

# Barnet Council handbook for Free Early Education and childcare for two, three and four year olds

September 2014



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**Audience:** Early years providers who deliver the full early years foundation stage (EYFS) and are either registered with Ofsted as early years providers, or are schools taking children aged three and over and therefore exempt from registration with Ofsted as early years providers

**Date:** September 2014

**Version:** Final

**Review:** March 2016

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## 1. Introduction

This handbook is a working document that specifies how Barnet funds Free Early Education (FEE) for all eligible two, three and four year olds in the maintained, private, voluntary and independent (PVI) sectors and children's centres.

This handbook builds on the Department for Education (DfE), **Early education and childcare Statutory guidance for local authorities** (September 2014). Copies of the statutory guidance are currently available to download from the DfE website at:

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

The FEE contract forms a binding agreement between childcare providers and Barnet Council. The contract states that providers delivering the FEE and childcare must abide by the conditions and requirements of the **Early Education and Childcare: Statutory guidance for local authorities** (September 2014) and the '**Barnet Council handbook for free early education and childcare**' (September 2014). By signing and dating the contract, the provider acknowledges that they understand the above mentioned documents and will meet the requirements therein. FEE is at the heart of the Government's vision for all children to have access to high quality early years education. Evidence shows that regular good quality early education has long lasting benefits for all children.

It is essential that parents understand that there is an eligibility criteria for the Free Early Education for two year olds (FEE2). The Free Early Education for three and four year olds (FEE 3 and 4) is a universal free provision for every child from the term following their third birthday up until they reach compulsory school age.

This handbook explains:

- when children become eligible for FEE two, three and four year olds (FEE2, 3 and 4)
- the process for claiming FEE2 funding
- the process for claiming FEE 3 and 4 funding
- what may happen if providers are graded 'requires improvement' or 'inadequate' at their Ofsted inspection
- how Barnet Council can help providers to deliver quality care and support providers for continuous improvement.

Barnet Council is committed to working in close partnership with providers across all sectors in order to achieve flexible, high quality provision which meets the needs of children and promotes parental choice, but balances this with supporting provider sustainability and a thriving childcare market.

**New elements introduced by the 'Early education and childcare, statutory guidance for local authorities (September 2014)**

### 1.1 Assessing the sufficiency of childcare

Local authorities are required by legislation to:

- secure sufficient childcare as far as reasonably practicable
- report annually to elected council members on how they are meeting their duty to secure sufficient childcare and make this report available to parents.

## **1.2 Information to childcare providers**

Information, advice and training is focused on childcare providers identified as needing to improve the quality of their provision and should promote high quality early education. It is for local authorities to determine what information, advice and training is appropriate in each case. Local authorities have a power to impose reasonable charges when providing information, advice and training.

## **1.3 Free Early Education (FEE) funding for a related child**

The Childcare Act 2006 defines the meaning of 'early year's provision' as the 'provision of childcare for a young child'. Childcare does not include care provided for a child by a parent, step-parent or relative of the child (section 20).

The Childcare Act 2006 (section 18) defines a relative in relation to the child as a grandparent, aunt, uncle, brother or sister, whether of the full blood or half blood or by marriage or civil partnership.

From the 1 September 2014 childminders will no longer be able to claim the FEE funding for a child they are related to.

## **1.4 The introduction of childminder agencies**

Barnet Council will agree locally with childminder agencies and each childminder registered with the agency whether FEE funding is paid directly to the childminder or is routed to the childminder through the agency.

## **1.5 Promotion of British values**

Local authorities cannot fund early education providers where the local authority has reasonable ground to believe the provider:

- is not meeting the independent school standard in relation to the spiritual, moral, social and cultural development of pupils
- is not actively promoting fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs
- is promoting as fact views or theories which are contrary to established scientific or historical evidence and explanations.

(Fundamental British values first set out in the Government's *Prevent strategy* June 2011)

**Disclaimer:** Whilst every care has been taken to ensure that the information contained within this handbook is correct at the time of publication, Barnet Council cannot be held liable for any loss, damage or expense incurred as a result of information contained in this handbook.

## 2. Free Early Education for two, three and four year olds

**Outcome:** All children who meet the prescribed criteria are able to take up high quality early education, regardless of their parents' ability to pay, benefiting their social, physical and mental development. Evidence shows that regular good quality early education has lasting benefits for all children.

### 2.1 Eligibility for two year olds

The FEE2 is not universal, eligible children may access this funding via an application process.

From September 2013 all children whose families meet the criteria for Free School Meals (FSM) and children that are 'Looked After' by a local authority are entitled to a FEE2 place.

The criteria for Free School Meals (FSM) are as follows:

- Income Support
- Income-based Jobseekers Allowance
- 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
- Working Tax Credit provided you do not have an annual gross income of more than £16,190.

From 1 September 2014 additional groups of children are eligible for FEE2:

- children with a current statement of special educational needs (SEN) or an education, health and care plan
- children who receive Disability Living Allowance (DLA)
- children who are looked after by a local authority
- children who have left care through special guardianship or through an adoption or residence order.

### 2.2 How to apply for a FEE2 place

Applications can be made by a parent/carers from 31 May 2013; alternatively an application can be made on behalf of the child/family by a professional or agency. These include:

- children's centres
- health visitors or other health professionals
- social workers
- Jobcentre Plus advisors
- London Borough of Barnet (LBB) Children's Service practitioners
- Barnet Mencap
- Home-Start Barnet
- Barnet Pre-school Learning Alliance (BPSLA)
- managers from participating childcare settings
- other voluntary or community organisations or support services that work with families in Barnet.

Applications can be made online by a referrer or parent at [Application Form](#) (paper copies will also be accepted). For further information can be found at [Free Childcare](#).

Once an application is submitted and approved the parent/carer will be notified and advised to make arrangements to find a placement in a participating childcare setting. Funded places are subject to availability at the time of receiving an application.

If a parent/carer is unsure that they meet the FSM criteria they can go to [www.gov.uk/apply-free-school-meals](https://www.gov.uk/apply-free-school-meals) to check eligibility (the parents National Insurance number will be required).

Children become eligible in the term after their second birthday, see table below:

A child born in the period	Will become eligible for a free place
1 April to 31 August	1 September following a child's second birthday (claim period two)
1 September to 31 December	1 January following a child's second birthday (claim period three)
1 January to 31 March	1 April following a child's second birthday (claim period one)

### **2.3 Eligibility for three and four year olds**

All children become eligible in the term after their third birthday, see table below

A child born in the period	Will become eligible for a free place
1 April to 31 August	1 September following a child's third birthday (claim period two)
1 September to 31 December	1 January following a child's third birthday (claim period three)
1 January to 31 March	1 April following a child's third birthday (claim period one)

### 3. Flexibility

**Outcome:** Children are able to take up their full entitlement to early education at times that best support their learning and at times which fit with the needs of the parents.

<b>The offer</b>	up to 15 hours a week over a minimum of two days
<b>Length of offer**</b>	38 weeks (as a minimum) <sup>1</sup> a total of 570 hours per annum
<b>Min hours per day</b>	two and a half hours
<b>Max hours per day</b>	10 hours
<b>Number of providers</b>	parents can use their FEE hours over a maximum of two participating providers (these can be split between maintained and PVI providers)
<b>Times</b>	not before 7am or after 7pm

**\*\* Providers must ensure their termly claims reach the 38 week total annual limit (particularly when allowing for the shorter spring term), as no adjustments can be made where providers have under claimed. The financial claim period is 1 April to 31 March.**

#### 3.1 Providers not delivering the full entitlement to early education

Some providers are not able to open for 15 hours a week or the full 38 weeks of the year. Parents may choose to access this provision but must be told that Barnet Council is under no obligation to offer the remainder of the of the child's FEE at a different provider. A provider who is receiving funding to deliver a reduced entitlement cannot charge parents for additional hours of provision.

#### 3.2 A free place for two, three and four year olds

The entitlement is a free, part-time place for each eligible two, three and four year old child.

An early year's provider cannot:

- attach any conditions to the funded place which oblige parents to purchase additional hours or pay lunchtime charges in order to secure FEE
- charge for any part of the funded hours or 'top-up fees' (the difference between what a provider would normally charge and what the provider receives from Barnet Council)
- charge for any goods or services where such payment is conditional to access the free place for example a registration fee or charges for a uniform.

It is the responsibility of the provider to explain to parents about the FEE and to inform parents that a claim has been made on their behalf.

<sup>1</sup> A provider who is not open for 38 weeks must let parents know that they will not receive the full entitlement.  
Barnet Council handbook for the Free Early Education (FEE) for two, three and four year olds



### **3.3 A parental contract**

All providers **must** complete a parental contract with all parents in order to claim the FEE funding. The parental contract is retained by the provider and must be made available to officers from the Childcare Business Team as part of the audit checks (see Section 6.0 - Monitoring free entitlement to early education payments).

Providers may use their own contract with parents. It is advised that a provider makes it clear to parents of their contract termination policy and any required notice period.

### **3.4 Flexibility for two, three and four year olds**

Flexibility is not about just offering longer hours, but also about offering different patterns or models of flexibility at the provision. A flexible offer should be meaningful and useful for parents, promotes child development to improve the wellbeing of young children and is workable for providers.

Providers delivering the FEE flexibly must ensure that the entitlement is offered to parents in a way which meets their needs and gives them real choices about how they access a free place.

Barnet Council will assist providers by supporting and promoting flexible patterns of delivery and assist them to move away from sessional provision and deliver the FEE in patterns that are more responsive to parental demand.

### **3.5 Definition of flexibility for two, three and four year olds**

The FEE can be taken up in a number of ways. Barnet Council has a duty to ensure that as minimum parents can access FEE in the following patterns:

- three hours a day over five days of the week
- five hours a day over three days of the week.

All providers must complete a flexibility form that details how their provision is offering FEE. This information is made available to FYi (Families and Young People's Information Service) so that parents can be advised and supported to access FEE.

The FEE place does not offer a guarantee of a place to a parent at any one provider or a particular pattern of provision.

A provider that wishes to change their level of flexibility must contact the Childcare Business Team and discuss this. A provider must submit in writing a request for a change in their flexibility level, one terms advance notice is required.

### **3.6 A stretched offer**

A provider who wishes to offer a 'stretch' FEE place (taking fewer hours per week over more weeks of the year) should discuss this option with the Childcare Business Team to ensure that there is provider capacity and sufficient parental demand.

A provider should be able to offer parents an option of either a term-time only place or a stretched place and allow for parental choice. If the provider chooses to offer a stretch place this should be fixed for the number of weeks they are open per year; for example; in a setting that is open 51 weeks per year, the parent should have a choice of either a 38 week place (term-time only) or a stretch offer place (11 hours over 51 weeks) subject to availability of places.

If a provider is open for more than 38 weeks, they can only offer the stretch places for the full number of weeks they operate for example if open for 51 weeks, you cannot offer a stretched place for 49, you must give an option of 38 or 51 weeks.

Because the number of hours a child is entitled to may not be equally distributed for example 11 hours a week X 51 weeks = 561 hours. A provider must make it clear to the parent that their child may not access their full FEE hours (570 hours per annum).

### 3.7 Term-time offer

Providers may choose to deliver the FEE places in line with the maintained schools term-times. There is no requirement for providers to do so. Providers must inform the Childcare Business Team of their term dates within the flexible offer.

### 3.8 The examples below show how the FEE can be delivered flexibly

Example	Level of flexibility
three hour morning sessions across five days	no flexibility (level 0)
three hour afternoon sessions across five days	no flexibility (level 0)
three hour sessions - a combination of mornings and afternoons	level one
one full day and one half day	level two (full)
five hours across three days	level two (full)
two full days	level two (full)

### 3.9 Flexibility and additional charges

#### Lunch

- the lunch time period can be included as part of the funded hours
- any charge for the lunch must be agreed with parents in advance
- parents must be given the option of providing a packed lunch if this is more affordable.

#### Fees and charges

- additional hours and services may be charged for, for example meals or hours in addition to the funded free hours, and must be agreed with parents in advance
- the rates which a provider charges for additional hours outside of a child's FEE place are a private matter between the provider and the parent, local authorities cannot intervene in providers' private business outside of a child's FEE place
- information must be given to parents that clearly shows that they have received their child's funded place completely free, there should be no monetary value attached to the FEE hours
- a child only accessing the 15 hours of FEE need not be provided with an invoice, providers must demonstrate at an audit visit how parents are informed that a claim for funding has been made on their behalf
- charges for any additional hours and/or services must be clearly recorded separately on an invoice.

## 4. Quality

**Outcome:** all children are able to take up their FEE funded early education in a high quality setting. Evidence shows that higher quality provision has greater developmental benefits for children, particularly for the most disadvantaged children.

Barnet Council recognises that the provision of care and education for the youngest children is offered in a wide range of schools/provisions across the maintained, PVI sectors, children's centres and childminders. Barnet Council welcomes this diversity and will work in partnership with all providers to ensure that high quality inclusive provision is maintained and offered to all children and their families whichever provision they attend.

Barnet Council expects that all providers delivering FEE will ensure that they have arrangements for reviewing monitoring and evaluating the effectiveness of inclusive practices that promote and value diversity and difference.

The Council provides Special Educational Needs (SEN) Co-ordinators to work with all providers to support their work with children with SEN. Additional funding support is available for those children with the most significant needs without the need for a statement of SEN.

### 4.1 Securing and improving quality

All early years providers who deliver FEE must:

- deliver the full Early Years Foundation Stage (EYFS) and are either registered with Ofsted as early years providers, or are schools taking children aged three (and rising threes<sup>2</sup>) and over and therefore exempt from registration with Ofsted as early years providers
- submit to an inspection by Ofsted
- maintain records and vacancy information about children receiving the FEE and make that information available to the local authority and Ofsted on request
- provide parents with clear written information about any fees or charges for additional hours and /or services.

Barnet Council will:

- base their decision whether to fund a provider to deliver FEE places solely on the provider's most recent Ofsted
- fund places for two, three and four year old children attending any provider rated 'good' or 'outstanding' by Ofsted or a childminder registered with a childminder agency judged 'good' or 'outstanding' by Ofsted
- fund places for three and four year old children attending any provider rated 'satisfactory' or 'requires improvement' by Ofsted or a childminder registered with a childminder agency judged 'requires improvement' by Ofsted

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<sup>2</sup> A 'Rising Three' is when a child turns three before the end of their first term at school. A child may still be eligible to access a free place under the FEE2 even if they have had their third birthday, as they are not yet eligible to claim the FEE 3 and 4 year old funding (which applies the term after a child turns three).

- not fund childminders registered with a childminder agency where the agency has indicated that the childminder is not of satisfactory quality
- only fund two year old places in 'requires improvement' providers where there is not sufficient, accessible 'good' or 'outstanding' provision
- secure alternative provision and withdraw funding from a provider (other than a maintained school), as soon as is practicable, for children who are already receiving their funded entitlement at a provider or childminder agency when it is judged 'inadequate' by Ofsted. Barnet Council will take into account the continuity of care for children and the Ofsted monitoring information.

Barnet Council will, in line with the 'Early education and childcare Statutory guidance for local authorities' (September 2014), fund places for two, three and four year olds at new providers registered with Ofsted until their first full Ofsted inspection judgement is published (or at a childminder registered with an agency until the agency's first full inspection judgement is published) if a parent wants their child to take up a FEE place at that provider and the provider is willing to accept the funding from Barnet Council.

#### **4.2 Securing early education places**

Barnet Council will not fund early education places at any childcare provider where there are reasonable grounds to believe that the provider:

- is not meeting the independent school standard in relation to the spiritual, moral, social and cultural development of pupils
- is not actively promoting fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs
- is promoting as fact views or theories which are contrary to established scientific or historical evidence and explanations.

#### **4.3 Exemption from the Early Years Foundation Stage (EYFS)**

The EYFS (2012) is mandatory for all early years' providers, maintained, non-maintained and independent schools and all early years' providers on the Early Years Register.

The EYFS exemptions arrangements, introduces a new route for good quality independent schools, as well as maintaining a more streamlined 'established principles' route.

The Childcare Act 2006 does not allow for any exemptions from the safeguarding and welfare requirements of the EYFS.

Barnet Council will fund providers who have exemptions from the EYFS learning and development requirements if a parent wants their child to attend that provider.

The EYFS learning and development requirements guidance on exemptions for early year's providers can be downloaded from [www.education.gov.uk-eyfs](http://www.education.gov.uk-eyfs).

## 5. Funding early education places

**Outcome:** fair and transparent funding which supports a diverse range of providers. This diversity enables parents to choose a provider that best meets the needs of their child.

### 5.1 Funding the Free Early Education for two year olds (FEE2)

Barnet Council currently operates a targeted project called the FEE2<sup>3</sup> which provides free places for eligible two year olds. Children are eligible from the term following their second birthday, for up to 15 hours per week of quality childcare provision, (this is the equivalent of up to 570 hours per year) until the term in which they turn three. Children automatically become eligible for the universal FEE 3 and 4 year old offer the term after their third birthday. This is a seamless transition and children do not need to change childcare providers.

Families must meet a range of criteria to qualify for a FEE2 place and be approved for funding. Detail of the criteria can be found at [eligibility criteria](#).

The funding for children aged two is £6 per hour; this is a single base rate payment with no supplements.

### 5.2 FEE2 documentation (two year olds)

Each term providers who are participating in the FEE2 will be sent by secure email the documentation on which to record eligible children's details. This claim form will usually be sent two weeks before the headcount date.

The documentation will include:

- claim form
- guidance notes to help with completing the claim form

#### a) Return of the claim form and payment

The claim form must be completed and returned to the Brokerage Officer, Childcare Business Team using the secure email system within two working days after the headcount date.

The completed claim form will be processed and providers will receive funding based on the information recorded on the claim form. The Childcare Business Team will aim to pay providers the FEE2 funding within three weeks of the claim form submitted.

#### b) What if a child starts after the headcount date or leaves before the end of the claim term?

If a child starts the provision later in the term or leaves before the end of the term the Brokerage Officer must be informed immediately and will advise the appropriate course of action.

Providers must complete an adjustment form for a new starter or leaver; these can be downloaded from: [adjustment form](#)

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<sup>3</sup> Previously known as the Two Year Old scheme.

### **5.3 Funding the Free Early Education for three and four years (FEE 3 and 4)**

Barnet Council uses the Early Years Single Funding Formula (EYSFF) to pay all providers who claim the funding for the FEE for children aged three and four years of age. This includes a base rate and additional supplements:

- providers will receive a funding projection schedule at the beginning of the claim year this will show the termly funding estimates for the forthcoming financial year
- existing providers claiming the EYSFF will receive a fixed percentage (currently 80%) of their estimated termly funding at the beginning of each term. This estimate is based on the provider's claims for the previous three terms
- the balance of termly funding due or repayable will be calculated and paid once actual attendance claims have been submitted by the providers and verified by the Schools Funding team. This balancing figure will also include any adjustments made after the date of the claim, for example; a reduction in funding for children leaving the provision, payments for children joining the provision (after headcount day) and any adjustments from the previous term.

For further information on deadline and payment dates, please refer to the website link [early years funding](#).

Payments will only be made electronically by Bankers Automated Clearing Services (BACS). The bank account must be in the name of the childcare setting. Funding for the FEE will not be paid to an individual's bank account.

Changes to the bank account details must be made in writing either on a company letterhead or by email with an approved signatory and sent to Lyn Gallacher, who will provide a bank account form (see contact details section 10.0)

### **5.4 Payment rate for children aged three and four years**

Funding rates are reviewed annually at the start of each financial year.

Funding for each child will be calculated in hours, up to the maximum entitlement of 570 hours per financial year (1 April to 31 March). Providers will receive an hourly rate of £3.74 (rate correct as at April 2014) per hour, per child, plus the following supplements (depending on the profile of the setting):

- deprivation supplement – based on the home postcodes of the children attending the provision
- flexibility supplement – based on the agreed level of flexibility offered by the provision (see section 3.9 for examples of flexibility)
- basic entitlement – an amount to recognise the cost to providers of administering the FEE.

The funding projection schedule issued to providers and subsequent termly payments will include all supplements that the provision qualifies for, depending on their specific profile and flexibility arrangements.

## **5.5 Headcount dates for three and four year olds**

Each term providers will be sent by secure email the documentation on which to record eligible children's details. This claim form will usually be sent two weeks before the headcount date.

The documentation will include:

- claim form
- guidance notes to help complete the claim form.

Details of how to use the encrypt and send secure email will be sent to providers with their first FEE claim form. Please note that the claim form for the FEE2 will be sent separately from the FEE 3 and 4.

Barnet Council will inform providers of key dates for processing the FEE2, 3 and 4 year old offer and will give adequate notice to all providers on deadline dates for the submission of claim forms. These dates can also be viewed at [early years funding](#)

## **5.6 Return of claim form**

The claim form must be completed and returned to Jane Elliott, Research and Performance Officer using the secure email system (encrypt and send) within two working days after the headcount day.

A late or inaccurate claim form may result in the balance of payments being delayed or the advance payment reclaimed. For queries on the claim form, please contact Jane Elliott (see section 8 - contact details).

## **5.7 Frequently asked questions for the FEE 3 and 4**

### **Before the headcount date**

If a child has not started at the provision or has not returned to the provision after a period of absence by the headcount date, the child must not be entered on the claim form.

If a child has left the provision before the headcount date, for example; has attended the provision prior to a staggered entry into school, then the child can be added to the claim form for that short period of attendance. The start and end date columns on the claim form must be completed.

### **After the headcount date: the parent has removed the child from the provision**

If a child leaves the provision before the term ends, the provider must download and complete the FEE adjustment form. This form must be sent through the secure website. [adjustment form](#) (see section 8 - contact details).

### **After the headcount date: the parent has changed childcare providers**

If a child moves from one provider (where they currently receive FEE) to another provider after the headcount date, both providers must submit an adjustment form. Adjustments will be made to both providers' funding.

### **After the headcount date: the parent has changed providers from another local authority**

If a child moves from another local authority to a provider in Barnet after the headcount date, the provider in Barnet must submit an adjustment form in order to receive the FEE funding.

### **Submitting adjustment forms**

Completed adjustments forms must be returned using encrypt and send email to the Schools Funding team. Once the claim form is checked, the adjustment will be included in the following term's payment and funding schedule.

Adjustment forms **must** be submitted within four weeks of a child starting or leaving a provision. Adjustment forms received after four weeks may result in non-payment of the FEE funding.

For any child starting after the headcount date, a payment will only be made for the remainder of the weeks left in the providers claim period, for example; if a provider has claimed for 14 weeks in term one, and a new child starts in week seven, a maximum of seven weeks can be claimed for that child (even if they will be attending for a longer period).

### **Children attending more than one provision and claiming the FEE**

The FEE funding can be split between two providers providing both providers agree to the arrangement and the total hours of both claims does not exceed more than 570 hours per annum.

A parental contract must be completed at each provision and must clearly state the days and hours that will be claimed. The parental contract must be signed and dated by the parent (see Appendix B - example of a parental contract for the free entitlement to early education in Barnet). The parental contract is retained by the provision.

Where a child is found to be attending more than one provision and claiming more than 570 hours per annum, both providers will be contacted to ensure a parental contract has been completed, signed and dated by the parent and that the provider is aware that the FEE funding has been split between two providers. If only one provision has a parental contract in place this provider will receive the FEE funding. If no parental contract is in place, parents may be consulted to reach a mutual agreement in respect of the hours of attendance at both provisions.

The decision to apportion the amount of funding to one or both providers is retained by Barnet Council who will make the final decision where no mutual agreement can be reached.

### **Children attending a specialist unit or school**

Where a child is accessing a place at a special school or specialist unit for up to 570 hours per annum, this will be deemed to be the FEE. The specialist placement will take priority for FEE funding and the number of hours being accessed. Where the full entitlement hours are not being accessed, any remaining hours can be claimed by a second provider.

## **5.8 Information sharing and data security for two three and four year olds**

Barnet Council has a responsibility to ensure that all personal data is transferred securely. Any personal data sent to Barnet Council outside of encrypt and send email will be deleted immediately by the recipient – the sender will be notified that this action has been taken. Providers must be aware of the Data Protection Act 1998 and their responsibility for the information they hold. It is important to ensure that the information being shared on the claim form is transported securely by taking all practical safety measures available.



## **5.9 Checking claim forms for two three and four year olds**

Barnet Council enters all the claims from the providers into a single database. Checks are carried out to ensure that no child claims more than 570 hours per annum of FEE at one or more providers. If duplicate claims are found, Barnet Council will contact the providers in question. Barnet Council cross references all claims made in respect of the FEE.

## **5.10 Change of ownership of the childcare business**

All providers receiving FEE funding must contact Lyn Gallacher if they are planning to sell their childcare business. The new owner will not automatically receive FEE funding. A new provider contract will need to be completed with the new owner.

## **5.11 Birth certificate and confirmation of home address**

Providers must have sight of every child's birth certificate and record that this has been seen to verify the child's age and is eligible to claim the FEE for children aged two, three or four years old (as good practice providers should ask parents if a copy can be taken and held by the provision).

Providers must also ask for confirmation of each child's home address, for example a utility bill (these should not be older than three months.) Where a provider conducts home visits, additional proof of the child's home address is not required.

## **5.12 Absences**

Barnet Council will fund the FEE for up to a maximum of two weeks absence per term, for example if a child is sick and is unable to attend the provision. Providers must make parents aware that absences will not automatically be funded.

Providers will not be penalised for short-term absences through the withdrawal of funding. Where there is any type of absence, for any length of period, providers must discuss the absence with the child's parents/carers. The information gathered from these discussions will be used to consider if the FEE2 or FEE 3 and 4 funding should continue to be paid or the funding withdrawn.

Where the FEE is withdrawn for an extended absence, the parent will be liable to cover the childcare costs for the absence period.

### **a) Holidays**

If a parent is planning to take their child who is claiming the FEE funding for a planned holiday for more than two weeks during the claim period, the provider must contact the Childcare Business Team (see section 8 - contact details). The officer will advise the provider as to the appropriate course of action. The decision may result in the non-payment of the FEE funding for the holiday period. Providers must inform parents that funding for holidays is not an automatic entitlement and FEE2/FEE 3 and 4 funding can be withdrawn for extended absences.

### **b) Sickness and other absences**

Where a child is absent due to sickness or circumstances beyond the parents control for more than two weeks or where there are frequent bouts of sickness resulting in absence (equalling two weeks or more), the provider must notify the Childcare Business Team (see section 8 contact details). The officer will advise the provider as to the appropriate course of action taking into account the reason for the absence and the impact on the provider.

### **5.13 Bank holidays**

The FEE funding allows for providers to claim for the bank holidays during the FEE2/FEE 3 and 4 claim year, where the bank holiday falls within the period claimed for.

### **5.14 Emergency or unplanned closure**

Where a provider has to close their provision in the case of an emergency or situation beyond their control, for example adverse weather conditions (snow), flooding, power failure. The provider must contact the Childcare Business Team (see section 8 contact details) as soon as practical after the closure. The officer will advise the provider about the FEE2/FEE 3 and 4 funding.

### **5.15 Closure for training days**

Barnet Council has a duty to secure FEE places offering 570 hours a year over no fewer than 38 weeks of the year for every child until the child reaches compulsory school age (the beginning of the term following their fifth birthday).

The FEE for two three and four year olds does not allow for a provision to use any part of these free hours for training. A provider who closes for training must not use any part of the FEE hours.

Training needs of a provision should be discussed with the early year's teams that support all childcare providers. Funding will not be paid in respect of providers who choose to close their provision for training purposes.

## 6 Monitoring the FEE payments

### 6.1 Audit checks

Barnet Council has a duty to ensure that there is clear accountability of anyone in receipt of public funding. Barnet Council will, depending on the perceived risk to the local authority, request from the provider information to ascertain if the funding has been used for the purposes it was provided, it may include for example an audit of the provider accounts and supporting documentation.

An officer from the Childcare Business team will audit a small number of providers every term. The officer will arrive at a provision unannounced and audit the FEE.

The purpose of the visit is to:

- monitor the accuracy of the claims by checking the daily attendance register against the FEE claim form submitted by the provider
- highlight any discrepancies found in the daily attendance register and make appropriate recommendations
- ensure the requirements of the DfE ‘ **Early education and childcare Statutory Guidance for local authorities** (September 2014) ’ and to the ‘ **Barnet Council handbook for the free early education**’ (September 2014) are being adhered to
- check a sample of the children’s date of birth recorded on the claim form against the register and copies of birth certificates (where available) to ensure that children are eligible to claim the FEE for two three and four year olds
- check a sample of invoices provided to parents to ensure that parents are not charged for any hours for which the provider already receives funding from Barnet Council.

During the visit the officer will:

- compile a electronic report of the findings and record an outcome of the visit alongside any recommendations
- identify any adjustments that must be notified to either the Brokerage Officer for FEE2 or the Schools Funding team for FEE 3 and 4 year olds (adjustment forms can be downloaded at [adjustment form](#))
- send an electronic copy of the report to the provider
- support the provision with any issues that are raised during the audit visit.

During the visit the provider must:

- supply copies of the daily attendance register or other documents in which children’s arrival and leaving times are recorded
- supply sample copies of invoices given to parents to ensure that parents can clearly see that they have received their child’s FEE hours and they have not been charged for any hours for which the provider already receives funding
- co-operate fully with the officer from the Childcare Business Team
- assign a lead person for the provision who will be asked to read the findings of the report.

Where there are discrepancies found the provider may be:

- required to repay any over payment
- referred to the Head of Early Years, at Barnet Council for further investigation
- refused future FEE funding.

The officer may take away copies of the entries made in the daily attendance register of children who are receiving the FEE2/FEE 3 and 4.

## **6.2 After the visit**

The officer from the Childcare Business Team may contact parents whose children are attending a provision where the FEE is claimed, to confirm their child's attendance; the number of hours accessed and that they have received their child's FEE completely free of charge.

The officer from the Childcare Business Team may contact other teams within the council with any findings from the unannounced visit.

The officer from the Childcare Business Team will contact the Brokerage Officer for the FEE2 or the Schools Funding team after the audit visit with any funding discrepancies that requires an adjustment form to be completed by the provider.

For further information about the auditing process, please contact Lyn Gallacher (see section 8 contact details).

## 7. Withdrawal and refusal of FEE funding

Barnet Council is required by the 'Early education and childcare Statutory guidance for local authorities' (September 2014) to ensure:

- early education places are delivered completely free of charge to parents
- early education places are provided flexibly in a pattern which meets the needs of parents
- that funding provided is used properly and in accordance with any arrangements made with providers
- that providers actively promote fundamental British values and not promote views or theories as fact which are contrary to established scientific or historical evidence and explanations
- that the provider meets the needs of disabled children and children with SEN
- that providers keep children safe.

Barnet Council will withdraw or refuse FEE funding where there are reasonable grounds to believe that a provider is unable to meet the above requirements.

Barnet Council will give the provider a written explanation of the decision to withdraw or refuse FEE funding.

### 7.1 Considering a complaint?

There is a complaints process for providers whose funding has been withdrawn or refused. Childcare providers who wish to appeal the decision to withdraw or refuse FEE funding should put their complaint in writing to the Childcare Business Team (see contact details point 9).

It is at the discretion of the Childcare Business Team whether to consider to investigate the complaint made with regards to withdrawal or refusal of FEE funding.

The following factors will be considered upon receipt of a complaint:

- **source** – the relationship between the person making the complaint and the childcare provider, is it a single complaint or have several been made together.
- **substance** – how well evidenced is the complaint, is the complaint specific or based on hearsay or rumour
- **severity** – the severity of the complaint will be a critical factor in determining appropriate steps.

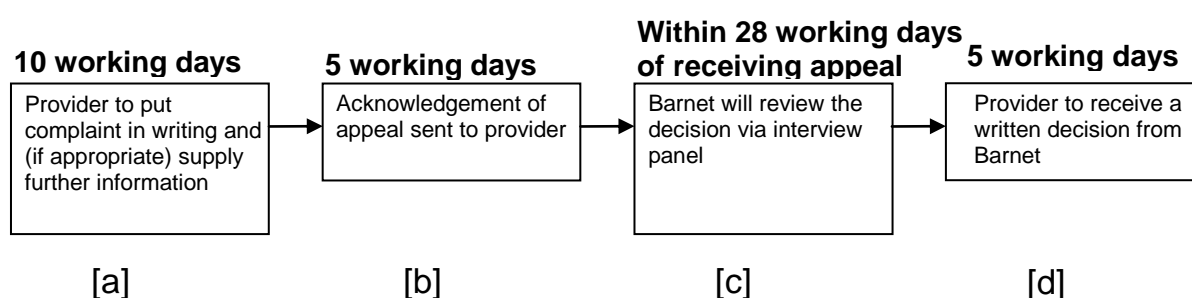
The Childcare Business Team will contact the provider directly when a complaint is received to try to resolve the matter to reach a satisfactory outcome.

## 8. Complaints procedure - withdrawal or refusal of FEE funding

The Childcare Business team has a complaints process for providers who are refused funding to deliver FEE places or funding is withdrawn.

The complaints process is:

- the provider to send in writing (within 10 working days of decision) reasons for the complaint and (where appropriate) documentation in support of the challenge to the decision. Barnet Council will not withdraw the FEE funding while an appeal is pending
- Barnet Council will send a letter in acknowledgement of the complaint to the provider within five working days
- a panel of three Barnet Council officers, (independent to the appeal) will review the original decision (through a panel interview) using supporting documentation (where appropriate) within 28 working days of receiving the complaint
- within five working days of the panel's decision, the provider will receive a copy of the written decision from Barnet Council.



### 8.1 Barnet Council's complaint procedure

Barnet Council has a Children's Service complaints process. This process is to be able to make a complaint, about a service, team or a particular member of staff who is employed directly by Barnet Council. This process does not cover complaints about external childcare providers (please see process above).

Barnet Council take feedback about our services seriously. We will use your feedback to help improve the services that we provide so we can learn from it.

Barnet Council complaints can be sent via email to:

[childrens.service.complaints@barnet.gov.uk](mailto:childrens.service.complaints@barnet.gov.uk) or via telephone at 020 8359 7008.

### 8.2 Local Government Ombudsman (LGO)

If you still remain dissatisfied after completing the councils complaints procedure the next stage is with the LGO requesting a review of the decision. You will usually need to complete all stages before the LGO will look at your complaint.

The LGO looks at complaints about councils and some other authorities in a fair and independent way and is a free service.

Contact details: The Local Government Ombudsman Po Box 4771 Coventry, CV4 0EH	Local Government advice team tel: 0300 061 0614 (advice line) web: <a href="http://www.lgo.org.uk">www.lgo.org.uk</a>
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## 9. Contact details

### **Barnet FYi**

tel: 0800 389 8312  
text: 07781 480 070  
email: [fyi@barnet.gov.uk](mailto:fyi@barnet.gov.uk)  
web: [www.barnet.gov.uk/fyi](http://www.barnet.gov.uk/fyi)

### **Schools Funding team**

tel: 020 8359 7377/ 020 8359 7378  
email: [schoolfunding@barnet.gov.uk](mailto:schoolfunding@barnet.gov.uk)  
web: [www.barnet.gov.uk/school-funding](http://www.barnet.gov.uk/school-funding)

### **Kirsty Reed**

Manager Early Years Service  
tel: 020 8359 7520  
email: [kirsty.reed@barnet.gov.uk](mailto:kirsty.reed@barnet.gov.uk)

### **Early Years Standards Team**

tel: 020 8359 6317

### **Julie Paice**

Senior Childminding Co-ordinator  
Early Years Service  
tel: 020 8359 7611  
email: [julie.paice@barnet.gov.uk](mailto:julie.paice@barnet.gov.uk)

### **Amita Clements**

Early Years Service  
tel: 020 8359 7265  
email: [amita.clements@barnet.gov.uk](mailto:amita.clements@barnet.gov.uk)

### **Jane Elliott**

Research and Performance Officer  
Performance and Data Management Team  
tel: 020 8359 7621  
email: [jane.elliott@barnet.gov.uk](mailto:jane.elliott@barnet.gov.uk)

### **Lyn Gallacher**

Registration Support Officer  
Early Years Service  
tel: 020 8359 7619  
email: [lyn.gallacher@barnet.gov.uk](mailto:lyn.gallacher@barnet.gov.uk)

### **Rakhi Bose**

Brokerage Officer  
Early Years Service  
tel: 020 8359 7876  
email: [rakhi.bose@barnet.gov.uk](mailto:rakhi.bose@barnet.gov.uk)

### **Hilary Solomon**

Team Leader  
Pre-school Inclusion Team  
tel: 020 8359 7612  
email: [hilary.solomon@barnet.gov.uk](mailto:hilary.solomon@barnet.gov.uk)

All based at the following address:  
London Barnet of Barnet  
North London Business Park  
Building 4, Oakleigh Road South  
London N11 1NP

### **Barnet Pre-school Learning Alliance**

Building 3, North London Business Park  
Oakleigh Road South  
N11 1GN  
tel: 0208 440 3251 (office)  
07947 615 994 (mobile)

## **10. Variation**

Barnet Council reserves the right to vary the terms and conditions contained within the handbook from time to time. In the event of any variation Barnet Council will re-issue copies of the revised terms and conditions