

Kent County Council and The Education People

Frequently Asked Questions

Early Years and Childcare Providers

A new document was started in January 2021. This document is regularly updated with any new additions added in blue.

Links to the most recent government guidance can be found here:

- [Actions for Early Years and Childcare Providers during the Coronavirus Outbreak](#)
- [Safer working in education, childcare and children's social services](#)
- [Protective measures for out-of-school settings during the Coronavirus outbreak](#)
- [Early years foundation stage: Coronavirus disapplications](#)
- [Ofsted: Coronavirus COVID-19 rolling update](#)
- [National lockdown: Stay at home](#)

Attendance

1. *With the new lockdown, is a child still able to access more than one early years setting?*

Guidance relating to whether a child can access more than one early years setting remains the same at present. **Actions for early years and childcare providers during the coronavirus (COVID-19) outbreak** states:

'Parents and carers should be encouraged to limit the number of settings their child attends, ideally ensuring their child only attends the same setting consistently. This should also be the same for staff. There may be situations where a child needs to attend more than one setting, for example, children attending a childminder before their nursery opens so that their parent or carer may go to work. Settings, parents and carers should work through the **system of controls** collaboratively to address any risks identified and allow them to jointly deliver appropriate care for the child. This section of the guidance contains more information about the **system of controls** for settings.'

At present, if the child has been accessing two settings, this will continue.

2. *When should I accept a child back to my setting when they have self-isolated due to having the coronavirus or a member of their household has had or currently has symptoms?*

If the child lives with others and they are the first in the household to have symptoms of coronavirus, then they must stay at home for 10 days. Household members who remain well stay in self-isolation for 10 days due to the maximum incubation period, calculated from day one of first symptomatic person. If household members become symptomatic,

they should stay at home for 10 days from when the symptoms started. The timescales alter if the child or family members get tested. The Government provides **guidance** on what to do if a household has a suspected or confirmed case of COVID-19.

Funding – FEE

1. If a setting is inadequate and Ofsted now doesn't come for an extended period, can we claim for new children?

Ofsted will be prioritising visits to settings that are less than good. If settings are working with The Education People (TEP) to improve their practice and TEP is happy the setting is making significant progress, the setting may be able to claim for new children but will need to speak with the Senior Improvement Adviser or Lead Childminding Adviser in this regard.

2. If a critical worker has not reconfirmed their code for the spring term 2021 can their child still access the 30 hours free childcare?

All parents, regardless of whether or not they are a critical worker needed to have reconfirmed their 30 hour code by 31 December 2020 in order to continue receiving their funding for the spring term 2021. Temporary measures were put in place by the Government for the summer term 2020, but this no longer applies. Parents falling out of eligibility and due to reconfirm between 31 October and 31 December 2020 may be entitled to a grace period lasting until 31 March 2021. Further information on grace periods for the 30 hours free entitlement can be found in the **statutory guidance**.

3. If a parent's working hours were cut to below 16 hours per week due to COVID-19, are they still entitled to 30 hours funding?

Yes – the Government has made some temporary changes to the 30 Hours Entitlement and Tax-Free Childcare offers so that all eligible parents and carers, including critical workers, are not disadvantaged.

Parents and carers who will not meet the minimum income threshold (16 hours per week at National Minimum/Living Wage) due to lower earnings as a direct result of COVID-19 will be treated as meeting the test during the outbreak. This will apply only to parents and carers who need to apply for or reconfirm their 30 hours and Tax-Free Childcare place during the outbreak.

The Government has set a new upper threshold of £150,000. This change will only be effective for the tax year starting 6 April 2020 and ending 5 April 2021. The regulations came into force on 31 July 2020.

4. Do I need to supply The Education People with regular information about children and their attendance?

Yes, local authorities are required to continue to provide details of children and their attendance at early years settings and the number of settings open to the DfE. Failure to supply requested information may result in delayed or suspended funding. Although the expectation was that the DfE data collection would move to fortnightly in January, in light of the new lockdown, this has moved back to weekly.

5. *If providers that are open must then close for a deep clean, do they have to offer replacement sessions or as others are closed anyway, will they just keep the funding?*

We would expect cleaning of the setting to happen outside of free entitlement sessions to allow parents to access their child's full entitlement. The only exception to this would be in relation to a closure for deep cleaning on the advice of Public Health England.

Human Resources – Staffing

1. *If I need advice about my staff and their employment where do I go?*

If you do not already have a contract with an HR company, please contact ACAS for guidance on staff and employment issues.

2. *Where do we stand with staff refusing to come back?*

As above. Information on contract law and how to deal with staff in such circumstances is available from ACAS.

3. *I want my staff to work differently than they were prior to COVID-19. How do I go about changing their contracts, working patterns and the like?*

Early consultation with staff about your plans is always advisable. Please check the wording of staff contracts if staff are refusing to work in a new way and refer to ACAS for advice and guidance on what to do in these circumstances if you do not have access to any other HR facilities.

EYFS – Statutory Guidance

The Government has put in temporary measures regarding the EYFS.

1. *My first aid certificate expired in October 2020. What do I need to do?*

All providers must refer to the disapplication document in full for current information relating to first aid requirements since there are now varying circumstances according to the ages of children in settings during disruption relating to COVID-19.

DfE has taken the decision that if Paediatric First Aid certificate requalification training is prevented for reasons associated directly with the COVID-19 pandemic, or by complying with related Government advice, the validity of current certificates can be extended to **31 March 2021 at the latest**. This applies to certificates expiring on or after 1 October 2020.

If asked to do so, providers should be able to explain why the first aider has not been able to requalify and demonstrate what steps have been taken to access the training.

Employers or certificate holders must do their best to arrange requalification training at the earliest opportunity.

2. *Will Ofsted relax ratios?*

Ratio requirements stay the same in the majority of cases (see **[maintained nursery schools](#)** for the only exception) but, during any period of intervention related to coronavirus (COVID-19), exceptions can be made to the qualifications that staff hold in order to be counted in the ratio requirements.

Providers should read the **[full guidance](#)** to see what the current guidelines are and how this impacts on their practice. The updated disapplications document covers the period between 26 September 2020 and 31 August 2021.

SEND/Vulnerable Children

For more information around support for vulnerable children and children with SEND, click on the Government guidance below:

[Coronavirus \(COVID-19\): SEND risk assessment guidance](#)

Out of School Providers

1. *Are before and after school clubs allowed to operate?*

Until 29 March, out-of-school settings and wraparound childcare providers can offer face-to-face indoor and outdoor provision to:

- vulnerable children and young people, under any circumstances
- all other children, where the provision is one of the following:
 - reasonably necessary to enable their parents and carers to work, search for work, undertake education or training, or attend a medical appointment or address a medical need, or attend a support group
 - being used by electively home educating parents as part of their arrangements for their child to receive a suitable full-time education
 - being used as part of their efforts to obtain a regulated qualification, meet the entry requirements for an education institution, or to undertake exams and assessments.

From 29 March, as set out in the [COVID-19 Response – Spring 2021](#), and in line with when schools close for the Easter holidays, out-of-school settings and wraparound providers will be able to offer the following provision.

Outdoor provision to all children, without restrictions on the purpose for which they may attend.

Indoor provision to:

- vulnerable children and young people, under any circumstances
- children on free school meals, where they are attending as part of the Department for Education's [holiday activities and food programme](#)
- all other children, where the provision is one of the following:
 - reasonably necessary to enable their parents and carers to work, search for work, undertake education or training, or attend a medical appointment or address a medical need, or attend a support group
 - being used by electively home educating parents as part of their arrangements for their child to receive a suitable full-time education
 - being used as part of their efforts to obtain a regulated qualification, meet the entry requirements for an education institution, or to undertake exams and assessments.

Where school terms and holiday dates can vary between different areas, you should check the [school term and holiday dates](#) in your local authority to find out when the majority of schools will be closed over Easter, to ensure you are minimising mixing of different children, when children are also attending school.

The Government's intention is then for out-of-school settings and wraparound childcare providers to be able to offer provision to all children, without restriction on the reasons for which they may attend, from the start of the school summer term. This will be no earlier than 12 April, and will be confirmed as part of Step 2 of the [COVID-19 Response – Spring 2021](#).

2. Do we have to keep children in the same bubbles as they are in during the school day?

Decisions on group sizes for your setting should be based on:

- whether the activity takes place indoors or outdoors
- the current Government guidance on social distancing
- the ability of the children in attendance to maintain social distancing and practise hand hygiene
- the age of the children in attendance
- nature of your activity or provision (for example, static, classroom set-up rather than an activity that requires a range of movement)
- the size or layout of your premises
- the ability to ventilate your premises effectively with fresh air.

Indoor provision

If you normally run sessions indoors, you should consider whether you can run them safely outside instead, as the risk of transmission is lower outdoors.

To reduce the risk of transmission, you should also aim to minimise mixing between children as far as possible. This can be achieved by keeping children in consistent groups or 'bubbles'. Therefore, where the activity is taking place indoors, you should first consider whether children can be kept in the same bubble as they are in during the school day in order to minimise mixing between different children. For more information, read the [actions for schools during the coronavirus \(COVID-19\) outbreak](#).

Where it is not possible to group children in the same bubble as they are in during the school day, you should keep them in small groups of no more than 15 children and at least one staff member; and where possible, with the same children each time they attend. Further steps that can be taken to minimise the risk of mixing between children would include keeping children from the same school together, or working with parents and carers to keep siblings from the same household together.

Outdoor provision

Until 29 March, you should continue to keep children in small groups of no more than 15 children, in line with the advice on [indoor provision](#).

From 29 March, all children can use outdoor provision regardless of circumstances or need. Additionally, if the activity is taking place outdoors, groups can be of any number. This is because the transmission risk is lower outside.

However, it remains important to minimise mixing between children. This can be achieved by taking steps to keep children in separate groups or 'bubbles'. For example, keeping children from the same school day bubble or school together, or working with parents and carers to keep siblings from the same household together.

Keeping children in smaller groups will also help to further minimise the risk of transmission. Where you are operating larger groups (for example, larger than 15) it will be even more important to implement these measures and try to keep children in consistent groups.

Childminders

- 1. I am currently contracted to provide wraparound care for a child of a critical worker. I am reluctant to take my early years children on a school run. Am I able to refuse?***

As this would be considered as breaking a contract the childminder would need to seek advice from their contract provider. A review of the risk assessment of the journey should be carried out to inform the decision and could be shared with the family.

Systems of Control

1. *What is the 'system of controls'?*

This is a set of ten actions endorsed by Public Health England which early years settings must follow to reduce the risk of transmission for children and staff. This is included in the **Actions for early years and childcare providers during the Coronavirus outbreak** document and is to be implemented in line with your risk assessment to create a safer environment.

2. *Is there any new official guidance on symptoms of the new strain of COVID-19 that I can refer to?*

Current Government and NHS advice still advise that the main symptoms are:

- a high temperature
- a new, continuous cough
- a loss of, or change to, your sense of smell or taste.

Take a Break Sessions

The following questions were asked at the most recent sessions in March 2021.

1. *What is happening about Development Matters training? Some settings are term time only and want to have time to undertake training and implement any necessary actions before the end of the summer term ready for September.*

There will be a KCC funded webinar in May accessible to all providers which will provide an update on the revised EYFS and this will include key messages on the new Development Matters. In addition to this, there will be a more in-depth chargeable course which will also be available in May which will be advertised shortly. In addition, our currently accessible training courses will be updated to reflect changes to the Development Matters.

2. *Settings are concerned about their numbers of children in September, they aren't getting families coming forward. Is there anything The Education People can do to get the message out to families?*

Numbers of children attending settings appears to have increased since schools opened more widely on 8 March 2021. Conversations around waiting lists and numbers took place at the Early Years and Childcare Provider Association meeting this month. Whilst there were some settings who seemed to be struggling for numbers in September, quite a few representatives reported healthy waiting lists in their own settings.

The Education People will consider what actions it can take to message families as society progresses along the roadmap to recovery and which is in line with current Government guidance.

3. In line with Q2, is there any possibility that Management Information can extend or push back Headcount in September to take account of the fact that some children may be late into their settings? Putting them on as late joiners impacts on setting's finances.

It is unlikely that Headcount will be altered, since if it is pushed back, it would also push back the balancing payment received by settings. Doing this would also be likely to impact considerably on the finances of many settings. Any new children who join late and who have not claimed in Kent before can be added as a late joiner.