**Early Education Funding Entitlement for 2, 3- and 4-year-olds**

Coventry Childcare Memorandum of Understanding for

Maintained, Voluntary Aided / Controlled Schools

1st September 2023 – 31st August 2024

|  |  |  |
| --- | --- | --- |
| **Section** | **CONTENTS** | **Page No** |
|  |  Recitals | 2 |
| 1 |  Local Authority Statutory Responsibilities | 2 |
| 2 |  Maintained and Voluntary Aided / Controlled School Responsibilities  | 2 |
| 3 |  Coventry Schools and Early Years Portal and Schools Information Management Systems | 3 |
| 4 |  Safeguarding | 4 |
| 5 |  Eligibility | 4 |
| 6 |  The Grace Period (applies to extended entitlement only) | 5 |
| 7 | Post Census Claims for 3-and-4-year-old Funding (PCH34) | 5 |
| 8 |  Flexibility | 6 |
| 9 |  Partnership working | 6 |
| 10 |  Special Education Needs and Disabilities | 6 |
| 11 |  Social mobility and Disadvantage | 7 |
| 12 |  Quality | 7 |
| 13 |  Charging | 7 |
| 14 |  Funding | 8 |
| 15 |  Funding periods | 8 |
| 16 |  Compliance and Document Retention | 9 |
| 17 |  Complaint’s Process | 10 |
| 18 |  Freedom of Information | 10 |
| 19 |  Data Protection Information | 10 |

**RECITALS**

Coventry City Council (“The Local Authority” or “LA”) is committed to the delivery of high-quality funded entitlement places through supporting and monitoring provision in the city of Coventry.

This memorandum sets out the terms and conditions for the provision of funded entitlement places in Coventry’s Maintained, Voluntary Aided/ Controlled schools which include; the 15-hour entitlement for 2-year-olds, the 15-hour entitlement for parents of 3-and-4-year-olds (known as the “Universal Entitlement”) and the additional 15-hours entitlement for working parents of 3-and-4-year-olds (known as the ‘Extended’ or ‘30 Hours’ Entitlement). In addition, these terms and conditions also apply to Disability Access Funding (DAF) and Early Years Pupil Premium (EYPP).

This Agreement shall come into effect on the **1st of September 2023** and continue to be in force until **31st August 2024.**

**1.Local Authority Statutory Responsibilities**

The Local Authority will:

1. Endeavour to secure a funded entitlement place for every eligible child in the area.
2. Work in partnership to agree how to deliver funded entitlement places.
3. Be clear about their role and the support on offer locally to meet the needs of children with special educational needs and/or disabilities (SEND) as well as their expectations of schools.
4. Contribute to the safeguarding and wellbeing of children and young people in the city of Coventry.
5. Provide a validity checking service to enable maintained schools to verify the extended entitlement (30 hours) eligibility code. The Eligibility Checking Service (ECS) allows all local authorities to check the validity of all codes

**2. Maintained and Voluntary Aided / Controlled School Responsibilities**

Maintained and Voluntary Aided / Controlled Schools must:

1. Comply with all relevant legislation and insurance requirements.
2. Communicate and be clear with parents about the days and times that they offer funded places and be transparent about any other additional charges.
3. Agree a set pattern of attendance with parents, prior to children starting their place.
4. Complete the annual ‘[Early Years Parent Funding Agreement 1 September 2023 - 31 August 2024](https://www.coventry.gov.uk/downloads/file/33121/parent_and_carer_agreement_1_september_2021_-_31_august_2022_word)[(Word)](https://www.coventry.gov.uk/downloads/file/33121/early-years-parent-funding-agreement-1-september-2023-31-august-2024-word-) for each child, prior to the child starting a funded place and update the ‘attendance patterns’ section of the document on a termly basis, to ensure accurate funding is paid to the school, by the LA.
5. Ensure parents identify the provider who will be delivering the Universal Entitlement and / or the extended entitlement and to identify where a parent is using 2 or more different providers to access their funding entitlement, on the Parent Funding Agreement.
6. Ensure any changes to the Parent Funding Agreement are clearly recorded, signed and dated by both parties.
7. Provide to parents a copy of the completed Parent Funding Agreement.
8. The completed Parent Funding Agreement should be retained, by the school, for a period of at **least 18 months for audit purposes**.
9. Notify the Local Authority if a parent withdraws consent to share personal data with the Local Authority. Where a parent withdraws such consent, the child will no longer be eligible to receive a funded place.
10. Not attach any conditions, regarding a child’s level of attendance, to the funded entitlement place. Where the child’s level of attendance is poor the school must provide support to the family, in order to help increase the child’s attendance levels.

**Please note:**

**School attendance data is not affected by the uptake of early education entitlement places.**

**3. Coventry Schools and Early Years Portal and Schools Information Management System (SIMS)**

The LA will provide schools with access to the Coventry Schools and Early Years Portal. The LA will offer reasonable support to schools in using the Portal.

**Maintained and Voluntary Aided / Controlled schools must:**

1. Submit within the LA provided timescales all relevant information to the Coventry Schools and Early Years Portal (by reference to the online Provider Portal Guidance) and the early years Business and Data Teams, as directed by the LA. Failure to do so, will result in an administration charge, payable by the school. Such sum will be demanded by the Council and paid to the Council by the school within 30 days of such demand.
2. The school must submit within the LA provided timescales all relevant information to the SIMS.
3. Input the 2-year funded or extended entitlement code/s onto the Coventry Schools and Early Years Portal to ensure validity of the code. *The extended entitlement code is a unique 11-digit code. The code for a funded two-year old will begin with ‘TY’.*
4. Not offer a 30-hour funded (Extended entitlement) place to a child whose code, on admittance to the school, shows as being in a ‘Grace Period’. A child will enter the Grace Period when the child’s parents cease to meet the eligibility criteria set out in the Childcare (Early Years Provision Free of charge) (Extended entitlement) Regulations 2016, as determined by Her Majesty's Revenue and Customs (HMRC) or a First Tier Tribunal in the case of an appeal. In this instance, the parent would need to reconfirm their code to take up a new place. If eligible at re-confirmation the 30-hour place would then be valid at the beginning of the next school term, following the application date.  *E.g. A parent obtaining a code after the 31st August, 31 December or 31st March would have to wait until the start of the next term to access the extended hours place. They would however be able to continue to access the 15-hour Universal Entitlement until that time.*
5. Ensure parental consent is obtained before submitting any child information onto the Coventry Schools and Early Years Portal or any relevant school portal, by asking parents to fully complete and sign the annual Parent Funding Agreement. This will ensure schools are meeting UK GDPR and Data Protection requirements.
6. Where a Parent withdraws consent from the school to share funding information with the Council, the child will no longer be eligible to access a Funded Entitlement Place.
7. Where the school requests an adjustment to information submitted as part of the termly census (in respect of paragraph 1 of subheading “Coventry Schools and Early Years Portal and Schools Information Management System (SIMS)”) above), to claim for an increased amount of funding, the LA will be unable to adjust the funding claim, after the expiry of 2 weeks or more following the budget share update statement.

**4.Safeguarding**

* 1. The LA has overarching responsibility for safeguarding and promoting the welfare of all children and young people in the City of Coventry. They have statutory functions under the 1989 and 2004 Children’s Acts which makes this clear, of which ‘Working together to Safeguard Children’ 2018 provides explanatory guidance.
	2. The school must follow the Early Years Foundation Stage (EYFS) statutory framework and have clear safeguarding policies and procedures in place that are in line with local guidance and procedures for responding to and reporting concerns or actual abuse and neglect. A lead practitioner must take responsibility for safeguarding and all staff must have training to identify signs of abuse and neglect. The school must have regard to ‘Working together to Safeguard Children’ 2018 guidance when discharging its safeguarding obligations.

**5. Eligibility**

Maintained and Voluntary Aided / Controlled schools must:

1. Check original copies of identity documentation to confirm a child has reached the eligible age for relevant funded entitlement. The school must make references to the checked documents and record this on the annual Parent Funding Agreement, to enable the Council to carry out audits to ensure compliance with the terms and conditions of early education entitlement (funded) places and fraud investigations.
2. Ensure the validity of a code ***prior*** to offering any child a start date for an early education entitlement place. *The extended entitlement code is a unique 11-digit code. The code for a funded two-year old will begin with ‘TY’.*
3. Input relevant codes onto the Coventry Schools and Early Years Portal where they will be validated by the LA. The school will be able to view whether the code is valid via the Coventry School and Early Years. The LA are unable to fund any child whose code has not been validated.
4. Check the ‘***eligibility from’*** date. This is because eligibility always commences the school term *following* the date of the parent’s application.
5. Where applicable, offer places to eligible 2-year-olds on the understanding that the child remains eligible until they take up the universal entitlement for 3-and-4-year-olds.
6. Note that; children registered to attend a state funded reception class place, **are not** entitled to any additional funded hours outside the school reception place.

**6. The Grace Period (applies to extended entitlement only)**

Parents must re-confirm their eligibility to claim the extended entitlement (30-hours) funding, every 3 months. If a Parent does not reconfirm the code, within the appropriate timescale or are no longer eligible they may continue to claim funding, **with their current school**, until the end of the term in which the re-confirmation took place. This is known as the ‘Grace Period’.

1. A child will enter the Grace Period when the child’s parents cease to meet the eligibility criteria. (See Table A below)
2. A child who is new to the school or who is taking up a 30-hour extended entitlement place for the first time, **cannot be offered a 30-hour place** if the code provided is in a Grace Period. The Parent would need to reapply, and the place would then be able to start from the beginning of the following school term. The child would, however, be able to access the universal 15 hours until this time.
3. The school must explain to the parent that if their eligibility for the extended entitlement is withdrawn, following the Grace Period; funding will only remain in place for the Universal (15-hours) Entitlement.

Table A

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

*For more information about the ‘Grace Period’ contact an Early Years LA Officer*

1. **Post Census/Headcount Claims for 3-and-4-year-olds (PCH34)**

8.1The school must comply with the Council’s PCH34 process, prior to offering a child a Funded Entitlement Place.

8.2 The school must ensure that the child meets the 3-and-4-year -old criteria for taking up a place after the termly census date.

8.3. The school must seek approval from the Council prior to commencing the child’s Funded Entitlement Place and before entering the child’s information onto the Coventry Schools and Early Years Portal

1. **Flexibility**

Maintained and Voluntary Aided / Controlled schools:

1. Can offer flexible packages of funded hours, subject to the following standards, which enable children to access regular, high-quality provision, whilst maximising flexibility for parents and ensuring a degree of suitability for schools.
* No session to be longer than 10 hours.
* No minimum session length (subject to the requirements of registration on the Ofsted Early Years Register).
* Not before 6.00 am or after 8.00 pm.
* Sessions can take place on any day of the week, including Saturday and Sunday.
* A maximum of two sites in a single day.
* Meet the quality requirements as set out in regulations and in the statutory guidance.
* No artificial breaks. Children should be able to take up their free hours in continuous blocks, for example over the lunch period. For children accessing funded provision before and after lunch, the lunch period should form part of the core funding hours.

Providers must ensure that parents are aware that places can be delivered as set out below but understand that the schools and other childcare providers are not obligated to offer it in this way:

* Across 52 weeks of the year if the parent is stretching their child’s entitlement
* Outside of maintained school term times
* At weekends

Providers must ensure that staff ratio and qualification requirements are maintained, including over the lunch period.

**9. Partnership Working**

Maintained and Voluntary Aided / Controlled schools will:

1. Work in partnership with parents and other childcare providers to improve provision and outcomes for children in their school.

**10.Special Educational Needs and Disabilities**

1. The LA must 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 Special Educational Needs and Disability code of practice: 0 to 25 years (January 2015).
2. The school must ensure all staff members are aware of their duties in relation to the SEND Code of Practice and Equality Act 2010.
3. The LA must be clear and transparent about the support on offer in their area, through their Local Offer, so parents and the school can access that support.
4. The school will be clear and transparent about the SEND support on offer and make information available about their offer to inform parents.

**11. Social Mobility and Disadvantage**

Maintained and Voluntary Aided / Controlled schools will:

1. Ensure that they have identified children who meet the disadvantaged criteria as part of the process for checking Early Years Pupil Premium (EYPP) eligibility.
2. Use EYPP and any other locally available funding streams or support to improve outcomes for children.
3. Have a policy in place which sets out the process to be followed where parents are unable to pay for additional items such as meals, consumables, trips etc., The policy should include options such as waiving or reducing the cost of meals and snacks and/or allowing parents to supply their own meal. Schools should be particularly mindful of the impact of additional charges on the most disadvantaged parents.

**12.Quality**

Maintained and Voluntary Aided / Controlled schools will:

1. Comply with the requirements for EYFS statutory framework to ensure that children learn and develop well and are kept healthy and safe.
2. Participate in the ‘Causing Concern Process’ if they are judged, as less than good, by Ofsted.

**13.Charging**

Maintained and Voluntary Aided / Controlled schools:

1. May charge for meals and snacks for those pupils attending a funded entitlement place and can also charge for consumables such as nappies, sun cream or for services such as trips and music tuition. Parents should therefore expect to pay for these, although these charges ***must be optional*** for the parent. Where parents are unable or unwilling to pay for meals and consumables, schools who choose to offer funded entitlement places are responsible for setting their own policy on how to respond.
2. Can charge parents a deposit to secure a child’s funded place but should refund the deposit, in full, to parents by the end of the first funding term in which the school has successfully claimed funding for the child.
3. Will not charge a deposit to the parent of a child taking up a funded place for an eligible 2-year-old.
4. Cannot charge parents “top-up” fees (this is the difference between a schools’ usual fee and the funding they receive from the Council to deliver funded places).
5. Must ensure invoices and receipts are clear, transparent, and itemised, allowing parents to see that they have received their funded entitlement hours completely free of charge and understand fees paid for additional hours and / or services. This information should be easily reconcilable with the schools published fee information. Invoices should clearly show the number of funded hours taken in the invoice period. The funded entitlement must not be represented to parents as a monetary value. The school will also ensure that invoices contain their full details so that they can be uniquely identified as a specific school.

The school is not required to prepare an invoice for children who access funded hours only and do not pay for additional hours or services.

**14. Funding**

1. Government funding is intended to cover the cost of delivering 15 or 30 hours a week of high quality, flexible childcare. It is not intended to cover the cost of meals, consumables, additional hours, or additional services.
2. Where a child moves to another provider, after the termly census date, the school is entitled to keep the early years funding for the remainder of the term in which the child was moved. The school ***may*** be willing to share the funding with the new early year’s provider, but there is no requirementto do so. If they choose not to share the early years funding, this may result in the parent being chargedfor any early year’s provision that they access with the new provider, for the remainder of the relevant funding period.
3. If the child is Looked After by a Local Authority, the school **must** transfer the remaining funded weeks, to the new provider.
4. Where a child moves to another provider **before** the headcount date, the school will not be able to claim any funding for this child. This may result in the parent being charged for sessions that the child accessed before leaving the school.
5. The LA will provide early education funding for 2-, 3- and 4-year-olds at an hourly rate of
* **£5.55 for eligible 2-year-olds**
* **£4.43 for 3- and 4-year-olds**. In addition to this a **deprivation supplement of £1.33** will be made available for eligible children.
1. The LA will pay Disability Access Fund (DAF) in respect to eligible children.
2. The LA shall pay the Early Years Pupil Premium (EYPP) in respect of their disadvantaged

3- and 4-year-old children.

1. Rates and eligibility criteria are subject to change each financial year and be found on the Early Years and Childcare Website page ~[Early Years Providers 2, 3 and 4 year old Early Education funding – Coventry City Council](https://www.coventry.gov.uk/early-years-childcare/early-years-pvi-providers-2-3-4-year-old-early-education-funding)
2. Schools should notify the Early Years Business, Sufficiency, Funding & Safeguarding team as soon as possible, if a child is due to be absent for more than 4 weeks or is absent during census week, for reasons such as holiday or sickness. Failure to do so may result in the census claim being deemed ‘not legitimate’

**15. Funding Periods**

Sometimes referred to as funding terms, these are closely in line with the school term dates but arenot exactly the same. Schools are given a maximum number of hours and weeks within each funding period and must agree with parents how these are offered and accessed.

* Autumn is between 1st September and 31st December
* Spring is between 1st January and 31st March
* Summer is between 1st April and 31st August

A child will be **eligible** for a funded entitlement place from the start of the term after their

2nd or 3rd birthday.

|  |  |
| --- | --- |
| **Eligible** children born in the period 1 January to 31 March: | Can access a place from 1 April **following** their 2nd or 3rd birthday  |
| **Eligible** children born in the period 1 April to 31 August: | Can access a place from 1 September **following**their 2nd or 3rd birthday |
| **Eligible** children born in the period 1 September to 3 December: | Can access a place from 1 January **following** their 2nd or 3rd birthday |

**16. Compliance and Document Retention**

A compliance audit may be instigated by random selection or when the LA has received a complaint or concern in relation to how entitlement funding has been administered.

1. Early Years’ Officers may carry out monitoring checks and/or audits to ensure compliance with the statutory requirements of delivering early education entitlement places. School must provide reasonable assistance as required as part of this process.

Schools will retain and hold for a period of **18 months** the following documents:

* Completed Funding Agreements *(pre-2022-2023, known as Parent and Carer Agreements)*
* Pupil attendance records
* Nursery admissions policy
* Invoices which clearly show:
* The schools name, address, email and telephone details.
* Details of the parent and child for whom the invoice has been generated.
* Invoice period date and invoice number.
* Total number of funded hours and weeks allocated for the term.
* The number of funded hours allocated in the invoice period. This must be shown in hours and not in monetary terms.
* The number and cost of any ‘privately paid for’ hours.
* The cost of any voluntary consumables, services, trips or additional activity charges that the parent has agreed to purchase.
* The cost of any meals and snacks the parent has voluntarily, agreed to purchase.

No invoices are required, where a parent does not access additional paid hours or purchase services, activities, meals, snacks and/or consumables.

1. Should the LA find that an overpayment of early education entitlement funding has been made, the LA will inform the school of such findings and an adjustment will be made to the relevant terms budget share and /or payment, to recoup this amount.
2. Following a Compliance Audit, Early Years’ Officers will set out recommendations in writing, which state what action must be undertaken to become compliant. Timescales will be included.
3. The LA will not carry out audit regimes which are disproportionate or are unnecessarily burdensome to schools.

**17. Complaint’s Process**

1. Where the parent is not satisfied that their child has received their funded entitlement place in accordance with the legislation or as set out in these terms and conditions, in the first instance they must discuss their concerns with the school and follow the schools’ complaints policy. If the parent feels that the complaint has not been addressed fully, through the schools complaints procedure, the parent will be advised by the school to complete the online Parent’s Early Years Funding Concerns form on the Coventry Early Years and Childcare website: <https://www.coventry.gov.uk/early-years-childcare/free-early-education-childcare-2-3-4-year-olds/8>

**18. Freedom of Information**

1. The school acknowledges that the LA has a legal responsibility to make information available under the Freedom of Information Act 2000 (“the Act”).
2. The school shall give reasonable assistance to the LA to comply with the Act.
3. The school shall supply all such information and records (together with reasonable assistance to locate the same) which are needed by the LA to comply with its obligations under the Act.
4. The LA shall have the discretion to disclose any information which is subject of this Agreement to any person who makes a request under the Act and which in the opinion of the LA, it must disclose to discharge its responsibilities under the Act.
5. When exercising its right under sub-clause 3 above, the LA shall consult the school and may take account of any reasonable suggestions made.
6. The LA shall not be responsible for any loss, damage, harm, or detriment, however caused, arising from disclosure of information relating to this Agreement under the Act.

**19. Data Protection Information**

PLEASE READ CAREFULLY

* Information kept about children (in any medium) is regarded as personal data. Data must be managed in accordance with the requirements of the Data Protection Act 2018 and UK GDPR. Staff with access to personal data should be made aware of their responsibilities under the Act.
* For the purposes of the Data Protection Act 2018, the LA is a data controller, and the school is also a separate data controller.
* Organisations that process personal data must be registered with the Information Commissioners Office (ICO) as a Data Controller / Processor. The website [www.ico.gov.uk](http://www.ico.gov.uk) gives further information about data protection. The school will share children’s personal data with the LA. Therefore parents must be made aware of this when joining the school and providing information. This can be through use of the Privacy Summary with link to the Privacy Notice. Consent for the sharing of information relating to children must be explicitly sought and a parental signature obtained at the point of the child’s admission.
* The details provided by the school will only be used to ensure compliance with the funding claim procedures. We must protect the public funds we handle and so we may use the information you provide to prevent and detect fraud. We may also share the information, for the same purpose, with the Department of Education who handle public funds.
* A copy of this information has been made and will be stored securely in compliance with the Data Protection Act 2018 / UK GDPR.

These terms and conditions are informed by the following documents:

Early Education and Childcare Statutory Guidance April 2023

Early Years Entitlements: Operational Guidance for Local Authorities and Providers 2018

Additionally, Coventry’s Childcare Provider Handbook for EEF