

# EARLY EDUCATIONAL ENTITLEMENT [EYE]

## PARENTAL INFORMATION

### Delivering Free Educational Places

#### Free early Years Childcare and Education for eligible 2, 3 & 4 year olds.

Early year's education can help children to become independent and confident learners, get them off to a good start in life and ready for school.

Quality early years care can help your child:

- Learn
- Play together with friends
- Experience new activities
- Get ready for school

It can also help you:

- Have more time to take up training opportunities
- Develop new skills to help you get back to work
- Get ideas for how to help your child play and Learn

You can claim up to 15 hours of free Early Years Education [EYE] per week over 38 weeks of the year (term-time only) or you may be able to stretch your hours to cover some of the school holidays. All childcare providers will offer term-time only places but some may offer you the opportunity to stretch your funding. Your chosen childcare provider can advise on how flexible they are and how you can access your funding through them.

The Government has set a national framework for delivery, outside of which the Local Authority will not fund Providers to deliver the free Early Years Funding. These limits secure an offer which will enable children to access regular, quality provision, in keeping with the evidence of the benefits of doing so, and promote continuity whilst also maximising flexibility for parents and ensuring a degree of stability for Providers.

The framework for delivery sets the parameters for the EYE, outside of which the local flexible offer should not operate. Where provision of the full EYE is secured through a partnership of 2 providers, their combined offer must be within the national framework. The framework limits are:

- No session longer than 10 hours
- No session shorter than 2.5 hours
- Not before 7 am or after 7 pm
- The full 15 hours over no fewer than 2 days
- A maximum of 2 providers at any one time.

#### **(a) Guaranteed models of access to the EYE**

Locally all providers registered on the Isle of Wight 'Directory of Providers' are signed up to offer a flexible service to parents, however some are more flexible than others. There is a national expectation that certain guaranteed models of access to the EYE should be available in every LA for any parent / carer who wants them. Providers must consult with parents / carers on the models of delivery for EYE; this does not mean they must be available through every provider.

This secures for parents / carers a minimum guarantee and a clear understanding of flexibility in their extended entitlement:



1. 570 hours of free provision within a year, with the full amount to be taken over no fewer than 38 weeks – parents can take up as much or as little as they wish.
2. Parents will have a choice of provider, although they may not always be offered the full entitlement at the times they want or at a Provider of choice.
3. Parents who want it, should have access to their EYE in the following models (**although not necessarily at their provider of choice**):
  - a. 3 hours a day over 5 days of the week
  - b. 5 hours a day over 3 days of the week

### **(b) Take up of the EYE across 2 providers or 2 Local Authorities [LA's]**

For shared care, parental contracts must be completed at both providers. If a child attends two providers and receives in total more than the maximum EYE, the LA will apportion the amount of funding payable in respect of that child, based on the number of funded hours accessed at each provision. **Parents / carers do not have a right to choose which provider is funded through the EYE.** If parents knowingly access over and above their entitlement and subsequently providers over claim parents / carers will be liable for hours over and above their EYE entitlement at the EYE provider/s.

If a child accesses funded provision at 2 providers in different LAs, the LAs will agree between themselves who will receive the funding. In cases where this cannot be resolved between the 2 LAs in question the Department for Education (DfE) will allocate the funding to the LA in which the child is resident based on the child's post code. If over claims occur, parents / carers will be liable for hours over and above their EYE entitlement at the EYE provider/s.

### **(c) Children who move or start late in the term**

1. The Local Authority [LA] should ensure that, from parent's perspective, eligible children are provided with the EYE as soon as they start at a provider, including if they change provider late in the funding period – unless this breaks the terms of the parental declaration/contract.
2. If a parent joins a provider and this results in a **breach of an existing parental contract**, then the **parent may be liable** for the EYE cost for the remainder of the contract length. For example, if a parent leaves provider A and joins provider B mid-funding period and this breaches the terms as set out in the parental contract (with provider A), then the parent may be required to pay for the EYE for the remainder of the parental declaration at provider B.
3. Agreement for children to move provider within a contractual funding period must only happen under exceptional circumstances, such as if family circumstances change, i.e. a new job / unemployment; CAF; moving house; child protection etc. Parents / carers must ensure Provider A, & Provider B, are in agreement with the proposed move/transfer prior to any transfer taking place. **The onus of responsibility is on Early Education Providers' to communicate with each other and ensure parents are part of this conversation.** The local authority must give authorisation for such moves.

### **(d) Fees and Charges for the EYE**

The EYE is a fully funded part-time place for each eligible child and the following principles should be met by the EYE Provider.

1. **No conditions of access** - Providers who deliver the EYE must not impose on parents any conditions of access to which they must agree in order to take-up their free hours, i.e. parents must not be obligated to purchase additional hours or pay lunch time charges in order to secure free provision.
2. Parents / carers must **not be expected to pay deposits, registration or administration fees in order to secure an EYE placement.**
3. **No fees charged for funded hours** - Providers must not charge parents additional fees to access their free entitlement hours. Providers must ensure that no other fees are being charged as a condition of accessing the free entitlement, for example for registration or uniform.
4. **Completely free at the point of delivery** - parents are not required to pay up-front and be refunded at a later date, and if they want to access only their funded place, they will be able to do so.
5. **Clear invoicing to parents** – Providers must ensure parents' bills are set out clearly so that parents can easily recognise and understand what hours they have accessed in relation to the EYE and how any fees relate to additional services or hours. The EYE must not be represented to parents as a monetary subsidy, but as a funded part-time place.

6. **Charges for Additional Hours** - The rates which providers charge for their privately funded hours are a matter for them to decide and cannot be dictated by the LA. Funded hours must clearly be identified on any invoice issued to the parents by the provider.
7. **Providers must claim for actual hours accessed** not for proposed hours, therefore if parents/carers do not attend on a regular basis they may be advised that they will lose their right to a funded place at the provider where the contract was established.

### **(e) Charges for meals**

Providers can make a reasonable charge for meals provided to children during the day. However, Providers must not place any additional conditions of access on the entitlement.

For some parents / carers, charges for meals may present a significant barrier, which in practice denies children access to the EYE. The LA will work with Providers who require it, to ensure that, where children are accessing the EYE over the lunch period, any charge that a Provider makes for lunch has been agreed with parents / carers in advance, and that parents / carers are given the option of providing a packed lunch if this would be more affordable.

### **(f) Accessing the full EYE Entitlement**

Parents may not always be able to access the EYE at the times they want or at their provider of choice. In these circumstances, parents should contact the Family Information Zone to discuss alternative provision which may be available:

Telephone: 01983 823349|

Email: [familyinformationzone@iow.gov.uk](mailto:familyinformationzone@iow.gov.uk)  
[www.wightchyps.org.uk](http://www.wightchyps.org.uk)

## **Child Absence Management**

### **I. Children missing EYE Sessions**

The Local Authority acknowledges that children may miss a few regular booked EYE sessions due to illness etc. However, the child **will not** be entitled to receive extra hours to make up the time from the EYE Provider. The Provider also has a duty of care to ensure the safety and well-being of all children and will have processes in place to check non-attendance of booked sessions.

### **II. Parental Responsibility of absence notifications**

It is the responsibility of the parent / carer to contact their EYE provider(s) when their child is absent so that the provider may consider the impact of the absence for the current / future EYE claim.

Parents / carers are reminded that the EYE is funded based on the **participation of their child at the provision**. Regular non-attendance of the child at the EYE provision will result in the funding being withdrawn from the EYE provider by the LA. Sessions then attended which remain un-funded by the LA due to non-attendance become a private funding matter between the parent and the Provider.

### **III. Provider Responsibility of absence notifications**

It is the responsibility of the Provider to ensure appropriate records of all attendance and also absences are recorded. Providers must make all records in respect of the EYE available to the Local Authority for Audit purposes upon request.

Providers must ensure that parents / carers understand that the EYE funding is delivered based on the participation of their child at the EYE provision. Providers must not claim **unauthorised absences** which continue longer than a **10 day period**. The withdrawal of EYE funding would mean that any associated costs of the child's attendance at the provision would become a private funding arrangement with the parent / carer and the costs would be recoverable directly by the provider from the parents / carer.

# Accessing the EYE and Maintained Schooling

## **(IV) Deferred Entry to Primary School**

All children can start school in Reception class from the September after their 4th birthday. However, the School Admissions Code allows parents / carers of children who are offered a place at a school before they are of statutory school age to defer their child's entry until later in the school year. Where entry is deferred schools must hold the place for the child concerned and not offer it to another child. Parents / carers cannot defer entry beyond the beginning of the term after the child's 5th birthday, nor beyond the academic year for which the original application was accepted. For more information on Summer Born Children and deferred entry requirements visit the Schools admission page at [www.iwight.com/schooladmissions](http://www.iwight.com/schooladmissions).

Parents can also request that their child attends part-time until their child reaches statutory school age. (A child reaches statutory school ages in the term following their 5th birthday).

Parents who want to defer their child's entry to school will still be entitled to up to 15 hours per week of the EYE in Private, Voluntary and Independent provisions up to statutory school age. When determining the arrangements for primary schools that admit children below compulsory school age, the admission authority must make it clear that:

- a) The arrangements do not apply to those being admitted for nursery provision including nursery provision delivered in a co-located children's centre;
- b) Parents / carers of children who are admitted for nursery provision must apply for a place at the school if they want their child to transfer to the reception class;
- c) **Attendance at the pre-school/nursery on a school site does not guarantee admission to the school; and;** parents / carers can request that the date their child is admitted to the school is deferred until later in the school year or until the child reaches compulsory school age in that school year.
- d) Parents / carers can request that their child attends part-time until the child reaches compulsory school age.

For more details regarding deferred admission arrangement requests, please contact School Admissions:

Senior Business Support Officer  
Schools Admissions  
Floor 4  
County Hall  
Newport. Isle of Wight  
PO30 1UD  
Telephone: 01983 821000

Website: [www.iwight.com/schoolsadmissions](http://www.iwight.com/schoolsadmissions)

## **(a) Compulsory School Age**

A child reaches compulsory school age either on or after their 5th birthday, on whichever of the following dates is either on, or the first to follow, their birthday: 31st August, 31st December or 31st March.

## **(b) Double Funding of EYE for children transferring from Day-care provision to Reception classes in September**

Parents may not claim EYE funding for children transferring from PVI provision to School Reception in September, if the child is due to commence reception education in the Autumn Term and the child is registered on the school roll. Schools are funded on participation of places in Reception classes from the beginning of the Autumn Term each academic year, regardless of settling in and transition periods, any claim by the PVI Providers for EYE funding will result in a Double claim.

If a child has been admitted onto the school roll and secured a place at a primary school but parents have chosen to defer entry **in consultation and agreement with the school**. The school should enter into a partnership arrangement with the day-care setting to pay for a maximum of 15 hours for the agreed deferred period.

A child attending a Reception class on a part time basis following a request for deferred entry, will not be able to claim the EYE at another PVI provision as this will also result in Double funding.

If a summer born child has an authorised place in a primary school the parents may be required to pay to the PVI provider any relevant fees for attendance at the setting if no agreement has been made with the school for a deferred entry.

Parents identified as claiming EYE for children due to commence Reception education in September will not be funded and the child will be removed from the Termly Census claim. The setting will be notified of the removal of the child from the claim and will be responsible for requesting any outstanding PVI fees directly from the parent / carer.

Providers of the EYE must establish Parental Declarations with parents, which sets out the hours and patterns of access to the EYE that the parent / carer and Provider have agreed to, usually on a term (funding period) basis. Providers must clearly explain and set out the terms of the declaration with parents.

Should a parent / carer be able to evidence Deferred Entry to the reception class as stated in section (b) above, the provider must submit this to the Local Authority with the Termly Census claim. The setting will then be able to claim EYE for the child up to, but not exceeding, the term before the child commences education in the Reception Class.

## **EYE APPEALS PROCEDURE – PARENTS**

### **(a) Why does the LA have an appeals process?**

The LA has put into place an appeals procedure for parents / carers who are not satisfied that their child has received their EYE in the correct way from their EYE Provider, as outlined in this guide. Providers must make parents / carers aware of the appeals procedure.

### **(b) Who is the appeal made to?**

Appeals from parents must be made formally in writing to:

Childcare Sufficiency Officer, Early Years Advisory Team  
Learning & Development Service, Children's Services  
Isle of Wight Council, Thompson House,  
Sandy Lane, Newport, Isle of Wight, PO30 3NA

### **(c) What should the appeal contain?**

In order for the appeal to be investigated by the LA, the following information must be provided:

- The full name, date of birth and address of the child/ren concerned.
- The name of the provision(s) the child attends at including full details of the patterns of attendance.
- The reason for the appeal, including the relevant sections under this guide.
- The full name of the parent / carer who has legal responsibility for the child.
- The appeal must be signed and dated by the appellant.

An appeal is not valid until it contains the grounds on which the appeal is made. The appeal grounds do not need to be lengthy, but must be clearly stated; without this, the appeal timeline is unable to commence and the appeal will be rejected.

### **(d) Who hears the appeal?**

All parent / carer appeals regarding EYE will be considered in the first instance by the Childcare Sufficiency Officer who will investigate the complaint made and make a decision as to the outcome within 28 working days of the acknowledgement letter being sent to the parent / carer and the Provider will also receive a copy.

- a. Conditions being placed on the Provider to ensure compliance; or
- b. Suspension/Removal from the Directory

### **(e) How is the information kept?**

All contents of a parent / carer appeal including any information held with regards to the child's personal identifiers (e.g. name, address, date of birth) will remain private and confidential, and kept securely at all times. The LA may be required to contact the setting for clarification and so the nature of your appeal will be disclosed to the Provider.

**(f) The appeal process and timeline?**

Parent / carer sends in their appeal to the Local Authority clearly outlining the reasons for their appeal against the EYE apportioned to their child.



The Local Authority sends an acknowledgement of receipt of the appeal within 5 working days.



The Childcare Sufficiency Officer investigates the complaint.



The parent / carer will receive a written decision on the outcome of the appeal within 28 working days of receipt of their acknowledgement letter.

**(g) What if parents are still dissatisfied?**

If following the Childcare Sufficiency Officers investigation the parent remains dissatisfied with the outcome, the appeal will be escalated to the Early Years Lead Officer. The Early Years Lead in consultation with the childcare sufficiency officer will make the full and final decision as to the outcome of the appeal or if required consider further actions which may need to be completed.

**(h) Are there circumstances where there is no right to appeal?**

All parents have the right to appeal if they consider that their child's entitlement to the EYE has not been administered in line with the requirements of the Early Education and Childcare Statutory guidance for Local Authorities (14) guidance.

**(i) Who can parents / carers talk to for more information?**

The majority of concerns can be alleviated through discussions with the EYE Provider in the first instance. If parents / carers are concerned that their child's EYE has not been correctly administered, or have any questions relating to the EYE, they should be encouraged to contact their child's EYE Provider in the first instance. If following a discussion with the EYE provider the parent / carer considers that their concerns have not been addressed, and they would like to discuss the EYE any further, then they should be referred to the Childcare Sufficiency Officer\*.

**(j) Privacy Notice**

Data controllers (those who collect and hold data) have to provide "data subjects" (individuals who are the subject of personal data) with details of who they are, the purposes for which they process the personal data, and any other information that is necessary to make the processing of the personal data fair, including any third parties to whom the data may be passed on. This is referred to as a "privacy notice".

The Privacy Notice process involves advising pupils/parents/carers once only about the Data Protection Act arrangements. In the initial round of the new process every pupil / parent / carer must therefore be advised through a direct communication, but it will not need to be repeated thereafter for existing pupils/children.

All new children joining a setting will need to receive the same information. This may be through the use of an existing process e.g. inclusion in the Provider Prospectus or welcome pack. EYE providers may also wish to include a reference in other annually produced and shared communications with parents / carers (e.g. newsletters or individual child's report etc.) to ensure that the message and information provided is clear. For more information relating to privacy notice, please contact your EYE provider.

## Privacy Notices: Information about pupils in schools, alternative provision, Pupil referral units and children in early year's settings

Dear Parent

### Data Protection Act 1998: How we use your information

The Isle of Wight Local Authority is the Data Controller for the purposes of the Data Protection Act. We process personal information relating to our pupils and may receive information about them from their previous school or college, local authority, the Department for Education (DfE) and the Learning Records Service. We collect information and may receive information about your child from your Early Years Setting.

We hold this personal data and use it to:

- Support your child's teaching and learning;
- Monitor and report on their progress;
- Provide appropriate pastoral care;
- Deliver our statutory duties, including financial & sufficiency planning;
- Carry out statistical analysis; and
- Assess how well your Early Years Setting is doing.

This information includes your child's contact/address details, date of birth, attendance for funding allocations, Foundation Stage Profile results and personal characteristics such as your child's gender, ethnicity, first language and special educational needs. Children eligible for two year old funding and early years pupil premium are issued with the unique learner number which is used by the early years provider to claim funding on your behalf.

***We will not give information about you to anyone outside the County Council without your consent unless the law and our rules allow us to.*** We are required by law to pass some of your information to the Department for Education (DfE).

### Early Years Checker for Two Year Old Education & Early Years Pupil Premium.

- The Early Years Checker Tool is used to assess your financial eligibility for Two Year Old Funding & Pupil Premium aged three & four.
- When you log into the Early Years Checker Tool you will be asked to provide relevant information in order that checks can be made to confirm that you are eligible for the funding.
- The financial information requested is for applying for both Two Year Old Education funding & (when age appropriate) Early Years Pupil Premium. The information is provided to Software for Data Analysis Limited<sup>1</sup> and passed to the Department for Work & Pensions (DWP) for the purpose of confirming that you are in receipt of relevant benefits. The Isle of Wight Council will also receive confirmation of your eligibility.

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please look at the following websites:

<http://www.iwight.com/>  
Isle of Wight Local Authority  
County Hall  
Newport  
Isle of Wight  
PO30 1UD  
Telephone: 01983 821000

Public Communications Unit  
Department for Education  
Sanctuary Buildings, Great Smith Street  
London, SW1P 3BT  
Website: [www.education.gov.uk](http://www.education.gov.uk)  
Email: <http://www.education.gov.uk/help/contactus>  
Telephone: 0370 000 2288  
[Dfe - Privacy statement](#)

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<sup>1</sup> Software for Data Analysis Limited are the operators of the on-line checker tool that has been purchased by the Isle of Wight Council