

Essex County Council

**Funded Early Education Entitlement (FEEE)
for Nine month up to two, Two-, Three- and
Four-Year Olds**

**Provider Handbook
Schedule A of the Essex Early Education Funding
Contract**

April 2024



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Disclaimer: Whilst every care has been taken to ensure that the information contained within this Provider Handbook is correct at the time of publication, Essex County Council cannot be held liable for any loss, damage or expense incurred because of information contained in this Provider Handbook

April 2024

1. Introduction

This Provider Handbook is Schedule A of the Essex Early Education Funding Contract

This Provider Handbook is a working document that specifies how the Council funds early education for all eligible nine month-, two-, three- and four-year-olds for childcare providers in the maintained, private, voluntary, and independent (PVI includes Childminders) sectors.

This Provider Handbook builds on the Department for Education (DfE) 'Early Education and Childcare: Statutory Guidance for Local Authorities January 2024 and 'Early Years Entitlements: operational guidance for local authorities and providers June 2023'. Copies of both documents are currently available to download from the useful links section on the provider website [Funded early education entitlement for three to four-year-olds](#)

The Essex Early Education Funding Contract forms a legally binding contract between childcare providers and the Council. The Contract states that providers delivering funded early education and childcare must abide by the conditions and requirements of the Early Education and Childcare: Statutory Guidance for Local Authorities and the 'Essex County Council Early Education Funding Contract'. By signing and dating the Contract Declaration Form, the provider acknowledges that they understand the above-mentioned documents and will meet the requirements therein.

FEEE is at the heart of the Government's vision for all children to have access to high quality early years education. Evidence shows that regular good quality early education has long lasting benefits for all children.

The FEEE for three- and four-year-olds (FEEE3&4) is a universal funded provision for every child from the term following their third birthday up until they reach statutory school age, or they are registered in a maintained school or academy reception class. An additional 15 hours a week of FEEE is available for eligible working parents of three- and four-year-olds.

From April 2024 15 hours FEEE is available for eligible two-year-olds (FEEE2W) the term following their 2nd birthday of working parents and from September 2024 for eligible nine-month-olds (FEEE1W) the term after they are 9 months of working parents.

However, only children that are eligible under certain criteria can access the FEEE for disadvantaged two-year-olds (FEEE2).

This Provider Handbook explains:

- when children become eligible for the FEEE (nine month-, two-, three- and four-year-olds).
- the process for claiming the FEEE funding for disadvantaged two-year-olds.
- the process for claiming the universal FEEE funding for three- and four-year-olds.
- the process for claiming the FEEE funding for nine month-, two-, three- and four-year-olds of working parents.
- what may happen if providers are graded 'Requires Improvement' or 'Inadequate' at their Ofsted inspection.
- For children with low level or emerging SEND, please see the process to access SENIF that is set out on the Essex Provider webpages

<https://eycp.essex.gov.uk/funding/funding-to-support-inclusion/>

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

Childcare market. The Council is committed to enabling Parents to be able to access their maximum FEEE funding.

Where Parents are eligible for both FEEE2W and the existing FEEE2, the latter will always be the default funding type applied. This is because families do not need to renew the existing method of 2-year-old funding and cannot fall out of eligibility.

1.1 The DfE Statutory Guidance

The statutory guidance, from the Department for Education, is for English local authorities on discharging their duties pursuant to section 1 and 2 of the Childcare Act 2016 and sections 6, 7, 7A, 9A, 12 and 13 of the Childcare Act 2006. Local authorities must have regard to this guidance when seeking to discharge those duties. They should not depart from it unless they have good reason to do so.

2. Eligibility

Outcome: all Eligible Children who have met the eligibility criteria are able to take up a funded place if their Parent wants one. Evidence shows that attending high quality early education has a lasting impact on social and behavioural outcomes. The entitlements make Childcare more affordable for Parents and enables Parents to work or increase their working hours if they wish to do so.

2.1 Eligibility for two-year-olds disadvantaged (FEEE2)

The FEEE for two-year-olds is not a universal offer, only Eligible Children may access this funding via an application process. Families can apply for funding online, or through a childcare provider, Family Hub, health visitor or social worker.

To apply online the Parent/carer should go to [Essex Education Portal - Logon](#) and register. They then need to Log in and click on 'Funded Early Education for Two Year Olds' to complete an application. Once the application is submitted, eligibility will be checked and if eligible the applicant will be given a unique reference code and funding start date which they take to a Childcare Provider to access the funded place. Parents can forward the email confirmation as proof of eligibility.

An application code from the Council will always begin TYF881. If a Parent provides an application code which differs from this they may have applied for the funding from another LA, in which case the parent will need to reapply on the Essex Education Portal.

Childcare Providers and Family Hubs can also apply on behalf of families via the Assisted Application option in the EYCC Provider Portal.

When completing a non-economic application relevant evidence must be submitted for the application to be approved. If evidence is not submitted a reminder will be sent after seven (7) and fourteen (14) days. If evidence is still not received after twenty-one (21) days the Council will make, contact by telephone where possible. Applications will be rejected after twenty-eight (28) days if appropriate evidence has not been received

Whether the Family apply directly or via an Assisted Application, all Providers need to submit a Placement Notification for every approved two-year-old funding application before offering a place.

A Placement Notification is submitted in the EYCC Provider Portal and does the following:

- Confirms that the reference code supplied by the Parent/carer is correct and approved.
- Confirms that the reference code does relate to the child in question.
- If the setting does not have an Ofsted inspection rating of Good or Outstanding, it allows the relevant Council Early Years Officers the opportunity to review the placement.
- Assigns the child to the setting, which means the child will appear on the Headcount list for that term automatically.

Please note. If adding children manually and they are not matched to the original child record (due to a mismatch in the details submitted) it will not be identified that the child is approved for funding. This could result in their hours being removed and payment delayed for all Providers.

Helpful tips. When submitting a Placement Notification, you may receive an error message to advise:

- surname or date of birth does not match the application. If you are certain the details are correct, try removing the forename and adding a space after the surname.
- date of birth is not a recognised date. This is usually due to incompatibility with the browser you are using. Try Google Chrome or Microsoft Edge to resolve the fault.

Two-year-olds are eligible for 15 hours of funded early years provision under economic and non-economic. For more information and eligibility criteria visit [Help paying for childcare: Free education and childcare for 2-year-olds - GOV.UK \(www.gov.uk\)](https://www.gov.uk/help-paying-for-childcare-free-education-and-childcare-for-2-year-olds)

The Council has adopted an application form for the extended eligibility developed by the DfE for parents to complete along with support workers from Family Hubs or childcare settings. The application form will enable the Council to decide whether the child is eligible and approve an online FEEE2 application as this cannot currently be approved via the Eligibility Checking Service (ECS). Email 2yearold@essex.gov.uk for an application form.

Once the extended eligibility criteria application form has been completed the parent or support worker, in the case of an assisted application, will need to complete the online economic FEEE2 application form. When the application comes back as not eligible the applicant should select the “Request Help” option, add a message to say they are applying under the extended eligibility criteria and upload the completed extended eligibility criteria application form along with any supporting documents such as copies of the child’s birth certificate, documentary proof of nationality etc.

Once the Council have approved the FEEE2 online application the unique reference number will be generated, and the parent can take this to a childcare provider to access the funded place.

Local authorities must ensure that two-year-olds who have met the eligibility criteria set out above continue to receive a place once they have taken it up even if the child ceases to meet these criteria later.

Eligible Children may access a FEEE funded place in the term following their second birthday, see table below.

A child born in the period	Will become eligible for a funded place
1 April to 31 August	1 September following a child’s second birthday
1 September to 31 December	1 January following a child’s second birthday
1 January to 31 March	1 April following a child’s second birthday

Providers should request and check the child’s birth certificate to confirm their eligibility for the FEEE. The Council may ask to see evidence that the Provider has checked birth certificates therefore it is recommended that Providers make a note of the number.

2.2 Eligibility for three- and four-year-old universal entitlement

All children are eligible from the term following their third birthday up until they reach statutory school age the term after their 5th birthday, or they are registered in a maintained school or academy nursery class, see table below

A child born in the period	Will become eligible for a funded place
1 April to 31 August	1 September following a child’s third birthday
1 September to 31 December	1 January following a child’s third birthday
1 January to 31 March	1 April following a child’s third birthday

2.3 Eligibility for the Working Parents entitlements:

- **Extended entitlement for 3- & 4-year-olds (EFE)**

A child will be entitled to the extended 15 funded hours the term after the child turns three and the child’s Parent has a current positive determination of eligibility from HMRC i.e., a valid 30 hours funded childcare 11-digit eligibility code starting with 50.

- **Working Parents entitlement for 2-year-olds (FEEE2W)**

A child will be entitled to up to 15 funded hours from the term after the child turns two and the child’s parent has a current positive determination of eligibility from HMRC i.e., a valid 11-digit eligibility code starting with 50.

- **Working Parents entitlement for 9-month-olds (FEEE1W)**

From September 2024 a child will be entitled to up to 15 funded hours from the term after the child turns nine (9) months old and the child’s Parent has a current positive determination of eligibility from HMRC i.e., a valid 11-digit eligibility code starting with 50.

Parents can find a straightforward explanation of all government Childcare support on the website [Childcare Choices](#)

Parents can check their eligibility using the online childcare calculator [Check what help you could get with childcare costs - GOV.UK](#) and, if eligible, submit an online application. Once signed up, they will receive an eligibility code to take to their Childcare Provider. Early years childcare providers will then check the code with their local authority. If eligible, parents can book and secure their childcare placement.

There is also information for parents on the Family Information Service (FIS) webpage on the main ECC website [Essex County Council](#)

Parents will need to have registered for the EFE, FEEE2W or FEEE1W and have their valid eligibility code before the start of the term to access their funding in that term as follows:

Cut-off Date	Term funding will be paid from
31 August	Autumn Term beginning on or after 1 st September
31 December	Spring Term beginning on or after 1 st January

If they miss this deadline, they won't be able to claim their EFE, FEEE2W or FEEE1W until the next term as the funding cannot be backdated and may have to pay childcare fees if their child starts before this. Please note the Council is unable to override the start date of any applications made after the cut-off date for the term, unless the DfE give specific consent to local authorities in Exceptional Circumstances such as a pandemic. Email earlyyearsdata@essex.gov.uk for advice.

Providers should advise Parents to apply for the relevant eligibility code within the term their child turns 3, 2 or 9 months old and not any earlier.

Grace Period - What happens if a Parent loses eligibility?

- They will receive a “grace period” – this means they will be able to keep their Childcare for a short period with their existing Childcare Provider.
- Once the “grace period” has lapsed for EFE, the parent will still be entitled to the universal 15-hour entitlement for 3- & 4-year-olds.
- Once the “grace period” has lapsed for FEEE2W the Parent may be eligible for FEEE2 for disadvantaged families or will need to pay for Childcare until eligible again.
- Once the “grace period” has lapsed for FEEE1W, the Parent will not be entitled to any further funding until eligible again so will need to pay for Childcare.
- A child cannot access a new EFE, FEEE2W or FEEE1W place with a new provider whilst the Parent is in a grace period.

If a Parent falls into their grace period before the child has started an EFE, FEEE2 or FEE1W place, they will not be entitled to take up the place. The DfE will not fund any Working Parent entitlement hours in this instance.

Eligibility for the Working Parent entitlements is determined by the HMRC who have developed and maintain a system where Parents undertake their own eligibility check twice per term. The Parent is assigned a reference number/eligibility code, which is then validated by the local authority through the Provider Portal.

Providers can validate the eligibility codes in the Working Parent Funded Childcare section of the EYCC Provider Portal. It is the Parents' responsibility to re-validate any claim when reminded by HMRC. Please ensure you make Parents aware that the review and appeals process, in instances where they disagree with the eligibility outcome, is managed by HMRC and that the Council are not able to override any decisions. Foster Parents, who are unhappy about decisions made by the local authority, should seek resolution through their social worker.

2.4 Extending the Working Parent Entitlements to children in foster care

Children in foster care are also eligible for the working parent entitlements, providing the child has attained the relevant age and they meet the following additional criteria:

- That accessing the hours is consistent with the child's care plan, placing the child at the centre of the process and decision making.
- That, in single parent foster families, the foster parent engages in paid work outside of their role as a foster parent but does not need to meet the minimum income requirement.

- And in two parent foster families, both partners engage in paid work outside of their role as a foster parent but does not need to meet the minimum income requirement. If one partner is not a foster parent, then they must be in qualifying paid work and earn a minimum of the equivalent to 16 hours at national minimum/national living wage.

The process for foster carers claiming is different as they don't apply for their code through Childcare Choices, see the 6-step process set out below:

1. The child's social worker sends the Essex information pack, which includes an application form, to the foster carer.
2. The foster carer completes application form and sends back to the child's social worker.
3. The child's social worker endorses application by confirming that it is in best interest of the child and sends it to the local authority designated person at earlyyearsdata@essex.gov.uk.
4. Early Years Data generates a code on ECS and send it to the child's foster carer and social worker.
5. Foster Carer gives the code to their childcare provider who will validate the code and claim for the Working Family entitlement on the EYCC Provider Portal.
6. Early Years Data will use the ECS report to help identify which of the codes they issued for children in foster care are approaching reconfirmation. At least 4 weeks before the end-date, Early Years Data should initiate the reconfirmation process. Once they have received confirmation from the social worker that the foster parents are still eligible, they will update the child's ECS record.

2.5 School Deferral

Careful consideration should be given when discussing deferring a child's school place. Once a child reaches statutory school age i.e., the term after they turn 5, they cannot continue to attend their early years provider / childminder or receive FEEE funding. A school deferral form should be completed and submitted so that funding can be confirmed. Email FEEEResponses@essex.gov.uk for the School Deferral form link.

2.6 Provider Eligibility

The Council and the DfE stipulate that to offer the Funded Entitlement all Providers (including childminders registered with a childminder agency must:

- be registered as a provider of the Early Years Foundation Stage on either the Ofsted Early Years Register or the Childminder Agency's register.
- have an Ofsted judgement of Good, Outstanding or Requires Improvement to offer the FEEE to three- and four-year-olds and working parent entitlements.
- have a Good or Outstanding to offer the FEEE to two-year-olds (FEEE2).
- have an Ofsted judgement of effective (Childminder Agency only).
- have a current bank account that they use for their business.
- have a funding Contract with the Council.
- have access to the internet and a business email account.

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

In addition, newly registered Providers are eligible to offer the FEEE before their first Ofsted inspection. However, the outcome of their Ofsted inspection will determine whether they can continue offering the FEEE and whether they can offer places to eligible two-year-olds (FEEE2).

Childminders

Early years provision is defined in section 20 of the 2006 Act as the provision of childcare. “Childcare”, as defined in section 18 of the 2006 Act, specifically excludes care provided for a child by a parent, stepparent, foster parent (or other relative) or by a person who fosters the child privately or has parental responsibility for the child. 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. Government funding cannot be claimed by, or spent on, childminders providing childcare for their own child or a related child including stepchildren and step grandchildren etc, even if they are claiming for other children. See Section 3.7 for further information on the definition of childcare in relation to childminders claiming FEEE funding.

Nannies

Nannies are not able to claim FEEE if they are registered on the Ofsted Voluntary Register. To apply for a FEEE contract a nanny would need to register as a childminder/childcare on domestic premises with Ofsted on the Early Years Register. This does not cover childminders joining the voluntary register.

3. Funded place for nine month-, two-, three- and four-year-olds

Outcome: Eligible children can take up their full FEEE at times that best support their learning and development, and at times which fit with the needs of the Parents to enable them to work or increase their hours of work should they wish to do so. Eligible children should be able to access the maximum number of their FEEE funding hours.

Evidence shows that continuous provision is in the best interests of the child therefore where reasonably practicable children should be able to take up their funded hours in continuous blocks avoiding artificial breaks being created throughout the day.

	Entitlement offer
FEEE3&4 - Universal entitlement	up to 15 hours a week (if the offer is stretched over more than 38 weeks the hours per week are reduced)
FEEE3&4 - Extended entitlement EFE	up to 15 hours a week in addition to the universal entitlement (if the offer is stretched over more than 38 weeks the hours per week are reduced)

FEEE2	up to 15 hours a week (if the offer is stretched over more than 38 weeks the hours per week are reduced)
FEEE2W	up to 15 hours a week (if the offer is stretched over more than 38 weeks the hours per week are reduced)
FEEE1W	up to 15 hours a week (if the offer is stretched over more than 38 weeks the hours per week are reduced) commencing September 2024
Length of offer	38 weeks ¹ or up to 52 weeks for a stretched offer (no more than 570 hours per annum or 1140 hour per annum for the extended offer)
Maximum hours per day	10 hours
Number of providers	<ul style="list-style-type: none"> • for FEEE3&4, FEEE2W and FEEE1W, parents can use their funded entitlement over a maximum of two sites or providers in a single day • the FEEE for eligible two-year-olds (FEEE2) may be accessed at one provider only
Times	<ul style="list-style-type: none"> • not before 6.00am or after 8.00pm • can be delivered at weekends • can be delivered outside of maintained school term times

3.1 The Parent/Carer Agreement Form

It is the responsibility of the Provider to explain to Parents about the Funded Early Education Entitlement and to inform Parents that a claim has been made on their behalf.

All Providers must complete the annual Parent/Carer Agreement Form (PAF) each term with all Parents/carers. This termly requirement remains in place even where a Provider is offering a stretched FEEE offer. The PAF can be scanned electronically or completed by hand and can be pre-populated with information, if it is made clear to the Parent that they should read and understand the pre-populated information prior to signing the form. If the PAF cannot be signed immediately on completion, due to Exceptional Circumstances such as a pandemic, then the form can be completed and sent by email to confirm details and the Provider must ensure this is signed as soon as is practically possible. The Contract is retained by the Provider and must be made available to officers from the Council to view if requested. Parents must complete and sign the relevant section of the PAF each term for the following reasons:

- Completing and signing the form confirms the contractual agreement between the Provider and the Parent for the duration of the term.
- The PAF records the number hours/weeks of FEEE for the duration of the term.
- It informs the Parent that if they decide to move their child after Headcount, they may be liable to pay full fees at the new provider*.
- For the FEEE3&4, FEE2W and FEEE1W it records whether Parents are accessing funding over one or two providers to prevent double claims being made.
- It informs Parents of how hours can be taken.
- It informs Parents that additional charges can be made.
- It informs Parents about the restrictions of increasing hours in a term.

¹ A provider who is not open for 38 weeks must let parents know that they will not receive the full entitlement.

- It informs Parents what happens if their child starts school.

*except in the circumstance that the Parent has given a notice period during the preceding term that continues past the Headcount Day, in which case the Provider should: -

- not make a claim on the Forecast Headcount
- only add the child to the Actual Headcount with the correct end date
- not claim funding for the whole term

If a Parent gives notice at or before actual Headcount, Providers **must** only claim the relevant number of weeks the child will be attending for the term (this can include your usual notice period. A maximum of 6 weeks funding can be included if your usual notice period is more than 6 weeks). A child should be attending at actual Headcount to submit a claim for the term.

For further details about funding claims when notice has been given by a Parent, please see page 26.

Where Providers are stretching the funding, we have produced a stretched funding calculator. To ensure Childcare Providers and Parents are both clear on the funded hours needed per week to stretch the funding, where the Childcare Provider offers to stretch the funding, a Stretched Funding Template must be completed with the PAF, using the Stretched Funding Calculator found here: -

<https://eycp.essex.gov.uk/funding/funded-early-education-entitlement/parent-carer-agreement-forms/>

The PAF should be signed by a person who has the authority on behalf of the setting to sign financial documentation.

3.2 Flexibility for all entitlements

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

Providers delivering the FEEE flexibly must ensure that the entitlement is offered to Parents in a way which meets their needs and gives them real choices about how they access a funded place. It is important to offer enough flexibility to meet the requirements of parents who work, particularly those that work part time.

If it meets their needs, parents accessing the FEEE3&4, FEEE2W and FEEE1W can split their entitlement between two Providers. If they decide to split their funding, they must complete a PAF for each provision on a termly basis.

Providers do have the option to operate a 'sole provision policy', provided they offer the full entitlement, but should consider whether this would meet parental demand. If a Provider does decide to implement a 'sole provision policy' they must inform Parents that this is their policy, and that they must access their full entitlement at the setting, at the time they complete the PAF.

A Provider who wishes to offer a 'stretched' FEEE place (taking fewer hours per week over more weeks of the year) should discuss this option with an Early Years and Childcare Business Management Consultant to ensure that there is provider capacity, enough parental demand and that this is implemented correctly. Please see point 5.7 on page 27 for more information on how to stretch FEEE and how to claim the correct FEEE hours for a stretched place on the EYCC Provider Portal.

Providers may choose to deliver the FEEE places in line with the maintained schools term times but there is no requirement to do this.

3.3 Delivery and Additional charges

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

An early years provider must not:

- attach any conditions to the FEEE only place which oblige parents to purchase additional hours or pay lunchtime charges to secure the funded early education.
- charge for any part of the funded hours or 'top up fees' (the difference between what a Provider would normally charge and what the Provider receives from the Council).

To ensure Parents can make informed decisions on their choice of Childcare, Providers **must** publish a statement of how they deliver the funded entitlement and any additional charges for optional activities outside of the entitlement. This should set out clearly the charges for meals, additional activities, or additional hours and what the alternative option or solution is to paying the charges. It is the responsibility of the Provider to ensure a Parent fully understands the offer and any financial commitments prior to their child taking up their place.

Providers **must** clearly specify the times FEEE hours can be taken in a day or session. Consideration should be given if limiting availability of FEEE2 hours to ensure timings meet the needs of a 2-year-old e.g., 3-6pm may not be suitable.

Lunch

- The lunch time can be included as part of the funded hours.
- Any charge for the lunch must be agreed with Parents in advance.
- Parents may be given the option of providing a packed lunch if this is more affordable for them, and in line with the Providers own policy.

Fees and charges

- Information must be given to a Parent that clearly shows that they have received their child's full funded place with no charge, there should be no monetary value attached to the hours that are FEEE funded via the Council.
- Any charge for meals & snacks, consumables or additional activities **must** be optional for the Parent. Where Parents are unable or unwilling to pay for these charges Providers are responsible for setting their own policy on how to respond, this will include options to waive or reducing the cost of meals & snacks, consumables and additional activities or allowing Parents to supply their own meals & snacks for their child.
- Any charges must be agreed in writing with the Parent prior to placement start date and / or the costs being incurred and clearly offer an opt out option available that does not impact on their funded place where applicable.
- The rates which a Provider charges for additional hours outside of a child's FEEE place are a private matter between the provider and the Parent. These must, however, be in line with any discounted rates which are applied to non-funded weekly, sessional, or hourly charges.
- If a child is accessing funded hours, any agreed additional service costs should not be more than the cost of an equivalent paid for place.
- Where a child is only accessing funded hours, it is not necessary to provide an invoice. However, Providers must inform parents that an application for funding has been made on their behalf and ensure they complete a PAF.

	Child accessing FEEE2 hours only	Child accessing FEEE2 hours and paying for additional hours	Child accessing FEEE3&4, FEEE2W and FEEE1W hours only	Child accessing FEEE3&4, FEEE2W and FEEE1W hours and paying for additional hours
*Registration / Admin Fee	Must not charge	Must not charge	Must not charge	Could be charged
*Administration Fee	Must not charge	Must not charge	Must not charge	Could be charged
Deposit – refundable (If deposit is taken prior to accessing FEEE it must be refunded to the parent by no later than the first half term funding starts)	Must not charge - (Essex requirement, FEEE2 based on financial criteria. Deposit could be a barrier to parents accessing funding.	Must not charge (as for FEEE2 hours only)	Could be charged up to a maximum of one week's charges covering the number of hours the parent wants to take up. It must be refunded to parent by no later than the first half term break the entitlement is taken up	Could be charged but must refund the deposit amount related to the funded hours to Parents by no later than first half term break the entitlement is taken up. ***See example below.
Voluntary contribution	Could ask for voluntary contribution for snack etc.	Could ask for voluntary contribution for snack etc.	Could ask for voluntary contribution for snack etc.	Could ask for voluntary contribution for snack etc.
**Consumable charge	Must not be applied.	Could be applied but an alternative option or solution must be offered	Could be applied but an alternative option or solution must be offered.	Could be applied but an alternative option or solution must be offered.

*If a child attends an early years Provider before being eligible for the funded hours a registration/admin fee can be charged.

Consumables can include sun cream, nappies, snacks, meals, trips, specialist tuition, uniform, and extra curricula activities. Consumables must be relevant to the age and development stage of a child; therefore consideration must be given to items included in the consumable charge as to whether a child would be accessing or using the item, Providers must **not include general business operating costs to deliver the EYFS e.g., paper, paint, photocopying, cleaning and utilities. Providers must set their own policy on what an alternative option covers within their information for parents.

Deposit Example* -**

Child attends setting 40 hours per week: -

- Child is accessing 30 hours FEEE
- Deposit taken for £250,
- the setting must return £187.50 no later than first half term break the entitlement is taken up.
- The setting can retain the balance of the deposit of £62.50 in line with their own policy.

£250: - 40 hours = £6.25 per hour x 30 hours FEEE = £187.50

£250: - 40 hours = £6.25 per hour x 10 hours private fees = £62.50

Invoicing - See Appendix A – Invoices and Appendix B – Invoice checklist

All invoices to Parents must be clear and transparent so they can clearly understand what

has been charged for.

Where a child is accessing hours in addition to FEEE you will need to set these out clearly on the invoice. It is important that you show the FEEE hours that you have claimed for the term as zero cost to the parent and that all hours claimed have been passed onto the Parent.

If you choose to issue equal monthly invoices, be aware this may have a financial impact on the setting.

3.4 Providers not delivering the full FEEE

Some Providers are not able to open for 15 hours a week or the full 38 weeks of the year. In a situation where a child attends two Providers; for example, one Provider offered 33 weeks and the other 38 weeks, the Council will not fund the five weeks' difference. Parents/Carers are asked to confirm that they are aware of this on the PAF.

Bank holidays

If a Parent has requested to access their funded entitlement place where a bank holiday falls, then the Provider should inform the parent before they sign the PAF that they will not be able to access their entitlement on bank holidays. Therefore, they will not receive their full entitlement where there are bank holidays within the funded weeks as these days cannot be taken with another provider. Providers should not charge for consumables on bank holidays.

The Council do not require providers to offer alternative days but would expect them to do so if they have the capacity. If Providers do not have capacity to offer an alternative day, they will still be able to claim the funded entitlement for children who would normally be attending had it not been a bank holiday as they will still incur costs, such as staff wages, even though they are not open. As the FEEE will still be paid for bank holidays, providers must not charge Parents for these hours if the child attends the setting on a bank holiday or any other additional costs such as for meals.

Training days

Early years childcare Providers can claim FEEE for up 1 day per term when they are open to carry out staff training. Where possible these days should be taken outside of the funded sessions, or alternative hours offered if a setting has availability. Some settings cannot accommodate this as they are not open longer than the funded weeks or do not have availability. If this is the case the Provider should make Parents aware before they sign the PAF that they will lose a day of FEEE per term and will not receive any refund for this day as there is no cash value to the FEEE funding. Providers should also give a minimum of a half term's notice to parents of any planned closures.

3.5 Providers delivering the FEEE for two-year-olds (disadvantaged)

Where a child is accessing the FEEE2, they may only attend one Provider. The access and delivery of Childcare for two-year-olds should be offered in the same way as the other entitlements with the exception to split hours between two Providers.

There is still an expectation that FEEE2 children stay at one setting for the duration of the funding. If a child does move providers, the new provider is required to submit a Placement Notification to add the child to their setting. The old provider must add an end date at the next available headcount task. The Council are unable to insist a child remains at a setting if a Parent wants to move their child, however funding can be transferred at the discretion of the first Provider.

3.6 Childminders offering FEEE to related children

The definition of 'childcare' in the Childcare Act 2006 excludes care provided for a child by parents or any other relatives. In England, the Government has interpreted this to mean that childminders cannot offer a FEEE funded place to any related children, whom they may already be looking after. This is for all of the funded entitlements; FEEE3&4 universal & EFE, FEEE2, FEEE2W and FEEE1W.

The Childcare Act 2006 Section 18 definition of childcare says the following: -

“Childcare” does not include care provided for a child by—

- (a) a parent or stepparent of the child.
- (b) a person with parental responsibility for the child.
- (c) a relative* of the child.
- (d) a person who is a local authority foster parent in relation to the child.
- (e) a person who is a foster parent with whom the child has been placed by a voluntary organisation.
- (f) a person who fosters the child privately.

*in relation to a child, means a grandparent, aunt, uncle, brother or sister, whether of the full blood or half blood or by marriage or civil partnership.

Childminders should use this definition to inform them whether they are able to offer a FEEE funded place to a child from within their extended Family.

3.7 Cross Border Funding

The DfE's Early Education and Childcare Statutory Guidance January 2024 states that local authorities should fund all Eligible Children attending Providers within their borders including children who live in neighbouring authorities. Essentially the Council will fund all Eligible Children that a Provider claims for regardless of which local authority the child resides in.

For FEEE funded two-year-olds (disadvantaged) whose families choose to access their entitlement outside the boundaries of the 'host' authority or move between local authority areas during their period of entitlement, the following will apply:

- Looked after two-year-olds - The (host) local authority responsible for the care of a two-year-old (under section 22(1) of the Children Act 1989) will pay for the early education entitlement.

3.8 Partnership Working

Providers should work closely in partnership with Parents /carers and other EYCC Providers to improve provision and outcomes for children in their setting. Providers should discuss and agree with Parents/carers how a child's overall care will work in practice when their funded entitlement is split across different EYCC Providers to ensure a smooth transition for the child.

4. Quality

Outcome: All Eligible Children can take up their entitlement to funded early education in a high-quality setting. Evidence shows that higher quality provision has greater developmental

benefits for children, particularly for the most disadvantaged children leading to better outcomes.

It is the Government's intention that, as far as possible, funded places for FEEE2 children are delivered by Providers who have achieved an overall rating of 'outstanding' or 'good' in their most recent Ofsted inspection report.

The Early Years Foundation Stage (EYFS) statutory framework is mandatory for all 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. Ofsted and inspectorates of independent schools have regard to the EYFS in carrying out inspections and report on the quality and standards of provision.

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

4.1 Securing and improving quality

All early years Providers who deliver the FEEE must:

- deliver the full Early Years Foundation Stage (EYFS).
- be registered with Ofsted as an early years Provider or are a school taking children aged three and over and therefore exempt from registration with Ofsted as early years providers, or a childminder registered with a childminder agency which is itself registered with Ofsted on the early years register.
- submit to an inspection by Ofsted.
- maintain records about children receiving the FEEE and make that information available to ECC, as the local authority, and Ofsted on request.
- actively promote fundamental British values and not promote views or theories as fact which are contrary to established scientific or historical evidence and explanations.
- meet the needs of children with special educational needs and disabilities.
- keep children safe.

The Council will:

- fund places for nine months to two-year-olds of working parents, two-year-olds (disadvantaged) and three- & four-year-old children at any Provider judged 'met', 'good' or 'outstanding' on the EYR, or at any childminder registered with a childminder agency judged 'effective' by Ofsted if a Parent wants their child to take up their early education place at that Provider and the Provider is willing to accept the local authority funding.
- fund places for nine months to two-year-olds of working parents and three- & four-year-old children at any Provider judged 'requires improvement' by Ofsted or at any childminder registered with a childminder agency judged 'effective' by Ofsted if a Parent wants their child to take up their early education place at that Provider and the Provider is willing to accept the local authority funding.
- not undertake a local authority assessment of the quality of the Provider but rely solely on the Ofsted inspection judgement of the Provider as the benchmark of quality.

- fund places for nine months to two-year-olds of working parents, two-year-olds (disadvantaged) and three- & four-year-old children at new Providers registered with Ofsted until the Provider's first full Ofsted inspection judgement is published or at a childminder registered with an agency until the agency's first full Ofsted inspection judgement is published, if a Parent wants their child to take up their early education place at that Provider and the Provider is willing to accept the local authority funding.
- fund Providers with exemptions from the EYFS if a parent wants their child to take up their early education place at an exempt Provider and the Provider is willing to accept the local authority funding.
- consider funding places at Providers who do not meet the quality standards set out above to ensure sufficiency of early education places.
- not fund Providers if they do not actively promote fundamental British values or if they promote as evidence-based views or theories as fact which are contrary to established scientific or historical evidence and explanations.
- only fund places for two-year-old children (disadvantaged) in 'requires improvement' or 'inadequate' providers where there is not enough, accessible 'good' or 'outstanding' provision or where a placement with the provider has been approved.
- reserve the right to secure alternative provision and withdraw funding from a Provider (other than a local authority-maintained school), as soon as is practicable, when Ofsted publish an inspection judgement of the Provider of 'inadequate' or second ineffective judgement for a childminder agency.
- consider funding childminders who are part of a childminder agency following a second ineffective judgement if the agency has assessed them as being of acceptable quality and Ofsted has not identified any concerns about the childminder agency's assessment arrangements.
- not withdraw funding from Providers or from childminders registered with an agency until the Provider's or childminder agency's Ofsted inspection judgement is published.
- not fund childminders registered with a childminder agency where the agency has indicated to the local authority that the childminder is not of the appropriate quality unless it is necessary to do so to ensure sufficiency of accessible places or support parental choice.
- 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. For example, where the Council 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.
- take appropriate action to improve the quality of provision at a local authority-maintained school which has been judged by Ofsted to require significant improvement or has been placed in special measures.
- review FEEE funding if a provider is suspended during the term. FEEE funding will be considered on a case-by-case basis for the weeks the provider is closed. If a child attends an alternative provider, funding must be transferred to the new provider for the relevant number of weeks/hours the child attends the new provider.

4.2 Exemption from the Early Years Foundation Stage

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

- The EYFS exemptions arrangements introduces a route for good quality independent schools, as well as maintaining a more streamlined 'established principles' route.
- The Childcare Act 2006 does not allow for any exemptions from the safeguarding and welfare requirements of the EYFS.

The Council will:

- fund Providers who have exemptions from the EYFS Learning and Development requirements if a parent wants their child to attend that provider.
- fund Providers for children who have exemptions from the EYFS Learning and Development requirements.

The exemptions from the Learning and Development requirements can be downloaded from [Early years foundation stage - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/67222/early_years_foundation_stage_-_gov_uk.pdf)

4.3 Providers with a Requires Improvement or Inadequate Ofsted judgement

Following a 'Requires Improvement' or an 'Inadequate' judgement for a Provider providing FEEE, the Council will allocate someone from the local Early Years team. to:

- work in collaboration with the Provider to compile an intervention plan.
- ensure key actions are clearly identified to raise the quality of provision.
- establish clearly defined timescales for improvements to be made by the Provider.
- maintain regular liaison with the Provider to ensure progress remains on track.
- monitor the impact and effectiveness of improvements made to the provision within a clearly defined timescale.
- co-ordinate any further support required such as in-house training, signpost to CPD opportunities.
- report back to the Early Years and Childcare Sufficiency & Sustainability Manager on the progress made at the end of intervention period.

The Early Education and Childcare: Statutory Guidance for Local Authorities January 2024 states that the Local Authority must '...secure alternative provision and withdraw funding from a Provider (other than a Local Authority maintained school), as soon as is practicable, when Ofsted publish an inspection judgement of the Provider of 'inadequate' or an inspection judgement of a childminder agency of 'ineffective'. Therefore:

- following an 'Inadequate' or 'Requires Improvement' Ofsted judgement, any further places for FEEE2 children will be subject to approval.
- decisions about the next steps for each individual early years Provider, following an 'Inadequate' Ofsted judgement, including withdrawal of funding will be made on a case-by-case scenario by the Council's Early Years and Childcare Sufficiency & Sustainability Manager.
- the Council will issue a letter to the setting outlining any decision made about suspension of funding and any subsequent interventions/actions to be taken, including relevant timescales.

- applications for individual children who are eligible for FEEE2, whose Parents wish them to attend a Requires Improvement or Inadequate Ofsted judged provider, will be considered on a case-by-case basis by the Council's Early Years & Childcare Sufficiency & Sustainability Manager.
- If a Provider does not apply the correct end date for a child after an agreed notice period, the Council reserves the right to override the end date on the EYCC Provider Portal

4.4 Integrated Reviews for FEEE2 children

Childcare Providers should make all reasonable efforts to ensure an integrated review is undertaken for all FEEE2 children attending their setting in liaison with the Essex Child and Family Wellbeing Service (Family Hubs). Support can be accessed from the Early Years and Childcare team by emailing FEEEQueries@essex.gov.uk

5. Funding FEEE places

Outcome: Fair and transparent funding which supports a diverse range of Providers to deliver funded places on a sustainable basis and encourages existing Providers to expand and new providers to enter the childcare market. This diversity enables parents to choose a provider that best meets the needs of their child and Family and enables them to access their child's maximum entitlement.

5.1 FEEE funding for nine months-, two-, three- and four-year-olds:

The entitlement is divided into three terms ranging from eleven to fourteen weeks which mirror the school terms, 38 weeks in total.

Entitlement	FEEE hours over a financial year
FEEE3&4 universal (all children) – 15 hours per week	570 hours
FEEE3&4 EFE (if eligible) – 15 hours per week	Additional 570 hours = a total of 1140 hours
FEEE2 (if eligible) – 15 hours per week	570 hours
FEEE2W (if eligible) – 15 hours per week	570 hours
FEEE1W (if eligible from September 24) – 15 hours per week	570 hours

The Council will fund providers to offer a minimum of 33 weeks per financial year up to a maximum of 52 (stretched offer). Please see point 5.7 for more information on how to stretch FEEE and claim on the EYCC Provider Portal.

Please note: Providers must only claim hours that children are attending their provision. For example, Providers must not claim 15 hours per week when children are only attending 14 hours. If a parent has signed the PAF that states, their child will receive 15 hours per week this must be honoured. Claiming for more hours than a child attend is a breach of Contract.

However, this is not the case if you are stretching FEEE over more than 38 weeks. For example, if you are stretching FEEE over 50 weeks the entitlement is reduced to an average of 11.4 hours per week over a financial year, but you will need to claim the maximum FEEE hours available for the relevant term, e.g., in summer term 2024 15 hours per week for 13

weeks. You will not be claiming more hours than the child attends as you will be claiming for the number of hours that the child is accessing over a longer period than the funded weeks during the relevant term. This approach is required due to the EYCC Provider Portal only allowing for termly submissions please see point 5.7 for more information.

See the table below for a breakdown of the maximum number of hours that can be claimed in the 2024/25 contractual year:

Term	Inclusive term dates	Duration of FEEE	Equivalent in hours EFE = 3&4 extended funded entitlement
Summer 2024	15/04/2024 - 19/07/2024	13 weeks	13 weeks x 15 hours = 195 hours 13 weeks x 15 hours EFE = 195 hours
Autumn 2024	02/09/2024 - 13/12/24 or 09/09/2024 - 20/12/2024	14 weeks	14 weeks x 15 hours = 210 hours 14 weeks x 15 hours EFE = 210 hours
Spring 2025	06/01/2025 - 28/03/2025	11 weeks	11 weeks x 15 hours = 165 hours 11 weeks x 15 hours EFE = 165 hours

NB: If the offer is fewer than 38 weeks the Provider must make it clear to Parents in writing before they accept a place as to how many weeks are offered and that if the Parent requires more weeks or hours then they should seek an alternative place.

5.2 FEEE Funding Rates

The table below outlines the hourly rates that the Council pays childcare Providers for FEEE entitlements.

Provider classification	FEEE3&4 (15 hours & EFE)	*FEEE2	FEEE2W	**FEEE1W
Maintained nursery school	£5.23	£8.00	£7.85	£10.73
***Maintained nursery school supplement	£4.64	-	-	-
Maintained school and academy nursery class	£5.23	£8.00	£7.85	£10.73
Childminder	£5.23	£8.00	£7.85	£10.73
Day nurseries & independent schools	£5.23	£8.00	£7.85	£10.73
Pre-schools	£5.23	£8.00	£7.85	£10.73

* FEEE2 includes a 15p per hour deprivation supplement.

** FEEE1W will be payable from September 2024.

*** Separate supplement paid only to Maintained Nursery Schools - in Essex this is Tanglewood and Woodcroft Maintained Nursery Schools

FEEE 3&4 Deprivation supplement - paid at 10p / 20p/ 30p per funded hour for each Eligible Child whose postcode is within the 30% / 20% / 10% IDACI wards. This funding is added automatically to the Actual Headcount payments where children you are claiming FEEE3&4 for live in an eligible postcode.

FEEE 3&4 Teachers Pay and Pensions Grant (TPPG) - paid to eligible schools at 31p per funded hour. This funding is calculated based on the number of 3- and 4-year-olds accessing their entitlement in eligible schools.

Early Years Pupil Premium (EYPP), is additional funding for early years settings to improve the provision for Eligible Children. This means that for low-income families, providers are entitled to receive additional funding of 68p per hour for all children accessing their 15 hours funded entitlement. EYPP is not payable for the FEEE3&4EFE. To benefit from this additional funding, we would encourage Providers to check with Parents accessing the FEEE whether they meet the criteria for EYPP: [Get extra funding for your early years provider - GOV.UK \(www.gov.uk\)](https://www.gov.uk). It is important to stress to Parents that no other Parents will know they have been assessed and it will not affect any other benefits they may be claiming as this is purely additional funding for Providers to support children receiving the FEEE.

If a Parent confirms they are eligible for one or more of these benefits, they will need to enter their details on the PAF. These details will then be entered on the 'Parent/Guardian Details' tab of the child record on the EYCC Provider Portal at Headcount.

Further information about the EYPP, EYPP user guide, and letter for Parents can be accessed here: [Early years pupil premium](#)

5.3 FEEE Funding paid via Childminding Agencies:

All the funding paid to Childminders registered with an agency to deliver funded places must be paid to the Childminders. The Childminding agency must not retain any of the FEEE funding.

5.4 Funding children with special educational needs and disabilities (SEND) –

If a child with SEND is not accessing their full FEEE, the Council will not provide funding equivalent to the child taking up a full place (up to the maximum hours), enabling 'surplus' funding to be used to support the child.

Providers will only be able to claim FEEE for the hours the child attends, if they need additional support to include the child in all FEEE activities they may apply for inclusion funding from EYCC, for more information please email inclusion.funding@essex.gov.uk

A child could also be eligible for the Special Educational Needs Premium for more information click here [Special Educational Needs \(SEN\) Premium \(essex.gov.uk\)](https://www.essex.gov.uk)

From September 2024 children with SEND may be eligible for Special Educational Needs Inclusion Funding (SENIF) which replaces Inclusion Funding and Special Educational Needs Premium. Information on the criteria for applying for SENIF will be published in preparation for the Autumn term. Please refer to Schedule B for more information.

5.5 Disability Access Fund

The Council will fund all early years settings providing a place for each child eligible for the Disability Access Fund (DAF) in Essex Local Authority at the fixed annual rate of £910 per eligible child.

The DAF is payable as a lump sum once a year per eligible child for all of the entitlements. If a child eligible for the DAF is splitting their funded entitlement across two or more Providers,

Parents should nominate the main setting which will receive the DAF for the child, the DAF is paid to one setting only.

If a child receiving DAF moves from one setting to another within a financial year, the new setting is not eligible to receive DAF funding for this child within the same financial year. DAF funding received by the original setting will not be recouped.

In cases where a child who lives in one local authority area attends a Provider in a different local authority, the Provider's local authority is responsible for funding the DAF for the child and eligibility checking.

All early years Providers who are eligible to receive FEEE funding are also eligible to receive the DAF.

The process for providers to claim is as follows:

- Parents of children qualifying for Disability Living Allowance will be required to provide the setting with evidence of the entitlement. Providers will need to take a copy of any documentation that evidences eligibility.
- Provider is required to supply a copy of the evidence and details of the child qualifying. Please follow the instructions available here [Disability access fund](#)
- A payment will then be made to that Provider for their annual payment.
- The Parent will be required to provide evidence on an annual basis – payment in any further financial years will not be automatic. The process will need to be followed every financial year that the child qualifies for additional payment.

5.6 Headcount (Term dates & Payment dates)

The Headcount Date is set on specific dates in the school term to ensure that all Providers are open. The FEEE can be used in any consecutive block within the term. We recommend that providers follow the school term when setting the dates for the FEEE timeframe.

Childcare accessed outside of this grant funded period can be charged at any pre-agreed fees/rates unless the provider is stretching the FEEE. If this is the case, then Providers can only charge for hours accessed beyond the universal entitlement 570 or extended entitlement 1140 yearly maximum set out on a termly basis.

All Headcount Data must be submitted in hours by the Headcount submission dates each term as follows:

Term	Funding Dates	Funded Weeks	Headcount Day
Summer 2024	15/04/2024 - 19/07/2024	13	25/04/2024
Autumn 2024	02/09/2024 - 13/12/2024 or 09/09/2024 - 20/12/2024	14	12/09/2024
Spring 2024/25	06/01/2025 - 28/03/2025	11	23/01/2025*

*Subject to change depending on EY Census Day.

Headcount task and payment dates are as follows for: Preschools, Maintained Nursery Schools & Maintained/Academy Nursery classes.

Term	Headcount Task	Headcount collection dates	Payment date
Summer 2024	Forecast	18/03/24 - 22/03/24	First 2 Weeks of Term

Summer 2024	Actual	22/04/24 - 01/05/24	12/06/2024
Summer 2024	Amendment	17/06/24 - 28/06/24	End of Term
Autumn 2024	Forecast	08/07/24 - 12/07/24	First 2 Weeks of Term
Autumn 2024	Actual	09/09/24 - 18/09/24	30/10/2024
Autumn 2024	Amendment	18/11/24 - 29/11/24	End of Term
Spring 2024/25	Forecast	09/12/24 - 13/12/24	First 2 Weeks of Term
Spring 2024/25	Actual	20/01/25 - 29/01/25	19/03/2025
Spring 2024/25	Amendment	03/03/25 - 12/03/25	End of Term

For Preschools, Maintained Nursery Schools & Maintained/Academy Nursery classes the interim payment of 50% is made at the beginning of each term, based on the Forecast Headcount that is completed towards the end of the previous term. The payment of the balance will be made within 6 weeks of the Actual Headcount submission deadline date by BACS or Journal transfer. The Council endeavour to make payments as quickly as possible after Headcount day, but Providers should not rely on receiving these sooner than 7 weeks after the Headcount day as this is the contracted payment timescale the Council commits too.

Business Management Consultant will be notified of any requests for early payment of FEEE funding and will contact the Provider to offer support and guidance with cashflow and business models. Acceptance of this offer of support will be mandatory for Preschools, Maintained Nursery Schools & Maintained/Academy Nursery classes requesting early FEEE payments.

Headcount task and payment dates are as follows for: Childminders, Childminder Agencies and Day Nurseries.

Term	Headcount Task	Headcount Collection Dates	Payment Month	Payment Breakdown	Payment Date
Summer 2024	Forecast	18/03/24 - 22/03/24	April	25% of Forecast Hours	12/04/2024
			May	25% of Forecast Hours	13/05/2024
	Actual	22/04/24 - 01/05/24	June	33% of remaining balance after Forecast payments	13/06/2024
			July	33% of remaining balance after Forecast payments	12/07/2024
			August	33% of remaining balance after Forecast payments	13/08/2024
			Amendment	17/06/24 - 28/06/24	August
Autumn 2024	Forecast	08/07/24 - 12/07/24	September	25% of Forecast Hours	13/09/2024
			October	25% of Forecast Hours	11/10/2024
	Actual	09/09/24 - 18/09/24	November	50% of remaining balance after Forecast payments	13/11/2024
			December	50% of remaining balance after Forecast payments	13/12/2024
	Amendment	18/11/24 - 19/11/24	December	Any additional hours added after Actual	by 31/12/2024
	Spring 2024/25	Forecast	09/12/24 - 13/12/24	January	25% of Forecast Hours
February				25% of Forecast Hours	13/02/2025
Actual		20/01/25 - 29/01/25	March	100% of remaining balance after Forecast payments	13/03/2025
Amendment		03/03/25 - 12/03/25	March	Any additional hours added after Actual	by 31/03/2025

For Childminders, Childminder Agencies and Day Nurseries payments are made monthly as detailed above. Please note there is no availability to request early payment of FEEE funding with monthly payments.

All providers should use the amendment Headcount for any late claims for children that start after the Actual Headcount of the term.

The dates above are subject to change as there may be a cause to delay the Headcount tasks subject to any issues with the previous payment process. Data will only be accepted electronically via the EYCC Provider Portal. Details of how this must be completed will be advised prior to each Headcount. Please note that to run the forecast headcount before the end of term, late claims now finish 3 weeks before the end of the funding term. Providers will not be able to make a late claim for children that start in the last 3 weeks of term.

NB: Completion of Headcount Data and the Early Years Census (or School Census in the case of Maintained Primary Schools with Designated Nursery Classes and Maintained Nursery Schools) is a statutory requirement that all Providers must complete. It is essential to submit accurate data in the correct format to avoid delays in payment.

For all purposes the Council will fund children from the first week (where there are three or more days in that week) following the start of the Essex maintained school term.

Four-year-olds starting school and registered in a maintained school or academy reception class children are not eligible for FEEE funding.

FEEE funding will be payable to a Provider if the following conditions are met:

- The children included in the Headcount are registered and attending the provision on the day of the Headcount.
- Any children included in the Headcount who are ill or otherwise absent during that week, must be genuinely expected to take their place during that term.
- If a child joins after Headcount Date a late claim can be submitted provided the conditions in the Contract are applied and they have not claimed FEEE at any other provision within Essex for that term.
- Where children access their place intermittently e.g., transient families such as traveller children or refugee children, it is the local authority's policy to fund for the duration of the term.
- Parents cannot increase the number of funded hours they wish their child to take after Headcount day. The PAF that was signed at the beginning of the term between the Provider and the Parent clearly indicates this. Increased hours can only be made on a termly basis.
- Providers are required to add, amend, and delete data to their Provider record on the EYCC Provider Portal
- Providers are required to update EYCC Provider Portal each term to ensure accuracy. This includes prompt notification of changes to the funding contact at the provision or any change to bank account details. This also provides up-to-date childcare sufficiency information which is a requirement of the FEEE funding contract.
- Providers registered to deliver FEEE with the Council must agree to admit, at any reasonable time, authorised officers of the Council or their agents. Failure to admit

staff or regularly cancelling pre-agreed appointments may also lead to the withdrawal of the FEEE Contract.

If a child moves part way through a term, it is at the discretion of the Provider where the child is attending on Headcount Day whether funding can be transferred. In these instances, the Council expects the funding to be paid forward by **BACS transfer between the two Providers** and adjustments **should not** be made via the amendment Headcount.

Where notice has been given, please use the following as guidance for what can/cannot be claimed on the Headcount:

Notice Given before/after Headcount Day	Child in attendance on Headcount Day	Child attending another setting on Headcount Day	Claim
Before	Yes	No	Add leave date to Actual Headcount. Only claim notice period, not full term
Before	No	No	Unable to claim funding. Invoice parent for notice period
Before	No	Yes	Unable to claim funding. Invoice parent for notice period, or speak with parent/other setting to determine if funding can be released for notice
Before - in previous term	Yes	No	Add leave date to Actual Headcount. Only claim notice period, not full term
After	Yes	No	Able to claim funding for full term
After	No	Yes	Unable to claim funding. Invoice parent for notice period, or speak with parent/other setting to determine if funding can be released for notice
After	No	No	Unable to claim funding. Invoice parent for notice period, or if parent re-joins later, add child to the Amendment Headcount.

If a child moves to Essex part way through a term from another local authority, the previous provider should be contacted to see if the funding can be transferred. If this is not possible, funding can be applied for at amendment Headcount.

A Headcount Demonstration will be held via Microsoft Teams twice a term. The dates scheduled for the next year are as follows:

Term	Date / Time	Link to Join Teams Meeting
Summer 24	Tuesday, 16th April 10:00 - 12:00	Click here to join the meeting
Summer 24	Thursday, 18th April 18:00 - 20:00	Click here to join the meeting
Autumn 24	Tuesday, 3rd September 10:00 - 12:00	Click here to join the meeting

Autumn 24	Thursday, 12th September 18:00 - 20:00	Click here to join the meeting
Spring 25	Tuesday, 14th January 10:00 - 12:00	Click here to join the meeting
Spring 25	Thursday, 16th January 18:00 - 20:00	Click here to join the meeting

5.7 Stretching the FEEE

Stretching the FEEE means that the weekly entitlement is reduced to allow for hours to be taken over more weeks, but the entitlement for the whole financial year remains the same, 570 for universal and 570 for the extended, if eligible. Therefore, if you are open for 50 weeks the entitlement would be reduced to an average of 11.4 hours per week for universal and 11.4 for extended, if eligible, a total of up to 22.8 hours per week averaged out over the financial year.

To calculate the correct entitlement each term you need to divide the number of weeks you are offering the FEEE into the 3 terms making sure that you consider the number of available funded weeks in each term as these vary and you will need to pass on the correct number of funded hours to the Parent. To determine the entitlement for each term the calculation required is 'the number of funded hours available in the term divided by the number of weeks you are stretching the FEEE in that term'. The example sets out the number of weeks in each term if the entitlement is stretched over 50 weeks. Therefore, for summer 2023 the sum is $195/20 = 9.75$ hours, this is the Parent's weekly entitlement. However, at the headcount you will need to claim 15 hours per week over 13 weeks.

To ensure Childcare Providers and Parents are both clear on the funded hours needed per week to stretch the funding, a Stretched Funding Calculator can be found here <https://eycp.essex.gov.uk/funding/funded-early-education-entitlement/parent-carer-agreement-forms/>

Stretching over 49 weeks

	Date stretched term ends	Weeks in each term	Stretched weekly entitlement	Funded weeks in term	Number of FEEE hours
Summer 2024	30 Aug 2024	20	9.75	13	195
Autumn 2024	20 Dec 2024	16	13.12	14	210
Spring 2025	04 Apr 2025	13	11.78	11	165
	Total per year	49		38	570

Where you are stretching the offer and the Parent is accessing their maximum entitlement you need to ensure you claim for the maximum hours per week allowed for the funded weeks even though the child may be attending fewer hours per week. You will not be claiming more hours than the child attends because you are stretching the offer and will be claiming for the number of hours that the child is accessing over a longer period than the funded weeks.

Stretch Offer Examples

Number of weeks FEEE is provided	Examples of offer
38	Standard term time only offer
39	Setting open same number of weeks as the school term

47	Setting operating year-round, FEEE not available over summer holidays and Christmas week
48	Setting operating over half terms and summer holidays but closed or not offering FEEE at Easter and Christmas
49	Setting operating and offering FEEE for 49 weeks
50	Setting operating and offering FEEE but closed for 2 weeks at Christmas
52	Setting operating and offering FEEE all year

5.8 Changes in situation

Temporary closures

If a provision closes during a term the Provider should inform the Council within 72 hours to let them know the reason for the closure. In an emergency or Exceptional Circumstances such as bad weather, temporary premises, national pandemic or health and safety issues where closure may be short term, such situations will be looked upon sympathetically and case by case. The Council will decide whether any funding will be required to be repaid. If children must attend another provider during the temporary closure, the Council will expect the funding to follow the child.

Providers closing part way through a term

If a Provider closes and ceases to trade, they should inform Early Years and Childcare at earlyyearsdata@essex.gov.uk immediately to let them know the date of closure and the reason. Under the terms of the Contract with the local authority the Provider is expected to give at least 6 weeks' notice and repay any monies due to the Council.

Where a Provider ceases to trade, any funding that is over paid will be required to be repaid within 30 days of notification. The Council has a process for managing overpayments where consideration will be made to the value of the debt, whether the company is still trading and still at the registered address, and whether there is a Parent company. A legal process will follow to recover the debt.

Change of ownership

If a Provider sells or buys a business, they should inform Early Years and Childcare by emailing earlyyearsdata@essex.gov.uk and request the link to seller and buyer change of ownership form.

Change in Ofsted registration number

A new Early Education Funding contract will need to be signed and a new Provider Portal account will need to be set up if Ofsted issue a new EY registration number. Email earlyyearsdata@essex.gov.uk to request a new contract and new Provider Portal account. You may be able to retain your existing Provider Portal account if the named person is still in place.

Child's non-attendance

If a child is absent from the setting for more than 4 weeks, please inform the funding team at FEEEQueries@essex.gov.uk. The Council will decide on a case-by-case basis whether any repayment of FEEE will be required

5.9 Overpayment of FEEE funding

Once amendment Headcount has been finalised if any Providers have been overpaid funding for the term, they will be notified by the Council. If funding is claimed the following term the

overpayment will be deducted from funding due for the term. If funding is not claimed the following term, an invoice will be raised for repayment of amount within 30 days. Overpayments must be repaid by the end of the relevant financial year.

6. Data Collections

6.1 Childcare Sufficiency

All childcare providers offering the FEEE funding are required to submit a termly return of Childcare Sufficiency information to the Council via the EYCC Provider Portal, or by whatever format requested by the Council. This is to ensure Provider record details are kept up to date on a termly basis by completing the occupancy and places data return. The Council reserves the right to withhold FEEE payments where Childcare Sufficiency information has not been submitted within the required timeline.

6.2 FEEE Audit

The Council will undertake FEEE audit checks with Providers throughout the year. Providers will be expected to complete the FEEE audit on request from the Council. A visit may be required to discuss any concerns highlighted. Failure to respond to a FEEE audit request or actions could lead to the Council withholding FEEE payments until audit and actions have been completed. The Council will maintain a risk register of Providers to check for compliance.

6.3 Better Start

Providers are required to submit termly development progress data for children accessing FEEE2 and FEEE2W funding on the Provider Portal using the Better Start tab. Failure to submit progress data could lead to the Council withholding FEEE payments.

6.4 Early Years Census

During the Spring term any Providers with funded children will be required to submit the Early Years Census. This data will be collected via the Self Update section of the Provider Portal.

6.5 Early Years Foundation Stage Profile (EYFSP)

For children who have deferred their school place and will be going into Year 1 when they leave after the summer term, the EYFSP must be completed and submitted when requested.

7. Help with queries

It is the responsibility of the Provider to ensure that all supporting information and guidance is given and explained to Parents/Carers before committing to accessing a place. Parent/Carer Agreement Forms will be checked as part of any future audit checks.

The Council will give the appropriate help and support to Providers where this is required. Please note all queries should be made by email to the relevant mailbox as set out below. In all cases, the needs and best interests of the child should be paramount.

FEEEResponses@essex.gov.uk – Early Years and Childcare

For queries relating to the FEEE contract or Provider Handbook

2yearold@essex.gov.uk – Data Collection and Maintenance Team

For queries relating to:

- FEEE2 applications
- payments for two-year-olds
- Better Start data submissions

earlyyearsdata@essex.gov.uk – Data Collection and Maintenance Team

For queries relating to:

- the EYCC Provider Portal (including log in/password queries)
- headcount, late claims, and Early Years Census submissions
- working parent entitlements (FEEE2W, FEEE1W & 30-hour codes)
- the registration of provisions, updating of bank account and contact details

BMC@essex.gov.uk - EYCC Business Management Consultants (BMC)

For information, advice and guidance for early years and childcare providers in starting, managing, expanding, and sustaining a quality childcare business

CCDL@essex.gov.uk – Children Community Development Leads (CCDL)

For queries on the development of sufficient FEEE places and Childcare Sufficiency.

workforcedevelopment@essex.gov.uk - EYCC Workforce Development Team

For queries relating to workforce development and training

preschoolpanel@essex.gov.uk – Pre-school Allocations Panel

For queries relating to SEN Premium

Inclusion.funding@essex.gov.uk – Inclusion Funding

For queries relating to Inclusion funding

Compliments and Complaints visit Essex County Council website via

<https://www.essex.gov.uk/complaints>

Appendix A – Invoice examples:

SAMPLE INVOICE SESSIONAL TERM TIME ONLY HOURS

- Based on a pre-school that runs AM, PM and lunch sessions
- Based on a child accessing 15 hours

Provider Logo
 Provider name
 Provider address line 1
 Provider address line 2
 Provider postcode

Ofsted EY Number:

Parent name
 Parent address line 1
 Parent address line 2
 Parent postcode

Invoice Date
 Invoice number/refence

Invoice for [INSERT CHILD NAME] for [INSERT TIME PERIOD e.g., term]
Attendance pattern [INSERT HOURS / SESSIONS / DAYS] This example: Monday, Thursday, Friday mornings 9-12. Tuesday and Wednesday all day 9-3

Item	Breakdown	Cost
Funded Early Education Entitlement (FEEE) hours	12 x Monday to Friday Mornings (9am to 12noon) 15 hours per week for 12-week term	0
Additional sessions / hours	12 x Tuesday afternoon £12 (1pm to 3pm at £6 per hour)	£144
	12 x Wednesday afternoon £12 (1pm to 3pm at £6 per hour)	£144
Additional costs	12 x Tuesday lunch club £6	£72
	12 x Wednesday lunch club £6	£72
Total amount due		£432

Payment terms
Payment is due on first day of the term [INSERT DATE]
Payment can be paid in two equal instalments of £216 on [insert date] and [insert date]
Payment to be made by Standing Order or Bank Transfer Bank account name Bank sort code Bank account number

SAMPLE INVOICE STRETCHED OFFER WITH EXTENDED FEE

- Based on a nursery that runs 10 hour days, offering extended FEEE
- Based on a child accessing extended entitlement all year round
- Using calculation of stretched offer at 22.4 hours per week (the 1140 divided by 51 then by 12 calendar months)

Provider Logo
 Provider name
 Provider address line 1
 Provider address line 2
 Provider postcode

Ofsted EY Number:

Parent name
 Parent address line 1
 Parent address line 2
 Parent postcode

Invoice Date
 Invoice number/refence

Invoice for [INSERT CHILD NAME] for [INSERT TIME PERIOD e.g., MONTH]
Attendance pattern [INSERT HOURS / SESSIONS / DAYS] This example: Tuesday, Wednesday, Thursday full days 8am – 6pm

Item	Breakdown	Unit price	Cost
Funded Early Education Entitlement (FEEE) hours	22.4 Extended Entitlement Stretched offer per week (89.6 for month)	£0.00	£0.00
Additional sessions / hours	7.6 hours additional hours per week (30.4 for the month)	£6.50	£197.60
Additional costs	3 x Optional Meal package per week (12 per month)	£5.00	£60.00
Total amount due			£257.60

Payment terms
Payment is in advance, due on first day of the month [INSERT DATE]
Late payments will incur a charge, as per our Terms and Conditions
Payment to be made by Standing Order or Bank Transfer Bank account name Bank sort code Bank account number

SAMPLE INVOICE STRETCHED OFFER BY TERM WITH EXTENDED FEEE

- Based on a nursery that runs 10-hour days, offering extended FEEE, child accessing extended entitlement all year round.
- Invoice specifically for January, as a part of the spring term which is 15 weeks including any school holidays (1st Jan – 31st March) - Hours of FEEE is 20.95 per week as it has been calculated using 15 weeks in a term rather than 12.
- If this model is adopted, then the summer term would be 22 weeks (1st April to 31st August).

Provider Logo

Ofsted EY Number:

Provider name

Provider address line 1

Provider address line 2

Provider postcode

Parent name

Invoice Date

Parent address line 1

Invoice number/refence

Parent address line 2

Parent postcode

Invoice for [INSERT CHILD NAME] for January 2022 [INSERT TIME PERIOD e.g, MONTH]			
Attendance pattern [INSERT HOURS / SESSIONS / DAYS] This example: Attending 30 hours per week: Tuesday, Wednesday, Thursday full days 8am – 6pm			
Item	Breakdown	Unit price	Cost
Funded Early Education Entitlement (FEEE) hours	20.95 Extended Entitlement Stretched offer per week (83.8 for month) Extended FEEE is 1140 hours, divided by 51 weeks in our operating year, times by 15 weeks in the spring term (1 st Jan to 31 st March), divided by 3 months in the term, divided by 4 weeks in a calendar month.	£0.00	£0.00
Additional sessions / hours	9.05 hours additional hours per week (36.2 for the month)	£6.50	£235.30
Additional costs	3 x Optional Meal package per week (12 per month)	£5.00	£60.00
Total amount due			£295.30
Payment terms			
Payment is in advance, due on first day of the month [INSERT DATE]			
Late payments will incur a charge, as per our Terms and Conditions			
Payment to be made by Standing Order or Bank Transfer			
Bank account name			
Bank sort code			
Bank account number			

Appendix B - Invoice checklist

This document has been created as a checklist of questions you may wish to consider when reviewing your fee structures and invoices.

Invoice Details - does the invoice...

- state the word 'invoice'?
- state the name of the child and parents/carers?
- Is the invoice addressed to the parent(s)?
- state the date of payment?
- state the method of payment (e.g., BACS, cash, cheque)?
- state the period the invoice covers (e.g., monthly, termly)?
- have an invoice number?
- contain your business name, address, contact details and Ofsted registration number?
- state pattern of attendance?
- do the charges on the invoice match what is stated in the fee information?
- match your parent/provider agreement, for example the PAF?
- match the funding that you have claimed or was paid by the local authority?
- show that registration fees/deposits have been refunded?
- show that any applicable discounts have been applied properly?
- show where other voucher schemes have been applied e.g., Tax-Free Childcare?

Hours - does the invoice...

- state the number of funded hours the parent/child received?
- state the number of private hours the parent/child received?
- provide detail on when and how the funded hours have been applied (e.g. dates/days, hours accessed)?
- state the number of contracted hours in the invoicing period?
- clearly distinguish between funded and non-funded hours?

Charges - does the invoice...

- show the parent has received the entitlement hours completely free of charge?
- show that the funded hours are not delivered as a monetary subsidy?
- show that the LA funding rate has not been deducted from the funded hours?
- state the hourly rate for private hours?
- show you have not charged a top-up fee?
- show that the parent has been charged for additional hours on top of the funded hours?
- show that the hourly rate for private hours on top of the funded hours are not charged at a higher rate than the standard rate for session/day?
- show that the parent has been charged for each additional service, consumables, food and/or event and state the rate for each one?
- show an itemised list of additional services, consumables, food and/or event? If not is there a separate list available?
- state the total amount to be paid?

Other

- is the invoice clear and transparent?
- is the invoice easy for a parent(s) to understand?
- where there is information for more than one child, is this provided separately?
- voluntary contributions should not be included on an invoice. Providers could consider having a contribution slip for financial purposes.

Appendix C – Fee information for Parents

This document has been created as a point for consideration to include in the information given to parents regarding your childcare service.

Does the fee information...

- include your details – name, address, phone number etc.?
- state your daily and annual (i.e., term-time only) opening times?
- contain your Ofsted registration number?
- clearly state the hour/sessions/days that the funded entitlement can be taken?
- provide details about the entitlements and financial support available including signposting?
- provide details about parent(s) eligibility?
- provide details about the application process for the funded entitlement?
- contain details about additional funding such as EYPP or the DAF?
- provide details on what happens if a parent falls into arrears?
- provide details on discounts available to the parents (e.g., sibling discount, etc.)?
- state how often it will be reviewed?
- provide details on any notice periods that parents need to be aware of?
- provide details about the complaints procedure?
- is the fee information clear, transparent and easy for parents to understand?

Delivery Model - Does the fee information...

- specify the options available for accessing the funded entitlements?
- specify if there are a minimum number of hours/sessions/days that the entitlement can be taken?
- provide details on the timings of the sessions?
- state if entitlement hours only are available or are they dependent on paying for additional hours?
- state how many free funded places (no additional charges) there are and how they can be accessed?
- state how many funded weeks there are per term?
- state whether the funded entitlement can be used term time only, stretched or both?
- provide details of your stretched offer (if applicable)?
 - provide an explanation on how the stretched hour works, including an example?
 - clarify how many hours the stretched offer equates to each week
 - state how many weeks the funded hours are stretched over?
 - provide details on the cycle for the stretched offer (e.g. does it run from April to March?)
 - explain how parents can use any outstanding hours when accessing the stretched entitlement?
- Do the hours/sessions available to parents include the lunch hour? (Or are these paid for separately?)
- clearly distinguish between entitlement hours and chargeable hours?
- provide a policy for closures (such as bank holidays) where parents are not able to access their entitlement hours?
- Is the delivery model sufficiently flexible for parents to take up their entitlement hours?

Costs (including additional costs) - Does the fee information...

- make it clear what parents are being charged for?
- state the charges per hour/session/day?
- make it clear that there is no cost to the hours delivered as part of the entitlement?
- state the funding is not to be used as a subsidy?
- state that parents must not pay the difference between the funding you receive from the LA and your standard rate?
- clearly define the different rates you charge (e.g., based on age range, for full-time/part-time attendance)?
- Is it clear which charges apply to the entitlement?
- clearly state the rate charged for additional hours outside of the entitlement?
- provide the rates for wraparound care?
- state that additional hours are required to be purchased in addition to the entitlement hours?
- clearly state what each additional/consumable charge is for and how much it is?
- make it clear when the additional/consumable charge is chargeable?
- state whether any additional charges are voluntary?
- set out a clear policy for parents who are unwilling or unable to pay additional charges?
- explain how the entitlement hours are funded (i.e., through the local authority) based on headcount?
- does the fee information explain what would happen if a child were to move settings during a term?

Deposits & Registration/Admin Fees - does the fee information...

- specify how much deposit a parent must pay and when this is refunded when accessing the early years entitlement?
- specify how much a registration/admin fee is for a parent when accessing the early years entitlement?
- Inform parents FEEE2 children must not be charged a deposit or registration/admin fee?

Other Documents

- Does the information provided in the fee structure correspond to the parent contract?
- Does the parent contract include details about additional services offered?
- Does the parent contract include details about data sharing?
- Is the parent agreement form (PAF) signed by both the parent/carers and the provider?