

Provider Agreement

Early Years Funding for 2, 3 & 4-year olds

Table of Contents

Section 1: Overview	4
Who is this agreement for?	4
Supplementary Provisions	5
Legal framework and statutory guidance	5
Section 2: Provider agreement requirements	6
Key local authority responsibilities	6
Key provider responsibilities	6
Social Inclusion.....	8
Date of Birth Eligibility	10
Two-Year-Old Funding	11
Early Years Pupil Premium	11
Charging Parents.....	12
Notice Periods	13
Section 3: The Extended Entitlement	14
<i>Table A: The Grace Period</i>	<i>15</i>
The Grace Period	15
Section 4: Flexibility	17
Over claims.....	19
<i>Table B: Hours that can be claimed each funding period</i>	<i>19</i>
Cross border checks.....	19
Partnership working.....	20
Section 5: Business Planning - claiming funding	21
<i>Table C: Funding Periods within the academic year</i>	<i>21</i>
Section 6: Payments from Devon County Council	24
Early Years Pupil Premium Payments	26
Section 7: Attendance	26
Section 8: Compliance	27
Section 9: Termination and withdrawal of funding	28
Section 10: Appeals Process	30
Section 11: Complaints Process	30
Annex A: Funding rates	32
Annex B: Provider Agreement Form	33
Annex C: Template Parent Declaration Form	36
Annex D: Frequently Asked Questions - Egress	40
Annex E: Disability Access Fund Declaration Form	41
Annex F: ECONOMIC: Early Years Pupil Premium Declaration Form	43

Annex G: NON- ECONOMIC: Early Years Pupil Premium Declaration Form	46
Annex H: Early Years and Childcare Service Charging Policy .	49

Section1: Overview

1.1 The Department for Education (DFE) requires Devon County Council to have a Provider Agreement.

1.2 This agreement applies to the:

- 15-hour entitlement for the most disadvantaged two-year-olds
- 15-hour universal entitlement for all parents of three- and four-year-olds
- 30-hour extended entitlement for working parents of three- and four-year-olds
- Early Years Pupil Premium
- Disability Access Funding

All Devon providers, that want to be funded (for rates see [Annex A](#)), must complete and return the online Provider Agreement form ([Annex B](#)) to signify that they agree to the requirements set out in this Provider Agreement.

All new providers will be asked to complete the Provider Agreement form before they can be entered onto Devon's Directory of Providers.

1.3 This document does not provide guidance on how providers operate their private businesses; including charges for provision over and above a child's funded hours. This could include opening and closing times, staff numbers, capacity for each room and age group and how sessions are offered within a day.

1.4 This agreement will be kept under review and updated as necessary. Providers will be notified of changes through the Provider Portal, Digest, Face Book page and Twitter.

Who is this agreement for?

1.5 This agreement is for Early Years Providers who are referred to in this document as 'providers' and include:

- Early years groups and childminders registered on the Ofsted Early Years Register
- Childminders registered with a childminder agency that is registered with Ofsted
- Independent Schools and Academies taking children age two and over and which are exempt from registration with Ofsted as an early years provider.
- Maintained schools taking children age two and over which are exempt from registration with Ofsted as an early years provider.

1.6 The **Parent Declaration Form** template ([Annex C](#)) is for:

- All providers, as set out above and
- Parents

Supplementary Provisions

- 1.10 Devon County Council reserves the right to unilaterally vary this agreement to reflect changes in legislation and departmental guidance.
- 1.11 References to legislation in this document will be to that legislation ‘as amended from time to time’, without express change in the provider agreement.
- 1.12 Devon County Council has a legal duty under the Freedom of Information Act 2000 [Freedom of Information Act 2000](#) and Environmental Information Regulations 2004 to be open and transparent about the information it holds and must provide access to its information through Freedom of Information and Environmental Information Regulations requests (information requests). More information on this duty and [how to make a request is available on their website](#).
- 1.13 General Data Protection Regulation (GDPR) is a piece of legislation that seeks to harmonise the way that data protection laws are applied across member states of the European Union. This new legislation will replace the current Data Protection Act 1998 as from Friday 25 May 2018 and creates tougher penalties for non-compliance than under the Data Protection Act 1998.

Legal framework and statutory guidance

- 1.14 The following frameworks and legislation underpin this agreement:
- Early Education and Childcare, Statutory Guidance for Local Authorities 2018
 - Childcare Act 2006
 - Childcare Act 2016
 - Equality Act 2010
 - School Admissions Code 2014
 - Statutory Framework for the Early Years Foundation Stage (EYFS) 2017
 - Local Authority, (Duty to Secure Early Years Provision Free of Charge) Regulations 2014
 - General Data Protection Regulations (GDPR)
 - The Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016
 - Special educational needs and disability code of practice: 0 to 25 years 2015

Section 2: Provider agreement requirements

- 2.1 Devon County Council is required to have due regard in the exercise of their duty under s7 (1) of the Childcare Act 2006 and regulation 39 of the Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016.

Key local authority responsibilities

- 2.2 Devon County Council **must** secure a funded entitlement place for eligible children in their area.
- 2.3 Devon County Council **will** work in partnership with providers to agree how to deliver funded entitlement places.
- 2.4 Devon County Council fulfils their role to meet the needs of children with special educational needs and/or disabilities (SEND) through a contract with Babcock Learning and Development Partnership (LDP). Further information and resources are available on the [Babcock LDP website](#). SEND support for childminders is fulfilled through the Early Years and Childcare Services Locality Teams. For more information see the [Early Years Local Offer](#).
- 2.5 Devon County Council **must** contribute to safeguarding and promote the welfare of children and young people in their area.
- 2.6 Devon County Council **will** fund a provider for the Early Years Entitlement for eligible 2-year olds and all 3 and 4-year olds.
- 2.7 Devon County Council **must** ensure that a child has a funded place no later than the beginning of the term following the child and parent meeting the eligibility criteria for the funded entitlements.

Key provider responsibilities

- 2.8 The provider **must** comply with all relevant legislation and insurance requirements.
- 2.9 The provider **must** deliver the funded entitlements consistently to all parents, whether in receipt of 15 or 30 hours and regardless of whether they opt to pay for optional services or consumables. This means that the provider **must** be clear and communicate to parent's details about the days and times that they offer funded places, along with their services and charges.

- 2.10 Those children accessing the funded entitlements **must** receive the same quality and access to provision as children attending for time that the parents have paid for. Providers must determine how they maintain the quality and access for children whose parents do not paid for time e.g. when a forest school or yoga session is being offered.
- 2.11 The provider **must** publish the number of funded places available for 2-year olds and for 3 and 4-year olds alongside their admissions arrangements. These numbers may vary at different times of the day, week and year.
- 2.12 Early years provision by a childminder (either independently registered with Ofsted or registered with a childminder agency) for a related child does not count as childcare in legal terms. This includes step children, foster children, grandchildren, nephews and nieces etc. Government funding cannot be claimed by, or spent on, childminders providing childcare for their own child or a related child, even if they are claiming for other children.
- 2.13 The provider **must** inform Devon County Council of any changes to the details given on the Provider Agreement Form by emailing eyef@devon.gov.uk Every effort is made to keep providers well informed; we expect providers to regularly check for messages through the Provider Portal, to [subscribe to the Friday Digest](#) and to follow our service on [Face Book](#) and [Twitter](#).
- 2.14 Providers **must** register for a free [Egress Switch Account](#). This will ensure that all email communication is sent and received securely. You must log in to Egress to send any personal information by email to us. You will be asked to sign into Egress when we send you a secure email. Please see the Frequently Asked Questions (at [Annex D](#)).

Safeguarding

- 2.15 Devon County Council has overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area. They have a number of statutory functions under the 1989 and 2004 Children Acts which make this clear, and the [Working Together to Safeguard Children](#) 2015 guidance sets these out in detail.
- 2.16 The provider **must** follow the Early Years Foundation Stage (EYFS) and have clear safeguarding policies and procedures in place that are in line with [local guidance and procedures](#) for responding to and reporting suspected 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 provider **must** have regard to 'Working Together to Safeguard Children' 2015. The provider **must** follow the principles laid out in the [Working](#)

[Practice Agreement](#) for the sharing of information to support Early Help provision.

Social Inclusion

- 2.17 Devon County Council **will** promote equality and inclusion, particularly for disadvantaged families, looked after children and children in need and children with SEN and disability by removing barriers of access to funded places and working with parents to give each child support to fulfil their potential. Further [information on equality and diversity](#) is available on the Devon County Council website.
- 2.18 The provider **should** ensure that they have identified the disadvantaged three and four-year-old children in their setting as part of the process for checking Early Years Pupil Premium (EYPP) eligibility. They **will** also use EYPP and any available funding streams or support to improve outcomes for this group.
- 2.19 The provider **should** ensure that they have identified two-year olds that are entitled to be funded.

Special educational needs and disabilities

- 2.20 Devon County Council **must** strategically plan support for children with special educational needs and disabilities (SEND) to meet the needs of all children in their local area as set out in the [Special Educational Needs and Disability code of practice: 0 to 25](#)
- 2.21 The provider **must** ensure owners and all staff members are aware of their duties in relation to the [SEND Code of Practice](#) and the [Equality Act 2010](#).
- 2.22 Devon County Council **must** be clear and transparent about the support on offer in their area, through their [Local Offer](#), so parents and providers can access that support. [Pinpoint](#) has a field for providers to update details of inclusive and specialist provision for children with SEND and there is also a [factsheet](#) for parents on paying for childcare. A [Childcare Brokerage](#) service is available for families that struggle to find childcare.
- 2.23 The provider **must** have arrangements in place to support children with special educational needs and/or disabilities (SEND) and make this information available to parents. These arrangements should include a clear approach to identifying and responding to SEND. [Pinpoint](#) **must** be updated to include all relevant information that will support parents to make an informed decision about their choice of provider.

- 2.24 Providers **should** ensure that they have identified any three and four-year olds children in receipt of Disability Living Allowance utilise the [Early Years SEND Fund](#) and [Disability Access Fund](#) to deliver effective support, whilst making information available about their SEND offer to parents.
- 2.25 [Disability Access Funding](#) claims **must** be made using the Disability Access Funding Declaration Form (**Annex E**). Information **must** be submitted electronically along with a digital copy of the Disability Living Allowance award letter, provider name and entity number to eyef@devon.gov.uk

Quality

- 2.26 The [Early Years Foundation Stage](#) (EYFS) statutory framework is mandatory for all schools that provide early years provision and Ofsted-registered early years providers in England. The EYFS sets the standards that all early years providers must meet to ensure that children learn and develop well and are kept healthy and safe¹.
- 2.27 Ofsted are the sole arbiter of quality for all funded entitlements and Ofsted and inspectorates of independent schools have regards to the EYFS in carrying out inspections and report on the quality and standards of provision.
- 2.28 Devon County Council have a legal duty to provide information, advice and training on meeting the requirements of the EYFS, meeting the needs of children with SEND and on effective safeguarding and child protection for providers who are rated less than 'Good' by Ofsted or are newly registered.
- 2.29 Provision **must** be offered in accordance with the national parameters on quality as set out in Section A3 of the [Early Education and Childcare Statutory Guidance for Local Authorities](#) and the [Early Years Foundation Stage](#) statutory framework.
- 2.30 Devon County Council **cannot** impose requirements which subject the quality of the early years provision, or services provided by the childminder agency, to a quality assessment process by the local authority; or require the provider to attend any training or other quality improvement programme, other than any training or quality improvement programme identified in an early years provision inspection report.

¹ Providers with exemptions from the EYFS will be funded if a parent wants their child to take up their funded place at an exempt provider and the provider is willing to accept the funding and any other local authority requirements. Individual children with exemptions from the EYFS will be funded.

2.31 Devon County Council is not required to fund places at providers who do not meet the quality standards but may choose to do so to ensure sufficiency of places.

Date of Birth Eligibility

2.32 The provider **should** check original copies of documentation to confirm a child has reached the eligible age for all funded entitlements. It is not a requirement to keep copies of this document. Evidence of seeing the document **must** be included on the Parent Declaration Form (**Annex C** or providers own document) that parents **must** sign.

Date of birth eligibility is as follows:

Children born between:	Will be funded from:
1 st September and 31 st December	1 st January
1 st January and 31 st March	1 st April
1 st April and 31 st August	1 st September

Funding ends on the 31st August for children starting school in September regardless of the date when the term starts. Some schools choose to stagger entry at the start of a term; early years funding **will not** be given for part days or part weeks once a child has started at school. Parents have a right to start their child full time on the first day of term. The child can start full time or part time.

2.33 The provider **must** offer places to eligible three and four-year olds on the understanding that the child remains eligible for the universal entitlement (and the extended entitlement if they remain eligible) and will be funded until they start at school. If parents choose to delay or defer entry to school the continuation of an early years place is a matter to be discussed between the provider and the family - funding **will** continue until the child is of statutory school age (the term after a child's fifth birthday). Devon County Council would expect that most children will continue in the same early years provision until they start at school.

Child defers or delays entry until:	Funding can be claimed up until
January	December 31st
April	March 31st
The following September	August 31st

Two-Year-Old Funding

- 2.34 The provider **must** offer places to eligible two-year-olds on the understanding that the child remains eligible and will be funded until they become eligible for the universal entitlement for three-year-olds. If a parent does not have a [Golden Ticket](#), eligibility can be checked by the parent through the [Citizens Portal](#) or by the parent calling the Devon County Council Customer Service Centre 0345 155 1013 who will help to complete the check over the phone.
- 2.35 A Golden Ticket will be sent to the home of the relevant carer of a two-year-old:
- In the care of Devon County Council
 - With an Education, Care and Health Plan from Devon County Council
 - Those on the Department for Work and Pensions list that is sent to Devon County Council.
- 2.36 Parents of 2-year-old children that have left the care of any local authority (under a Special Guardianship Order or Child Arrangements Order or through Adoption) will need to attach evidence of adoption or the relevant order to their application via the [Citizens Portal](#). These applications will be checked and confirmed manually.
- 2.37 Carers of 2-year-old children looked after by another Local Authority (not Devon County Council) will need to attach evidence (official documentation from the Local Authority stating that the child is in care/looked after by that Local Authority) to their application via the Citizens Portal; we also need the details for the child's carer. These applications will be checked and confirmed manually.

Early Years Pupil Premium

- 2.38 The Economic Early Years Pupil Premium Declaration Form (**Annex F**) **must** be used with parents that may be eligible because of the benefits that they receive.
- 2.39 The Non- Economic Early Years Pupil Premium Declaration Form (**Annex G**) **must** be used for parents and carers of children that are eligible because they are currently, or have previously been, in Local Authority care.
- 2.40 Where a child is eligible for Early Years Pupil Premium because they are looked after, adopted or under a special guardianship order or child arrangements order, Devon County Council requires providers to send a copy of the relevant order through an egress email to eyef@devon.gov.uk and

include the child's name, date of birth and the number of universal hours that the child attends each week. If the child is in the care of Devon County Council it is not necessary to attach the order as we already know about that child. If the child is in the care of another local authority that Local Authority will pay for the child's EYPP. Providers should contact the relevant Local Authority for further details on claiming. An Early Years Personal Education Plan (EYPEP) will need to be completed for a child in care.

Charging Parents

- 2.41 Government funding is intended to cover the cost to deliver up to 15 or 30 hours a week of funded high quality, flexible childcare. It is not intended to cover the cost of meals, consumables, additional hours or additional services.
- 2.42 The provider **can** charge for meals and snacks as part of a funded entitlement place and they can also charge for consumables such as nappies or sun cream and for services such as trips and yoga. These charges **must** be optional for the parent. Where parents are unable or unwilling to pay for meals and consumables, providers who choose to offer the funded entitlements are responsible for setting their own policy on how to respond, with options including waiving or reducing the cost of meals and snacks or allowing parents to supply their own meals. Early Years Pupil Premium and/ or Deprivation Funding could be used to support these families.
- 2.43 Devon County Council **will not** intervene where parents choose to purchase additional hours of provision or additional services, providing that this does not affect the parent's ability to take up their child's funded place. The provider **should** be completely transparent about any additional charges.
- 2.44 Accessing additional chargeable services or time cannot be a condition of a child being offered a funded space.
- 2.45 The provider **should** publish their admissions criteria and ensure parents understand which hours/sessions can be taken as funded provision. Not all providers will be able to offer fully flexible places, but providers **should** work with parents to ensure that as far as possible the pattern of hours is convenient for parents' working hours.
- 2.46 The provider **can** charge parents a deposit to secure their child's funded place but should refund the deposit in full to parents within a reasonable time scale. Devon County Council would suggest that the deposit is refunded within one month of the child starting to attend. The deposit would be non-refundable if the child does not attend.

- 2.47 Childminders **can** charge parents to drop a child off at a nursery or preschool after having attended funded time with them – for example between 7am to 9am. They **can** charge for ‘on duty’ time when the child is attending the nursery or preschool for funded (or bought) time. Childminders **can** also charge for picking a child up from nursery or preschool before that child attends their provision for funded time.
- 2.48 The provider **cannot** charge parents top-up fees (the difference between a provider’s hourly or sessional charge and the funding they receive from Devon County Council to deliver funded places) or registration fee as a condition of taking up a funded place.
- 2.49 The provider **should** ensure contracts, invoices and receipts are clear and itemised, so parents can see that they have received the funded entitlement without a charge and can understand the fees they must pay for additional hours or services. The provider **should** also ensure that there is sufficient detail on invoices and receipts for parents to be able to identify the provider that the child is attending i.e. add your logo; parents attending more than one provider may otherwise confuse the arrangements that they have with their different providers.
- 2.50 The provider **must not** split their day and charge for the lunch time (food can be charged for).

Notice Periods

- 2.51 Where a parent has decided to leave a funded place, providers can state the length of notice period that is required - up to a maximum of 4 weeks.
- 2.52 Devon County Council will only fund the provider for that child for up to 4 weeks from the last day that the child attended. This **must** be stated within the providers policy if it is decided that a notice period will be given.
- 2.53 Where a notice period has not been stated within the providers policy - funding will not be given to the provider that the child has left.
- 2.54 If the parent leaves a provider, that has a notice period set out in their policy, without giving notice they will forfeit 4 weeks of entitlement funding and must pay to attend another provider.
- 2.55 Providers may be required to provide a copy of the parents contract which clearly sets out the notice period. The contract must be signed and dated.

- 2.56 Devon County Council may request a scanned copy of the attendance register, charging policy and accounts through a secure email.
- 2.57 Occasionally, there will be exceptional circumstances where a parent cannot comply with the notice period, for example, the parent had to move because of domestic violence. In these exceptional situations, providers should contact the funding helpdesk on 01392 385530.

Section 3: The Extended Entitlement

- 3.1 The extended entitlement is for eligible working parents with children aged 3 and 4 years old. Parents must open an account and apply for a Government Gateway. Providers **should** direct parents to the [Childcare Service](#).
- 3.2 Eligible parents will receive an eligibility code beginning '500' (or a temporary code beginning '11') through their secure messages in their online account (not by email or text). Parents **should** be encouraged to apply for the extended entitlement the term before they want to claim – the eligibility code can be provided up to 16 weeks before the child's third birthday. If an application is made early it is likely that the parent will need to reconfirm their eligibility, this has caused some problems for parents.
- 3.3 The extended entitlement may also be available for foster carers who are in paid employment outside of their normal fostering duties. Parents will need to discuss this with the child's social worker and decide if it is in the best interest of the child and fits with the child's care plan.
- 3.4 Foster carers will then make an application to the Local Authority of where the child is from and make the necessary eligibility checks. If confirmed a code beginning '400' will be issued to the foster carers and providers will complete the verification check in the normal way.
- 3.5 The provider **could** use the **Parent Declaration Form** template ([Annex C](#)) [providers **must** insert their privacy notice to comply with the GDPR] asking the parent for the necessary information and consents. The form is a template that providers can choose to use if they wish. It has been designed to ensure that providers collect all the information needed to make funding claims from Devon County Council. Providers **must** have written consent from the parent to use their code and personal details for funding purposes.
- 3.6 Providers, choosing not to use the form, **must** ensure that they have collected all the information needed to make a funding claim and have parent's permission to share that information with Devon County Council who may also

share the information with neighbouring authorities if necessary for a claim to be processed.

- 3.7 Once a provider has received written consent from the parent, they **must complete a verification check to confirm validity of the** code through the Devon County Council [verification process](#) using the Provider Portal which is a secure method of sharing information between providers and the Local Authority. If a child attends more than one provider both providers must confirm validity.
- 3.8 Parents can apply for tax free childcare to cover the time between being given the 11-digit code and attending the provider for the extended entitlement.
- 3.9 Devon County Council has a dashboard from where the validity of eligibility codes for children who qualify for extended entitlement funded childcare at six fixed points in the year, at the start of term and at half-term across the year can be checked (in line with the dates in **Table A**).
- 3.10 It is Devon County Councils responsibility to notify a provider where a parent has fallen out of eligibility and inform them of the Grace Period end date.

Table A: The Grace Period

Date parent receives ineligible decision on reconfirmation:	DCC Validates 11 Digit Codes:	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

The Grace Period

- 3.11 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.

- 3.12 During the Grace Period Devon County Council **will** continue to fund a child (i.e. they should continue to receive the additional 15 hours a week over 38 weeks of the year, or its equivalent if the entitlement is being stretched).
- 3.13 A child who becomes ineligible during the first half of a funding block (as defined at Table A above) **will** be funded until the end of that funding block (31 March, 31 August, 31 December) or for as long as they remain under Compulsory School Age, whichever is the shorter.
- 3.14 A child who becomes ineligible in the latter half of the funding block (up to the last day of the funding block) **will** be funded until the end of the following funding block or for as long as they remain under statutory school age, whichever is the shorter.
- 3.15 Children who become eligible for funding because of their date of birth, cannot start the extended entitlement in the Grace Period if their eligibility has ended in the previous funding period.
- 3.16 Children who are eligible for the extended entitlement but choose only to use their universal funding also cannot increase their hours in the Grace Period if eligibility has ended.
- 3.17 Devon County Council **can** access this information via the Eligibility Checking Service, which will automatically encode the Grace Period end date to all eligibility codes.
- 3.18 Devon County Council **will** communicate the Grace Period to providers via the Expiration Dashboard on the Provider Portal. Providers are expected to share this information with parents who are found to be ineligible for the extended entitlement. The Grace Period end date will automatically be applied to eligibility codes.
- 3.19 The Grace Period allows for funding to be claimed for an extended period so there is no break in provision for the child whilst the parent looks for a job/returns to work or reconfirms their eligibility.
- 3.20 If a parent remains ineligible after the Grace Period end date the universal entitlement will continue. Providers and parents **should** agree which hours will be reduced; or if the parent wishes to continue with the same attendance but pay for the hours. This is a matter to be discussed between the parent and the provider/s.

- 3.21 A child who moves providers during the Grace Period will not be funded. In some exceptional circumstances, outside of a parent's control, they may be forced to move settings whilst in their grace period, e.g. where a provider is closing down.

Section 4: Flexibility

- 4.1 To secure flexibility Devon County Council **will**:

- Consult with parents and involve them in local assessment of demand for flexibility.
- Act as broker between overall parental demand in the area and provider capacity, seeking to provide the maximum possible flexibility for parents.
- Support providers to establish parent declarations setting out their hours and patterns of take up of funded places.
- Encourage providers to offer flexible packages of free hours, subject to the following standards which will enable children to access regular, high quality provision in keeping with the evidence of the benefits of doing so, whilst maximising flexibility for parents and ensuring a degree of stability for providers.
- Ensure parents and providers are aware that there is no requirement that funded places must be taken on or delivered on particular days of the week or at particular times of the day.
- Enable parents to take up their child's funded place in patterns of hours that 'stretch' the child's entitlement by taking fewer hours a week over more weeks of the year, where there is provider capacity and parental demand e.g. 12 hours per week for 48 weeks for universal or 23 hours per week for 48 weeks for extended.
- Ensure parents are aware that the entitlement to a funded place does not offer a guarantee of a place at any one provider or a particular pattern of provision.
- Support parents to identify providers who can offer funded places on the days and times needed by the parent.
- Encourage providers to work with parents to ensure continuity of care for children and effective transitional arrangements to support children's learning and wellbeing when enabling children to take up a funded place at more than one provider or on more than one site.

- 4.2 Provision **must** be offered within the national standards on flexibility as set out in the [Early Education and Childcare Statutory Guidance for Local Authorities](#).

- Between 6am and 8pm
- Maximum of 10 hours per day

- No minimum session length (subject to the requirements of registration on the Ofsted Early Years Register)
- Maximum of 2 sites in a single day

4.3 The provider **can** choose to have the following models:

- Stretched only (over up to 52 weeks of the year)
- Term time only (over 38 weeks of the year)
- Combination of term time and stretched.
- Holiday Clubs and play schemes

Whichever models are chosen they **must** be made available for 2, 3 and 4-year olds and for both the universal and extended entitlements.

Parents can share funded time between any of these models. Funded time can be delivered outside of term times and at weekends.

4.4 Providers cannot insist that the full funding is used at their provision or those families are prioritised as parents need the flexibility to use multiple provisions when working and where a child lives in two different locations.

4.5 The provider **must** work with Devon County Council and share information about the times and periods at which they are able to offer funded entitlements to support Devon County Council to secure sufficient stretched and flexible places to meet parental demand in the Devon. This is generally done through the Annual Survey of Providers each January/February. The provider **must** also make information about their offer and admissions criteria available to parents at the point the child first accesses provision at the setting; this **must** be published on their website, parent noticeboard/newsletter/correspondence.

4.6 Providers **must** update [Pinpoint](#) when changes are made and these updates **must** be made at a minimum termly on 1 January, 1 April and 1 September. Devon County Council use Pinpoint to publicise what early years and childcare provision is available to families.

4.7 Devon County Council **will** fund a claim for a child that attends multiple providers if attendance fits within the national standards. Providers **must** claim for the funded time booked at their provision. Devon County Council **will** check that weekly over claims within the Headcount period have not been made and that annual hours (or pro-rata hours for children becoming eligible part way through the year) are not exceeded.

Over claims

- 4.8 Where an over claim (more hours than can be claimed in any one funding period) has been made Devon County Council will reduce both settings by 50% of the over claim.
- 4.9 Devon County Council recommends that providers contact the other provider/s that a child is attending to confirm that the weekly hours claimed do not exceed 15 or 30 and to confirm the number of hours they are claiming in that funding period. Where there is a combination of term time and stretched provision being claimed consideration must be given to the impact on the annual entitlement for that child

Table B: Hours that can be claimed each academic year

Eligible	2-year-old/universal entitlement	Extended Entitlement
Autumn	570 hours	1140 hours
Spring	380 hours	760 hours
Summer	237.5 hours	475 hours

- 4.10 If a child is only eligible for the extended entitlement during the spring funding period they will be entitled to the extended hours they have used in the spring funding period plus the universal 570 hours (assuming autumn term eligibility).
- 4.11 If a child first becomes eligible for the extended entitlement in the spring funding period and they continue to be eligible in the summer funding period they will be able to access 380 hours of the extended entitlement and 570 hours of the universal entitlement (assuming autumn term eligibility).
- 4.12 All providers **must** validate eligibility codes when making a claim for a child who is eligible for the extended entitlement. For example, if a child attends a provider for 15 hours and another for 15 hours a week and one or both providers do not validate the code this could result in an over claim.

Cross border checks

- 4.13 Devon County Council work closely with neighbouring Local Authorities (Somerset, Dorset, Torbay, Plymouth and Cornwall) to ensure that children sharing hours with two providers in different counties do not over claim. If an over claim is identified both providers will have their funding reduced until the parent confirms where they want the funding to be claimed.

- 4.14 Devon County Council has agreed with these neighbouring Local Authorities that each Local Authority **will** fund providers for the universal and extended entitlement within their authority area. This means that a Devon child attending provision in Dorset will be funded by Dorset County Council and vice versa. Due to the different funding rates all neighbouring Local Authorities have agreed not to transfer funding between them.
- 4.15 No funding will be transferred in to any other local authority are if a child moves out of Devon.
- 4.16 If a Devon Child in Care attends a provider in another Local Authority, that authority will pay the universal funding but the Early Years Pupil Premium funding will be paid by Devon. Before the EYPP can be paid Devon County Council **will** contact the provider that the child is attending to ensure that an Early Years Personal Education Plan (EYPEP) has been completed and to establish the number of funded hours that the child attends at the provision. The Babcock Early Years Team quality assure the EYPEP prior to payment. Similarly, if a child in the care of another Local Authority area attends a Devon provider the provider will need to work with that Local Authority on completing the EYPEP and claiming the EYPP funding.
- 4.17 The provider from the other Local Authority **will** be asked by the funding team to securely provide bank account details so that an Early Years Pupil Premium payment can be made for the child.

Partnership working

- 4.18 Devon County Council **will** support the following partnerships:
- Local authorities and providers
 - Local authorities and parents
 - Providers working with other providers, including childminders, schools and organisations
 - Providers and parents
- 4.19 Devon County Council **will** promote partnership working between different types of providers, including childminders, across all sectors and encourage more providers to offer flexible provision, alongside other providers.
- 4.20 The provider **should** work in partnership with parents, carers and other providers to improve provision and outcomes for children in their setting. An [interactive toolkit](#) has been developed to help providers set up or join a partnership, maximise the benefits of working together and tackle the challenges joint working can bring.

- 4.21 The provider **should** discuss and work closely with parents to agree how a child’s overall care will work in practice when their funded entitlement is split across different providers to ensure a smooth transition for the child.

Section 5: Business Planning - claiming funding

This section sets out what information Devon County Council needs from providers to support the payment and delivery of the entitlements:

- 5.1 The provider **should** maintain accurate financial and non-financial records relating to funded entitlement places and **should** give the local authority access, on reasonable notice, to all financial and non-financial records relating to funded entitlement places funded under this provider agreement, subject to confidentiality restrictions. We suggest that financial documents are kept for seven years for audit purposes.
- 5.2 The provider **must** submit the Headcount claim through the Provider Portal to Devon County Council by the dates specified the [academic year calendar](#) (providers that are not open at Headcount week or who are newly registered **should** speak to the Helpdesk). Failure to claim on time so may result in inaccurate, delayed or suspended funding. Keep a record at your provision of what you are claiming in case there are queries from the Funding Helpdesk. Do not send Headcount Forms to the Funding Helpdesk – these will be destroyed if they are sent in.
- 5.3 The provider **should** accurately complete and submit headcount and other necessary data returns by the agreed date to support Devon County Council to make a payment.

Table C: Funding Periods within the academic year

Funding Period
Autumn: 1 September – 31 December
Spring: 1 January – 31 March
Summer: 1 April - 31 August

- 5.4 An [academic year calendar](#) with funding periods and headcount weeks is provided each year. This does not allow for non-pupil days taken by schools. Term-time only providers may choose the same dates as the local schools. Those dates must be communicated to parents.

- 5.5 If a child is due to start shortly after Headcount Week, please enter them on to the task with a start date 0 hours headcount week and total hours for the term.
- 5.6 Parents **must** request the weekly funded hours they want at each attended setting during Headcount Week (confirming all other funded hours used elsewhere); providers then claim the hours through the [Provider Portal](#).
- 5.7 Providers that are not open during Headcount Week e.g. holiday clubs, should make funding claims as an amendment. Providers should check with the child's previous provider, if any, to confirm the hours that have already been claimed. If this is not possible a check can be made through the helpdesk on 01392 385530 by giving the child's full name and date of birth.
- 5.8 Claims **must** be made for the funded hours that a parent has booked with the provider. In addition to these all attended hours **must** also be recorded on the portal.
- 5.9 Devon County Council does not recommend that a child attends a provider for less than one funded hour a day. However, if a child's attendance results in a half-hour claim needing to be made - this can be accommodated.
- 5.10 Devon County Council **cannot** fund 0.25 hours (15 minutes). Therefore, if a 0.25-hour (15 minute) claim is made we **will** round it down to the nearest 0.5 hour (half hour/ 30 minutes) in a week. Multiples of 15 minutes can be added together for the weekly/termly claim. Funding will be paid for the total number of hours claimed each funding period.
- 5.11 Claims will only be paid when the available number of hours within that funding period has not been exceeded. The provider **must** make a claim based on the weekly hours agreed with the parent (up to a maximum of 15 or 30) during Headcount Week and total hours for the whole funding period. A maximum of 570 hours (universal entitlement) or 1140 hours (extended entitlement) in any academic year (September to September). This only applies to children that are eligible for the whole year.
- 5.12 Providers that are open for more than 38 weeks of the year **must** ensure that the times that can be taken as part of the child's entitlement do not exceed 570 or 1140 (and pro-rata) depending on whether the child is accessing the universal or stretched entitlement. Claims should be calculated as follows:

Weekly hours booked x complete weeks open + part week hours - any known closures

- 5.13 Providers that are **open for fewer than 38 weeks a year** will be paid for the hours claimed during the times they are open. The provider **should** ensure that parents are aware that, even if their child is claiming the maximum 15 /30 hours a week, it **will not** be possible to receive the full entitlement of 570 / 1140 funded hours at that provision unless the child attends for funded time at a provider during the holidays.
- 5.14 Term Time Providers may not always be open for 38 complete weeks in a year thus a claim of 15 hours a week could mean a parent may either exceed or not reach their entitlement of 570 funded hours. This could occur because of the days attended by the child and the number of **part-weeks** the provider opens. A part-week occurs when a provider is not open from Monday to Friday in any given week. There could be a variety of reasons why a provider may not open on a certain day; examples being bank holidays, training days or starting/ending a term mid-week. Providers **must** ensure parents are aware of any part-weeks that they are open so they can plan accordingly on how best to receive their annual 570 or 1140-hour entitlement.
- 5.15 **Occasional closures** for example the premises are used for polling days, **will** be funded. However, providers **should** try to offer alternative hours for children affected by the closure.
- 5.16 **Planned closures** for example the premises are closed for refurbishment, **will not** be funded.
- 5.17 **Emergency closures** for example due to flooding, snow or heating problems will be funded but you should try to offer hours at another time if possible.

Bank Holidays and weekends can be offered as funded time if the provider is open. Funding cannot be claimed if the provider is closed on a Bank Holiday and an adjustment might be needed for the part-week unless those hours can be offered elsewhere within the week. Alternatively, if a parent has additional chargeable hours these could be funded and the parent's fees reduced for that part-week.

- 5.18 Devon County Council **will** charge providers from September 2018. Our Charging Policy ([Annex H](#)) sets out the charges for providing late or incomplete information leading to additional administration in the processing of funded entitlements.
- 5.19 The early years budget **must** be audited both internally and externally. Each year Devon County Council complete a number of audits with providers to ensure funding is claimed and administered correctly and in line with the [Early Education and Childcare Statutory Guidance for Local Authorities](#) (September

2017). The Early Years Funding Team is also audited to check that accurate records are kept for processing funding and payments. The Audit section or Early Years Funding Team **will** contact providers directly to arrange a mutually convenient time to be audited or request information to be provided. Confirmation of the audit **will** be sent in writing with a list of the documents and records that will need to be inspected during the audit visit. Please ensure that all information requested is readily available on the audit date or sent as requested.

Section 6: Payments from Devon County Council

- 6.1 Providers **will** receive up to four payments within each funding period.
- 6.2 The **first payment** is a **FORECAST PAYMENT** to help to fund the start of the term. This is calculated as a percentage of the previous funding period claim and is made during the first week of the funding period. Childminders will be emailed each term and asked:
- For the total number of funded hours 2-year-old will attend during the funding period
 - For the total number of funded hours 3 and 4-year-old will attend during the funding period and
 - Whether there will be no funded children attending.

The percentage paid may vary depending on when the Headcount Week falls for each funding period and when the Headcount payment is estimated. Maintained schools, governor run pre-schools and foundation stage units do not receive a forecast payment.

The payment **will** be processed during the first week of the funding period and **should** be paid by the end of the second week of the funding period.

If a response is not received from the childminder by the deadline a forecast payment **will not** be made. If there are children attending for funded time the childminder will miss out on the forecast payment but **will** be funded in full when the headcount payments are made.

- 6.3 If the number of children in attendance is due to change significantly for the following funding period, providers **should** advise the Funding Helpdesk by email eyef@devon.gov.uk
- 6.4 Devon County Council **will** increase or decrease a forecast payment if appropriate.

- 6.5 The **second payment** is based on the total hours claimed for the funding period less the forecast payment. This is the **HEADCOUNT PAYMENT** and is made approximately 6 weeks after Headcount Week.
- 6.6 Providers that open or close their business down within a funding period **should** claim the funded hours provided to the child for the weeks open.
- 6.7 The **third payment** is made for changes to claimed hours that occurred during that funding period. This is the **AMENDMENT PAYMENT** and is made by the end of the calendar month following the deadline. This is the Amended Claim, less the Forecast and Headcount payment. For Maintained schools, governor run pre-schools and foundation stage units this will be payment in full.
- 6.8 There **will** be separate amendment tasks for two-year-olds and for three- and four-year olds. These tasks **must** be completed and submitted by the deadline specified. Providers **must** submit the task(s) even if no changes have been made.
- 6.9 When a child moves from and/or to a provider part way through a funding period both providers must record this in the [Provider Portal](#) during the Amendment Period.
- 6.10 Providers **must** update the Headcount Claim during the Amendment Period if any of the following changes have taken place:
- Children have increase/decreased their funded hours
 - Children have joined
 - Children have left
- 6.11 If there is a discrepancy regarding the hours that have been claimed at two, or more different providers Devon County Council **may** ask the provider/s to transfer the funding they have been paid to another provider. Devon County Council **cannot** adjust payments to providers once the amendment task is completed.
- 6.12 Devon County Council **may** offset Early Years Funding payments against outstanding debts. This could include over claims from a previous funding period, adjustments made in the amendment period or debts relating to other DCC departments.
- 6.13 From September 2018 there will be an annual allocation of targeted deprivation funding for providers that have had more than 25% of children living within an area of deprivation. Data from the previous financial year will look at the Index of Multiple Deprivation score of the child's postcode as a measure. The annual

allocation will be pro-rata with a termly payment based on the number of months. There will also be a universal deprivation supplement of 2p for every 3 and 4-year-old funded hour from September 2018.

Early Years Pupil Premium Payments

- 6.14 Early Years Pupil Premium (EYPP) is automatically paid to the provider for a 3 or 4-year-old who meets the eligibility criteria. EYPP funding cannot be backdated and parent/carer information must be updated within the Headcount window. 53p is paid with the hourly rate based on the number of universal funded hours claimed at that provider in the funding period if the check was made after Headcount. If the data is supplied in the Amendment window, the funding will not be available until the new term.
- 6.15 Parents choose where they wish to take the universal and the extended entitlement. There is no requirement to specify on the Provider Portal where the universal entitlement is being taken if parents are eligible for the extended entitlement.
- 6.16 Where EYPP is claimed for a child attending more than one provider it will be proportionately split between the two.

Section 7: Attendance

- 7.1 If a funded place has been booked and a child does not have consistent (or any) attendance, Devon County Council expects the provider to make every effort to encourage the family to take up the hours booked. If the attendance does not improve, the hours in the following funding period should be revised with the parent. Devon County Council would not expect a provider to continue to make a claim for funding where a family has clearly decided that they will not attend hours that have been booked, in these cases the claim should be amended on the Provider Portal.
- 7.2 If a parent has contacted the provider about an attendance issue, then an agreement needs to be made between the provider and the parent about the best course of action for the child. If the issues affecting attendance are shared with the provider, then it may be helpful to sign post to other professionals if the family requires support e.g. the local Children's Centre. Devon County Council encourages all parents to take up the full universal entitlement of 570 hours and the full extended entitlement of 1140 hours.
- 7.3 Where a family is on a long holiday of more than two weeks (the first two weeks of holiday in a funding period will be paid) there are three options that the provider could discuss with a parent:

Option 1: The parent can use their funded allowance to keep their space at the provider. The parent will be using part of the 570 or 1140-hour annual entitlement and the provider will be funded in the normal way.

Option 2: If the parent does not want to use their funding but does want to keep the space, the provider could charge a retainer.

Option 3: The parent may choose to leave the provider and therefore not use any funding or pay any retainer but risks losing the space when they return (the first two weeks holiday would still be funded).

Similarly, where a child is visiting England on an extended holiday they can attend an early years provider and be funded for the universal entitlement if they are of an eligible age.

Section 8: Compliance

- 8.1 Devon County Council **will** carry out checks and/or audits on providers to ensure compliance with the requirements of delivering the funded entitlements. In the event that the provider does not comply with any of the criteria and conditions for registration in the Directory of Providers, Devon County Council may decide to withhold further funding from the provider, and may seek to recover funding already paid to the provider either in whole, or in part. The provider will be informed of such decisions in writing. As funding cannot be withdrawn from maintained schools the Early Years and Childcare Service will work with the school to address compliance issues.
- 8.2 The provider **will** be asked to take steps to rectify the non-compliance within a specified timescale. In the event that the provider fails to rectify the breach within the timescale, Devon County Council may remove the provider from the Directory of Providers, subject to the provider having an opportunity to make written representations to Devon County Council before the decision is made, and subject to the right to appeal against the decision. The provider will be informed of such decisions in writing.
- 8.3 In the case of what Devon County Council consider to be a serious breach of the criteria and conditions for inclusion on to the Directory, Devon County Council **will** withhold funding and may seek recovery of funding already paid to the provider either in whole, or in part. Devon County Council may remove the provider from the Directory, subject to the provider having an opportunity to make written representations about the decision, and subject to the right to appeal. The provider will be informed of such decisions in writing.

- 8.4 In the event that the provider is removed from the Directory, Devon County Council will advise all parents that are claiming funding, in writing, of the removal. The provider **must** inform the Funding Helpdesk 01392 385530 eyef@devon.gov.uk of matters that impact upon the provider's registration with Ofsted, as they arise. The provider **must** thereafter keep the helpdesk informed about developments and changes in this regard.
- 8.5 Devon County Council **will** discuss matters relating to the providers registration with Ofsted as necessary.
- 8.6 Should a provider not have a valid certificate of registration with Ofsted at any time and for whatever reason, Devon County Council **will** withhold further funds from the provider, and may seek to recover funds already paid to the provider either in whole, or in part. Devon County Council **will** remove the provider from the directory, subject to the provider having an opportunity to make written representations to Devon County Council about the decision. The provider **will** be informed of such decisions in writing. The provider may apply to be returned to the Directory of Providers once in receipt of a valid certificate of registration from Ofsted, unless this is due to an inadequate Ofsted outcome.
- 8.7 If a provider has a problem of any kind with their Ofsted registration, Devon County Council may decide to withhold further funding from the provider until such time as it receives formal notification from Ofsted that the matter has been resolved. Devon County Council **will** require the provider to supply a copy of its Ofsted registration certificate in such instances.
- 8.8 Fraudulent claims, inappropriate use of funding or failure to comply with conditions set for any other funding awarded, e.g. EYPP, may result in Devon County Council withholding further funding, and seeking to recover funding already paid to the provider, in whole, or in part. Devon County Council may remove the provider from the directory, subject to the provider being given an opportunity to make written representations to Devon County Council, prior to the final decision being made, and subject to the right of appeal. The provider will be informed of Devon County Council's decisions in writing.

Section 9: Termination and withdrawal of funding

This section does not apply to maintained schools

- 9.1 Suspension of registration by Ofsted or a breach of statutory requirements or safeguarding issues may result in the termination of the arrangement and withdrawal of funding.
- 9.2 Devon County Council terms and process for termination/withdrawal of funding are set out in this section below. Termination provisions include those required by regulation 7 (Termination of the arrangements) of the Local Authority, (Duty to Secure Early Years Provision Free of Charge) Regulations 2014 and regulation 37 (Arrangements between local authorities, early years providers: termination) of The Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016 and [Early Education and Childcare: Statutory Guidance for Local Authorities..](#)
- 9.3 In cases where educational provision is judged to be 'inadequate' by an Ofsted Inspector, the following applies:
- 9.4 Any registered provider judged as inadequate by Ofsted **must** inform the Funding helpdesk on 01392 385530.
- 9.5 The helpdesk will notify the relevant personnel within Devon County Council e.g. Senior Manager Early Years and Childcare Service, relevant Early Years Locality Manager and the Senior Manager Learning and Development Partnership Babcock. The Early Years Locality Manager, on behalf of Devon County Council, will contact the provider.
- 9.6 The Early Years Locality Manager will discuss the inspection judgement and advise that once the inspection report has been published a relevant worker e.g. Early Years and Childcare Advisor or Early Years Consultant will be in contact to support them to develop an action plan with clear times scales and review dates (it may be pertinent for a 'joint' visit to be carried out depending on the arising actions).
- 9.7 Linked to the above, the Early Years Locality Manager will explain that on publication of the report, Devon County Council will not fund any 'new' two-, three- or four-year-old places (or transferred children in) until the provider has been re-inspected by Ofsted and a higher judgement given.
- 9.8 The Early Years Locality Manager, on behalf of Devon County Council, will send the provider a letter informing them they are being 'suspended' from taking the Early Years Funding and the reasons why. The provider will be asked to provide details of those children claiming the early years funding (EYPP, 2-year-old funding, Disability Access Funding) and a request will be made for a copy of the providers register at the point of the Ofsted inspection.

Contracted organisations will be copied into the letter, including the Family Information Service who will update [Pinpoint](#) with the Ofsted judgement.

- 9.9 The Early Years Locality Manager will highlight to the provider that upon publication of the report they must inform parents/carers of the outcome of their recent inspection.
- 9.10 The Early Years Locality Manager will enter details of the provider into the Excellence for All process. The provider must implement any recommendations to ensure improvement. Providers **must** co-operate fully with the Early Years and Childcare Staff and Early Years Consultants.
- 9.11 If there are serious safeguarding concerns i.e. the safety and welfare of children is at risk, funding will be withdrawn with immediate effect.
- 9.12 Providers offering the Early Years Funding for two-year-olds judged as Requires Improvement by Ofsted will only be funded for eligible two-year-olds where there is not sufficient 'good' or 'outstanding' provision for those children. This will be determined on a case-by-case basis.
- 9.13 Where a parent/carer of a child with a complex need wishes to access the 2-year-old funding at a provision judged as 'requires improvement', this will be looked at on a 'case by case' basis in conjunction with the Senior Manager Learning and Development Partnership Babcock.
- 9.14 Providers funding will be re-instated when Ofsted judge them to be a minimum of requiring improvement for three and four-year olds and good for two-year olds.

Section 10: Appeals Process

- 10.1 A provider may be denied approval to offer the funded entitlements or have their funding withdrawn as set out above. The provider can appeal against that decision.
- 10.2 Here is the Devon County Council [Appeals Process](#)

Section 11: Complaints Process

- 11.1 Here is the Devon County Council [Complaints Process](#) for parents who are not able to resolve their concern directly with the provider where the parent is not satisfied that their child has received their free entitlement in accordance with the legislation or as set out in this agreement and in Early Education and

Childcare Statutory guidance for local authorities. This complaints procedure must satisfy public law requirements.

- 11.2 The provider should ensure they have a complaints procedure in place that is published and accessible for parents who are not satisfied their child has received their funded entitlement in the correct way, as set out in this agreement and in Early Education and Childcare Statutory guidance for local authorities.
- 11.3 If a parent or provider is not satisfied with the way in which their complaint has been dealt with by Devon County Council or believes the local authority has acted unreasonably, they can make a complaint to the local authority Ombudsman. Such complaints will only be considered when the local complaints procedures have been exhausted.

Annex A: Funding rates

The hourly rate for **funded two-year olds** is £4.90

Early Years Pupil Premium is 53p for each of the universal funded hours attended.

Disability Access Funding is a one-off annual payment of £615 which will be pro rata depending on when the application is made.

The hourly rate paid for 3- and 4-year-olds will be:

From	Hourly Rate		Description
April 2018	£4.06	=	Base Rate of £4.02 + Universal SEND £0.04
September 2018	£4.08	=	Base Rate of £4.02 + Universal SEND £0.04 + Deprivation £0.02

Annex B: [Provider Agreement Form](#)



To register to offer Early Years Funding, please complete and return to eyef@devon.gov.uk

Executive /Organisational Leads in Nursery Chains, Multi Academy Trusts and School Federations must complete this form on behalf of the provider/s within their organisation.

Provider Details	
Name of Provision Name on Ofsted registration	
Ofsted URN or School Number:	
Premises Address:	
	Postcode:
Landline:	
Mobile: Must be available all year round	
Email of person who makes the funding claims: Provider Portal Account holder	I will use this email address to subscribe to the Friday Digest: Please read the Privacy Notice
School email for BACS remittance:	
Email for all other communications from DCC:	
Egress account:	I have registered for an Egress account: Yes <input type="checkbox"/> No <input type="checkbox"/> It is a requirement to register for an account.
Reason for application:	<input type="checkbox"/> new provider <input type="checkbox"/> change of details, please state: <input type="checkbox"/> change of school age range <input type="checkbox"/> want to take 2-year-old funding



	<input type="checkbox"/> want to take 2-year-old funding for 3-year olds only Other please specify:
Early Years Funding age:	I would like to register to offer the early years funding for: <input type="checkbox"/> 3 and 4-year olds <input type="checkbox"/> 3-year olds that are eligible for two-year-old funding <input type="checkbox"/> 2-year olds
	For maintained and academy schools only: The legal age range of the school is from to The provision being funded is a: <input type="checkbox"/> nursery class in a maintained school (extended age range) <input type="checkbox"/> nursery class in an academy (extended age range) <input type="checkbox"/> preschool run as a subsidiary company through an academy <input type="checkbox"/> trust run preschool in an academy <input type="checkbox"/> governor/trustee run pre-school in a maintained school
When you want funding to start:	<input type="checkbox"/> autumn <input type="checkbox"/> spring <input type="checkbox"/> summer

Bank Account Details

For Academies, Private, Voluntary and Independent sector providers only:

Name of Bank									
Address of Bank									
	Postcode:								
Account Name									
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For Maintained Schools only:

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	Received	Finance	ONE
For office use only			

Once your application has been processed we will contact you with a Provider Portal

log in so that funding can be claimed. This can take a couple of weeks.

Privacy and Data Protection:

Your personal data is being used by Devon County Councils Early Years and Childcare Service for the purposes of processing funding for 2,3 and 4-year old children (universal, extended, 2-year-old funding, Early Years Pupil Premium and Disability Access Funding). We undertake to ensure your personal data will only be used in accordance with our [privacy notice](#)

By completing and returning this form you are agreeing to deliver funded places in line with the requirements set out in the Provider Agreement.

Please confirm that you agree to deliver funded places in line with the requirements set out in the Provider Agreement and give your consent to the Council using your personal data as outlined in our privacy notice, by completing the table below.

I give my consent for you to use my personal data as outlined in the DCC privacy notice
Signed:
Print name:
Date of consent:

If you wish to exercise any of your rights under the General Data Protection Regulations, please contact the Council's Data Protection Officer:

Martin Lawrence Tel: 01392 383000

Email: accesstoinformation@devon.gov.uk

Information Governance Manager
Data Protection Officer
Room 120, County Hall
Topsham Road
Exeter
EX2 4QD

Should you wish to stop receiving the funding contact earlyyearsentitlementfunding-mailbox@devon.gov.uk. The withdrawal of consent to use your data will also be the withdrawal from taking the Early Years funding.

PROVIDERS MUST SECURELY EMAIL THIS FORM TO eyef@devon.gov.uk

Annex C: Template Parent Declaration Form

<i>Insert Provider Logo here</i>	<h1>Parent Declaration Form Template</h1>	in partnership with Devon County Council 
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Provider Name:	<i>Insert Provider name here</i>
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Parents must complete and sign this Declaration Form (or something similar that the provider has produced) **with each Devon provider your child attends** for their early years entitlement. This will help to ensure that funding is paid fairly between them. Your child can attend provision on a maximum of two sites in a single day and if your child attends more than one provider Devon County Council (DCC) will fund all providers based on the hours your child is booked into those provisions.

Child's Details (to be completed by the parent/carer)

	First Name	Middle Name(s)	Last Name			
Legal Name:						
Chosen Name:						
Date of Birth:	____/____/____ —		Gender: Male / Female			
Address:						
Postcode:						
Childs ethnicity: (select one) <input type="checkbox"/> Not obtained <input type="checkbox"/> Refused	White-British	White-Irish	Traveller of Irish heritage	Any other white background	Gypsy /Roma	White & Black Caribbean
	White & Black African	White & Asian	Any other mixed background	Indian	Pakistani	Bangladeshi
	Any other Asian background	Black - Caribbean	Black-African	Any other Black background	Chinese	Any other ethnic group

Language spoken at home:			
Document with proof of child's birth date (e.g. birth certificate, passport):		Document details recorded by (name of staff member):	
Date:			

Parents/Carers Details

Full Name:	
Date of Birth:	
Address:	
Postcode:	
Telephone:	
Email:	

Free School Meals

The entitlement to free school meals only applies to children in maintained schools; academies and free schools are required to follow the free school meal legislation.

The child must attend both before and after the lunch time period as well as meet the qualifying criteria. This should be borne in mind when choosing attendance times in maintained schools and academies so that your child can have the meals that they are entitled to receive. Go to the [Citizens Portal](#) to apply for a Free School Meal in a school nursery

Information needed for claiming two-year-old funding

Golden Ticket Number	MM --- / --- or ZZ --- / ---	Date when child is eligible to start:	
Economically eligible parents, carers of DCC looked after children, children with an EHCP & children in receipt of DLA are sent a Golden Ticket.			
Economic eligibility found	TYF 878 - -		

through the Citizens Portal	
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Information needed to claim the Extended Entitlement

Parents National Insurance No/ NASS: (9 characters)	_____ - - - - -
30 hours eligibility code: (11 digits)	5 0 0 _____ 1 1 _____

My child is attending the following providers:

Name of other providers attended:	Please enter the total funded hours attended each day							Total number of hours per week	Number of weeks per year (e.g. 38, 45, 51)
	Mon	Tues	Wed	Thurs	Fri	Sat	Sun		
Funded hours at this provider									
Total daily Funded Hours Attended									

Providers should keep this form to enable them to claim funding through the Provider Portal: DO NOT SEND IT TO DEVON COUNTY COUNCIL.

General Data Protection Regulation Template Consent Form

Your personal data is being used by [state provider name] for the purposes of claiming early years funding from Devon County Council. We undertake to ensure your personal data will only be used in accordance with our privacy notice which can be accessed [state where this can be located or provide hyperlink].

The information provided will be shared with Devon County Council (DCC) who may share it with the Department for Education, Department for Work and Pensions, neighbouring Local Authorities and Her Majesty's Revenue and Customs to confirm your child's eligibility and enable [provider name] to claim early years funding on behalf of your child.

For more details read Devon County Councils [Privacy Notice](#)

Please confirm that you give your consent to **[state provider name]** using your personal data as outlined in our privacy notice, by completing the table below.

I give my consent for [provider name] to use my personal data as outlined in their privacy notice.
Signed:
Print name:
Date of consent:

You have the right to withdraw your consent at any time. Should you wish to withdraw consent, please contact **[provide name and contact details]**.

If you wish to exercise any of your rights under the General Data Protection Regulations, please contact our Data Protection Officer **[state name and contact details]**. For more details visit our website.

DO NOT SEND THIS FORM TO DEVON COUNTY COUNCIL

Annex D: Frequently Asked Questions - Egress

When is Egress free to use?

Egress Switch makes sharing information easy by allowing the recipient of a secure email or large file to respond to the sender free of charge as many times as they like assuming the original sender is a paying subscriber.

What is more, the free user of Switch can communicate securely using Switch to any other paying subscribers for which Devon County Council is a subscriber.

We call this community based licensing model the Trust Network. Trust Network members are all using Switch to share confidential information securely.

How can I access my data?

*Egress Switch allows you to access your data securely in multiple ways;
Web based access – the default way to open a Switch secure email is via a web browser which requires no download or installation of software.*

Desktop applications – if you want to integrate Switch Secure Email and File Transfer into your existing email client or systems for a more seamless and simplified user experience our desktop applications are free to download and simple to install.

Mobile applications – as workforces become more mobile it is important that you can access information securely where ever you are. Our mobile applications integrate seamlessly with multiple mobile devices including Android, BlackBerry, iPad/iPhone and Windows Phone.

What can I share securely?


Egress Switch provides a broad security platform which allows you to securely share confidential information by email and file transfer, large file transfer, secure online collaboration and via secure web forms.

Our approach provides "follow the data" control so that you have the reassurance that the sensitive information you share is only accessed by the intended recipient.

Further Information

<https://www.egress.com/support/faq>

Annex E: Disability Access Fund Declaration Form

<i>Insert Provider Logo here</i>	Disability Access Fund Declaration	in partnership with Devon County Council 
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Provider Name:	<i>Insert Provider name here</i>
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Child's Details (to be completed by the parent/carer)

	First Name	Middle Name(s)	Last Name
Legal Name:			
Chosen Name:			
Date of Birth:	___/___/_____	Gender:	Male / Female

Disability Access Fund Declaration

Three- and four-year-old children who are in receipt of child Disability Living Allowance and are receiving the funded entitlement are eligible for the Disability Access Fund. The Disability Access Fund is paid to the child's early years provider as a fixed annual rate of £615 per eligible child.

A copy of the Disability Living Allowance (DLA) award notification covering the period for which you wish to claim the DAF is attached:	<input type="checkbox"/> Yes	
Is your child attending another provider?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Name of provider:		
Which provider would you like to receive the Disability Access Funding?		

We [**state name of provider**] are collecting your personal data to email securely to Devon County Council's Early Years and Childcare Service for the purposes of claiming Disability Access Funding for your child at [**insert Providers name**]. We undertake to ensure your personal data will only be used in accordance with our

privacy notice which can be accessed [**state where this can be located or provide hyperlink**] and the Devon County Council [privacy notice](#)

Please confirm that you give your consent to us collecting your personal data and to the Council using your personal data as outlined in both privacy notices, by completing the table below.


I give my consent for you to use my personal data as outlined in your privacy notice
Signed:
Print name:
Date of consent:

You have the right to withdraw your consent at any time. Should you wish to withdraw consent, please contact [**details of the provider**] who will in turn contact the Early Years Funding Helpdesk at Devon County Council.

If you wish to exercise any of your rights under the General Data Protection Regulations, please contact our Data Protection Officer [**insert name and contact information**].

PROVIDERS MUST SECURELY EMAIL THIS FORM AND THE AWARD NOTIFICATION TO eyef@devon.gov.uk

Annex F: [ECONOMIC: Early Years Pupil Premium Declaration Form](#)

Economic Early Years Pupil Premium Declaration Form		<small>in partnership with</small> Devon County Council 
<i>Insert Provider Logo here</i>		
Provider Name:	<i>Insert Provider name here</i>	

Economic Early Years Pupil Premium Declaration

Early Years Pupil Premium could bring £300 of funding to your provider to support your child. If you receive one of the benefits below you could attract this funding:

- Income Support
- Income-based Jobseeker's 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 (provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
- Working Tax Credit run-on, which is paid for 4 weeks after they stop qualifying for Working Tax Credit
- Universal Credit –parents must have an annual net earned income equivalent to and not exceeding £7,400 assessed on up to 3 of the most recent assessment periods.

The Early Years Pupil Premium is paid to the child's early years provider based on the number of universal entitlement hours that the child is attending at a rate of 53p for each hour. A child that takes the full 570-hour entitlement will attract just over £300 which will be paid to the provider to support that child's learning and development.

We need the following personal information to check if you are eligible.

Child's Details (to be completed by the parent/carer)

Legal Name:	First Name	Middle Name(s)	Last Name
Date of Birth:			

Parents Details

Last name:	Parent/Guardian 1						Parent/Guardian 2					
First Name:												
Date of Birth	D		M		Y		D		M		Y	
National Insurance Number:												
National Asylum Support Service (NASS) Number:		/		/				/		/		
Address:												
	Postcode:						Postcode:					

General Data Protection Regulation Template Consent

Your personal data is being used by [state provider name] for the purposes of claiming Early Years Pupil Premium funding from Devon County Council. We undertake to ensure your personal data will only be used in accordance with our privacy notice which can be accessed [state where this can be located or provide hyperlink]

The information provided will be shared with Devon County Council (DCC). For more details see Devon County Councils [Privacy Notice](#)

Please confirm that you give your consent to **[state provider name]** using your personal data as outlined in our privacy notice and Devon County Councils [privacy notice](#), by completing the table below.

I give my consent for you to use my personal data as outlined in your privacy notice and Devon County Councils privacy notice .
Signed:
Print name:
Date of consent:

You have the right to withdraw your consent at any time. Should you wish to withdraw consent, please contact **[provide name and contact details]**.

If you wish to exercise any of your rights under the General Data Protection Regulations, please contact our Data Protection Officer **[state name and contact details]**.

DO NOT SEND THIS FORM TO DEVON COUNTY COUNCIL

Annex G: NON- ECONOMIC: Early Years Pupil Premium Declaration Form

<p><i>Insert Provider Logo here</i></p>	<h1 style="margin: 0;">Non- Economic Early Years Pupil Premium Declaration Form</h1>	<p>in partnership with  Devon County Council</p>
Provider Name:	<p><i>Insert Provider name here</i></p>	

Non-Economic Early Years Pupil Premium Declaration

The Early Years Pupil Premium (EYPP) should be claimed for three and four-year-old children who are receiving the funded entitlement and are:

- Looked after by a Local Authority in England or Wales (in care) or
- Have left care in England or Wales through:
 - A Special Guardianship Order
 - A Child Arrangements Order
 - An Adoption Order

Do not use this form for Children in the Care of:

- Devon County Council [we already know about these children]
- another Local Authority [the other Local Authority pay the Early Years Pupil Premium for that child and should be contacted directly]

The Early Years Pupil Premium is paid to the child’s early years provider based on the number of universal entitlement hours that the child is attending at a rate of 53p for each hour. A child that takes the full 570-hour entitlement will attract just over £300 which will be paid to the provider to support that child’s learning and development.

We need the following information to confirm eligibility.

Child’s Details (to be completed by the parent/carer)

Legal Name:	First Name	Middle Name(s)	Last Name
Date of Birth:			

Evidence of Eligibility (to be completed by the provider)

	Tick one:	Date electronic copy of order was made:
Special Guardianship Order:		
Child Arrangements Order:		
Adoption Order:		

Parents/Carers Details

Last name:	
First Name:	
Date of Birth	DD/MM/YYYY
Daytime Telephone Number:	
Mobile Number:	
Address:	
	Postcode:

This form and a copy of the relevant order will be securely emailed to Devon County Council to enable a funding claim to be made for your child.

General Data Protection Regulation Template Consent

Your personal data is being used by [state provider name] for the purposes of claiming Early Years Pupil Premium funding from Devon County Council. We undertake to ensure your personal data will only be used in accordance with our

privacy notice which can be accessed [**state where this can be located or provide hyperlink**]

The information provided will be shared with Devon County Council to enable [provider name] to claim Early Years Pupil Premium funding on behalf of your child.

For more details read Devon County Councils [Privacy Notice](#)

Please confirm that you give your consent to [**state provider name**] using your personal data as outlined in our privacy notice and Devon County Councils privacy notice, by completing the table below.

I give my consent for you to use my personal data as outlined in [your privacy notice] and Devon County Councils privacy notice .
Signed:
Print name:
Date of consent:

You have the right to withdraw your consent at any time. Should you wish to withdraw consent, please contact [**provide name and contact details**].

If you wish to exercise any of your rights under the General Data Protection Regulations, please contact our Data Protection Officer [**state name and contact details**].

PROVIDERS MUST SECURELY EMAIL THIS FORM AND THE RELEVANT ORDER TO eyef@devon.gov.uk

Annex H: Early Years and Childcare Service Charging Policy

Funding deadlines are set to ensure funding can be paid at the earliest opportunity. When submission deadlines are missed tasks must be re-issued. This has a knock-on to when data quality checks can be carried out as they cannot be completed until all Headcount /Amendment Tasks have been submitted. This in turn impacts on Early Years Pupil Premium checks. These issues, caused by deadlines not being met and inaccurate, incomplete or no data being submitted, create a significant amount of additional administration; it is for this reason that we are introducing a new charging policy (see 5.18).

The following charges will apply from September 2018:

Where the deadlines for submitting Headcount and Amendment Tasks has passed, and we have not received any data from you, these tasks will automatically be re-issued and a **£15** charge will be made. This increases to **£20** if both the 2-year old and 3 and 4-year-old tasks are required.

Headcount Task

- If the task has not been submitted ('not started' and 'started') by the deadline, the task will be re-issued to you. This applies to all groups and childminders that have received a forecast payment. You will have 7 days to complete the new task.
- If you do not have any funded children, a '0' return must be made and submitted.
- Please ensure that you have accurately input all data that is required.
- If the deadline for the re-issued task is subsequently missed and we receive a request to re-issue for a second time; 48 hours will be given for completion. An additional **£15** charge will be made taking the charge to **£30**.

Amendment Task

- If the Amendment Task has not been submitted by the deadline we will only re-issue a task on request. A **£15** charge will be made. This increases to **£20** if both the 2-year-old and the three and four-year-old tasks are re-issued.
- If an Amendment Task is not submitted and an error is later found due to a 'leaver' (child leaving the provision) or a 'conflict' (child claiming more hours

between two or more providers), where a change of hours should have been submitted, the charges above will apply.

Requests for Payments after Forecast / Headcount Payments

Forecast Payments

A Forecast Payment is a percentage payment that is made at the start of term.

Group providers percentage payments are calculated based on the previous terms claims unless they request a different amount due to changes in pupil numbers.

Childminders will receive an email from eyef@devon.gov.uk as their numbers can fluctuate. They are asked to provide the total termly hours they expect to have, for 3 and 4-year olds and for 2-year olds, for the following term. The forecast is calculated on that basis.

Headcount Payments

Headcount Payments are made following the submission of the Headcount Task where funded hours are claimed. The payment is made by calculating the termly hours multiplied by the hourly funding rate for 3 and 4-year olds and 2-year olds, less the Forecast Payment made at the start of term.

Additional Payments

Additional Payments will only be processed in exceptional circumstances. Therefore, a request must be made which will be considered and, if approved, a charge will be applied. This will be 5% of payment – up to a maximum of **£25**.

All charges will be deducted from your next payment. This may be an Early Years Funding payment but could also be deducted from any payment you are due to receive from Devon County Council.