour to secure evidenced advice/instruction via the DfE and/or PHE. (Please refer to PHE flow chart sent to you on 8 October and which will be available on KELSI in due course.)
- have in place a robust business continuity plan to be the first port of call in the advent or actuality of closure
- have in place a comprehensive risk assessment to support the setting to stay open whilst minimising Covid-19 related risks

Process

If, in spite of having fulfilled all the above expectations, the outcome is that closure is the only option, providers should follow the process outlined next:

- advise your Childminding Adviser (childminders) or Childcare Sufficiency Officer (group settings), including evidence of DfE/PHE advice/instruction where you have been able

to obtain this; under these circumstances your funding will continue for the length of time that the advice relates to

- where you have not been able to obtain DfE/PHE advice/instruction but have concluded that you have no choice other than to close (for whatever period), we will take a 'Barriers and Solutions' approach to funding for the closure period, essentially asking you to identify the barriers to opening and demonstrating that you have sought every feasible solution to avoid closure. Illustrative barriers and solutions are offered below
- where we agree that you have comprehensively and rigorously considered all possible solutions to avoid closure, but ultimately have no choice other than to close, funding will continue for the period to which the specific circumstances apply.

Funding of alternative providers

Where a child needs to move settings as a consequence of their usual provider being closed as a result of COVID-19 as outlined in this document, the alternative provider should contact KCC Management Information to discuss if this child should be added as an adjustment as detailed in [the Funding Guidance for Free Early Education Entitlements for 2, 3 and 4 year olds for Autumn Term 2020](#).

Where a child moves settings for any other reason (COVID-19 related or not) the normal funding rules apply whereby providers can make arrangements between themselves to share or pass on funding, otherwise the parent must pay for their place until the start of the following term.

Barriers and Solutions

Please note that these 'Barriers and Solutions' are illustrative rather than exhaustive and again must always be taken in the context of government requirements and advice at the time.

As we work with individual providers and come across barriers that we have not previously experienced we will add to this list along with the solution and circulate an updated document accordingly.

Barrier: Unable to contact Public Health England (PHE)

Solution: For general queries about Covid-19 or to notify of a single confirmed case, contact the DfE helpline on **0800 046 8687**.

To notify 2+ confirmed cases or a potential outbreak call Kent Health Protection Team (HPT) on **0344 225 3861**.

For a suspected case in a child or staff member follow the PHE 'Managing Suspected and Confirmed COVID-19 cases in Childcare and Educational Settings' flow chart. Ensure child or staff member isolates at home for 10 days from when symptoms started and advise them to get tested. The rest of the household need to isolate for 14 days.

You do not need to send other children/staff home at this time.

Clean and disinfect rooms used by suspected case (wearing appropriate PPE).

If test result is negative child or staff member can return when well.

If a confirmed case call the DfE helpline and choose Option 1. A trained call handler will support a risk assessment and advise on what to do including who needs to isolate.

Clean and disinfect rooms used by the child(ren) or staff member (wearing appropriate PPE).

For two or more confirmed cases call HPT who will support risk assessments and follow up and provide template communications to be shared with staff and parents/carers.

Do not close the setting without first contacting HPT.

Barrier: Children of staff in the setting have been sent home from school to self-isolate so setting unable to meet staff:child ratios as staff remaining at home with their children.

Solution: Staff must be reminded of their contractual duty to work. Setting must follow its normal business continuity plan for managing staff absence. Staff will need to follow appropriate care arrangements for children who are unwell.

Exception: Childminder who cannot separate their own child from minded children, for example because the child is too young to be separated or, for young adults, due to sharing of bathroom facilities. In such instances a copy of the letter from school asking the child to self-isolate would need to be provided for funding purposes.

Barrier: Setting unable to open due to staff or a childminder themselves awaiting tests/test results.

Solution: Setting must follow its normal business continuity plan for managing staff absence due to sickness including, but not limited to, arranging supply cover, temporarily closing the room where the member of staff works. In instances where all staff and children are in a single room, setting must consider whether it can remain open partially with available staff. In such instances, settings may wish to consider a priority list e.g. critical worker and vulnerable children take priority. Setting needs to mitigate risk of closing the whole setting by restricting interactions between groups of children and staff. (Evidence of testing may be required from a childminder working alone and who cannot therefore open).

Barrier: Setting unable to provide full free entitlement sessions due to operating from shared premises (such as a village hall) and as a consequence being required to clean before and after use.

Solution: Setting should speak to hall committee and explain that it receives funding from the local authority to provide free early education for a set number of hours per week. Therefore, any cleaning must be done outside of these hours. Any groups waiting to use the premises after the setting has vacated should be asked to wait until the cleaning has taken place.

Where settings are unable to negotiate this, or landlords unable/unwilling to agree to this way of working, the setting will need to adjust their claim for the spring term and only claim the hours being offered. Parents will need to be notified of the change to their entitlement.

Barrier: Staff unable to arrive at work on time due to taking children to school for designated time slots.

Solution: Staff are to be reminded of their contractual duties and asked to make alternative arrangements for their children. As the Government deems childcare workers to be critical workers, staff should be able to arrange earlier drop off and pick up times with the school or make alternative arrangements for getting their child/ren to school.

Barrier: Staff unable to come to work due to being clinically extremely vulnerable.

Solution: Government guidance published on 5 November 2020 says those individuals who are clinically extremely vulnerable are advised to work from home and not to go into work. Individuals in this group will have been identified through a letter from the NHS or from their GP and may have been advised to shield in the past. Providers should discuss the situation with relevant staff members and follow their usual business continuity plan for managing staff absence. In some instances this may involve opening the setting to a reduced number of children.

All other staff should continue to attend work, including those living in a household with someone who is clinically extremely vulnerable as the workplace should be Covid secure if the government guidance has been implemented in line with the setting's own risk assessment.

Settings should be able to explain the measures they have put in place to keep employees safe at work.

Barrier: A childminder working alone, or a member of a childminder's family is clinically extremely vulnerable.

Solution: Government guidance published on 13 October 2020 includes advice related to each Covid-19 alert level. If an area is at medium, high or very high level and a member of staff is unable to work from home they should still attend the setting as the workplace should be Covid secure if the government guidance has been implemented in line with the setting's own risk assessment. For a childminder the risk assessment and cleaning regimes put in place in the setting should protect a clinically vulnerable childminder or a family member.

Exception: The government may advise more restrictive measures in the very highest alert areas or during lockdown based on advice from the Chief Medical Officer. Government also implemented new advice on 5 November in association with new Lockdown measures. In circumstances when individuals who are clinically extremely vulnerable (CEV) are guided not to work an exception will be made if the childminder is CEV, or if a family member is CEV and it is not possible to effectively separate the family accommodation from the childminding workspace.