

Updates to the Early Years Provider Agreement

This is an information sheet for updates to the Early Years Provider Agreement (EYPA) and Annex documents. Updates (revisions and/or additional conditions) made to the Summer 2023 documents and applicable from Summer 2024 (April 2024) to Summer 2025.

Introduction (under Section 1)

Paragraph 1.2

The existing Funded Early Education Entitlement (“FEEE”) offers continue to be available and there are new entitlements which are being introduced in phases from April 2024, September 2024 and September 2025.

The updated EYPA has a table which replaces the previous information and shows the existing and new FEEE offers for April 2024 and September 2024 with footnotes for foster families and for the expanded entitlement which will come in effect from September 2025.

Legal framework and statutory guidance (under Section 1)

Paragraph 1.6

The following documents on the list of frameworks and legislation have been replaced with updated versions, as follows:

- Early Education and Childcare, Statutory guidance for Local Authorities (January 2024)*
- Statutory framework for the Early Years Foundation Stage – EYFS (effective January 2024)**
- The Childcare (Free of Charge for Working Parents) (England) Regulations 2022

*The updated guidance applies from Apr-24 - [Early education and childcare \(January 2024\)](#)

**There are separate documents for childminders and for group and school-based providers - [Early years foundation stage \(EYFS\) statutory framework](#)

Eligibility (under Section 2)

Paragraph 2.4 - clarification

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, but it is not mandatory for Providers to retain paper and/or digital copies of documentation. Therefore, the applicable wording has been amended to ‘The Provider can retain paper and/or digital copies of documentation’.

Paragraph 2.7

The eligibility start date table has been updated to include reference to children from age 9 months who, subject to eligibility, can qualify for FEEE from September 2024.

Paragraph 2.8

Revised to make it clear that the condition only applies for eligible 2 year olds from families receiving some additional forms of government support and additionally what providers should do if some 2 year olds qualify under both eligibility pathways for 2 year olds.

Paragraphs 2.10 to 2.20

A note has been added to state that these paragraphs relate to 30 hour entitlement for eligible 3 and 4 year olds and the new 15 hour entitlements for eligible 2 years old children and 9 – 23 month old children from working families. All previous references to the ‘30 hour’ eligibility codes in these paragraphs have been revised and now refer to ‘working parents’ eligibility codes.

The Grace Period (under Section 2)

The Grace Period paragraphs continue to apply to the 30 hour entitlement for 3 and 4 year olds and now additionally apply to the new entitlements for eligible 2 years old children and 9 – 23 month old children from working families.

Paragraph 2.17

The reference to the regulations is now for the updated version i.e. The Childcare (Free of Charge for Working Parents) (England) Regulations 2022.

Paragraph 2.19

The reference to the statutory guidance is now for the updated version i.e. Early Education and Childcare, Statutory guidance for Local Authorities (January 2024)

Quality (under Section 2)

Paragraphs 2.56; 2.59; 2.60; 2.61 and 2.66

The references to FEEE places for eligible 2, 3 and 4 year olds in these paragraphs now refers to FEEE places for eligible children aged 9 months to 4 years old.

Paragraph 2.57

The reference to the Early Education and Childcare, Statutory guidance for Local Authorities and the EYFS statutory framework are now for the respective updated versions. The hyperlinks are now added under Paragraph 1.6.

Paragraph 2.58

The paragraph indicates the minimum quality levels that must be maintained to remain eligible to deliver funded places in accordance with the parameters set out in the updated Early Education and Childcare Statutory guidance for Local Authorities (Jan-24).

Paragraph 2.65

Revised to reflect the minimum quality levels in accordance with the parameters set out in the updated Early Education and Childcare Statutory guidance for Local Authorities (January 2024).

Charging (under Section 3)

Paragraph 3.29

Revised to change one of the examples from 'yoga' to 'specialist tuition' and to remove the wording "These charges must be voluntary for the parent" as this is not stated in the updated statutory guidance.

Note: DfE have clarified to Local Authorities that, although the reference to the word "voluntary" is no longer made, their policy on charging has not changed.

Paragraph 3.31

Revised to remove word "voluntary" and the whole paragraph has been re-drafted in line with the clarity given by DfE regarding the policy on charging.

Paragraphs 3.32 and Paragraph 3.33

Revised to:

- include the term 'FEEE only' places to refer to FEEE places where a child is only accessing the funded entitlement hours and no additional hours or services or optional extras.
- state that 'FEEE only' places must be offered as completely free to the parents and that Providers are not allowed to insist on any conditions for 'FEEE only' places.

Paragraph 3.35

Clarification added for circumstances where the provider cannot charge a deposit and circumstances where the LA recommendation is for the provider not to charge a deposit.

Paragraph 3.37

Revised to make it clear that providers must ensure that parents understand and accept any additional charges **in advance** of their child taking up a FEEE place.

Refer to Annex D (ii) for supplementary information and guidance on Admissions Criteria, Invoicing, clarification from DfE regarding their policy on charging and a guidance list of chargeable and non-chargeable items based on the DfE policy on charging.

Funding rates for FEEE places (under Section 3)

Paragraph 3.50

Revised to reflect the changes to the funding formula which now includes a Base Rate and Quality and Deprivation related Supplements for all funded children i.e., 9 – 23 month olds, 2 year olds and 3 and 4 year olds.

Paragraph 3.51

Revised to reflect that EYPP can be claimed for all eligible funded children.

Paragraph 3.52

Revised to reflect that DAF can be claimed for all eligible funded children.

Early Years Pupil Premium (under Section 3)

Paragraph 3.54

Revised to reflect that EYPP can be claimed for all eligible funded children and clarity added that it is for up to 570 hours per year only.

Annexes section and updates to Annex documents

Further information has been added to the notes for Annex A as follows:

Providers who have previously submitted Annex A via DocuSign, will be contacted by the Council and must confirm that they accept this updated Agreement.

New providers must contact the Early Education Development Team to be facilitated to complete and submit Annex A and other required documents to then be able to deliver funded places.

Updates have been made to Annex B, Annex D (i), Annex D (ii) and Annex E to reflect the above and other changes where relevant. There are no changes to Annex C.