

# Provider Agreement

Terms and Conditions for the provision  
of Funded Early Education Entitlement  
places

Autumn 2020

<b>Section 1:</b> .....	<b>3</b>
<i>Introduction</i> .....	3
<i>Legal framework and statutory guidance</i> .....	4
<i>Key local authority responsibilities</i> .....	4
<i>Key provider responsibilities</i> .....	5
<i>Confidentiality</i> .....	5
<i>Data Protection</i> .....	5
<i>Freedom of Information, Environmental Information and Transparency</i> .....	6
<b>Section 2:</b> .....	<b>6</b>
<i>Safeguarding</i> .....	6
<i>Eligibility</i> .....	6
<i>The Grace Period (for the Extended Entitlement)</i> .....	7
<i>Flexibility</i> .....	8
<i>Partnership Working</i> .....	9
<i>Special Educational Needs and Disabilities</i> .....	10
<i>Social Mobility and Disadvantage</i> .....	11
<i>Quality</i> .....	11
<b>Section 3:</b> .....	<b>13</b>
<i>Business planning</i> .....	13
<i>Financial records</i> .....	14
<i>Audits</i> .....	14
<i>Delivery models for FEEE places</i> .....	15
<i>Charging</i> .....	16
<i>Funding</i> .....	18
<i>Funding rates for FEEE places</i> .....	18
<i>Early Years Pupil Premium</i> .....	19
<i>Attendance Monitoring</i> .....	20
<i>Extended holidays</i> .....	20
<i>Setting closures</i> .....	20
<i>Staff Training days / Public Holidays</i> .....	20
<i>Settling in Period</i> .....	21
<i>Compliance</i> .....	21
<i>Compliance Process</i> .....	21
<i>Termination and withdrawal of funding</i> .....	22
<i>Appeals process</i> .....	22
<i>Complaints process</i> .....	22
<b>Annexes</b> .....	<b>23</b>
<i>Annex A - Provider Information, Declarations and Signatures</i> .....	23
<i>Annex B - Parental Declaration Form</i> .....	23
<i>Annex C - Data Controller to Data Controller Agreement</i> .....	23
<i>Annex D (i) - Compliance Process – For Quality and Finance non-compliance</i> .....	23
<i>Annex D (ii) - Finance Auditing Processes</i> .....	23
<b>Data Privacy Guidance</b> .....	<b>23</b>
<b>Contact Details for Leicester City Council Teams</b> .....	<b>24</b>

# Section 1:

## Introduction

1.1. Good quality early education experiences have a positive impact on a child's future outcomes. Leicester City Council aims to ensure that every child in Leicester gets the very best start in life and is given every opportunity to learn and develop so that they are ready to begin school and achieve their best.

1.2. Funded Early Education Entitlement (FEEE) is available for the most disadvantaged 2 year olds and all 3 & 4 year olds as follows:

- FEEE for 2 year olds:

Eligible\* 2 year olds qualify for up to 570 hours per year.

- FEEE for 3 & 4 year olds:

Universal Entitlement (UE) - ALL 3 & 4 year olds qualify for up to 570 hours per year.

Extended Entitlement (EE) - Eligible\* 3 & 4 year olds from working families, including foster families, may qualify for up to 1,140 hours per year which is made up of 570 hours UE and an additional 570 hours EE.

\*Eligibility information and criteria can be accessed via [Childcare Choices](#)

Detailed eligibility criteria can be accessed on the GOV.UK website:

- FEEE for 2 year olds:

[https://www.gov.uk/help-with-childcare-costs/free-childcare-2-year-olds?utm\\_source=childcarechoices&utm\\_medium=microsite](https://www.gov.uk/help-with-childcare-costs/free-childcare-2-year-olds?utm_source=childcarechoices&utm_medium=microsite)

- Universal Entitlement for 3 & 4 year olds (15 hours FEEE)

[https://www.gov.uk/help-with-childcare-costs/free-childcare-and-education-for-2-to-4-year-olds?utm\\_source=childcarechoices&utm\\_medium=microsite](https://www.gov.uk/help-with-childcare-costs/free-childcare-and-education-for-2-to-4-year-olds?utm_source=childcarechoices&utm_medium=microsite)

- Extended Entitlement for 3 & 4 year olds (30 hours FEEE)

<https://www.gov.uk/30-hours-free-childcare>

1.3. The provider agreement is for Early years providers who are referred to as 'providers' and include:

- Providers from the private, voluntary or independent (PVI) and the childminding (CM) sectors registered on the Ofsted Early Years Register;
- Childminders registered with a childminder agency (CMA) 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.

1.4. Families are able to access their FEEE place at any registered provider of their choice. The FEEE hours must be delivered free of charge by the chosen provider with the provider claiming the relevant funding for the child's place from Leicester City Council.

1.5. 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. Local authorities should 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.

## Legal framework and statutory guidance

1.6. The following frameworks and legislation underpin this agreement:

- Early Education and childcare, Statutory guidance for Local Authorities 2018
- Childcare Act 2006
- Childcare Act 2016
- Childcare Act 1989 (section 17)
- Equality Act 2010
- School admissions code 2014
- Statutory framework for the early years foundation stage 2014
- Local Authority, (Duty to Secure Early Years Provision Free of Charge) Regulations 2014
- 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
- Data Protection Act 2018
- Human Rights Act 1998
- Freedom of Information Act 2000 (FOIA)
- Environmental Information Regulations 2004 (EIR)

1.7. Leicester City Council has the right to unilaterally vary the agreement to reflect changes in legislation and departmental guidance.

1.8. References to legislation will be to that legislation as amended from time to time, without express change in this agreement.

## Key local authority responsibilities

1.9. Leicester City Council must secure a funded entitlement place for every eligible child in their area.

1.10. Leicester City Council will work in partnership with providers to agree how to deliver funded entitlement places.

1.11. Leicester City Council will be clear about our role and the support on offer to meet the needs of children with special educational needs and/or disabilities (SEND) as well as our expectations of providers.

1.12. Leicester City Council will contribute to the safeguarding and promote the welfare of children and young people in our area.

## Key provider responsibilities

1.13. The provider must comply with all its legal obligations including all relevant legislation (including the requirement to notify their processing of personal data to the Information Commissioner's Office) and insurance requirements. The provider will ensure that it maintains at all times adequate insurance cover with an insurer of good repute to cover all claims and liabilities under this agreement as well as any other claims or demands which may be brought or made against it by any person suffering injury, damage or loss and which shall include public and employers liability cover.

1.14. The provider should 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 service or consumables. This means that the provider should be clear and communicate to parents details about the days and times that they offer funded places, along with their services and charges. Those children accessing the funded entitlements should receive the same quality and access to provision.

1.15. The provider must follow the Early Years Foundation Stage (EYFS) and have clear safeguarding policies and procedures in place that link to the Leicester Safeguarding Children Board's guidance for recognising, responding to, reporting and recording suspected or actual abuse.

1.16. The provider must have arrangements in place to support children with special educational needs and /or disabilities (SEND). These arrangements should include a clear approach to identifying and responding to SEND. Providers should utilise the Early Years Inclusion Funding and the Disability Access Fund (DAF) to deliver effective support, whilst making information available about their SEND offer to parents.

1.17. The provider must notify Leicester City Council of any closures or changes to the way they deliver the funded entitlements, as well as ensure that they make the required notifications to Ofsted.

## Confidentiality

1.18. Unless otherwise required by law, Leicester City Council and the provider shall keep confidential all matters relating to any agreement made and shall make all reasonable efforts to prevent anyone else from disclosing matters to any other person.

## Data Protection

1.19. Leicester City Council and the provider acknowledge that for the purposes of the Data Protection Act 2018, they are both Data Controllers in common in respect of any Personal Data processed under any agreement made.

1.20. Leicester City Council and the provider shall ensure that Personal Data is controlled, processed and safeguarded in accordance with legislation at all times.

1.21. Leicester City Council and the provider shall agree and sign an Information Sharing Agreement in order to safeguard the sharing of any Personal Data.

All providers must agree and sign the Data Controller to Data Controller Agreement (Annex C).

All providers must register with the Information Commissioner's Office (ICO). <https://ico.org.uk/>

## Freedom of Information, Environmental Information and Transparency

1.22. The provider acknowledges that Leicester City Council is subject to the requirements of the FOIA and the EIR and shall assist and cooperate with the council to enable it to comply with these information disclosure requirements regarding information relating to any agreement made.

### Section 2:

#### Safeguarding

2.1. Leicester City Council has overarching responsibility for safeguarding and promoting the welfare of all children and young people in our area. We have a number of statutory functions under the 1989 and 2004 Children Acts which make this clear, and the 'Working Together to Safeguard Children' 2018 guidance sets these out in detail.

2.2. The provider must follow the 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 named 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' 2018 guidance.

Any concerns about an adult who works or volunteers with children harming a child, should be reported to the LADO (Local Authority Designated Officer) on **0116 454 2440** or email [lado-allegations-referrals@leicester.gov.uk](mailto:lado-allegations-referrals@leicester.gov.uk)

#### Eligibility

2.3. The provider should check original copies of documentation (birth certificates or passports) to confirm a child has reached the eligible age on initial registration for all funded entitlements. The provider can retain paper or digital copies of documentation to enable Leicester City Council to carry out audits and fraud investigations. Providers must store both paper and digital copies of documentation securely and delete or dispose of them when there is no longer a good reason to keep the data.

The data privacy guidance is set out in the notes under Annex C below.

The table below establishes when a child is entitled to start accessing FEEE based on their birth date.

<b>Child's date of birth is between</b>	<b>Eligibility start date after the Child's 2nd or 3rd Birthday</b>
01 Jan and 31 Mar	01 Apr or start of the Summer Term
01 Apr and 31 Aug	01 Sep or start of the Autumn Term
01 Sep and 31 Dec	01 Jan or start of the Spring Term

The 'age eligibility' date ranges are fixed and cannot be changed under any circumstances.

The funded entitlement stops when a child starts attending a full time reception class place in a state school or, if later, when the child reaches compulsory school age i.e. 31 Mar, 31 Aug or 31 Dec on or after the child's 5th birthday.

2.4. The provider should offer places to eligible two year olds on the understanding that the child remains eligible until they become eligible for the universal entitlement for three and four year olds.

2.5. Leicester City Council will ensure that a child has a funded entitlement place no later than the beginning of the term following the child and parent meeting the eligibility criteria for the funded entitlements.

2.6. Alongside the 30 hour eligibility code, which is the child's unique 11 digit number, and original copies of documentation, a provider must acquire written consent from, or on behalf of, the parent to be able to receive confirmation and future notifications from Leicester City Council of the validity of the parent's 30 hour eligibility code.

The Parental Declaration form (Annex B) must be completed, which asks the parent for the necessary information and consents.

2.7. Once a provider has received written consent from the parent, they should verify the 30 hours eligibility code with Leicester City Council.

2.8. Leicester City Council will confirm the validity of 30 hour eligibility codes to allow providers to offer the 30 hour places for eligible three and four year olds. Leicester City Council will provide a validity checking service to providers to enable them to verify the 30 hours eligibility codes swiftly and efficiently.

2.9. Providers will use the Leicester City Council online portal to validate the 30 hour eligibility code provided by the parent for their 30 hour place. The portal will also confirm the child's eligibility start and end dates, as well as any grace period if the child falls out of eligibility.

2.10. In the event that a 30 hour eligibility code cannot be validated through the portal the parent will need to contact HMRC directly to access support.

2.11. Thereafter, Leicester City Council will complete audit checks to review the validity of eligibility codes for children who qualify for 30 hours funded childcare at 6 fixed points in the year, both at half term and at the end of term across the year (in line with the dates listed in the table below). It is Leicester City Council's responsibility to notify the provider where a child has fallen out of eligibility and inform them of the grace period end date.

### The Grace Period (for the Extended Entitlement)

<b>Date Parent receives ineligible decision on reconfirmation:</b>	<b>LA audit date:</b>	<b>Grace Period end date:</b>
1 January – 10 February	11 February	31 March
11 February – 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

2.12. 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 HMRC or a First Tier Tribunal in the case of an appeal.

2.13. Leicester City Council will access information about whether a child has ceased to meet the eligibility criteria and entered the grace period via the Eligibility Checking Service. The grace period end date will automatically be applied to eligibility codes.

2.14. Leicester City Council will continue to fund a place for a child who enters the grace

period as set out in the Early Education and Childcare Statutory guidance for Local Authorities 2018.

2.15. Leicester City Council will submit a report to the provider after each eligibility checking date. This will inform providers of any children that are no longer eligible and notify them of the grace period applicable for each child. The provider will then advise the parent to revalidate their code.

## Flexibility

2.16. Provision must be offered within the national parameters on flexibility as set out in section A2 of Early Education and Childcare Statutory guidance for Local Authorities.

The parameters are as follows:

- No session to be longer than 10 hours
- No minimum session length (subject to the requirements of the registration on the Ofsted Early Years Register)
- Not before 6:00 am or after 8:00 pm
- A maximum of two sites in a single day\*

\*where a child accesses shared care for FEEE it is usually with 2 providers. However, in the event that a family wish to access their FEEE over more than 2 providers in a week, this will need to be discussed and agreed with the Funding & Grants FEEE Team.

2.17. Where reasonably practicable providers should offer the funding in such a way that children are able to take up their funded hours in continuous blocks to avoid artificial breaks being created throughout the day, for example over the lunch time period.

2.18. The annual entitlement can be taken as 15 hours per week or 30 hours per week over 38 weeks (term-time) or the annual entitlement of 570 hours or 1,140 hours can be 'stretched' over either 48 weeks or 51 weeks.

2.19. The delivery of the annual entitlement of 570 hours or 1,140 hours cannot be condensed into less than 38 weeks because the FEEE hours must not exceed 15 hours or 30 hours per week.

There is no requirement that providers must be open for at least 38 weeks but providers open for less than 38 weeks of the year will not be able to offer the full annual entitlement and this must be made clear to parents.

2.20. Where an eligible 3 or 4 year old is accessing a '30 hour' place across 2 providers it is referred to as 'Blended Delivery'. One provider will be delivering the UE and the other will be delivering the EE.

For a Blended Delivery place:

- both settings have to offer same number of weeks 38, 48 or 51
- when blended with a school nursery class will always be 38 weeks AND the school nursery class will always be the provider of the UE proportion and PVI/CM will be delivering the EE proportion.

2.21. The provider must work with Leicester City Council and share information about the times and periods at which they are able to offer funded entitlements to support Leicester City Council to secure sufficient stretched and flexible places to meet parental demand in the city. The provider must also make information about their offer and admissions criteria available to

parents at the point the child first accesses provision at their setting. It is mandatory for providers to complete/update the Childcare Profile Form via

<https://families.leicester.gov.uk/childcare-professionals/self-update-provider-portal/>

2.22. There is no requirement that providers must offer the 30 hours extended entitlement in order to deliver FEEE places.

2.23. 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. Therefore, childminders cannot claim FEEE for their own children and any child who is related to them (whether full blood or half blood, or by marriage or civil partnership or as a step parent).

Where childminders who are not related to each other are co-childminding on the same premises, then they could claim funding for their co-childminders' children provided certain conditions are met. For example, if two unrelated childminders (A & B) are co-childminding then childminder B can claim early education funding for Childminder A's child if all of the following conditions are met:

- the two childminders are separately registered with Ofsted;
- the two childminders are separately registered with the local authority;
- the two childminders are operating as two separate businesses (although they are working on the same premises);
- childminder A's child is registered with Childminder B.

## Partnership Working

2.24. Leicester City Council supports partnerships on four levels between:

1. Leicester City Council and providers
2. Providers working with other providers, including childminders, schools and organisations
3. Providers and parents
4. Leicester City Council and parents

2.25. Leicester City Council promotes partnership working between different types of providers, including childminders, across all sectors and encourages more providers to offer flexible provision, alongside other providers.

2.26. The provider must work in partnership with parents, carers and other providers to improve provision and outcomes for children in their setting. An interactive toolkit (link below) 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.

<http://www.familyandchildcaretrust.org/dfes-30-hour-mixed-model-partnership-toolkit>

2.27. 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, such as at a maintained setting and childminder, to ensure a smooth transition for the child.

2.28. For all FEEE places offered, providers must get the parents to complete and sign a Parental Declaration form (Annex B). The provider must complete and sign the form alongside the parents to ensure that all agreements are clear between the provider and the parent.

The original signed Parental Declaration Forms (Annex B) must be retained by the provider for a period of 6 years and be made available to a local authority officer for audit purposes. A copy must be given to the parent/carer for their reference.

## Special Educational Needs and Disabilities

2.29. Leicester City Council strategically plans the support provided to children with SEND, to support the needs of all children in our area as per the Special Educational Needs and Disability Code of Practice: 0-25 years (January 2015).

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/398815/SEND\\_Code\\_of\\_Practice\\_January\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

2.30. The provider must ensure owners and staff members are aware of their duties in relation to the SEND Code of Practice and Equality Act 2010.

2.31. The EYFS sets the standards that all early years providers must meet, to ensure that children have equality of opportunity and anti-discriminatory practice, ensuring that every child is included and supported. The Local Authority has a legal duty to inform Ofsted, where there is evidence that the practice is not inclusive.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/596629/EYFS\\_STATUTORY\\_FRAMEWORK\\_2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf)

2.32. The 'Inclusive Provision for children with SEND in early years' document (<https://families.leicester.gov.uk/childcare-professionals/send-for-professionals/>) is currently under review and will be available to providers in spring 2021. The document describes the LA's expectations of provision ordinarily available for SEND children receiving FEEE, therefore all providers will need to adhere to this document.

2.33. Leicester City Council has a published local offer which provides information and advice about SEND and how to search for local services that can support children and young people with SEND. This is available via: <https://families.leicester.gov.uk/send-local-offer/>

2.34. The provider must be clear and transparent about the SEND support on offer at their setting and make information available about their offer to support parents to choose the right setting for their child with SEND.

2.35. Providers claiming FEEE funding for children with SEND may be able to claim the full 15 (or 30 hours if entitled) per week even if the child does not attend for the full 15 or 30 hours due to their individual needs. The provider must supply a statement from their named Special Educational Needs Coordinator (SENCo) to support the claim and identify how the additional money will be spent to support the child concerned.

2.36. Children with additional needs are entitled to access their funded place on the same terms as every child, and providers have a legal duty to ensure that they are making reasonable adjustments to enable children to attend their provision.

<https://www.gov.uk/guidance/equality-act-2010-guidance>

2.37. Leicester City Council may provide some financial support known as Early Years Inclusion Funding (subject to availability and conditions) to enable settings to undertake essential training or offer more appropriate staff:child ratios. Please speak to your area SENCo for more information.

2.38. Training for any SENCo within a provision does not need to be accessed via Leicester City Council. However, it must be of an equivalent standard, i.e. a minimum of 18 hours training.

2.39. For childminders, support and advice should be accessed through Leicester City Council's Early Years Support Team. They will be able to help plan the work that is undertaken to improve outcomes for individual children and will be able to help with applications to the Early Years Inclusion Funding panel.

2.40. If a complaint is received regarding any provider denying a place to a child with additional needs, Leicester City Council will investigate and may, if the provider is found to be discriminating against a child based on their additional needs, report the concerns to Ofsted for further investigation and enter the provider into the compliance process.

## Social Mobility and Disadvantage

2.41. Leicester City Council promotes equality and inclusion, particularly for disadvantaged families, looked after children and children in need by removing barriers of access to funded places and working with parents to give each child support to reach their full potential.

2.42. The provider should ensure that they have identified the disadvantaged children in their setting as part of the process or checking Early Years Pupil Premium (EYPP) eligibility. They will also use EYPP and any locally available funding streams or support to improve outcomes for this group.

## Quality

2.43. 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 safe.

2.44. Ofsted are the sole arbiter of quality for all funded entitlements and Ofsted inspectorates of independent schools have regard to the EYFS in carrying out inspections and report on the quality and standards of provision.

2.45. Leicester City 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 to providers who are rated less than 'Good' by Ofsted or newly registered providers.

2.46. The purpose of providing funded places for children aged 2, 3 and 4 years is to improve their early opportunities and prepare them for school. Therefore, high standards in practice with regards to learning are essential.

2.47. Provision must be offered in accordance with the national parameters on quality as set out in section A3 of Early Education and Childcare Statutory guidance for Local Authorities and the EYFS statutory framework.

2.48. The minimum quality levels that must be maintained in order to remain eligible to deliver places are as follows:

- Providers delivering FEEE places to eligible 2 year olds are required to maintain a minimum Ofsted judgement of Good
- Providers delivering FEEE places to 3 and 4 year olds are required to maintain a minimum Ofsted judgement of Requires Improvement

Providers who have an Ofsted judgement of 'Met' can deliver FEEE places to 2, 3 and 4 year olds. The minimum quality levels above will apply when the subsequent full Ofsted inspection judgement is published.

Childminders who are part of a registered CMA which is judged to be 'Effective' can deliver FEEE places to 2, 3 and 4 year olds.

New providers registered with Ofsted can deliver FEEE places to eligible 2, 3 and 4 year olds. The minimum quality levels above will apply when the first full Ofsted inspection

judgement is published. There may be exceptions where the local authority will consider any information published by Ofsted about a provider or childminder agency including the recent history about childcare provision by a particular provider or agency or childcare provision at a particular address. This may include, for example, where the local authority has concerns that a provider judged “inadequate” by Ofsted may have re-registered their setting with Ofsted to avoid making the quality improvements identified by Ofsted.

2.49. In the event that a provider is inspected and fails to meet the minimum quality criteria stated above, the provision will become non-compliant and the compliance process will be initiated.

2.50. Support will be offered to providers that are judged by Ofsted to be ‘Inadequate’, ‘Not Met’ or ‘Requires Improvement’. This offer may include access to training and support on steps the provider could take to improve quality in preparation for their next inspection. The level and content of this support will be determined by Leicester City Council.

2.51. Independent Schools may choose to be inspected by an independent inspectorate other than Ofsted. Both Ofsted and independent inspectorates will have regard to the EYFS in carrying out inspections to report on the quality and standards of provision. Therefore, the references to Ofsted inspection judgements in this document can be read to include, where applicable, the equivalent inspection judgement of an independent inspectorate approved by the Secretary of State.

2.52. Existing providers who have not previously signed-up to the Autumn 2020 Provider Agreement to deliver FEEE places cannot be signed-up if they have an Ofsted grading of Inadequate or Not Met or Not Effective (CMA). If the provider has a grading of Requires Improvement then they can only sign-up to deliver FEEE for 3 & 4 year olds (and not for 2 year olds).

Providers who are already delivering FEEE under the Autumn 2020 Provider Agreement, and who have had a less than Good judgement subsequently, can sign-up to deliver FEEE to 2, 3 & 4 year olds BUT will remain subject to any FEEE compliance measures in place.

2.53. Providers who are served with one or more Welfare Requirement Notices (WRN) by Ofsted will be entered into compliance by the local authority regardless of whether a full inspection has taken place or not. The setting will remain in compliance until such times as they have been monitored by Ofsted and they have published notification that they are satisfied that the necessary action has been taken to address the notice served.

Refer to Annex D (i).

2.54. For childminders registered with a childminding agency (CMA), the local authority will require the CMA to inform and update them regarding any information/changes and/or concerns which may affect the childminder’s compliance with these terms and conditions for the delivery of FEEE places – the childminder would then be subject to the compliance process.

2.55. Where a childminder registered with a CMA is co-childminding or operating from the same premises with an Ofsted registered childminder, the LA may need to stipulate additional compliance conditions if there were changes to the inspection outcome (if less than Good) and/or any regulatory action taken against the Ofsted registered childminder. Similarly, additional compliance conditions may also be stipulated for the Ofsted registered childminder/s (where co-minding with an agency childminder) if there were changes to the inspection outcome or regulatory action taken against the childminding agency.

## Section 3:

### Business planning

#### Required documentation

3.1. The 'headcount' is an information return made to Leicester City Council by the provider using the Leicester City Council online portal system, and contains the actual attendance details of each child receiving a FEEE place. There is one headcount each term with the portal being available as indicated below. Each term the provider is able to add or amend data for a 7 week period. Any child that starts attending the provision but leaves part way through a term can be funded for split weeks, providing the child does not exceed the total hours/ weeks for that term.

3.2. Portal submission timeline 2020/2021 academic year:

Term	Portal opening date	Portal closing date (at 23:59hrs)	Notes
Autumn 2020	Tue 01 Sep 2020	Mon 26 Oct 2020	Children who start after this date cannot be added to the headcount.
Spring 2021	Tue 22 Dec 2020	Fri 12 Feb 2021	New children who start after the submission date but attend by Fri 26 Feb 2021 can be added to the headcount. Children who start on or after Mon 01 Mar 2021 cannot be added to the Spring 2021 headcount.
Summer 2021	Mon 12 Apr 2021	Mon 31 May 2021	Children who start after this date cannot be added to the headcount.

Other submissions timeline 2020/21 academic year:

Activity	Date
Actual Census Day (Estimated)	Thu 14 Jan 2021
Census data to be submitted. This is a mandatory requirement for all FEEE providers	Sun 31 Jan 2021 23:59hrs
Evidence for Early Years Professional (EYP) or Qualified Teacher Status (QTS) Which must be submitted to qualify for the additional quality related supplement as from the Summer Term 2021	Sun 14 Feb 2021 23:59hrs

3.3. Payment schedule 2020/2021 academic year:

Term	Estimate payment	Adjustment Payment and EYPP Payment
Autumn 2020	W/C 24 Aug 2020	W/C 07 Dec 2020
Spring 2021	W/C 04 Jan 2021	W/C 30 Mar 2021
Summer 2021	W/C 12 Apr 2021	W/C 05 Jul 2021

3.4. Funding is provided for up to 570 hours (UE) or up to 1140 hours (EE) per year. This is generally paid in line with the school term dates for each academic year (equating to 15 or 30 hours per week for 38 weeks per year) but parents can choose to access their entitlement flexibly over fewer hours per week and more weeks per year (either 48 weeks or 51 weeks).

3.5. Headcount documentation will be sent electronically for submission via the Leicester City Council online portal.

## Financial records

3.6. The provider should maintain accurate financial and non-financial records relating to funded entitlement places and should give Leicester City Council officers access on reasonable notice to all financial and non-financial records relating to funded entitlement places funded under this agreement, subject to confidentiality restrictions.

3.7. The provider should ensure they submit and/or retain timely and accurate information, including, but not limited to, headcount data, census data, parental declaration forms and invoices. Failure to do so may result in inaccurate, delayed or suspended funding.

3.8. Leicester City Council has a duty to ensure that public funding is used in accordance with legislation and any associated statutory guidance.

3.9. Financial records relating to the delivery of FEEE places must be retained by the provider for a minimum period of 6 years from the date each child takes up a place.

## Audits

3.10. Leicester City Council will use an audit process to check that all providers in receipt of FEEE funding are administering the funding in line with these terms and conditions and legal requirements. Audits will be carried out each term for a random sample of providers or may be initiated as a result of a complaint regarding the provision of FEEE places. Audits may be unannounced.

3.11. At the audit visit the local authority officer will go through registers of children attending the setting, as well as looking at any associated copies of birth certificates or passports (if retained) to compare with the providers FEEE claim. They will also review the invoicing system and examples of invoices. The local authority officer may also take away copies of any or all of the above documentation.

3.12. The local authority officer will also contact a number of parents of children accessing their FEEE place at the setting via an online questionnaire.

3.13. Providers are obliged to make all records fully available to any visiting officer from Leicester City Council as requested, and to cooperate fully with the audit process.

3.14. During the audit the local authority officer will highlight any discrepancies to the provider and make suggestions or directions for any changes to recording or administration processes that may need to be made.

3.15. After the visit the local authority officer will compile a full report for Leicester City Council managers. The report will identify any discrepancies found during the audit along with all recommendations and directions made to the provider at the time of the visit. The provider will receive an electronic copy of the report or, where there is no email address provided, a hard copy will be posted.

3.16. In the event that discrepancies are found the provider will be judged to be non-compliant and the compliance process will be initiated. Refer to Annex D (i).

3.17. Leicester City Council will report any evidence of fraudulent activity to the police and will recoup any or all payments made to the provider.

3.18. Leicester City Council reserves the right to refuse funding to any person or organisation that has a history of misuse of public funds or any criminal record relating to financial mismanagement or fraud.

## Delivery models for FEEE places

3.19. Leicester City Council supports three models that providers can choose to use to deliver their FEEE places:

- 1) **The standard 'term time' model:** 15 or 30 hours (dependent on eligibility of the child) per week for 38 weeks per year. This equates to a maximum of 570 hours (15 hours) or 1140 hours (30 hours).

Term	Maximum weeks	Maximum hours
Autumn	14	210 (UE) or 420 (EE)
Spring	12	180 (UE) or 360 (EE)
Summer	12	180 (UE) or 360 (EE)
<b>Total</b>	<b>38</b>	<b>570 (UE) or 1140 (EE)</b>

(UE= Universal 15 hour entitlement; EE = Extended 30 hour entitlement)

- 2) **The 51 week 'stretched' offer model:** 190 or 380 (dependent on eligibility of the child) hours per term with 3 equal terms of 17 weeks.

Term	Total hours per term
Autumn term 17 weeks	190 (UE) or 380 (EE)
Spring term 17 weeks	190 (UE) or 380 (EE)
Summer term 17 weeks	190 (UE) or 380 (EE)
Total: 51 weeks	570 (UE) or 1140 (EE)

- 3) **The 48 week 'stretched' offer model:** 190 or 380 (dependent on eligibility of the child) hours per term with 3 equal terms of 16 weeks.

Term	Total hours per term
Autumn term 16 weeks	190 (UE) or 380 (EE)
Spring term 16 weeks	190 (UE) or 380 (EE)
Summer term 16 weeks	190 (UE) or 380 (EE)
Total: 48 weeks	570 (UE) or 1140 (EE)

**Please note:** A child can access a term time model or stretched offer model at more than one provider. This is known as a 'blended offer' between the providers. However, both providers must either offer a term time model or use the same stretched offer model (i.e. either the 51 weeks or the 48 weeks).

3.20. Providers must inform Leicester City Council of any children that will be accessing either of the 'stretched' offer models using the Leicester City Council online portal.

3.21. All details of the hours and providers that are being attended must be recorded accurately on the Parental Declaration form.

**Practice guidance:** If a child accessing a stretched offer leaves a setting and starts at another provider part way through a term, the number of hours provided will be calculated by the local authority to determine a fair approach to funding.

**Practice guidance:** Children cannot change from one model to another during a term. The family will need to wait to make any changes until the start of the following term.

## Charging

3.22. Government funding is intended to cover the cost to deliver 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.

3.23. The provider can charge for meals and snacks as part of the 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 voluntary 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.

**Practice guidance:** Providers must be able to evidence that the FEEE places delivered are completely free to the family, and that any additionality charged for is voluntary. For children that attend over lunch time there must be a way for the child to access a lunch without incurring a charge, such being allowed to bring a packed lunch.

3.24. The provider should deliver the funded entitlements consistently so that all children accessing any of the funded entitlements will receive the same quality and access to provision, regardless of whether they opt to pay for optional hours, services, meals or consumables.

**Practice guidance:** Transport time can only be included in FEEE hours for transport between two providers as part of a **blended offer** for the extended entitlement and where there is no separate charge made for the transport. If there is a cost for the transport then the transport time must not be included in the FEEE hours.

If a provider offers transport, at a cost or for free, to enable children to access their 15 or 30 hour entitlement **wholly** at the setting, transportation time must not be included in the funded hours. (Transport for trips is not included in this guidance.)

3.25. Leicester City Council will not intervene where parents choose to purchase additional hours of provision or additional services, providing that this does not affect the parents' ability to take up their child's funded place. The provider should be completely transparent about any additional charge.

3.26. 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.

**Practice guidance:** Providers must publish their admissions criteria, including reference to managing applications. This could be on the business website, social media sites or on the relevant section of the Family Information Directory.

3.27. Children should be able to take up their funded hours as part of continuous provision and providers should avoid artificial breaks in the day wherever possible.

**Practice guidance:** Evidence shows that continuous provision is in the best interests of the child. Where it is reasonably practicable providers should ensure that children are able to take up their funded hours in continuous blocks and avoid artificial breaks being created throughout the day, for example over the lunch period.

3.28. The provider can charge parents a deposit to secure their child's funded place but should refund the deposit in full within a reasonable time (Leicester City Council recommends by the end of the first week of attendance) after the child takes up their place. No deposit may be charged for a 2 year old FEEE place where a child is only accessing the funded entitlement hours.

**Practice guidance:** If providers choose to charge a deposit they will need to evidence that this is not creating a barrier of access for families who are unable to pay. Deposits that are deemed to be excessive may cause providers to be non-compliant with clauses within this document that relate to equality of access. Leicester City Council recommends providers charge **no deposit** for a FEEE-only place, where no additional hours are being purchased.

3.29. The provider cannot charge parents 'top up' fees (the difference between a providers usual fee and the funding they receive from Leicester City Council to deliver funded places) or require parents, who are accessing the funded entitlement hours only, to pay a registration fee as a condition of taking up their child's funded place.

3.30. The provider must ensure their invoices and receipts are clear, transparent and itemised, allowing parents to see that they have received their funded entitlement completely free of charge and understand fees paid for additional hours. The provider will also ensure that receipts contain their full details so that they can be identified as coming from a specific provider.

3.31. All FEEE places where a child is only accessing the funded entitlement hours must be offered as completely free to the parent.

**Practice guidance:** You must supply all parents with an invoice that clearly shows the FEEE hours accessed up to a maximum of 570 or 1140 per year, along with any additional hours or services that the parent has chosen to pay.

3.32. Providers are not allowed to insist on any conditions for FEEE places where a child is only accessing the funded entitlement hours. This includes items such as registration fees, pre-payment of fees, uniforms, meals and snacks, additional activities and additional hours.

Parents are free to purchase additional services if they need these and choose to do so.

3.33. It is acknowledged that providers will manage their applications to ensure their setting is financially sustainable. However, once an offer of a FEEE place is made to a parent, this must not be withdrawn at a later date in favour of a parent who wishes to purchase additional hours or services.

3.34. Once a child starts taking up their FEEE place in the agreed model of delivery hours, this must be available for as long as the parent requires. Providers must endeavour to accommodate any changes to a delivery model requested by a parent (from the following term). However, if changes cannot be accommodated this should be stated clearly in their admissions criteria and agreement with parents.

## Funding

3.35. Leicester City Council does not offer a monthly payment option and our payment system is explained in the paragraphs below.

3.36. Funding is paid directly into the providers' bank account usually via BACS.

3.37. Payment of funding is split into 2 payments per term. The provider will receive an 'estimate payment' at the beginning of each term. The amount of funding paid for the estimate varies and is based on the number of children funded at the provider over the previous financial year. The estimate payment amounts to 70% of the previous financial years' funding, which is then divided by 3 to represent a term.

3.38. The second payment is an 'adjustment payment'. This is paid to the provider towards the end of the term and is based on the 'headcount' data the provider has returned identifying the children that have been accessing their entitlement.

3.39. Occasionally a provider will have far fewer children than the previous financial year and so the estimate payment made will exceed the amount the provider is eligible to claim. The overpayment will automatically be deducted from the providers next estimate payment in the following term. If the provider is still in deficit at the end of the following term they will then be issued with an invoice to pay the remaining outstanding balance back to Leicester City Council.

### Childminders

3.40. Childminders need to inform Leicester City Council of the numbers of children they are providing a place to that fall within a specific date of birth range. The 70% estimate payment will be made based on this information.

Childminders will need to submit their information by the dates specified below in order for the payments to be made:

<b>Term</b>	<b>From</b>	<b>Deadline for information submission</b>
Autumn 2020	20 Jul 2020	10 Aug 2020 23:59hrs
Spring 2021	02 Nov 2020	11 Dec 2020 23:59hrs
Summer 2021	08 Mar 2021	01 Apr 2021 23:59hrs

3.41. If the level of funding awarded is greater than the funding that should be claimed as indicated on the childminders headcount, the childminder will be informed of the over payment. The overpayment will be deducted from the providers next terms estimate payment. If the childminder is still in deficit at the end of the following term, they will be issued with an invoice to pay the remaining outstanding balance.

### Funding rates for FEEE places

The hourly rates for funded entitlement places are shown in the table

Funding per hour for	Flat Rate	Base Rate	Supplements***				
			Quality Related Supplements		Deprivation Related Supplements		
			Payable where provider has		Payable where on AVERAGE funded children are from the 30% most deprived areas per the Indices of Multiple Deprivation (IMD) score.  This is based on the Spring Term Headcount.		
		A member of staff qualified as Early Years Professional (EYP) or with Qualified Teacher Status (QTS)*	Completed the Talk Matters in Leicester accreditation scheme**	Up to 10% most deprived	Over 10% and up to 20% most deprived	Over 20% and up to 30% most deprived	
<b>2 year olds</b>	£4.98						
<b>3 &amp; 4 year olds</b>		£4.07	£0.15	£0.05	£0.20	£0.10	£0.05

\*Documentary evidence is required from providers claiming the EYP/QTS supplement and will be requested on an annual basis every Spring Term.

\*\*The list of eligible providers for the Talk Matters supplement is confirmed by the Early Years Support team every Spring Term.

\*\*\*All providers will be paid at least the base rate for 3 & 4 year olds and may qualify for one or more of the Supplements to be added to the base rate. Supplements will be determined by the Funding & Grants FEEE Team on an annual basis every Spring Term. Each provider will then be notified of their composite FEEE rate for 3 & 4 year olds which will apply for the following Summer, Autumn and Spring terms. Any subsequent changes to circumstances, which affect the supplements payable, will only be taken into account and applied from the Summer term in the following year.

3.42. Early Years Pupil Premium (EYPP) funding is an additional sum of money paid to childcare providers for eligible 3 and 4 year old FEEE children from families in receipt of certain benefits. The current rate is £0.53 per hour and applies to the Universal Entitlement hours only.

3.43. Disability Access Fund (DAF) – 3 and 4 year old FEEE children in receipt of Disability Living Allowance (DLA) are eligible for the DAF. This is paid at a fixed rate of £615 per annum. Parents / carers can nominate one setting only to receive this funding.

3.44. Early Years Inclusion Funding – refer to the information above under the Special Educational Needs and Disabilities section.

## Early Years Pupil Premium

3.45. All providers registered to deliver funded places for 3 and 4 year olds are entitled to apply for Early Years Pupil Premium (EYPP) funding for eligible children.

3.46. Providers can decide how best to spend the EYPP funding but must be able to evidence how the funding has been used to improve outcomes for the child.

3.47. In the event that there is a complaint or concern raised, regarding the use of EYPP, Leicester City Council will investigate via the audit system set out in this document and may suspend the provider from delivering FEEE places or remove them from the register.

3.48. In the event that the audit shows that the provider has been misusing the funding Leicester City Council will forward the evidence to the police and will recoup all funding (both EYPP and FEEE) for a specified period.

3.49. Information on the eligibility criteria for EYPP is available from <https://www.gov.uk/get-extra-early-years-funding>

The Parental Declaration form (Annex B) must be completed, which asks the parent for the necessary information and consent to enable the provider to claim EYPP.

## Attendance Monitoring

3.50. Providers are expected to maintain accurate records of each child's attendance (including start and leaving times) and ensure they actively engage with parents / carers where attendance is consistently lower than the funded hours claimed. Providers must contact the parent/carer in the event that a child is absent without explanation for a prolonged period (more than 5 days). Funded places must be used regularly and providers should explain this responsibility to parents when the place is offered. In the event that a parent/carer cannot be contacted and an absence continues, providers should send a letter explaining that the place will no longer be kept open. All correspondence should be recorded and noted when funding is claimed. Leicester City Council will take into account individual circumstances but may withdraw and reclaim funding where absences have not been actively managed by the provider. Leicester City Council will only pay for up to 4 weeks for absences.

3.51. Monitoring of absences should be part of the provider's safeguarding policy, and any concerns should be reported immediately following the safeguarding policy.

## Extended holidays

3.52. Children may be absent due to extended family holidays but parents must inform the provider in advance of the dates the child will be absent. During an extended absence the place will be funded for a maximum of 4 weeks. If the holiday is longer than 4 weeks or the child does not return, the provider should notify the Funding & Grants FEEE Team as the funding may be reduced.

3.53. If the child returns at a later date the funded place may not be available until the following term.

## Setting closures

3.54. Closures lasting for one week or more must be discussed with Funding & Grants FEEE Team to determine whether FEEE funding can be claimed during this period. This applies whether the reason for closure was unforeseen or planned e.g. fire, flood or planned building / redecoration work. The period of closure must be notified to Leicester City Council as soon as possible so that the funding can be adjusted if the period of closure has already been claimed.

3.55. It is accepted that providers may have no option but to close for a day or two in cases where it would not be legal or safe to remain open e.g. it is not possible to meet staff ratios due to illness or if the heating fails and the temperature falls below the legal minimum. In these cases the funding can still be claimed but providers must put strategies into place to rectify the problem promptly. In such circumstances the provider would be expected to notify the local authority and Ofsted; including details of contingency plans in place.

3.56. Where possible, providers should make every effort to provide the funded children with additional hours to replace those hours they have missed during any period of closure. (This will need to be demonstrated when audited).

## Staff Training days / Public Holidays

3.57. Providers must offer the full 38 weeks (or for registered number of weeks if less than 38

weeks) FEEE to all eligible children and therefore the funding cannot be claimed during a period of closure for staff training. Where a setting has to close for training, the FEEE should be offered at an alternative time to compensate. However, there is no obligation to offer alternative provision due to public holiday closure. Providers should make parents aware of this during the registration process.

## Settling in Period

3.58. Children may take up reduced hours during the settling in period, however providers can claim for their normal pattern of attendance for the term, during this period. The maximum time recommended for a settling in period is 4 weeks.

## Compliance

### Refer to Annex D (i) and Annex D (ii) for full details

3.59. Leicester City Council will carry out checks and audits on providers to ensure compliance with the requirements of delivering the funded entitlements.

3.60. In order for childcare providers to be eligible to deliver Funded Early Education Entitlement (FEEE) places for 2, 3 or 4 year olds, these terms and conditions must be adhered to at all times.

3.61. In the event that Leicester City Council has evidence that a provider is not adhering to any of the statutory terms, the provider will be entered into the compliance process, and may subsequently have part or all of their eligibility to deliver funded places suspended.

3.62. If Leicester City Council is not satisfied with the actions taken by the provider to ensure that they meet the terms and conditions, the provider may be removed from the register. In order for the provider to begin delivering FEEE places again the provider will have to ensure they meet all the terms and conditions and reapply.

## Compliance Process

3.63. If Leicester City Council receives information that suggests that a provider of FEEE places is no longer complying with these terms and conditions, the following steps will be followed.

### Step 1 – Notification

Leicester City Council will issue a letter to the provider to advise that it is believed that they are non-compliant, along with the reason for this, what actions will be taken and the timescales involved. If the setting is subject to an immediate suspension of funding this will be made clear in the initial letter.

### Step 2 – Assessment and support

Leicester City Council officers will undertake an investigation (in the case of financial non-compliance) or discuss and agree a support plan (in the case of quality non-compliance).

### Step 3 – Reinstatement or removal of funding

If funding has been suspended, Leicester City Council will monitor progress against agreed actions and **may** reinstate funding according to their findings.

### Step 4 – Removal from the Compliance Process

Please note that providers who are part of this process due to an Ofsted judgement will

remain in the compliance process until such time as they are re-inspected by Ofsted and their quality judgement meets the criteria set out in the quality section of the terms and conditions.

## Termination and withdrawal of funding

3.64. Suspension of registration by Ofsted or a breach of statutory requirements or safeguarding issues may result in the termination of this agreement and will result in withdrawal of funding, for the period of suspension or until Ofsted has concluded an outcome relating to the breach.

3.65. No failure or delay by Leicester City Council to exercise (in full or part) any right or remedy provided under this agreement or by law shall constitute a waiver of that, or any other right or remedy, nor shall it prevent or restrict the further exercise of that or any other right or remedy.

3.66. Any provider of funded places for eligible 2 year olds that receives an 'Inadequate' Ofsted judgement will no longer be eligible to deliver these places. The provider will need to have been inspected by Ofsted and have received a 'Good' judgement before they will be able to deliver places for 2 year olds again.

3.67. The provider is obliged under the guidance to return data to Leicester City Council as required. This may be data around number of places provided, children's developmental information or data in response to an emergency or circumstances requiring contingency action. The local authority will monitor returns and where a provider is found to be non-compliant with this condition the compliance process will be initiated.

3.68. In relation to the quality of provision, providers should note that Ofsted will, as part of their inspection schedule, make a judgement as to whether providers are seen to be actively promoting fundamental British values (democracy, the rule of law, individual liberty, mutual respect and tolerance of different faith and beliefs) as reflected in the EYFS. Where concerns are raised and evidenced, the local authority is required to take compliance action and report concerns to Ofsted. Providers should be aware that this may mean access to funding is withheld, withdrawn or removed as appropriate.

## Appeals process

3.69. 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, they should do this in the first instance by emailing [eedteam@leicester.gov.uk](mailto:eedteam@leicester.gov.uk)

## Complaints process

3.70. Leicester City Council has the following complaints process in place for parents who are not able to resolve their concern directly with the provider

<https://families.leicester.gov.uk/family-information/childcare/complaints-about-childcare/>

Through this the parent can raise concerns around the provision for funded entitlement in accordance with the legislation or as set out in this agreement and in the Early Education and Childcare Statutory guidance for Local Authorities.

3.71. Where a complaint is received regarding the quality of a setting Leicester City Council will investigate the allegation further and will contact Ofsted to notify them in addition to advising the complainant to contact Ofsted. If the allegation is related to safeguarding then the Local Authority Designated Officer (LADO) will be contacted immediately.

3.72. 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 the Early Education and Childcare Statutory guidance for local authorities.

3.73. If a parent or provider is not satisfied with the way in which their complaint has been dealt with by Leicester City Council or believes that Leicester City Council 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. <http://www.lgo.org.uk/>

## Annexes

All documents are available via [families.leicester.gov.uk/provideragreement](http://families.leicester.gov.uk/provideragreement)

### Annex A - Provider Information, Declarations and Signatures

To sign-up to the Provider Agreement you need to complete the information and declaration online.

### Annex B - Parental Declaration Form

These forms **must** be completed, alongside parents, for **ALL** children accessing a FEEE at your setting. A copy must be given to the parent/carer for their reference:

### Annex C - Data Controller to Data Controller Agreement

### Annex D (i) - Compliance Process – For Quality and Finance non-compliance

### Annex D (ii) - Finance Auditing Processes

## Data Privacy Guidance

*Note: this guidance is from the sample parental declaration in the Model Agreement - Early years provision free of charge and free childcare - June 2018.*

The Data Protection Act 2018 (the Act) puts in place certain safeguards regarding the use of personal data by organisations, including the Department for Education, local authorities, schools and other early education providers. The Act gives rights to those about whom data is held (known as data subjects), such as pupils, their parents and teachers. This includes:

- The right to know the types of data being held
- Why it is being held; and
- To whom it may be disclosed

Should you have any concerns relating to how your information or the information relating to your child/ren is being or will be used, please contact your provider or Leicester City Council. Please note that information about whether a child is in receipt of Disability Living Allowance is, under the Act, Special Category Data which should be handled appropriately.

Providers are asked to pay particular note to advice from the Information Commissioner's Office (ICO) on holding personal data including sensitive personal data available at:

As stated under the Data Protection section above, all providers must register with the Information Commissioner's Office (ICO). <https://ico.org.uk/>

## Contact Details for Leicester City Council Teams

Service	Contact
<p><b>Early Education Development Team</b></p> <p>Supporting new and existing providers in the Early Years sector; with quality, training and business support. Responsible for FEEE Compliance and Sufficiency of childcare places.</p>	<p>0116 454 4190</p> <p><a href="mailto:eedteam@leicester.gov.uk">eedteam@leicester.gov.uk</a></p>
<p><b>Core Children's Information Team</b></p> <p><b>Funding &amp; Grants FEEE Team</b></p> <p>Provides support for the administration and finance of 2, 3 and 4 year FEEE and 30 hours Extended Entitlement.</p>	<p>0116 454 1667</p> <p><a href="mailto:earlyeducation@leicester.gov.uk">earlyeducation@leicester.gov.uk</a></p> <p><a href="mailto:Karuna.Bennett@leicester.gov.uk">Karuna.Bennett@leicester.gov.uk</a></p>
<p><b>Early Years Support Team (SEND)</b></p> <p>A team of teachers and teaching assistants working with children aged 0-5 who have special needs and disabilities (SEND), their families and other professionals.</p> <p><a href="https://schools.leicester.gov.uk/services/special-education-needs-and-disability-support-service/early-years-support-team/">https://schools.leicester.gov.uk/services/special-education-needs-and-disability-support-service/early-years-support-team/</a></p>	<p>0116 454 4750</p> <p><a href="mailto:Sarah.Mounsey@leicester.gov.uk">Sarah.Mounsey@leicester.gov.uk</a></p> <p><a href="mailto:Nicola.Black@leicester.gov.uk">Nicola.Black@leicester.gov.uk</a></p>
<p><b>Early Years Inclusion Funding</b></p> <p>(previously referred to as Element 3 Funding)</p> <p>Link to application form</p>	<p><a href="https://families.leicester.gov.uk/childcare-professionals/send-for-professionals/sen-inclusion-fund/">https://families.leicester.gov.uk/childcare-professionals/send-for-professionals/sen-inclusion-fund/</a></p> <p><a href="https://schools.leicester.gov.uk/services/special-education-service/element-3-funding-application-form/">https://schools.leicester.gov.uk/services/special-education-service/element-3-funding-application-form/</a></p>
<p><b>Early Help Children, Young People and Families Centres</b></p> <p>12 children's centres in 6 cluster areas across the city all offering a range of support to families.</p> <p>Parents can ring <b>Early Help advice line</b> for support with their 2 year FEEE application.</p>	<p>0116 454 1004</p> <p><a href="https://families.leicester.gov.uk/childrenscentres/">https://families.leicester.gov.uk/childrenscentres/</a></p>
<p><b>Leicester City Council - Schools Admission team</b></p> <p>Information for applying for primary and secondary school place.</p>	<p>0116 454 1009 (option 1)</p> <p><a href="https://www.leicester.gov.uk/schools-and-learning/school-and-colleges/school-admissions/">https://www.leicester.gov.uk/schools-and-learning/school-and-colleges/school-admissions/</a></p>