

Free Entitlement (FE) for 3 & 4 year olds Frequently Asked Questions for Parents

Updated October 2018



Q: Where can I get a copy of the WSCC Discover Free Entitlement leaflet?

A leaflet should be provided to you by your childcare provider, including the additional information about the Extended FE. This is also available to download on our website: www.westsussex.gov.uk/freechildcare

Q: How do I apply for FE?

For Universal FE, you should be given a Parent Declaration form to complete by your childcare provider. They will be able to talk you through each aspect of the form and how to complete this. The form will need to be signed by your childcare provider once they have seen an appropriate ID confirming the child's identity and date of birth, such as a passport or birth certificate.

For the Extended FE you first need to apply online through the digital childcare service at www.childcarechoices.gov.uk for HMRC to assess your eligibility. If you are eligible for the Extended FE you will receive an eligibility code. You should present this to your childcare provider along with your National Insurance number(s), your child's birth certificate or passport as proof of date of birth. Children are only eligible for the Extended FE once they reach the age criteria and the term following receipt of the validity code from the Government.

Q: I am unable to provide proof of ID and date of birth for my child. Can my child still get funding?

The childcare provider will not be able to claim funding for your child if they cannot verify your child's date of birth. Please contact the Family Information Service to discuss what other acceptable evidence you could provide.

Q: Are children without British citizenship eligible for FE?

Yes, funding of a child is not dependent on citizenship of a parent or child. A child moving to England from another country is entitled to Universal FE on the same basis as any other child, regardless of whether they have British citizenship.

If you are a non-EEA national, you must have recourse to public funds in order to access the Extended Entitlement.

Q: How often do I need to fill in a Parental Declaration form?

You must complete one form for each childcare provider that will provide FE for your child. Additional boxes exist on the form to capture any subsequent changes to addresses, or hours claimed and you will be required to sign any updates. If you become eligible for the Extended FE at a later date, this additional information will also need to be added to the Parent Declaration and signed.

Q: How is information on my child stored and used?

The Privacy Notice explains how the data is used and shared, and each childcare provider should display (or provide) a copy for parents. It can also be viewed online www.westsussex.gov.uk/freechildcare

Q: How much is the FE worth in money?

FE does not have a monetary value and is not a voucher or parent subsidy. Therefore, settings must not simply deduct the amount of funding they receive from your invoice. The childcare provider claims the funding on behalf of the parent and this is paid directly to the childcare provider from WSCC. There should be no charge for any FE hours. Childcare providers can charge for additional time that the child attends, but additional paid for hours cannot be a condition of the place.

Q: How should my childcare provider show the FE on my invoices?

Providers should be able to show you a sample invoice and explain how charges are calculated and displayed. However, the invoice should never show your free hours as a monetary value. Childcare providers should supply clear, written information about any fees or charges for additional services, or additional time taken over and above the FE. Any fees charged for additional time must be at the standard rate of the childcare provider and should not be more than those charged to parents whose children do not access a free place.

Further information and a sample invoice can be viewed at:

www.westsussex.gov.uk/ecsfreeentitlement

Q: Can my childcare provider charge for additional services?

Childcare providers can charge for additional services but parents should not be required or expected to take them up in order to access a free place. Parents should be advised by the provider of any additional costs and an explanation of what they are for, before the child takes up the place. Childcare providers should provide an itemised bill stating clearly what is being paid for and what has been received free.

If the FE hours include lunchtime then the setting can charge for any meals they provide, but not for the time. Parents should be given the option of providing a healthy packed lunch instead. Consumables such as paper and paints cannot be charged for, though some providers may ask for a voluntary donation for such things. This must be voluntary and not a condition of accessing the FE at the provider.

Optional = optional services are additional 'options' that you can opt in or opt out of, such as lunch, snacks, nappies etc. They are optional because if you opt in you pay the setting to provide them. If you opt out you don't pay but you must provide these for your child.

Voluntary = voluntary contributions can be asked of you for the general support of the setting – like a donation. This can be for things such as paper, paints, post-its and general delivery of the EYFS. They are voluntary because you are not obliged to pay, but if you do not pay, you also do not have to provide these for your child. The setting is still required to provide these items for your child whether you donate or not.

Extras such as uniforms, book bags, branded items etc. are also voluntary as they are not an EYFS requirement, however, if you don't pay for them, the setting does not have to provide them.

Q: I want to access Universal/Extended FE but my provider is asking for a deposit. Can they do this?

Yes. Under Government rules, providers can charge a reasonable, refundable deposit for funded places for 3 and 4 year-olds. This is a separate deposit to one that may be charged by a provider for any additional services booked with the provider. Deposits for additional services are a private matter between parents and providers and the provider sets their own rules as to when and how additional service deposits are refunded.

Q: Are the FE hours restricted to particular times of day?

Each childcare provider can stipulate where the funded hours fall during the day if they wish, providing they meet the requirements set out in the Statutory Guidance from the Department for Education. These include the following parameters:

- No FE session to be longer than 10 hours.
- FE hours cannot be claimed before 6am or after 8pm.
- Ensure children are able to take up their FE in continuous blocks and avoid artificial breaks in the day wherever possible.

This information must be clearly provided to parents.

Q: Can the hours be split between more than one childcare provider (including those in another county)?

Yes, you are able to split the hours between a maximum of two childcare sites (per day) that are registered to receive the funding. Parents must complete a FE Parent Declaration Form at each childcare provider, on which there is a section to show that hours are also claimed at another childcare provider. For example, a child could attend a FE registered breakfast club and nursery based on one site or a maintained school and Private, Voluntary or Independent provider on two different sites. However, it is important to bear in mind the impact of multiple providers on a child's learning, development and wellbeing.

If you are splitting your offer between providers, you will need to provide your eligibility code and information to each provider. If eligible for the Extended FE, you must also choose which provider(s) you wish to continue to use your Universal FE with, if you were to become ineligible for the Extended FE. Some childcare providers may choose to give priority to children that attend for the whole week.

Q: Does FE only cover 38 weeks of the year?

If your provider offers funding over more than 38 weeks per year, the total funded hours can be 'stretched' across the whole year. Depending on your providers method of claiming the total hours you can claim over the year may consequently reduce, as the funding can only be claimed from WSCC in half hourly increments. Please see examples in grid below:

Weeks per year	Hours per week (2 year old FE/Universal FE)	Total hours across the year (2 year old FE/Universal FE)	Hours per week (Universal + Extended FE)	Total hours across the year (Universal + Extended FE)
38	15	570	30	1140
45	12.5	562.5*	25	1125*
51	11	561*	22	1122*

*The remainder of hours cannot be claimed if your setting claims standard stretched funding.

Alternatively, your provider can claim over 38 weeks per year but 'self-stretch' the hours according to a pre-arranged agreement between your provider and yourself. All rules still apply when this method of claiming is used, including the maximum of 15 or 30 hours per week. All hours claimed **must** be delivered to the child (with the exception of child sickness or planned short term holidays). If you wish for your child to access FE hours over more than 38 weeks you **must** discuss this with your provider before starting your claim so you are aware of any potential loss in free hours. Please note that not all providers offer these stretched methods of claiming.

Q: Can my childcare provider offer less than 15 (or 30 Extended) hours FE but still charge for additional hours?

If your childcare provider offers FE over 38 weeks or less, and is open for 15 hours or more per week, then they must offer the full 15 Universal hours of FE. If they are offering the Extended FE (30 hours) the same rule applies but for the increased amounts (30 hours rather than 15). Additional time over and above Universal and/or Extended FE can be charged for, but cannot be a condition of the place. However, if they offer FE stretched over 39+ weeks the entitlement will be less per week but they can only charge for the additional hours over and above FE.

Childcare providers can still choose the times during which FE is made available, and whether they offer only Universal FE or both Universal and Extended FE. Providers who offer both can also choose how many Universal FE places and how many Extended FE places they offer.

Places at childcare providers are subject to availability. Please note, that not all childcare providers may be able to deliver your preferred days/hours, but this may be achieved by using more than one provider, but no more than two sites in one day.

Q: What is an Admissions Policy?

The Admissions Policy should set out the childcare provider's priorities for allocating places. Childcare providers will refer to the policy if a parent challenges a decision not to give admission. "FE sessions only" **must** be included in the list of priorities, however the provider can decide how many of these they offer.

Q: Can a childcare provider give priority to children attending full time?

Priority can be given to children who are attending full time but this must be clearly documented in the Admissions Policy of the childcare provider. The childcare provider is obliged to offer just their documented FE time only if they do not fill their vacancies with children accessing a full session/day, and they may choose to offer the place on a term by term basis. The parent should consider the educational benefit to the child of attending for a full session in making a decision.

Q: My child is moving to a new childcare provider mid-term. Will they still be funded at the new provider?

Yes, funding for both Universal and Extended FE should follow the child to the new childcare provider, calculated from the date at which any contractual notice period finishes. You should ask your current childcare provider to forward the balance of the funding to your new childcare provider. It is the childcare provider's responsibility to provide a clear statement of admissions (including notice period) and term dates for the year, to parents prior to securing a place for their child. Parents are expected to honour notice periods agreed to, however there are occasions when this is not in the best interests of the child. If a parent has not kept to a notice period WSCC will acknowledge a notice period of no more than one month relating to transfers of funding.

Q: I am moving into West Sussex mid-term. Do I have to wait until next term to get funding?

If your child is eligible for 2 year old or 3 and 4 year old Universal FE, this is considered an exceptional reason for a setting to claim your funding. However, if the child is eligible for 3 and 4 year old Extended FE, they **must** wait until the beginning of the following term to access the **Extended** hours.

Q: Does my child have to be in attendance for the number of hours claimed by our childcare provider every week (including planned holidays)?

Yes, your child should attend for the hours that have been claimed. Occasional sickness, late arrival and planned holidays are acceptable. Two weeks would be a typical family holiday. For longer periods the circumstances of your family would be taken into account e.g. Four weeks return to country of origin would not trigger funding to be reclaimed.

Q: If my childcare provider has an INSET day/Emergency closure do I lose the FE time?

INSET days are over and above the 38 weeks entitlement. As such if your childcare provider has a planned closure during FE time, for example INSET days or bank holidays that causes loss of FE time for your child then they should offer additional hours to compensate. If they cannot offer additional hours they should be planning their INSET days outside of delivery periods. If they can offer alternatives it's up to them and their parents how many they arrange. In the case of Emergency Closures (e.g. for bad weather) then funding for one or two days closure is not recovered by WSCC.

Extended FE (30 HOURS)

Q: My child is going to turn 3 next year. How soon can I access the 30-hours?

Your child may be eligible for the Extended FE from the term after they turn 3 **and** the term after you receive your eligibility code – **whichever is later**.

For example, if your child turns 3 on 25 March, and you apply for the Extended FE on 27 March, your child will be eligible for a place from the start of the summer term. However, if your child turns 3 on 25 March but you don't apply for the 30 hours until 5 April, your child won't be eligible for a place until the start of the autumn term, but can still access Universal FE from the summer term. You can apply up to 16 weeks before your child turns 3.

Q: Do childcare providers have to offer the Extended FE (30 hours)?

No, like the Universal FE, the Extended FE is optional for providers. This means that your childcare provider may decide not to offer funded places. Alternatively, they may limit the number of FE places they offer. Please note that not all providers may be able to deliver your preferred days/hours, but this may be achieved by using more than one provider, but no more than two separate sites in one day.

Q: If I'm not eligible for the Extended FE, can I still get my 15 hours?

Yes. The 15-hour offer is still universal so if you're not eligible for an Extended FE place, you will still be eligible for the Universal FE.

Q: What happens if I become ineligible for the Extended FE e.g. because I lose my job?

If you no longer meet the eligibility criteria, your child's Extended FE place will continue to be funded for a 'grace period'. You should discuss this with your provider if and when you lose eligibility.

Once the grace period has expired, you will still be eligible for the 15 hours funded Universal FE. If you have been taking up the Extended FE at two providers, you will continue taking up your Universal FE place at the provider(s) you named on your Parent Declaration form.

Q: Is there any difference in how the first 15 hours (Universal) and the second 15 hours (Extended) under the 30 hour offer will be delivered?

No, there is no difference. Childcare providers will provide early years care and education that follows the Early Years Foundation Stage (EYFS) across the whole 30 hours and any additional hours accessed.

Q: Do I have to take up the full 30 hours to receive Extended FE funding?

No, if you want to take up less, for example, 25 hours per week, this will still be funded by the Government under the Extended FE offer.

Tax-Free Childcare

Q. What is Tax-Free Childcare?

Tax-Free Childcare is a Government scheme that allows all eligible parents of children under 12 – or 17 if your child has a disability – to open an online account to pay for childcare. **For every £8 you pay in, the Government will pay in an extra £2.**

You can save up to £10,000 in a Tax-Free Childcare account (£8,000 that you have paid in, plus £2,000 that the Government has paid in) or up to £20,000 (£16,000 that you have paid in, plus £4,000 that the Government has paid in) if your child has a disability.

Q. Am I eligible for Tax-Free Childcare?

The eligibility criteria for Tax-Free Childcare is broadly the same as for Extended FE. **You can only use Tax-Free Childcare to pay registered childcare providers.**

It is important to note that, while you can use Tax-Free Childcare alongside Extended FE (or Universal FE), **you can't use it at the same time as:**

- Childcare vouchers
- Universal Credit
- Tax credits

Research your options before deciding what is best for you – for example, some parents may find they benefit more from being able to use Tax Credits than they would if they switched to Tax-Free Childcare – it depends on your individual circumstances as to what will be best for you and your family.

More information is available at www.westsussex.gov.uk/childcarecosts

Foster Carers and Extended FE

Q I'm a foster carer, am I eligible to apply for extended FE?

Foster carers need to liaise with their social worker to assess whether extended access to childcare is in the best interests of the child. In addition to this a foster carer must also be in receipt of paid employment or (self-employment) outside of their foster carer role. If both partners are foster carers both must meet these criteria. If one partner is a foster carer but one is not, the non-foster carer must meet the usual eligibility criteria for non-foster carer parents. These can be found at www.westsussex.gov.uk/freechildcare

Q. Does self-employment count?

Yes. In the case of self-employed foster parents, they need to be able to demonstrate to the Local Authority that they are actively working but as they do not have to meet an income threshold, further details would not be needed.

Q. Who is the designated person?

Speak to the child's social worker in the first instance. The designated person from the Virtual School will give the final agreement for the Extended FE to ensure that it is in the child's best interest.

Q. I'm a foster carer but my partner is not – am I eligible?

The non-foster carer will have to meet the normal income threshold for Extended FE that is the equivalent of 16 hours at the national minimum/living wage.

Q. Why do foster carers need to reconfirm at all?

This is an extension of Extended FE to children in foster care. The only difference is that foster carers will need to demonstrate they are working outside their fostering role and that accessing 30 hours with an early years and childcare provider is consistent with the child's care plan. These checks mean there is a parallel application process, but reconfirmation is a normal part of the process to access Extended FE.

Q. Why can't foster carers apply through the digital childcare service?

Before children in foster care access 30 hours, it is right that a check is made that this is in the best interest of the child and is consistent with the care plan. Also the criteria for eligibility are different, so applications can't be made in the same way. Please see the above link for further details.

Q. If it is in the best interest of the child, shouldn't they be able to access Extended FE regardless of the working status of their foster carers?

If foster carers do not meet the eligibility criteria, local authorities can assess the child's needs for early years' education and childcare as part of the child's care plan, but this would be funded in a different way.

Q. Fostering is a huge responsibility and you are forcing foster carers to work and devote less time to looking after these vulnerable children.

We are not expecting or requiring foster parents to work outside fostering unless they choose to do so and this decision is supported by the fostering service. There is no requirement on the type of work or number of hours that a foster carer must work in order to access the Extended FE. Furthermore, foster carers will only be eligible if this is consistent with a child's care plan.

Q. Why did it take so long to enable children in foster care to take up Extended FE?

Children in foster care are some of our most vulnerable children so it was important to get this right to ensure children's needs are at the forefront of the planning. The Government has consulted extensively with local authorities, independent fostering agencies, foster carers and others in the sector to ensure this can be implemented in way that gets the balance right between support for foster carers and protecting the welfare of the child.

Q. The child in foster care has a disability, and the foster carer is a full-time carer for this child – are they eligible for Extended FE?

They would only be eligible if they have a partner who is working outside their fostering role and they were in receipt of Carer's Allowance.

Q. What do you mean by qualifying benefits?

Qualifying benefits only apply in two parent households. If one partner meets the employment criteria (in this case working outside their fostering role), the household may still be eligible if the other partner has declared they are in receipt of one of the benefits listed on the application form. As there is no requirement to meet an income threshold, any evidence requested should focus on demonstrating receipt of the benefit.