

FREQUENTLY ASKED QUESTIONS

These have been put together with guidance from the Government and questions from practitioners in Lincolnshire.

Q. What are parents entitled to?

Parents are entitled to claim 570 hours of Early Years Entitlement amounting to no more than 15 hours each week across a minimum of 3 days; over a standard 38 weeks. When taking less than 15 hours per week parents can opt for the 'Stretched Offer' taking the entitlement over more weeks of the year

Q. When do children become eligible?

All children are entitled to a free early years place at the start of the school term following their 3rd birthday. The school term dates are set yearly by the local authority and run from September to July.

In order for a child to become eligible for a free place from the following school term their birthday must fall on or between the dates shown in the table. The born on or between dates do not necessarily mirror actual school terms, particularly in the spring term when Easter dictates school term dates or in the summer term where schools are closed during August.

A child may access the Early Years Entitlement until the end of the school term in which they celebrate their 5th birthday. In reality most children will be accessing a full time school place in a reception class before then.

A child born on or between	Will become eligible for a free place from	Number of free hours in school year
1 April to 31 August	September following their 3rd birthday (Start of Autumn school term)	570 hours
1 September to 31 December	January following their 3rd birthday (Start of Spring school term)	360 hours
1 January to 31 March	April following their 3rd birthday (Start of Summer school term)	180 hours

Q. How do we define flexibility?

Flexibility enables parents to use their 15 hour entitlement over a minimum of three and maximum of five days per week between 8am – 6pm.

The offer cannot be used in less than 2 ½ hour sessions or more than 6 hours per day. Flexibility will depend upon what you as a provider can offer and will therefore vary.

Q. Whose responsibility is it to deliver the Early Years Entitlement?

Under the Childcare Act 2006 the Local Authority has a duty to provide sufficient places to meet parental demand. The Local Authority will work with providers to deliver this. Where reasonable parental demand cannot be met by providers, it is the responsibility of the LA to "broker" alternative arrangements.

Q. Can parents split their provision across different providers?

Yes. Parents can use their entitlement at a maximum of 2 providers working collaboratively.

Q. How can we use wraparound provision to offer flexibility?

If the wraparound is either side of the free session then the provider can charge parents for this additional care, however, they cannot charge parents for wraparound care in the middle of a free session (i.e. lunch time). The free entitlement can include the lunch period as long as this is specifically planned to support children's overall learning and development. If you intend to offer food, parents must be given the option to pay for a meal or bring a packed lunch (so that no parents face a financial barrier to accessing the entitlement).

If a parent does not want to use the offered wraparound, they should still receive their 15 hours of Early Years Entitlement.

Q. Some groups work from church halls and cannot have the premises all week. Do we have to offer 5 days to parents?

Some settings will not be able to offer 5 days, and there may be parents who are happy to take their 15 hours over fewer than 5 days. Parents' questionnaires will give settings an idea of parents' wishes.

SCHOOLS

Q. In order to deliver more flexibility beyond the normal school day, can unqualified lunch time supervisors cover the lunch period?

Government have confirmed that legislation requires that a qualified teacher should be present during the delivery of the Early Years Entitlement in maintained settings. A staff ratio of 1:13 needs to be in place at all times including lunchtimes when this forms part of the free entitlement. If a qualified teacher is not present a ratio of 1:8, with a Level 3 qualified practitioner, is acceptable.

Q. How can we keep track of 'personalised learning' when children might be attending more than one session or splitting the entitlement with another provider?

The EYFS ethos is based on personalised learning in appropriate environments which enable children to follow their own interests and be challenged in their learning. It will be the responsibility of the individual setting to manage this programme for children in their setting and provide evidence of effective partnership working with other settings that a child may attend.

Q. Will schools need to provide a rest room, especially for children staying a long time?

Yes, a quiet rest area does need to be provided, however it does not have to be in a separate room.

Q. How can we deliver the 15 hours within existing 32.5 hour contracts?

15 hours can be delivered within existing contracts, continuing to allow for 10% PPA time. The main issue is cover across the lunch period and the employment of additional staff at this time may ease pressure on staff whilst maintaining ratios.

Q. How can we use wraparound provision to offer flexibility?

Wraparound provision is identified as a breakfast club, lunch club or out of school club. A setting may wish to offer wraparound to enable the offer of 15 hours or flexibility. The important point to note is that if you want to include the wraparound provision as part of the free entitlement then you can't charge for it and EYFS learning opportunities need to be offered.

If the wraparound is additional to the free entitlement then you can charge and parents have the choice of whether they want to take it up. If a parent does not want to use the offered wraparound, they should still be entitled to receive their 15 hours of free EYE. The current code of practice confirms that the free entitlement can include the lunch period or other break as long as this is specifically planned to support children's overall learning and development.

Q. Can schools charge for hours parents wish to access beyond the 15 hour entitlement during school hours?

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. Schools can charge for additional hours parents choose to purchase beyond the 15 hour entitlement. If considering charging in this way then schools will need to develop clear organisational structures to support this which include a charging policy, fee structure, payment methods and parental contract. 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.

Careful consideration would need to be given to how places are awarded and it is important to remember that by 'selling' additional hours the schools pan number is adversely effected.

Q. In order to deliver more flexibility beyond the normal school day, what level of qualification do staff need to deliver the free entitlement?

Legislation requires that a qualified teacher should be present during the delivery of the free entitlement in maintained settings. A staff ratio of 1:13 needs to be in place at all times including lunchtimes when this forms part of the free entitlement. The acceptable model is therefore one qualified teacher per nursery class and nursery assistants who are qualified to NVQ level 3 in Childcare or NNEB. Additional staff above the 1:13 ratio could be qualified at a lower level.(during the lunch period, the member of staff can be level 3)

This ratio will continue to apply for short periods of the day where the qualified teacher's absence is covered by an HLTA. This could include the teacher's lunch break. Schools should interpret the guidance on the deployment of qualified teachers in nursery in the same way for the new entitlement as at present.

Where provision is delivered by a PVI organisation (eg. before or after school club or any other day care provider offering extra sessions) the organisation should be registered with Ofsted and therefore adhere to the EYFS Welfare Requirements. Ratios of 1:8 should be operated where the supervisor/manager is level 3 qualified.

Further guidance on ratios can be found in The Early Years Foundation Stage – Practice Guidance and Statutory Guidance accessible via www.teachernet.gov.uk/teachingandlearning/ and follow the link for EYFS.

Q. What about access to free school meals?

Children who are of compulsory school age and attending a full day can access a free school meal. As children receiving the EYE are not of compulsory school age, the current position is being reviewed. Parents can be offered the option of purchasing a meal from the school (where this is available and feasible) or providing a packed lunch.

Q. Do our existing policies need to change?

It is recommended that you look at the existing policies in line with the EYFS Guidance and ensure that if you are offering extended days you have policies that acknowledge this. Particular attention will need to be paid to the Admissions Policy that includes reference to allocation of places and charging for extra provision. Example policies that can be adapted are available on the Birth to Five Service website.