

CHARGING FOR ADDITIONAL EARLY YEARS SERVICES GUIDANCE FOR MAINTAINED PROVIDERS

The Education Bill was introduced in the House of Commons on 26 January 2011 detailing circumstances in which maintained provision should charge for additional services.

The Education Bill explains how nursery schools and schools with nursery classes should charge for early years provision that is not funded by the local authority. This will ensure that the key costs of providing early years provision outside of the EYE funded hours can be reflected in the charges. Therefore, a school governing body will be able to charge for additional early years provision as an optional extra.

Where children access additional hours or are offered experiences in addition to the basic Early Years Foundation Stage delivery, charges may be imposed. A maintained provider may not make a profit from such charges but they should consider appropriate charges to ensure additional services are funded externally from the main school budget.

Whilst there may be no extra staffing charge in relation to the child accessing a 'surplus' place there is a consumable resource cost. This includes consumables (such as paper, paint, glue etc), utilities, sundries and food. Where a maintained provider offers experiences such as swimming or forest schools or hot meals, charges may be imposed for these optional extras.

Charges for all optional extras can also include an amount attributable to the costs relating to the buildings and accommodation used, for example, heating and lighting costs, and maintenance. Currently, under section 456(4), the charges for all optional extras can include the costs of any materials, books, instruments or other equipment used for the purposes of or in connection with the provision of the optional extra, and the use of non-teaching staff or teaching staff engaged under contracts for services for the purposes of providing the optional extra.

The Bill will prohibit local authorities and governing bodies of maintained schools in England from charging more than the cost of providing milk, meals or other refreshments to pupils. Currently there is no cap on how much a pupil can be charged. It will not affect the provision of free school meals (and free milk) to eligible pupils. Guidance is currently being developed to clarify access to free school meals for eligible children below compulsory school age.

Maintained providers will need to ensure that their processes for allocating 'surplus' places are fair and equitable as are any charges imposed. Careful consideration needs to be given in relation to awarding of 'surplus' places and care taken so that this does not detrimentally impact upon those children with later birth dates accessing provision.

Currently, the regulations made under section 7 require local authorities to secure 15 hours per week of free early years provision for all three and four year olds. The new section 7 will enable the regulations to retain this universal entitlement for children of those age groups, whilst also extending the requirement on local authorities to secure free early years provision for a targeted group of two year olds.

The Bill will enable the Government to introduce an entitlement to free early years provision for disadvantaged two year olds. However, funding will only come into place from the DfE in 2013. The Local Authority will give careful consideration on how this affects the maintained sector during the intervening period.