

London Borough of Waltham Forest
FREE EARLY EDUCATION ENTITLEMENT (FEEE)

FINANCIAL GUIDANCE

For Under 2's, 2, 3 & 4 YEAR OLDS

1st April 2024 – 31st March 2025¹

Contents

Background	4
Terminology	5
Section 1: Funding for Providers during April 2024 - March 2025	6
1.1 Early Years Single Funding Formula (EYSFF) – Under 2’s, 2, 3 and 4 year olds	6
1.2 Sufficiency/Place development funding	8
1.3 Start Date for 3 year old FEEE eligibility.....	8
1.4 Universal Base Rate.....	9
1.5 Deprivation Supplement	9
1.6 Quality Supplement	12
1.7 Early Years Pupil Premium.....	12
1.8 Start date for 2 year old FEEE eligibility	14
1.9 2 year old FEEE hourly rate	14
1.10 Start date for under 2 year old FEEE eligibility	15
1.11 Under 2 year old FEEE hourly rate.....	15
1.12 Funding to support disadvantaged, vulnerable and SEND children	15
1.13 Disability Access Fund (DAF) payments	16
1.14 SEN inclusion Funding (for children NOT on an EHC Plan).....	16
1.15 SENIF Notional Budget	17
1.16 Indicative annual Budget allocation calculations	18
Section 2: Claiming FEEE funding from LBWF	19
2.1 Contractual and Financial procedure requirements relating to EYSFF, SENIF & EYPP funding for FEEE places provided to eligible Under 2’s, 2, 3 & 4 year old children.....	19
2.2 Universal entitlement of up to 15 hr per week for all 3& 4 year olds and eligible 2 year olds.....	24
2.3 Up to 30 hr per week entitlement for eligible 3&4 year olds.....	25
2.4 Two year old FEEE payment.....	27
2.5 Under 2’s, 2, 3 and 4 year old FEEE payments.....	28

2.6	FEEE payments reception age children – deferred reception places ...	29
2.7	Termly Data Submissions on the Early Years Provider Portal	30
2.8	Suspension of Agreement	31
2.9	Termination of Agreement	31
	Appendix A: Delivery of FEEE–Parental Declaration Forms Audit Process ...	32
	Appendix B: Process for dealing with complaints from parents/carers related to Providers not clearly setting out free hours and additional fees and charges.	34

Background

This document covers the financial requirements with regards receipt of Early Years Single Funding Formula (EYSFF) monies in respect of provision of Free Early Education Entitlement places in line with the **EYSFF PAYMENT TERMS AND CONDITIONS** agreement between the provider and the Local Authority.

This document should be read in conjunction with the information on the following information:

- **Waltham Forest's FEEE Guidance and templates**
<https://thehub.walthamforest.gov.uk/policy/early-years/feee>
- **Information regarding Childcare Support Expansion 2024**
<https://www.walthamforest.gov.uk/families-young-people-and-children/free-early-education-and-childcare/childcare-support-expansion-2024>

The following statutory guidance, which forms part of the providers **EYSFF PAYMENT TERMS AND CONDITIONS** agreement with the Local Authority, should also be read alongside this guidance document:

- **Early years entitlements: operational guidance for local authorities and providers**
https://assets.publishing.service.gov.uk/media/6172900ae90e07198018f9a1/Early_years_entitlements-operational_guidance_3_.pdf
- **Early education and childcare: Statutory guidance for local authorities**
<https://www.gov.uk/government/publications/early-education-and-childcare--2>
- **Early years entitlements: local authority funding operational guidance 2024 to 2025**
<https://www.gov.uk/government/publications/early-years-funding-2024-to-2025/early-years-entitlements-local-authority-funding-operational-guide-2024-to-2025>

LBWF will ensure that all providers in receipt of a current EYSFF payment terms and conditions to deliver FEEE places are consulted prior to any significant changes to this guidance.

LBWF will ensure that there are forums and procedures in place for Providers to be heard and to communicate with the Local Authority.

Terminology

In this Guidance, unless the context requires otherwise, the following words and expressions shall have the following meanings:

“DERN”	DfE Eligibility Reference Numbers (DERN) for 15/30 hours of free childcare provided to the working parent by HMRC
“EYFS”	Means the Early Years Foundation Stage
“EYFS Guidance”	Means the current Early Years Foundation Stage Statutory Framework and Practice Guidance issued by the Department for Education
“Early Years Provider Portal”	Is the LA’s ICT system for validation of DERN’s, checking eligibility for EYPP and submitting the headcount data
“EYPP”	Means the Early Years Pupil Premium as defined by the Department for Education
“EYSFF”	Means the Early Years Single Funding Formula
“EYNFF”	Means the Early Years National Funding Formulas defined by the Department for Education/ Education Funding Agency
“FEEE”	Means the Free Early Education Entitlement of free early education and childcare to eligible Under 2’s, 2, 3 & 4 year olds as defined by the Department for Education
“IDACI”	Means Income Deprivation Affecting Children Index. This is based upon the post code address of pupils and the likelihood (measured from 0 to 1.0) that the family will be income deprived
“LBWF”	Means the London Borough of Waltham Forest
“Legal Requirements”	Means any applicable statute, statutory rule, order, directive, regulation or other instrument or judgement of a court having force of law for the time being in force governing or relating to a project.
“MNS”	Means Maintained Nursery School
“Premises”	means the premises from which the Provider is registered with the DfE or Ofsted to deliver FEEE and childcare
“Provider/s”	means the School, Company, Charity or Individual that has signed an EYSFF PAYMENT TERMS AND CONDITIONS agreement with LBWF to deliver FEEE places
“PVI”	Private, Voluntary and Independent Sector Providers
“The Hub”	Is the London Borough of Waltham Forest’s website for Education Professionals operating in the Borough https://thehub-beta.walthamforest.gov.uk/

Section 1: Funding for Providers during April 2024 - March 2025

This section covers how much Providers get paid for the FEEE hours that they provide to eligible children.

1.1 Early Years Single Funding Formula (EYSFF) – Under 2's, 2, 3 and 4 year olds

- 1.1.1 The EYSFF is agreed by Schools Forum and is the formula used by the Local Authority to pay contracted providers for the FEEE places that they provide to eligible children. This EYSFF has been devised and agreed in line with the DfE EYNFF guidance and in consultation with approved FEEE Providers. Full details of how the EYSFF is calculated have been provided below to allow providers to fully understand and check the formula, should they wish to. Those providers who do not require the full details can proceed directly to Section 2, which outlines the process for claiming EYSFF payments and [Hourly rates for under 2's 2 and 3& 4 year olds document](#). This will provide details of the hourly rate at which payments will be made.
- 1.1.2 The purpose of the EYSFF is to arrive at an hourly rate at which Providers will be paid for each eligible child provided a place and submitted by headcount return on the EY Provider Portal to the LA between 1st April 2024 and 31st March 2025
- 1.1.3 The DfE require indicative budgets to be made available to providers in March each year for the next financial year (e.g. in March 2024 for 2024-2025). The January 2023 census week data has been used as the basis to produce the **indicative hours** of attendance on which the indicative 2024-2025 budget shares have been calculated.
- 1.1.4 **An hourly rate and predicted budget was produced and approved by Schools Forum in February 2024.** This is the hourly rate at which settings will be paid for actual hours delivered, to eligible children, between 1st April 2024 and 31st March 2025.
- 1.1.5 These predicted hours in **Appendices F&G [Amalgamated universal and extended 3&4 yr old FEEE places. Estimated number of places and annual payment by school/settings](#)**² will be multiplied by the overall hourly rate for that provider. The overall hourly rate is the combined hourly rates for base rate and deprivation supplement. This makes it easy for a provider to calculate income based on actual hours recorded and adjust expenditure, where necessary.
- 1.1.6 Settings will be provided with details of their monthly payment schedule information at the beginning of the financial year. This will be based on the predicted number of hours in each term multiplied by the hourly rate divided by the number of months in the term. For example, in the Spring Term 2024, Provider A has 24,000 predicted

² Schools Forum Report dated 7th February 2024

hours and an hourly rate of £5.30. This would mean that payments due amount to £127,200. Therefore, the monthly payment for the spring term would be £42,400 for January, February and March.

- 1.1.7 In order to improve the accuracy, efficiency and timeliness of predicted and actual delivered hours, providers are required to complete a statutory January Census return as well as regularly updating attendance information throughout the year by entering the child's data onto the Early Years Provider Portal at the point of admission/commencement of their place as well as regularly updating child records on the Portal when changes in take-up/attendance occur. This will allow payments to be based on accurate attendance information and prevent significant over/under payments.

The Census is the method by which the DfE will calculate the level of Early Years DSG funding that LA receives. Failure to submit accurate Census numbers can result in a significant reduction in the Early Years DSG funding received by the LBWF. The LA therefore reserves the right to refuse to make and /or reduce EYSFF payments to providers who fail to complete and return their Early Years/Schools Census³ to the LA by the deadline date. The individual child level data collection from early years settings is a statutory requirement on providers and local authorities through regulations under [Section 99 of the Childcare Act 2006](#) and [The Education \(Provision of Information About Young Children\) \(England\) Regulations 2009 \(PDF, 55KB\)](#). The providers are required to add all children to their Spring claims on Early Years Providers Portal by 16th of January 2025 (Census Day).

- 1.1.8 This process (in 1.1.7) will have the following positive effects:
- Providers will receive actual monies due to them more quickly and be able to calculate income/cash flow more accurately
 - The Local Authority will have better information available to monitor spend patterns for individual providers and across all providers as a whole.
 - Maximise the EYDSG income that the LA receives, in order to fund providers of FEEE places
- 1.1.9 The Schools and Early Years Finance (England) Regulations, require Local Authorities to take into account in its formula the predicted total number of hours of attendance of pupils, using as a basis for the calculation the most recent data available about the actual numbers of pupils. When further information about hours of attendance becomes available from the DfE, a local authority must review the budget share and re-profile the budget share or amount allocated, as the case may be. January Census data and headcount data will be used to re-determine monthly budget share payments.

³ Academies submit their Census information directly to the DfE but must submit a copy of the census information submitted to the DfE to the LBWF also.

If there is **evidence** that there will be a variance between the actual numbers of hours delivered during a term/year, the Providers predicted budgeted hours and monthly payment schedules will be adjusted to reflect this. Providers are encouraged to analyse their actual take up on a regular basis to **ensure their predicted budgets are updated to include all the FEEE funded children in their setting**. This will ensure that payments can be adjusted as soon as possible and avoid significant over/under payments.

1.1.10 At the end of each term, there will be an adjustment for the difference in forecast and actual hours of registered attendance based on an updated pupil register on Early Years Provider Portal. For example, the actual number of hours of registered attendance at Provider A (as specified in 1.1.6) in the spring term 2024 was 26,000 which means they should have received £137,800 (26,000 x £5.30 per hour). Therefore, an additional payment of £10,600 will be made to Provider A as soon as possible after adjustments are calculated.

1.1.11 **Where the additional payment is in excess of £5,000 in a term**, an audit of attendance registers and parental declarations will be carried out by the LA to evidence the increase in FEEE hours provided before the additional payment is made.

1.1.12 There are three elements to the funding formula:

- Universal base rate (see section 1.4)
- Deprivation supplement (see section 1.5)
- Quality supplement (see section 1.6)

1.2 Sufficiency/Place development funding

1.2.1 Providers are able to make applications for revenue and /or capital funding for each new FEEE place created in an area where the Local Authority has an unmet demand for places.⁴ Full details of the criteria and application process for this funding can be found using the following link <https://thehub-beta.walthamforest.gov.uk/runningyourbusiness#expansiongrant>

1.3 Start Date for 3 year old FEEE eligibility

1.3.1 The DfE funds Local Authorities for 3 year olds to take up their FEEE entitlement from the term after they turn 3

⁴ New places are defined as, an Early Years Ofsted registration number for a premises that has not previously had an Ofsted registration number or an existing provider where they have extended their provision by building/using new space that does not relate to their current registration and would not have previously been used to provide Early Years Ofsted registered provision.

1.4 Universal Base Rate

- 1.4.1 New requirements on how local authorities are able to allocate funding to providers were introduced from 2017-2018 by the DfE to ensure funding is fairly distributed to providers. Included in this was the expectation that a local universal base rate for all types of providers would be set.
- 1.4.2 The only exception to this is MNS supplementary funding, which is only paid to maintained nursery schools only, and is set at an additional £4.64 per hour for the period April 2024– March 2025.
- 1.4.3 The table below illustrates the universal base rates for 3 and 4 year olds for 2024-2025.

Universal Base Rate	1 April 24 to 31 st March 2025
3 year old	Child eligible from term after child's 3 rd birthday
Base Funding rate: PVI and School Nursery Classes (including MNS's)	£5.39 per hour
Maintained Nursery Schools Only (Paid as a lump sum and split equally across all 3 MNS's in LBWF)	£4.64 per hour

Terms start on 1st Jan, 1st April and 1st September

1.5 Deprivation Supplement

- 1.5.1 Deprivation is the only mandatory supplement outlined in the EYNFF guidance. At Schools Forum it was agreed that deprivation payments be made across IDACI bands 1-6, with a higher payment weighting to IDACI bands 4-6.
- 1.5.2 The table below illustrates the factors and rates that the deprivation supplement will be paid in respect of 3 and 4 year olds for 2024-2025:

Deprivation (3&4 year olds only)	
Pupil lives in IDACI Band 1 (score 0.2 & 0.25)	£0.25 per hour
Pupil lives in IDACI Band 2 (score 0.25 and 0.3)	£0.50 per hour
Pupil lives in IDACI Band 3 (score 0.3 & 0.35)	£0.75 per hour
Pupil lives in IDACI Band 4 (score 0.35 & 0.4)	£1.50 per hour
Pupil lives in IDACI Band 5 (score 0.4 & 0.45)	£2.25 per hour
Pupil lives in IDACI Band 6 (score 0.5 +)	£2.70 per hour

- 1.5.3 The Local Authority uses IDACI data rather than entitlement to free school meals to measure deprivation. IDACI stands for Income Deprivation Affecting Children

Index. This is based upon the post code address of eligible children and the likelihood (measured from 0 to 1.0) that the family will be income deprived.

- 1.5.4 Deprivation Supplement payments are based on children’s postcode data submitted by providers as outlined in 1.5.5.
- 1.5.5 A calculation was carried out to determine what % of all of the children on the Autumn 2023 census/headcount data lived in the IDACI bands 1 to 6. This is established by using the DfE’s tool at: <http://imd-by-postcode.opendatacommunities.org/> Providers can use this tool and their Autumn 2023 Census/headcount data to calculate / check IDACI % and payments if they choose to. A detailed Step by Step guide on how to use the DfE’s tool to calculate / check IDACI % can be found in the “User Guide” section of the FEEE Guidance for Provider page on the Hub at the bottom of the page under downloads using the following link: <https://thehub-beta.walthamforest.gov.uk/early-years-financial-regulations>
- 1.5.6 The additional deprivation supplement is based on children identified as living in IDACI bands 1 to 6, as per hourly rate outlined in 1.5.2, this supplement is in addition to the universal base rate outlined in 1.4.4 to produce the settings final total hourly rate outlined in **Appendix C: [Hourly rate calculation process for 3&4 year old FEEE places by school/setting](#)**⁵
- 1.5.7 New Providers where Deprivation Supplement information is not available (as they were not a FEEE approved provider at the time of the Early Years Autumn 2023 Census/headcount), will be funded using the average proportions of children falling into each IDACI band of all of the other providers operating in the same ward (see Ward table below).
- 1.5.8 Autumn 2023 Census/headcount data is used as the basis for calculating an annual/hourly deprivation budget for your school/setting. Deprivation funding is **NOT child specific** and can be used to support any disadvantaged, vulnerable or SEND child/children attending your school/setting throughout the year to close the gap between the attainment of the most disadvantaged children and their peers.

The average IDACI hourly rate payments for each ward within the Borough are:

Ward	Average IDACI hourly rate
Cann Hall	£0.21
Cathall	£0.16
Chapel End	£0.19
Chingford Green	£0.13
Endlebury	£0.15
Forest	£0.14
Grove Green	£0.08
Hale End & Highams Park South	£0.27
Hatch Lane & Highams	£0.20
High Street	£0.22
Higham Hill	£0.25
Hoe Street	£0.09

⁵ School’s Forum Report dated 7th February 2024

Larkswood	£0.15
Lea Bridge	£0.26
Leyton	£0.19
Leytonstone	£0.06
Markhouse	£0.20
St James	£0.15
Upper Walthamstow	£0.14
Valley	£0.19
William Morris	£0.11
Wood Street	£0.18

1.5.9 Ward averages will also be used for childminders due to the small numbers of children provided a place by them. The childminder total hourly rate by ward is outlined in the table below.

Ward	Childminders Hourly Rates Based on Ward 24-25
Cann Hall	£5.60
Cathall	£5.55
Chapel End	£5.58
Chingford Green	£5.52
Endlebury	£5.54
Forest	£5.53
Grove Green	£5.47
Hale End & Highams Park South	£5.66
Hatch Lane & Highams	£5.59
High Street	£5.61
Higham Hill	£5.64
Hoe Street	£5.48
Larkswood	£5.54
Lea Bridge	£5.65
Leyton	£5.58
Leytonstone	£5.45
Markhouse	£5.59
St James	£5.54
Upper Walthamstow	£5.53
Valley	£5.58
William Morris	£5.50
Wood Street	£5.57

Full details regarding IDACI band payment calculations are outlined in Appendix D [Deprivation Supplement payment calculations \(incorporated in total hourly rate in Appendix C\)](#)⁶

⁶ Schools Forum Report dated 7th February 2024

1.6 Quality Supplement

- 1.6.1 **The Early Years Systems Support (EYSS)** Project is a sector led initiative to support the continuous improvement of Early Education across Waltham Forest by growing capacity within the early years sector to support itself, and disseminating the wealth of knowledge and expertise that already exists within the Borough to improve the quality of early years provision even further.

For more information, please refer to the EYSS Hub page at the following link:

<https://thehub-beta.walthamforest.gov.uk/earlyyearssystemsUPPORT>

- 1.6.2 **Additional quality supplement** – The Teachers Pay & Pension Grant (TPPG), that was previously paid separately to Maintained schools, Maintained Nursery Schools and Academies has been rolled into the total funding allocation for 3&4 year olds, which has resulted in an increase to the overall budget of £460,007. This additional funding will be paid as a separate Quality supplement during 2024-2025 to Maintained schools and Academies who received TPPG payments during 2023-2024 and will be paid in line with the funding allocated to each school during that period. Maintained Nursery School Supplement Funding includes TPPG for MNS equivalent to 50p per hour.

1.7 Early Years Pupil Premium

- 1.7.1 Local Authorities are required to pay Early Years Pupil Premium (EYPP) to providers of the free early education entitlement. Providers can claim EYPP for all eligible children that are taking up their FEEE place. Eligible children include those whose parents are in receipt of qualifying benefits for free school meals or who are looked after or who have been adopted from care or who have left care under a special guardianship order.
- 1.7.2 EYPP payments will be made in line with DFE guidance. An EYPP eligibility check should not be done more than a term in advance of the child taking up their free early education entitlement in case the family's circumstances change. Once a provider starts receiving EYPP funding in respect of a particular child, they will not lose it while the child is taking up the free early education entitlement. Eligibility does not need to be rechecked.
- 1.7.3 Providers should ensure that all children taking up under 2s, 2 and 3-4yr old FEEE place that are eligible under financial criteria for an EYPP payment have been assessed through the Early Years Provider Portal and documented on the parental declaration form. Further information on eligibility checking can be found at: <https://thehub-beta.walthamforest.gov.uk/early-years-funding> A detailed Step by Step guide on how to assess for EYPP Eligibility on the Early Years Provider Portal is available in the "User Guide" section on the Hub at <https://thehub-beta.walthamforest.gov.uk/early-years-provider-portal>

1.7.4 EYPP payments will be paid at £0.68 per hour (for up to 570 per annum based on 15 hrs per week if FEEE place is taken up during term time (38 weeks). Or pro rata, if their FEEE place is 'stretched' over more than 38 weeks e.g. 11 hrs per week over 52 weeks for each eligible 2 year old and 3&4years old child from 1st of April 2024 – 31st of March 2025, and under 2 years old from 1st of September 2024 – 31st of March 2025.

The EYPP is child specific and will be paid in addition to the EYSFF hourly rate for eligible pupils included on the Early Years Provider Portal. **Please note:** Providers will be required to provide details of how EYPP income has been used to support eligible children in line with DfE and Ofsted requirements.

1.7.5 To ensure providers receive their EYPP payments in a timely manner, we will make an interim payment mid-term. We will then reconcile your EYPP funding at the end of the term and any balancing payments will be made in the following term as below:

- in February for Autumn term
- in May for Spring term and
- October for Summer term

1.7.6 Children whose home address postcode has an IDACI score of 0.3 and above are most likely to be eligible for EYPP. Providers can use the [IDACI Checker](#) to help identify potentially EYPP eligible children as outlined in section 1.5.5.

1.7.7 Providers should encourage parents/carers to provide and record their National Insurance (NI) numbers and date of birth on the Early Years Provider Portal (which is GDPR compliant and will securely store this data) at the point of registration in order to assess children for EYPP eligibility via the Early Years Provider Portal. A detailed Step by Step guide on how to assess children for EYPP eligibility can be found in the "User Guide" section on the Hub using the following link:<https://thehub-beta.walthamforest.gov.uk/early-years-provider-portal>

1.7.8 EYPP payments will not be made to providers who have failed to confirm eligibility through the Early Years Provider Portal.

1.7.9 Parents who are eligible under the Looked After, Adoption, Residence or Special Guardianship Order, should obtain documentary⁷ evidence of this. This documentary evidence should be uploaded to each eligible child's record on Early Years Provider Portal. The LA will then confirm eligibility and provide a unique reference number. This unique reference number must be entered onto parental declaration form and recorded in the Early Years Provider Portal. A detailed Step by Step guide on How to upload documents to Early Years Provider Portal is available on the "User Guide" section on the Hub page at <https://thehub-beta.walthamforest.gov.uk/early-years-provider-portal>

⁷ For Looked After Children- written confirmation from child's social worker. Adoption, Residence or Special Guardianship - copy of the Certificate/ Order.

1.8 Start date for 2 year old FEEE eligibility

1.8.1 The DfE funds Local Authorities for 2 year olds to take up their FEEE entitlement from the term after they turn 2 under two separate criteria.

- Vulnerable and disadvantaged/benefits related
- Children from working families

From April 2024, there may be some circumstances where households meet the eligibility criteria for both the disadvantaged two-year-old entitlement and the working parent entitlement. In these circumstances, the childcare should be provided under the disadvantaged 2-year-old entitlement. The child will remain on the disadvantage entitlement until they become eligible for the universal entitlement for 3- and 4-year-olds or 30 hours free childcare for 3- and 4-year-olds if they meet the eligibility criteria. Therefore, households will not lose eligibility for their 15 hours free early education, as is currently the case for the disadvantage entitlement.

For more details on eligibility for 2 year old funding please go to:

<https://www.walthamforest.gov.uk/families-young-people-and-children/free-early-education-and-childcare/free-early-education-two-year-olds>

1.9 2 year old FEEE hourly rate

1.9.1 The table below illustrates the Total hourly rate for 2 year olds for 2024-2025.

2 Year Old Total Hourly Rate (1 st of April 2024 – 31 st of March 2025)	Child eligible from term after child's 2 nd birthday
Funding rate for child eligible under Vulnerable and disadvantaged/benefits related criteria	£8.36 per hour

1 Year Old Total Hourly Rate (1 st of April 2024– 31 st of March 2025)	Child eligible from term after child's 2 nd birthday
Funding rate for child eligible under the working family criteria	£8.10 per hour

Terms start on 1st Jan, 1st April and 1st September

1.10 Start date for under 2 year old FEEE eligibility

1.10.1 The DfE funds Local Authorities for under 2 year olds to take up their FEEE entitlement from the term after they turn 9 months old under working family criteria.

The first cohort of eligible children that will become eligible from September 2024 will have a D.O.B between 01/09/2022 and 30/11/2023.

For more details on eligibility for under 2 year old funding please go to:

<https://www.childcarechoices.gov.uk/upcoming-changes-to-childcare-support/>

1.11 Under 2 year old FEEE hourly rate

1.11.1 The table below illustrates the Total hourly rate for under 2 year olds for 2024-2025.

Under 2 Year Old Total Hourly Rate (1 st of September 2024– 31 st of March 2025)	Child eligible from term after child turns 9 months old
Funding rate for child eligible under the working family criteria:	£11.04 per hour

1.12 Funding to support disadvantaged, vulnerable and SEND children

1.12.1 Deprivation funding can be used to support any vulnerable child attending your setting. Deprivation funding is NOT child specific and can be used to support any disadvantaged, vulnerable or SEND child attending your school/setting throughout the year to close the gap between the attainment of the most disadvantaged children and their peers. Full details regarding deprivation funding is outlined in section 1.5.

1.12.2 Providers may also use Early Years Pupil Premium (EYPP) outlined in section 1.7 and Disability Access Fund (DAF) outlined in section 1.13 to fund additional costs incurred to support the needs of children with SEND.

1.12.3 Should deprivation, DAF , EYPP funding and the setting SENIF notional budget be insufficient to cover the additional cost of meeting the needs of a child with SEND, and their needs cannot be met through the provision of Ordinarily Available Practice requirements you can apply for additional funding from the [SEND Inclusion Fund \(SENIF\)](#)

1.13 Disability Access Fund (DAF) payments

- 1.13.1 All children will be eligible for the DAF payment if they meet the following criteria:
- The child is in receipt of child disability living allowance and
 - The child is eligible for and taking up a FEEE place
- 1.13.2 Providers delivering a place to a child who is eligible for an FEEE place who is eligible for DAF between 1st April 2024 and 31st March 2025 will be entitled to receive a one-off lump sum payment of £910 per annum.
- 1.13.3 Children do not have to take up the full 570 hours of early education they are entitled to in order to receive the DAF. Children in receipt of the DAF will be eligible where they take-up any period of free entitlement.
- 1.13.4 The DAF is payable as a lump sum once a year per eligible child. If a child eligible for the DAF payment is splitting their free entitlement across two or more providers, the parent will be required to confirm in writing to the LA which school or setting they nominate as the main setting, who will receive DAF funding.
- 1.13.5 If a child receiving DAF moves from one setting to another within a year of the date they first received their DAF payment, the new setting is not eligible to receive DAF funding for this child before a period of 12 months has elapsed from the date of the last DAF payment to the previous provider. DAF funding received by the original setting will not be recouped.
- 1.13.6 In cases where a child who lives in one authority area attends a provider in a different local authority, the provider's local authority is responsible for funding the DAF for the child.
- 1.13.7 Children who are eligible for DAF funding should provide documentary evidence of this to the provider. Providers should upload this documentary evidence⁸ to the child's record on the Early Years Provider Portal and notify the LA with an email to FEEEPvision@walthamforest.gov.uk. Eligibility will then be checked by LBWF and once confirmed, a unique reference number will be given to the provider. This unique reference number must be entered onto the parental declaration and Early Years Provider Portal. A detailed Step by Step guide on how to claim DAF funding is provided in the "User Guide" on the Hub page at <https://thehub-beta.walthamforest.gov.uk/early-years-provider-portal>

1.14 SEN inclusion Funding (for children NOT on an EHC Plan)

- 1.14.1 SEN Inclusion funding is available to support all children with SEND who are not on an EHC plan but meet the eligibility criteria for a FEEE place. Details of the application process for SEND Inclusion funding can be found through the following link <https://thehub-beta.walthamforest.gov.uk/early-years-send-funding> or contact EYSENDpanel@walthamforest.gov.uk
- 1.14.2 Details of payments made are set out on your remittance advice.

⁸ evidence of the child's disability living allowance award letter.

Ensure that key people such as your Senior Leadership Team, Managing Directors, Trustees, EYFS Leads, Managers & SENCO's are aware of the funding received, particularly those paid in respect of disadvantaged, vulnerable and SEND children so that you can:

- ensure that funding is spent on the intended support and interventions and
- evidence the impact that this funding is having on the outcomes for the children to which it relates during Ofsted inspections etc.

1.14.3 The SEND inclusion Fund will accept applications to cover the costs of professional reports such as Education Psychology and Speech and Language assessments. Applications can also be made for additional hourly costs due to a reduced ratio – this must be supported by information which evidences the additional hours needed to support the child's additional needs.

1.14.4 If an application for SENIF funding is successful the setting will receive confirmation of the SENIF Panel decision as well as a unique reference number. This unique reference number must be entered on the Early Years Provider Portal in the 'notes' tab on child's record. A detailed Step by Step guide on how to add Unique reference numbers on the Early Years Provider Portal is available in the "User Guide" on the Hub page at <https://thehub-beta.walthamforest.gov.uk/early-years-provider-portal>

1.14.5 Funding agreed by the SENIF panel will be detailed on the decision form including a start date, end date and review date. It is the provider's responsibility to make a SENIF review application on the review date before the end of funding if they wish the funding to continue.

1.14.6 SEN Inclusion Payments will be made monthly. Details of payments made are set out on your remittance advice.

1.15 SENIF Notional Budget

1.15.1 SENIF Notional Budget has replaced the process of applying for SENIF level 2 which was in place during 2023/2024. SENIF Notional Budget will be paid to all OFSTED registered settings providing FEEE places, based on the number of OFSTED registered places for PVI's and maximum number of children recorded during the Summer 23 headcount for schools. The funding will be paid at £140 per place. Early years OFSTED registered providers and schools will not have to apply for SENIF Notional Budget, it will be paid automatically.

1.15.2 Childminders will not receive a SENIF notional budget but they can apply for SENIF funding for children who have a learning and developmental delay of twenty-four months and below or those with a learning and developmental delay of twenty-five months or higher. Childminders should contact their Childminding Development Officer prior to making any SENIF referrals.

1.15.3 Our expectation is that all OFSTED registered settings and schools will support inclusivity and equality of access to FEEE places for families and that OFSTED registered settings and schools who receive SENIF Notional Budget funding should be able to meet the needs of children taking up their FEEE place with low/medium level learning and developmental delay through the use of OAP, AET and Speech

Language and Communication needs strategies in order to support children to make expected levels of progress.

1.15.4 More information on SENIF Notional budget can be found on The Hub following this link <https://thehub-beta.walthamforest.gov.uk/early-years-send-funding#senif>

1.16 Indicative annual Budget allocation calculations

1.16.1 The following appendices of the report to Schools Forum in February 2024⁹ provide full details of the EYNFF:

- **Appendix C:** [Hourly rate calculation process for 3&4 year old FEEE places by school/setting](#)
- **Appendix D:** [Deprivation Supplement payment calculations \(incorporated in total hourly rate in Appendix C\)](#)
- **Appendix E:** [Hourly rates for 2 yr old FEEE places and estimated annual payment by school/setting](#)
- **Appendix F:** [Estimated number of places and annual payment by school/setting for 3&4 year olds \(universal entitlement\)](#)
- **Appendix G:** [Estimated number of places and annual payment by school/settings for 3&4 year olds \(extended 30 hr entitlement\)](#)
- **Appendices F & G:** [Amalgamated universal and extended 3&4 yr old FEEE places. Estimated number of places and annual payment by school/settings](#)

1.16.2 These appendices can also be found in the “FEEE Financial Guidance” section on the Hub through the following link: <https://thehub-beta.walthamforest.gov.uk/early-years-financial-guidance>

⁹ <https://thehub-beta.walthamforest.gov.uk/schools-forum>

Section 2: Claiming FEEE funding from LBWF

This section sets out how Providers should claim funding for the Free Early Education Entitlement that they deliver to eligible children in the borough.

2.1 Contractual and Financial procedure requirements relating to EYSFF, SENIF & EYPP funding for FEEE places provided to eligible Under 2's, 2, 3 & 4 year old children

2.1.1 Provider Legal Status and Financial records

2.1.1.1 The Provider must remain:

- a maintained school; or
- a registered company with Companies House; or
- a registered Charity with the Charities Commission; or
- a sole trader/self-employed/partnership registered with Her Majesty's Revenue & Customs (HMRC)

and meet all of the associated deadlines and legal requirements of the registering body.

2.1.1.2 EYSFF funding is to be used **ONLY** to offset expenditure incurred in delivering the Free Early Education Entitlement (FEEE) to eligible children as defined in the most up to date statutory guidance as issued by the DfE.

2.1.1.3 The LA will make EYSFF payments to Providers to deliver the FEEE in line with section 1.

2.1.1.4 The LA will only make FEEE payments to Providers that have a current, signed **EYSFF PAYMENT TERMS AND CONDITIONS** agreement in place with the LA to deliver FEEE places.

2.1.1.5 The Provider **must** comply with the **EYSFF PAYMENT TERMS AND CONDITIONS** agreement requirements in order to be eligible for EYSFF funding.

2.1.1.6 The EYSFF Payment shall be paid into the main business bank account of the Ofsted registered organisation/person or the main bank account of the school. The Provider must satisfy the Council that robust and secure financial policies, procedures and accounting systems and practices are in place that meet Legal Requirements, FEEE Guidance, maintain an appropriate audit trail of all transactions and ensure that EYSFF payments are used solely for the purpose of delivering FEEE places.

- 2.1.1.7 It is our expectation that all parents/carers and child-level financial records are maintained and stored either digitally or in hardcopies ensuring that it is secured and compliant with GDPR. These financial records should be retained for a recommended period of 7 years after the child leaves your setting. Child-level financial records, include: Attendance registers, Parental Declaration forms, , Contractual Documentation and LBWF data for funded Places.
- 2.1.1.8 The Provider **must** keep records i.e. receipts, financial accounts etc. to show how the EYSFF funding is being used for. Records should be kept for a period of 7 years after the child leaves your setting, for SEN children it will be Date of Birth + 25 years followed by secure disposal; and make these records available to LA officers for inspection.
- 2.1.1.9 The Provider **must** agree to repay, on demand, any EYSFF payment that may have been made incorrectly due to administrative errors or changes in headcount figures. Clawbacks or balancing payments due to termly reconciliations will be deducted / paid by the end of the following term.
- 2.1.1.10 Providers are required to update attendance data at the earliest opportunity, and by the 28th of each month at the latest via the Early Years Provider Portal to ensure payment accuracy, as this information will inform the predicted delivery hours for the month on which your monthly budget share payments are based. Any data updates in the 'Funding Details' tab should be done using Admission start and leaving dates in the Registration section of child records. A detailed step by step guide on how to make changes in the funding claims on the Early Years Provider Portal can be found in the "User guide section on the Hub page through the link <https://thehub-beta.walthamforest.gov.uk/early-years-provider-portal>
- 2.1.1.11 Payments will be made by the **18th of each calendar month**. Full details for each eligible child the Provider wishes to claim EYSFF payments in respect of for the following month must be entered onto the Early Years Provider Portal by the **28th of the previous month** e.g. If children's contracted/confirmed attendance details for May are entered onto the Early Years Provider Portal by 28th April, payment for these children will be made by 18th May.
- 2.1.1.12 The Provider **must** submit information/documentation requested by LA to evidence that EYSFF funding has been used to cover expenditure incurred in delivering the FEEE only.
- 2.1.2 Provision of clear information to parents/carers on free hours and fees and charges**
- 2.1.2.1 Government guidance is clear that providers must:
- Ensure that their invoices and receipts are clear, transparent and itemised allowing parents/carers to see that they have received their child's free entitlement completely free of charge and understand fees paid for additional hours or services. Invoices and receipts should include the provider's full details so that they can be identified as coming from a specific provider.

- Ensure that they do not charge parents/carers “top-up” fees (any difference between a provider’s normal charge to parents/carers and the funding they receive from the local authority to deliver free places).

It's also important to note that:

- Government funding is intended to deliver 15 or 30 hours a week of free, high-quality, flexible childcare. It is not intended to cover the costs of meals, other consumables, additional hours or additional services.
- Providers can charge for meals and snacks as part of a free entitlement place and they can also charge for consumables, such as nappies or sun cream, and services such as trips and specialist tuition. Core costs of running a business that delivers government-funded childcare are not consumables used by the child or additional services provided to the child. These include, but are not limited to, insurance, Ofsted registration, maintenance, business rates, training costs, rent and energy bills. These are core costs of running a business and we expect these to be covered by government funding and that parents/carers should not be charged.
- Providers should be mindful of the impact of additional charges on parents/carers, especially the most disadvantaged. Providers, who choose to offer the free entitlements, are responsible for setting their own policy on providing parents/carers with options for alternatives to additional charges, including allowing parents/carers to supply their own meals or nappies or waiving or reducing the cost of meals and snacks.

Further information regarding provider requirements can be found at <https://www.walthamforest.gov.uk/families-young-people-and-children/free-early-education-and-childcare/childcare-support-expansion-2024>

2.1.2.2 Information recorded in the parental declaration (see section 2.1.3) can form a useful basis for invoicing and receipt information provided to parents/carers. Example invoices can be found on the Hub using the following link: <https://thehub-beta.walthamforest.gov.uk/early-years-financial-regulations> under the “Downloads” section.

2.1.2.3 Providers should publish a statement of how they deliver the free entitlement and any additional charges for optional activities outside of the entitlement. Charges should be set out clearly for parents/carers who pay for meals and/or optional activities. A Terms & Conditions Fees and Policy prompt document to assist providers can be found on the hub through the link <https://thehub-beta.walthamforest.gov.uk/early-years-financial-regulations> under the “Downloads” section.

- 2.1.2.4 The process for dealing with complaints from parents/carers related to providers not clearly setting out free hours and additional fees and charges is set out at Appendix B

2.1.3 Parental Declarations

- 2.1.3.1 Providers must complete an online Parental Declaration Form for every child that they are claiming EYSFF payment. The link to online Parental Declaration Form can be found on the Hub following this link <https://thehub-beta.walthamforest.gov.uk/early-years-financial-guidance>
- 2.1.3.2 The Parental Declaration form must accurately reflect the days and time of attendance, the free hours and any chargeable hours. A new Parental Declaration Form must be completed if there is a change to the days and times of attendance, the free hours and any chargeable hours.
- 2.1.3.3 A Parental Declaration Form must be signed electronically via the online form by the parent/carer of the child that will receive the FEEE place. This document will also be used to investigate where a parent/carer may be fraudulently overclaiming their FEEE hours e.g. signing two FEEE parental declaration forms, at different Providers, no action will be taken against the Provider where they have a signed Parental Declaration form in place. This will be pursued by the EYCBD Team with the parent/carer.
- 2.1.3.4 The process for the Delivery of FEEE–Parental Declaration Forms Audit Process is set out at Appendix A

2.1.4 Registration fees and deposits

- 2.1.4.1 Providers should not require parents to pay a registration fee as a condition of taking up their child's place where the child is only taking up their FEEE hours and not buying any additional hours or services.
- 2.1.4.2 Providers can charge a refundable deposit to parents/carers accessing the free entitlements but should also consider if this would prevent take-up, especially for disadvantaged families.
- 2.1.4.3 The purpose of the deposit is to give providers certainty that a parent/carer will take up the place.
- 2.1.4.4 In most instances, where a family is only taking up their universal 15-hour entitlement for their three- and four-year-old child, or is only taking up their 15-hour entitlement for their two-year-old under the benefits-related/disadvantaged criteria, the Local Authority expects that these families would not be charged a deposit as this could prevent take up, especially for disadvantaged families. If, however, the provider does charge a deposit, this must be returned within a term of the child taking up their place.

- 2.1.4.5 Any family taking up the working family free early education entitlement can be charged a refundable deposit by providers. It will be for the provider to determine a reasonable timescale for refunding deposits in full to parents/carers.
- 2.1.4.6 The provider must provide details to the parents/carers of the deposit amount and any circumstances in which the provider would not be obliged to refund some or all of the deposit, for example, if a parent/carer fails to take up their place or ceases their place without sufficient notice.
- 2.1.4.7 If a family is taking up the working family free early education entitlement and is buying additional chargeable hours, providers can ask for fees related to the additional chargeable hours monthly in advance.

2.1.5 EYSS Funding for children who do not attend for their contracted hours

- 2.1.5.1 As part of their admissions process, Providers should establish how many weeks of the year parents/carers would like to take up their childcare place e.g. are they likely to need year round childcare for 48, 50 or 52 weeks per year, or do they want to take up their child's place during term time only. Provider should also explain to them that there is an expectation that they attend regularly on the agreed/contracted days and that failure to do so could result in the Providers not being funded for non-attendance and or the family risk losing their FEEE place
- 2.1.5.2 Providers must keep an accurate record of children's attendance as part of their DfE/Ofsted registration requirements and EYFS statutory requirements
- 2.1.5.3 Where a child is regularly absent Providers must be alert to any safeguarding concerns or family support needs that this may indicate and make the appropriate [referrals to MASH](#), in line with their thresholds document for these children or inform the child's Social Worker if they are known to Children's Social Care.
- 2.1.5.4 **Claiming EYSS funding for absent children** – the LA will not penalise providers if children are booked to attend their FEEE entitlement but are absent for a short period, such as illness or a holiday of up to two weeks (in a rolling 12 month period) and no fees should be charged for absence related to the free entitlement during this time. The LA will, however, use discretion where a child's absence is recurring, or is for extended periods. Where this occurs, the **Provider should submit details of the dates of absence that they are requesting payment for as well as a copy of the parents written request for extended absence and the reason for this via email to FEEEProvision@walthamforest.gov.uk**. The request for extended absence will be considered for exceptional circumstances only, such as significant or long-term illness of the child, significant or long term illness or death of the main carer, or a crisis which prevents attendance (e.g. social care or housing). **Payments will not be made for absences in excess of two weeks unless a written request has been submitted by**

the provider and written approval has been given by the LBWF. No retrospective requests for absence payments will be accepted.

2.1.5.5 Before reclaiming funding for absent children, the LA will consider factors such as closures due to pandemics or government guidance as well as whether Providers could fill places from their waiting list, or alternatively use them more flexibly, and whether the absence will impact on Providers' staffing levels.

2.1.5.6 Where a child leaves a setting and starts attending a new setting, the previous setting will be funded up to the last day that the child physically attended. This is irrespective of whether or not the child completed their notice period with the previous setting.

Where a child is withdrawn from a setting, the 2 week rule will not apply as the LA is only funded once by DfE for each child and therefore, both settings cannot claim funding for the same period for the same child. The new setting will be funded from the first day the child starts to attend their setting. Where the Early Years Providers Portal identifies any children that are included on the headcount for more than 1 setting for the same period, both settings will be contacted to ascertain the last/first day. These dates will then be used for funding purposes.

2.2 Universal entitlement of up to 15 hr per week for all 3& 4 year olds and eligible 2 year olds

2.2.1 A maximum of 15 free hours per week over a minimum of 38 weeks can be provided in each 12 month period from the date at which the entitlement starts. This equates to a maximum of 570 hours per year. The entitlement can be 'stretched' over more than 38 weeks; however this will reduce the number of hours that can be provided each week. The table below outlines the max number of hours that will be paid for over a 'stretched' offer if a parent takes up their full entitlement:

Number of weeks per year	Hours per week (rounded to nearest 30 mins)	Total hours per annum
51.8 / 52*	11	570
51	11.18 (11hrs 11min)	570
50	11.4 (11hrs 24min)	570
48	11.88 (11hrs 53min)	570
38**	15	570

* Full calendar year

** Academic year minus 5 inset days

2.2.2 38 week based entitlement is comprised of 190 teaching/payable days per academic year and 5 inset days (2 Autumn, 2 Summer and 1 Spring) based on the LA published school Term dates: <https://walthamforest.gov.uk/content/school-term-and-holiday-dates>

Inset days used for payments for 2024-2025 will follow the financial year and are set as follows:

- **April 15 & 16th 2024** (Summer Inset Days)
- **September 2nd & 3rd 2024** (Autumn Inset days)
- **January 6th 2025** (Spring Inset day)

Should providers want to take their 5 Inset days on different dates to those above they must submit these in writing to FEEEProvision@walthamforest.gov.uk .

2.3 Up to 30 hr per week entitlement for eligible 3&4 year olds

- 2.3.1 Providers who meet the criteria to deliver places as outlined in the **EYSFF PAYMENT TERMS AND CONDITIONS** agreement will receive the hourly rate, outlined in **Appendix C: [Hourly rate calculation process for 3&4 year old FEEE places by school/setting](#)**¹⁰ for every eligible child they provide with a place.
- 2.3.2 Details of the eligibility criteria for up to 30hrs per week FEEE for working parents can be found at: <https://www.walthamforest.gov.uk/families-young-people-and-children/childcare-and-early-years/free-early-education-three-and-four-year-olds/30-hours-free-childcare-working-parents>
- 2.3.3 **Payments will not be made to providers who have failed to confirm that the unique reference number** provided to them by the parent/carer requesting the place is valid, and that they are entitled to a place. Regular checks will be carried out by LBWF to establish eligibility of children whose details are submitted by the Provider on their headcounts via the Early Years Provider Portal. Any payments made in respect of children who are not eligible as part of these checks will be deducted from the next available payment to the provider.
- 2.3.4 Providers must ensure that they have **obtained** and **validated** a HMRC valid unique reference number for **all** working parents/carers wanting to take up to 30 hours FEEE per week which must be documented on the parental declaration form as well as the Early Years Provider Portal.
- 2.3.5 Providers **must validate all 30 hours Free Childcare codes**. Once you have registered and been trained on the use of the Early Years Provider Portal, you can then start validating the 30 hour codes that you have received from your parents/carers. A detailed guide to using the Early Years Provider Portal is available on the hub page at <https://thehub-beta.walthamforest.gov.uk/early-years-provider-portal>
Once you have completed and submitted the information, the system will confirm the validity of the code. In cases where 30 Hour entitlement is split between 2 FEEE providers, **both** providers are required to validate the Code (DERN).
- 2.3.6 Parents/Carers must complete all sections of the Parental Declaration Form, providing details of the provider names and FEEE hours taken up at each provider. A detailed step by step guide on how to validate and revalidate 30 hour codes (DERN) can be found in the “User guide” on the Hub page at <https://thehub-beta.walthamforest.gov.uk/early-years-provider-portal>

¹⁰ Schools Forum Report dated 7th February 2024

2.3.7 Parents/Carers must reconfirm 30 hour eligibility every term¹¹. Each validated and re-validated 30 hour code will produce three dates:

- a 'validity start date' - when it was issued;
- a 'validity end date' – the parents/carers deadline for reconfirming; and
- a 'grace period' – the Last date they will be funded for extended 15 hours.

2.3.8 **Providers must revalidate 30 hour codes (DERN) on the Provider Portal every term once parents have reconfirmed eligibility through their HMRC Online account.** Validity end dates can be tracked effectively through the Early Years Provider Portal to assist providers in monitoring the validity of each code (DERN).

2.3.9 The LA will complete batch checks of all eligibility codes throughout the year; this will clarify whether parents are still eligible or they are no longer eligible for extended hours. If LBWF establishes that a parent/carer has fallen out of eligibility, the provider will be notified in order to take appropriate action. Providers must ensure their Pupil Registers on the Early Years Provider Portal are updated regularly to ensure that the LA are aware of where children are taking up their place and their eligibility cease dates can be tracked.

The table below outlines the key dates for reconfirming eligibility.

Validity End date, as provided to parent by HMRC via on-line account:	Parents/carers to reconfirm eligibility codes on HMRC on-line account by:	Grace period end date/ Placement cease date:
1 Jan – 31 Mar	31 Mar	31 Aug
1 April - 31 Aug	31 Aug	31 Dec
1 Sep – 31 Dec	31 Dec	31 Mar

2.3.10 If a parent/carer is no longer eligible for the additional FEEE hours for working parents/carers, they are still entitled to the 15 hrs per week universal entitlement and can purchase additional hours should they wish to.

2.3.11 If the parents/carers circumstances change and they gain employment again they can reapply via their HMRC online account for a new eligibility code for the 30hrs/working parent/carer entitlement.

2.3.12 Eligible parents/cares can access up to 30 free hours (between 15 and 30 hours) per week over a minimum of 38 weeks in each 12 month period from the date at which the entitlement starts. This equates to a maximum of 1140 hours per year. The entitlement can be 'stretched' over more than 38 weeks; however, this will reduce the number of hours that can be provided each week. The table below outlines the max number of hours that will be paid for over a 'stretched' offer if a parent takes up their full entitlement:

¹¹ Via the parents/carers HMRC Childcare Choices online account

Number of weeks per year	Hours per week (rounded to nearest 30 mins)	Total hours per annum
51.8 / 52*	22	1140
51	22.36 (22hrs 22min)	1140
50	22.80 (22hrs 48min)	1140
48	23.76 (23hrs 46min)	1140
38**	30	1140

* Full calendar year

** Academic year minus 5 inset days

2.4 Two year old FEEE payment

- 2.4.1 Providers who meet the criteria to deliver places as outlined in the **EYSFF PAYMENT TERMS AND CONDITIONS** agreement will receive the hourly rate, outlined in section 1.9.1, for every eligible child they provide with a place.
- 2.4.2 **Providers must ensure that they have obtained an eligible unique reference number for all children taking up a 2 year old FEEE place which must be documented on the parental declaration form as well as the Early Years Provider Portal (in the notes section).**
- 2.4.3 **Payments will not be made to providers who have failed to confirm that the unique reference number** provided to them by the parent/carer requesting the place is valid, and that they are entitled to a FEEE place. Regular checks will be carried out by LBWF to establish eligibility of children whose details are submitted by the Provider on Early Years Provider Portal. Any payments made in respect of children who are not eligible as part of these checks will be deducted from the next available payment to the provider.
- 2.4.4 Parents/Carers who are eligible under financial criteria/benefit related who have checked their eligibility via the Early Years Parent Portal will have a unique reference number produced by the system. Families who meet these criteria will receive a 6 characters eligibility code
- 2.4.5 Families taking up the working families entitlement for 2 year olds must check their eligibility via [Gov.uk](https://www.gov.uk) and will receive an 11 digit code if they are eligible. This code must be renewed by parents/carers on a regular basis (every 3 months) in the same way as the current process for 30 hours free childcare for 3&4 year olds from working families.
- 2.4.6 If the child is eligible for both entitlements, parents/carers must apply for help through the free education and childcare for parents/carers getting benefits scheme.
- 2.4.7 Eligibility URNs must be checked by the provider to confirm eligibility and, once confirmed, must be entered onto the parental declaration and on the child's record in the notes section in the Early Years Provider Portal.

2.4.8 Children who are eligible under the Looked After, Adoption, Residence or Special Guardianship Order or in receipt of Disability Living Allowance, should provide documentary¹² evidence of this to the provider.

2.4.9 The eligibility for the free early education entitlement for two year olds has been extended to include the following eligible groups:

- Children of Zambrano carers;
- Children in families granted immigration leave on the basis of Article 8 of the European Convention on Human Rights (ECHR) and subject to a condition that they have no recourse to public funds;
- Children of families supported under section 4 of the Immigration and Asylum Act 1999 (“the 1999 Act”);
- Children of families supported under section 17 of the Children Act 1989 who also have no recourse to public funds.

2.4.10 Prior to offering a place to a child eligible under one of the groups outlined in section 2.4.6 or 2.4.7 above, providers should upload the documentary evidence to the child record on the Early Years Provider Portal and notify the LA with an email to childcare@walthamforest.gov.uk. Eligibility will then be checked by LBWF and once confirmed, a unique reference number will be given to the provider. This unique reference number **must** be entered onto the parental declaration and Early Years Provider Portal.

2.4.11 Failure to update the Early Years Provider Portal with the appropriate eligibility reference number will result in a delay in payment.

2.4.12 Payments will be made in respect of FEEE hours provided to children with the D.O.B outlined below in the relevant headcount period:

2.5 Under 2’s, 2, 3 and 4 year old FEEE payments

2.5.1 Payments will be made in respect of FEEE hours provided to children with the D.O.B outlined below in the relevant headcount period:

Schools & PVI Sector	Summer Term 1 st Apr-31 st Aug 24	Autumn Term 1 st Sept-31 st Dec 24	Spring Term 1 st Jan-31 st Mar 25
3 & 4 Year Olds with a D.O.B between	1 st Sep 19 to 31 st March 21	1 st Sep 20 to 31 st Aug 21	1 st Sep 20 to 31 st Dec 21

Schools & PVI Sector	Summer Term 1 st Apr-31 st Aug 24	Autumn Term 1 st Sept-31 st Dec 24	Spring Term 1 st Jan-31 st Mar 25
2 Year Olds with a D.O.B between	1 st Apr 21 to 31 st Mar 22	1 st Sep 21 to 31 st Aug 22	1 st Jan 22 to 31 st Dec 22

¹² For Looked After Children- written confirmation from child’s social worker. Adoption, Residence or Special Guardianship - copy of the Certificate/ Order. Disability Living Allowance- copy of 2024/25 benefits letter

Schools & PVI Sector	Summer Term 1 st Apr-31 st Aug 24	Autumn Term 1 st Sept-31 st Dec 24	Spring Term 1 st Jan-31 st Mar 25
Under 2's with a D.O.B between		1 st Sep 22 to 30 th Nov 23	1 st Jan 23 to 31 st Mar 24

2.5.2 Due to the number of 3&4year old children that may start at some settings in September, particularly in schools where there are 2-3 form entries, payments will be made from the term start date in September 2024, and not the actual start date to facilitate a phased transition. This transition period ends 2 weeks after the beginning of term. The actual start date will be used for all children with a start date after the 2 week transition period.

2.6 FEEE payments reception age children – deferred reception places

2.6.1 The majority of 4 year old children will be taking up a place in a reception class in a school. Payments to school in respect of children in their reception class/es are made via the schools DSG budget allocation.

2.6.2 We would therefore only expect to see children on the Early Years Provider Portal from a maintained school with reception class D.O.B's where the child has formally deferred their reception place via the LBWF's school admissions service and remains in the schools nursery class.

2.6.3 A child reaches compulsory school age the term after their fifth birthday. Some parents/carers will feel their child is simply not ready to start school in the September following their fourth birthday and there is flexibility in the admissions code to allow for this. Parents/carers can request that:

- Their child attends part-time until they reach compulsory school age. This must be requested directly with the school once a school place has been offered.
- The date their child is admitted is deferred until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which it was made.
- For summer born children, their child is admitted outside of their normal age group.

Parents/carers must inform the LBWF's School Admissions Service if they wish to defer their child's school place.

2.6.4 **Providers should obtain written confirmation from the LBWF's schools admission service that a parent/carer has formally deferred their maintained school reception place and upload the document to the** Early Years Provider Portal and notify the LA with an email to FEEEProvision@walthamforest.gov.uk. Information regarding deferred places will be verified by the FEEE finance officer and the LBWF's school admission service before payments are processed.

2.6.5 The school or PVI sector provider that is providing a FEEE place to a child who is not taking up their school reception place, can claim EYSFF payments for a maximum of 15hrs or 30hrs (if the child is eligible for extended hours) per week

over a minimum of 38 weeks until they reach compulsory school age (the beginning of the term following their fifth birthday). Payments will be made up to the time the child takes up their maintained school reception place (see section 2.6.3) at the rates outlined in section 1.

- 2.6.6 **The school that is holding the reception place open for a child who has deferred their place, can include the child on their reception class returns for the terms that the child attends only.** Their details must **NOT** be included on the FEEE Nursery class in Early Years Provider Portal once the child has taken up their deferred reception place. Providers must enter a last day in Nursery as leaving date on the child’s record on the Early Years Provider Portal.
- 2.6.7 Children who have been admitted to primary school and are attending a state-funded school reception class are not entitled to any additional free hours outside their school reception class place as local authorities can meet their duty to secure the extended entitlement through reception class provision.
- 2.6.8 Payments will be made in respect of FEEE hours provided to children with the D.O.B outlined below in the relevant headcount period:

Private, Voluntary and Independent Sector (including Independent Schools)

Schools & PVI Sector	Summer Term Apr-Aug 24	Autumn Term Sept-Dec 24	Spring Term Jan-Mar 25
Reception Age Children with a D.O.B between	1 st Apr 19 to 31 st Aug 19	1 st Sep 19 to 31 st Aug 20	1 st Jan 20 to 31 st Aug 20

2.7 Termly Data Submissions on the Early Years Provider Portal

- 2.7.1 Providers should regularly update their Early Years Provider Portal with details of actual days of attendance for all eligible children claiming the FEEE.
- 2.7.2 Termly reconciliation of the Early Years Provider Portal will be processed in the month after the end of term.
- 2.7.3 Children’s data must be entered onto the Early Years Provider Portal at the point of admission/commencement of their place.

Updating the Early Years Provider Portal regularly in the term will allow the setting to identify whether there is a significant variance **(increase or decrease of 5 children or more for schools and setting and any increase or decrease for childminders)** between the hours that they predict they will provide, and the hours on which their monthly payments have been based.

If this is the case, settings should **contact the LA to advise asap** so that monthly payments can be adjusted during the headcount period to reflect the predicted increase/decrease. This will avoid significant under/overpayments when the termly data analysis is completed at the end of the funding period.

- 2.7.4 Each individual settings monthly budget can be calculated using the estimated FEEE budgets that can be found in Appendices E to G that were presented to Schools Forum in February 2024. These can be found at: <https://thehub-beta.walthamforest.gov.uk/early-years-financial-guidance>
- 2.7.5 If any reconciliation exercise results in a need to adjust a Provider's monthly payment or to claw-back overpayments, payments will be adjusted in the following term.
- 2.7.6 Providers **must** ensure that all children taking up a 2 year old or 30 hours FEEE place have unique eligibility numbers which **MUST** then be documented on the parental declaration form as well as the Early Years Provider Portal.

2.8 Suspension of Agreement

2.8.1 Where a provider's Ofsted registration is suspended, the FEEE Contract/payments will cease until the suspension is lifted by Ofsted. Written confirmation will be provided by the Local Authority regarding when suspension has been lifted and payments will recommence. No payments will be made during the suspension period.

2.9 Termination of Agreement

2.9.1 Please refer to the **EYSFF terms and conditions** agreement 2021-2024 (FEEE contract) for a comprehensive detail of the termination between the LA and Provider.

Appendix A: Delivery of FEEE–Parental Declaration Forms Audit Process

Provider identified for audit

Enquiry received by the Early Years Childcare and Business Development (EYCBD) Team. The query will be logged. An EYCBD Team officer will assess the query and make initial reviews of the Parental Declaration Form and early years Provider Portal. The Provider will be contacted to inform them of the audit and advised that we will be reviewing Parental Declaration forms for the specified period(s). An initial assessment of the Parental Declaration forms and the Early Years Provider Portal headcount claim will be undertaken, and any discrepancies identified. The EYCBD team officer will communicate and/or meet with the provider to discuss outcome of initial assessment. If no further action is required, the audit will be closed at this stage. If discrepancies or further investigation is required, the provider will be informed of the next stage of the process.

Audit

The EYCBD Team will contact parents/carers of children with a funding claim for the specified period(s). A scripted audit questionnaire will be followed, and the parent/carer responses will be recorded. The information provided will be assessed against the Parental Declaration form and the claim made on the Early Years Provider Portal. The auditing officer(s) will collate the information collected during the audit to present findings to the Head of EYCBD.

If as part of the investigation it is identified that a parent/carer has fraudulently claimed FEEE hours, which has resulted in overclaiming FEEE hours, no action will be taken against the Provider where they have a signed Parental Declaration form in place. This will be pursued by the EYCBD Team with the parent/carer.

Next steps and further action

If there are no discrepancies identified, the EYCBD Team will write to the provider with details of the audit and the outcome. The audit will be closed at this stage. If discrepancies are identified, the auditing officer and Head of EYCBD will meet to discuss findings and next steps. At this stage, the audit can be extended to include other funded periods and/or other settings within the providers organisation.

The same audit process will be followed to review claims and contact parents/carers and conclusions reached. Throughout the audit process, where deemed necessary the provider's portal account may be suspended or restrictions applied.

Audit outcome

Where discrepancies between the funding claimed and the funding delivery have been established, the EYCBD Team will write to the provider with the outcome and invoice to reclaim any overpaid hours. The provider will be given the opportunity to provide any relevant documents to rebut the incorrect claim, this will be reviewed and considered, and the outcome will be communicated with the provider. If the

audit establishes the provider has underclaimed for the funded entitlement within the audited funded period, the EYCBD Team will consider whether payment for these hours can be backdated. Where further actions have been indicated the audit findings will be referred to The Director of Education to decide the further action required.

Panel outcome

A panel of LBWF senior leaders will be convened to discuss the audit findings and decide the actions, including but not limited to: Issuance of Suspension, withdrawal, or termination of EYSSF Terms and Conditions agreement including actions and timeframes, restrictions and suspensions placed upon the providers Early Years Provider Portal Account and removal from the Directory of Providers.

The provider will be informed of the outcome within 10 working days of the panel meeting. Where necessary LBWF will make a referral to the relevant regulatory bodies and authorities. If a provider wishes to appeal against the decision to remove from the Directory of Providers, they can do so by following the Appeals Process in the EYSSF terms and Conditions Document

Appendix B: Process for dealing with complaints from parents/carers related to Providers not clearly setting out free hours and additional fees and charges

Stage 1 Enquiry Received

Enquiry received by the Early Years Childcare and Business Development (EYCBD) Team. The query will be logged. An initial email will be sent to the enquirer to confirm the Local Authority Statutory duty and explain next steps and process when dealing with a funding query. In the first instance we will request the enquirer discuss their query with their provider. If at this stage the enquirer is not satisfied with the provider response or has already approached their provider, they can request for a member of the EYCBD Team to assess and investigate.

If the parent/carer resolves the issue with the provider the query will be closed at this stage, if not, the query moves to Stage 2.

Stage 2 Gathering Information

The enquirer (Parent/Carer) must provide written authorisation for the EYCBD Team to approach the provider and disclose the nature of the enquiry and who has made the enquiry, there may be exceptional circumstance whereby naming the enquirer would not be appropriate and a decision to maintain their privacy will be made.

The EYCBD Team will request from the enquirer relevant information, such as invoices, Fees and Charges policy/information, provider/parent contracts, parental declaration, relevant communication and/or literature from the provider relating to the query.

The EYCBD team will review available information and research further where needed.

If the EYCBD Team can establish and conclude the query at this point, they will write to the enquirer via email to provide an outcome and reasoning. The enquiry will be closed at this stage, if not, move to Stage 3.

Stage 3 Meeting with Provider

The investigating officer from the EYCBD Team will contact the Ofsted Nominated Person for the Provider and discuss the nature of the query and the enquirer. The provider will be informed of the Local Authority role and statutory duty and the process for investigations. The initial conversation may include a request for further information and documents and give the provider the opportunity to respond to the query. The investigating officer may require a follow up meeting with the provider to establish all information to conclude the investigation.

Once meetings and/or discussions concluded move to Stage 4.

Stage 4 Analyse Information against regulations

The investigating officer from the EYCBD Team will analyse the information, apply to regulations, and conclude the enquiry. The outcome and reasoning will be communicated via email with both the enquirer and the provider and include any necessary actions where applicable.

If either party, the enquirer, or provider are not satisfied with the outcome they can write to the Head of Early Years Childcare and Business Development Service or where the investigating officer is the Head of Early Years Childcare and Business Development Service the Director of Education, stating the reason they wish this to be reviewed. The Head of Early Years Childcare and Business Development Service or Director of Education will consider all information and conclude their review, once concluded the outcome will be communicated in writing via email.

The Provider will be made aware of the clauses within the EYSS Terms and conditions agreement with regards to appeals and complaints should they require it.

Stage 5 Review and Further Actions

If a provider was given actions, the EYCBD Team will review these actions. If provider has failed to comply with actions set within the timescale, without sufficient reasoning, the situation will be referred to the Head of Early Years Childcare and Business Development Service for a to consider whether the LA will implement the suspension, withdrawal or termination clauses within the EYSFF Terms and Condition Agreement.