



LONDON BOROUGH OF  
**HARROW**

# Handbook

## For Early Years Providers

**(Delivering Free Early Education for 9  
months+ 2, 3 and 4 Year Olds)**



**Education Services  
September 2024**

# Table of Contents

Part 1: Local Authority - Provider Partnership .....	4
Harrow's Early Years Objectives.....	5
Provider Commitment.....	6
Monitoring Standards of Provision .....	6
Partnership Programme.....	6
Relevant Documents and the Statutory Framework.....	7
Part 2: Early Education Entitlement for 2, 3, and 4 year olds – Local Code of Practice .....	7
1. Registering for funding .....	9
Entry to the Directory.....	9
Withdrawing from the Directory of Providers.....	10
Rejection or removal from the Directory.....	10
2. The funding arrangement.....	10
Safeguarding.....	10
Ofsted Judgement.....	11
Flexibility .....	12
Attendance Information .....	13
Good Faith Co-Operation and Transparency.....	14
3. Funding Criteria .....	14
2 year old funding (Disadvantaged).....	14
Universal 3 and 4 year old funding.....	16
Working Parent's Entitlement (9 months, 2 year old and 30 hours funding) .....	16
Cross borough funding .....	17
The extended entitlement for children in foster care.....	17
The Grace Period .....	17
4. Funding payments.....	18
Charging guidelines .....	18
Funding Hourly Rates .....	19
Early Years Pupil Premium (EYPP).....	20
SEND (Special Educational Needs and Disability) .....	21
5. The Claim Process.....	22
6. Compliance.....	23
Data Protection .....	23
Records and Audit.....	23
Annual Early Years Census .....	23
Overpayment, Non-Compliance, Bribery, Fraudulent Claims: Consequences.....	23
Bribery and Corruption .....	24

7. Complaints .....	24
8. Changes to the Handbook.....	25
9. Data Protection .....	25
10. Confidentiality .....	25
11. Freedom of Information .....	25
12. Dispute Resolution .....	26
Appendix 1: Glossary .....	27
Appendix 2: Compliance with data protection act 1998 requirements (“Data Protection Legislation”) .....	27
Appendix 3: Key Funding Dates Table .....	29

# Part 1: Local Authority - Provider Partnership

Harrow Early Years (HEY) aims to work in partnership with all Providers, to ensure positive outcomes for children. The Local Authority adheres to the:

[Early education and childcare Statutory guidance for local authorities, April 2024](#)

[Early years entitlements: local authority funding operational guide January 2024](#)

[Model Agreement Early years provision free of charge and free childcare, January 2024](#)

This Provider Partnership Handbook outlines the expectations, roles and responsibilities of both the Council's Early Years Team and Providers of Early Years Education in the London Borough of Harrow.

For the purposes of this Handbook, the reference to "Provider or "Providers" or "Setting" or "Settings" includes any person or organisation providing childcare and education to children from birth to 5 years of age on domestic and non-domestic premises.

**This definition also includes any: -**

- Primary Schools with Early Years provision
- Academies and Free Schools
- Private Nurseries
- Voluntary or Independent Sector Providers ("PVI" or "PVIs") who offer Independent Schools
- Full Day Care, or Sessional Groups, including Childminders.

The Local Authority referred to in this Handbook is the London Borough of Harrow. The Local Authority acts through its Early Years Team.

The Local Authority works in partnership with Providers. The Early Years Team works with Providers and with the parents of children who are cared for and educated by Providers to enable Providers to deliver high quality childcare for all parents/carers across Harrow.

The Local Authority's Early Years Team also aims to support Providers in all settings in the London Borough of Harrow to achieve or work towards an 'Outstanding' Ofsted judgement. The Local Authority promotes partnership working between all Providers, across all sectors encouraging more Providers to offer flexible provision.

The partnership is formed when the Provider claims funding as described in this Handbook from the Local Authority and the Local Authority grants the funding subject to the terms of this Handbook.

The Provider is only eligible for funding if it has followed and completed the claim processes described in this Handbook.

## **Harrow's Early Years Objectives**

In line with the Early Years Strategy the list below outlines some of our key objectives:

- improve leadership of PVI Settings including childminders, to secure both capacity and quality of provision for 2, 3 and 4 year olds.
- provide support to Early Years Providers through evaluation, feedback, and target setting.
- develop sector led capacity and skills to model and share best practice.
- provide targeted support to those settings who are at risk of a below 'Good' Ofsted judgement.
- create self-sustainable networks across PVI Settings, and childminders and schools.
- improve transition moving into and out of PVI Settings and childminders and schools.
- narrow the gap in achievement for disadvantaged children and those with SEND (special educational needs and/or disabilities).
- support settings in early identification of children with SEND.
- incentivise Providers, through the quality supplement, in identifying their strengths to support other Early Years Settings across the Local Authority
- increase capacity within Providers in respect of eligible funded 2 year old places.
- support Settings in providing sufficiency to support the additional funded hours by providing guidance and advice around sustainable business modelling.
- support Settings in providing sufficiency for children with low level and more complex special educational needs.
- provide quality training which is accessible to all Early Year's Practitioners across Harrow.

The Early Years Team has initiated a number of projects and programmes in order to meet their short and long term objectives.

A number of these have already been implemented by the Early Years Team and Providers should already be experiencing the benefits of these changes.

In supporting Harrow childcare, Providers in all settings will have access to:

- collaborative working between all early year's Providers.
- termly Early Years Forum/Childminder Forum
- support for Learning Networks
- telephone and email support
- HEY's Training Programme (including bespoke)
- Families Information Service who will provide access to information through advice and guidance. This will include the publication of childcare provider lists and the facilitation of staff recruitment.
- support with transition of children from PVI settings into schools.
- support for school age children in PVI nurseries.
- support for SEND children from those with low level and more complex special educational needs.
- support in identifying children with SEND including financial support.

## Provider Commitment

Having been approved to deliver Early Years education and childcare within the Borough, Providers must:

- Comply with the terms and conditions set out in this Handbook and;
- [The Education inspection framework \(EIF\)](#): This framework sets out Ofsted's inspection principles and the main judgements that inspectors make.
- Ensure high quality of effective leadership and management – including all elements of safeguarding.
- Provide effective teaching, learning and assessments.
- Support children's personal development, behaviour, and welfare, whilst fostering social and emotional development.
- Ensure children are achieving positive outcomes, including developmental progress.

The Council's requirements in funding and assisting Providers include the Providers':

- working towards and achieving an 'Outstanding or Good' Ofsted judgement.
- following up on actions identified by Ofsted.
- working with the Harrow Early Years Team under the Partnership Programme.
- maintaining an inclusion policy in line with the [Special Education Needs and Disability code of practice: 0 to 25 years](#).
- maintaining safeguarding policies and procedures in line with Harrow's safeguarding statutory requirements.
- creating strong parent partnerships.
- collaborative working across Providers.
- where possible, promoting wrap around care.
- ensuring that at least 50% of staff are qualified to at least NVQ Level 2.
- ensuring practice is all inclusive, particularly providing suitable provision for children with special educational needs.

## Monitoring Standards of Provision

The Early Years Team will monitor Providers' adherence to the Statutory Framework on the basis of information from:

1. Visit reports documented by the Early Years Advisers.
2. Ofsted or ISI (Independent Schools Inspectorate) inspection outcomes or compliance notifications.
3. The Families Information Service (FIS) database.
4. Monitoring claims for early education and funding entitlements.
5. Safeguarding complaints.
6. The Provider's self-evaluation.
7. Inclusion fund for children with lower emerging SEND.
8. Accreditation programmes for pre-school/playgroups and daycare settings, including Childminders.

## Partnership Programme

Partnership working includes formulating and implementing an action plan. The Early Years Team offers support and services appropriate to the needs of the provider as follows:

A. Priority Support

**Providers judged as ‘Requires Improvement or Inadequate’**

Any setting receiving a Requires Improvement or Inadequate Ofsted inspection outcome will receive regular support. An Early Years Advisor will work closely with the Provider’s management team to identify a course of action with specific targets for the setting.

**Extended levels of support may include:**

- Early Years advisers working alongside Providers modelling best practice.
- Recommendations may be made to attend courses on our Early Years training programme.
- Leadership training.

B. Proactive Support

- New settings - Support for these settings will focus on enabling them to achieve ‘Outstanding or Good’ at their first inspection.
- New leadership and management.
- Pre-inspection support.

C. Training - Statutory, Core and Additional

The Early Years Team will provide statutory, core and additional training across the academic year. Whilst the core of the training programme is to provide statutory training there are a number of practical and professional courses specifically identified to assist Providers, captured during the priority and proactive support as well as forums and the overall Early Years borough strategy.

More information on training can be found on <https://ss4eharrow.uk/>

**Relevant Documents and the Statutory Framework**

Providers have a statutory duty to comply with [Early Years Foundation Stage \(EYFS\)](#).

## **Part 2: Early Education Entitlement for 9 months+, 2, 3, and 4 year olds – Local Code of Practice**

### **Introduction**

The Harrow Early Years Team are committed to ensuring that all Providers who receive early education funding deliver high quality Early Years provision, in order to improve outcomes for all children, narrow gaps in achievement for the most vulnerable children and improve children’s readiness for school. Free early education places are available for:

- 2 year old funding (Disadvantaged) - eligible 2 year olds up to 15 hours per week over 38 weeks or 570 hours per year (**from the term after their second birthday**).

- Universal 3 and 4 year old funding - all 3 and 4 year olds are eligible for up to 15 hours per week over 38 weeks or 570 hours per year (**from the term after their third birthday**).
- Working parent's entitlement –
  - eligible 9 months - 23 month olds of working parents can access 15 hours funded early education and childcare over 38 weeks a year (**from the term after their child turns 9 months old**).
  - eligible 2 year olds of working parents can access 15 hours funded early education and childcare over 38 weeks a year (**from the term after their child's 2nd birthday**).
  - eligible 3 and 4 year olds of working parents can claim up to 30 hours per week over 38 weeks or 1140 hours per year (**from the term after their child's third birthday**).
- From Sept 2025, the offer will be rolled out in full, with eligible working parents of children aged 9 months+ and above able to access 30 hours funded early education and childcare (over 38 weeks a year) **from the term following their child turning 9 months**.

Where possible these should be offered flexibly to accommodate parent/carers needs.

This Handbook sets out Provider roles and responsibilities in delivering the free Early Education Entitlement, in line with:

[Early education and childcare Statutory guidance for local authorities, April 2024](#)

[Early years entitlements: local authority funding operational guide January 2024](#)

[Model Agreement Early years provision free of charge and free childcare, January 2024](#)

This Handbook explains the Free Early Education Entitlement for parents of eligible children attending any registered Childcare Provider in the London Borough of Harrow.

The Handbook and its Schedules also explain the terms and conditions under which Harrow Council dispenses such funding to the Provider at the request of parents whose children are cared for and educated by the Providers. The terms and conditions which bind the parents and the Provider for the purposes of claiming funding, are those contained: -

1. in the Handbook and its Schedules, including in particular the Parent/Carer Declaration Form and Provider Declaration Form which can be found on our [webpage](#).
2. in [The Education inspection framework \(EIF\)](#): This framework sets out Ofsted's inspection principles and the main judgements that inspectors make are incorporated into the Parent/Carer Declaration Form and in the Provider Declaration (both of which can be found on our [webpage](#) and
3. in those Acts and Regulations and reporting requirements that apply to the provision of early years care and education as set out Appendix 2.



Providers are responsible for ensuring that parents complete the Parent/Carer Declaration Form (**to be retained by the Provider for each funded child**) alongside the Provider's own registration form. This form can be found on our [webpage](#). The Provider must also ensure that any supporting documents are also submitted securely to the Families Information Service [FIS]. The Provider will be notified of what supporting documents are required at the start of every new term as set out in Key Funding Dates Table at Appendix 3.

The Government has a commitment to give every child the best start in life and give parents greater choice about how to balance work and family life. The [Childcare Act 2006](#) and [Childcare Act 2016](#) place a duty on all local authorities to improve outcomes for young children, to promote equality and to secure sufficient childcare to allow parents to work. The Local Authority promotes equality and inclusion, particularly for disadvantaged families, looked after children and children in need, by removing barriers of access to free places and working with parents to give each child support to fulfil their potential.

The Local Authority has a key role in shaping the childcare market in Harrow, working with Providers from the maintained, private, voluntary and independent (PVI) sectors including childminders, to create a strong, sustainable and diverse childcare market that meets the needs of parents.

## 1. Registering for funding

- 1.1. Harrow Council will maintain and keep an up-to-date Directory of Early Years Providers ("Directory of Providers"). Providers must be registered on Harrow Council's Directory of Providers in order to offer funded early education to 2, 3 & 4 year olds.
- 1.2. The following Providers can be included in the local directory:
  - Providers registered with Ofsted on the Early Years Register such as Day care or Sessional Providers (day nurseries, playgroups, pre-schools, childminders, childminder agencies, private nursery schools).
  - Independent schools registered with the Independent Schools Inspectorate (ISI) delivering the [Early Years Foundation Stage \(EYFS\)](#).
  - Maintained schools, Academies, Free schools delivering the EYFS.
  - Providers who have been granted EYFS statutory requirements exemption by the Secretary of State.
- 1.3. Providers registered with Ofsted who have not yet been inspected can be included on the local directory and will be eligible for funding.

### Entry to the Directory

- 1.4. Providers must comply and meet the following criteria in order to be included in the Directory of Providers. Providers must:
  - Have received an Ofsted Certificate of Registration.
  - Deliver funded entitlement through the [Early Years Foundation Stage \(EYFS\)](#).
  - Comply and adhere to the requirements of the Statutory Framework for the EYFS and this handbook.
  - Demonstrate a commitment to working with the Harrow Early Years Team when required to do so in order to raise quality of provision where judged to be 'Requires Improvement or Inadequate' by Ofsted.

## Withdrawing from the Directory of Providers

- 1.5. A Provider who chooses to withdraw from delivering free early education entitlement must:
  - inform the Families Information Service [FIS].
  - contact parents in writing, giving them a minimum of a term or three months' notice to enable parents to make alternative arrangements.
- 1.6. A Provider who withdraws and later wishes to be re-admitted to the Directory of Providers will not automatically be reinstated. Harrow Council will consider the original reasons for withdrawal and will assess the impact of further changes on both children and parents.
- 1.7. Providers who wish to be re-admitted will follow the same process as newly registered Providers.

## Rejection or removal from the Directory

- 1.8. A Provider may be refused admission to or be removed from the Directory, if they fail to meet the eligibility requirements set out in the [Early education and childcare Statutory guidance for local authorities, April 2024](#) or any other conditions imposed by Harrow Council. A notification letter of the Local Authority's decision will be sent to them.
- 1.9. A Provider may be removed or refused admission to the Directory if:
  - they receive a 'Requires Improvement or Inadequate' Ofsted judgement and fail to work with the Harrow Early Years Team.
  - a new setting receives an 'Inadequate' first inspection by Ofsted.
  - they have worked with the Harrow Early Years Team and have made insufficient progress in meeting Ofsted actions.
  - there has been a safeguarding complaint against the setting which has been upheld.
- 1.10. The Early Years Team will inform the parents of those children in the Provider's care or those taught by the Provider who has been removed from the Directory, as to the removal.

# 2. The funding arrangement

## Safeguarding

- 2.1. The Local Authority has overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area. They have a number of statutory functions under the [Children Act 1989](#) and the [Children Act 2004](#), which make this clear, and the [Working together to safeguard children - GOV.UK \(www.gov.uk\)](#) sets these out in detail.
- 2.2. Providers must follow the Statutory Framework for the EYFS for the current year and have clear safeguarding policies and procedures in place that are in line with statutory guidance and procedures and those set out by the Department for Education, the Local Authority, or the Disclosure and Barring Service or their equivalents for responding to and reporting suspected or actual abuse and neglect.
- 2.3. The Local Authority's safeguarding service and Early Years Team must be notified by the Provider immediately of any actual or any suspected activity which infringes or might infringe the safety or well-being of the children in its care or those being taught by it.
- 2.4. A Lead Practitioner must take responsibility for safeguarding and all staff must have training to identify signs of abuse and neglect. The provider must have regard to [Working together to safeguard children - GOV.UK \(www.gov.uk\)](#) and [Keeping](#)

- [children safe in education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/topics/children-safe-in-education).
- 2.5. If a child is absent and at any stage thought to be suffering or at risk of suffering harm you must follow the guidance from [What to do if you are worried about abuse or neglect for yourself or a child or young person that you know - Harrow Safeguarding Children Board \(harrowscb.co.uk\)](#).

## Ofsted Judgement

- 2.6. A Provider's involvement in continuous quality improvement is vital to secure high quality, flexible and inclusive provision for children. The funded early education entitlement must be delivered to high standards, in line with the principles and practice described in the [Early Years Foundation Stage \(EYFS\)](#). Providers must adhere to these Statutory requirements.
- 2.7. Local authorities have a legal duty to provide information, advice and training on meeting the requirements of the EYFS, meeting the needs of children with SEND and on effective safeguarding and child protection for Providers who are rated less than 'Good' by Ofsted or newly registered Providers.

## Exemptions from the EYFS

Providers with exemptions from the Learning and Development requirements of the EYFS will be funded, if a parent wants their child to take up their funded place at an exempt provider and the provider is willing to accept Harrow's funding requirements as set out in this agreement.

The Local Authority adheres to the:

[Early education and childcare Statutory guidance for local authorities, April 2024](#)

[Early years entitlements: local authority funding operational guide January 2024](#)

[Model Agreement Early years provision free of charge and free childcare, January 2024](#)

The type of funding you can claim may be affected by the judgement you are given following an Ofsted inspection. The table below details each Ofsted judgement and its potential effect on funding following publication of their Ofsted inspection judgement; the conditions in the below will apply:

Settings Ofsted Grade	Can deliver funded places to:
<b>Outstanding</b>	9 months+, two, three and four year olds
<b>Good</b>	9 months+, two, three and four year olds
<b>Requires Improvement</b>	Three and four year olds only Funding for any existing 9 months+ and two year olds will be withdrawn after a notice period*
<b>Inadequate</b>	You are not allowed to take new funded children into your provision, and funding for all existing children will be withdrawn after a notice period*
<b>Met</b>	9 months+, two, three and four year olds

<b>Unmet</b>	You are not allowed to take new funded children into your provision
<b>Childminder Agency (Ineffective Judgement)</b>	You are not allowed to take new funded children into your provision, and funding for all existing children will be withdrawn after a notice period*
<b>Newly registered provider with Ofsted prior to their first full Ofsted Inspection is published</b>	9 months+, two, three and four year olds

\*Unless there is insufficient, accessible 'Outstanding or Good' provision available.

### **'Requires Improvement' Ofsted judgement**

- 2.8. For providers who have been judged as 'Requires Improvement', funding will continue for 3 and 4 year olds who were already receiving funding in the previous term. Funding may continue for existing funded 9 months+ and 2 year olds until they move onto 3 and 4 year old funding. Funding will not be accessible for new 9 months+ and 2 year olds.
- 2.9. Where a provider has received a 'Requires Improvement' Ofsted judgement they MUST demonstrate improvement by being re-inspected at a 'Good' or higher.
- 2.10. Free entitlement funding can be withdrawn for any provider who is re-inspected and has a second 'Requires Improvement or Inadequate' Ofsted judgement.

### **'Inadequate' Ofsted judgement**

- 2.11. Where a provider has received an 'Inadequate' Ofsted judgement at their Ofsted inspection the Local Authority is not required to continue to fund eligible funded children with this Provider. Where a parent requests to move a child based on this Ofsted judgement, funding will be withdrawn immediately.
- 2.12. Where a provider has received an 'Inadequate' Ofsted judgement they MUST demonstrate improvement by being re-inspected at a 'Good' or higher.
- 2.13. Subsequent 'Requires Improvement or Inadequate' Ofsted judgement, free entitlement funding can be withdrawn for any provider who is re-inspected and has a second 'Requires Improvement or Inadequate' outcome.

Notwithstanding anything at paragraphs 2.6 to 2.13; if there are safeguarding concerns funding may be withdrawn by the Local Authority immediately, if the circumstances suggest this is appropriate.

Where the decision to withdraw funding has been made by the Local Authority, the Provider will be given notice of the date that funding will stop. On average, this will be approximately a terms notice. If reinspected by Ofsted and secure a 'good' or better judgement before the date the funding is due to stop, funding will not be withdrawn.

### **Flexibility**

- 2.14. Provision must be offered within the national parameters on flexibility as set out below:
- no funded session to be longer than 10 hours in a day between 6am and 8pm.
  - full 15 hours can be taken over a minimum of two days or maximum of 30 hours over a minimum of three days.

- A minimum funded session length of 30 minutes.
- 2.15. Providers are not expected to agree to all flexible requests from every individual parent. It is understood that changes to patterns of delivery to more flexible provision will need to be sustainable, and therefore demanded by several parents to be financially viable.
- Providers can define the “core” hours in which completely free hours may be taken, but this information must be made clear to parents within the provider’s fee policy and where applicable.
- 2.16. The Provider must make clear their pattern of delivery prior to a child taking up a place as a child may be eligible for both universal and extended entitlements at multiple Providers to ensure that children are able to take up their free hours in continuous blocks and avoid artificial breaks being created throughout the day, for example over the lunch period.
- 2.17. The Provider must be completely transparent about any additional charges before obtaining the signature of parents on the Parent/Carer Declaration Form (to be found on our [webpage](#)).
- 2.18. If a child goes to another setting that is not in Harrow, it is the responsibility of the provider to ensure that no more than the maximum entitlement is claimed between the two Local Authorities.

## **Attendance Information**

- 2.19. Non-attendance - Providers should follow up non-attendance of children and record this information. A log should be kept to record dates and details of all contact made with parents (i.e. phone calls and letters) and copies of letters sent should be kept for evidence.
- 2.20. To continue to receive funding a child must take no more than 2 weeks (10 school days) holiday within a funded term. To avoid issues, this should be made clear to the family under the provider’s terms and conditions and reiterated to them prior to signing the ‘Parent/Carer Declaration Form’. If a child takes more than two weeks holiday in a particular term, they will only receive funding for half of that term.
- 2.21. Illness and Absence - if there are exceptional circumstances, for example when a child is genuinely absent due to illness or sickness, the provider should contact Families Information Service to discuss and clarify funding for the child.
- 2.22. It is accepted that Providers may have no choice but to close for an occasional day in cases where it would be illegal to remain open; for example, if the heating breaks down and the temperature falls below the legal minimum or it is not possible to meet staff ratios due to illness.
- 2.23. In these cases, funding will be given provided the number of days does not exceed 5 Provider working days in any one funded term. Providers must notify Families Information Service as soon as possible.
- 2.24. Where possible, Providers should make every effort to provide the funded children with additional hours to replace those they have missed during the period of closure.

## **Information and record keeping**

See paragraphs 3.77 – 3.87 on pages 38 to 39 of:

[Early years foundation stage statutory framework. For group and school-based providers Setting the standards for learning, development and care for children from birth to five](#)

## Good Faith Co-Operation and Transparency

- 2.25. The Provider is under a duty to act honestly and in good faith at all times towards the Council, the parents and the children entitled to the funding to which this Handbook relates.
- 2.26 The Provider will supply complete performance information and data to the Council in an open and accessible format in any manner required by the Council for reporting and monitoring purposes. Such information shall at all times provide a sufficient narrative description of performance to ensure that the Council obtains a fair, accurate and comparable view of contract performance. The duty of good faith, the duty to co-operate and the transparency obligations in this Handbook applies to those matters described at section 2 of this Handbook (Safeguarding; Ofsted Judgment; Flexibility and Attendance Information); and the Charging Guidelines at sections 4.8 to 4.17 of this Handbook.
- 2.27 An EYFS Profile result must be submitted as and when required.
- 2.28 If the requisite information is not provided by the Provider to the Council in accordance with its obligations under this Handbook, or if the Provider otherwise fails to act in good faith, co-operatively and act transparently as described in this Handbook, the Council will be entitled to: -
- a. withhold funding until such evidence is made available, or the Provider resumes to act in good faith, to co-operate and to act transparently; and
  - b. remove the Provider from its Directory of Providers.

## 3. Funding Criteria

### 2 year old funding (Disadvantaged)

Children who are confirmed as eligible will be offered up to 15 hours of early education per week over 38 weeks or up to 570 hours per year.

- 3.1. For children to be eligible for 2 year old funding, one of the following criteria must be met.

**Criterion A: Economic: Children whose parents/carers are in receipt of one or more of the following benefits:**

- Income Support.
- Income based Job Seekers' Allowance (JSA).
- Income-related Employment and Support Allowance (ESA).
- Universal Credit - if the combined household income from work is £15,400 a year or less after tax, not including benefit payments.
- The guaranteed element of Pension Credit.
- Child Tax Credits, Working Tax Credit (or both), and the combined household income is £16,190 a year or less before tax.
- The Working Tax Credit 4-week run on (the payment you get when you stop qualifying for Working Tax Credit).

**Criterion B: Children looked after by the Local Authority:**

- Child in Care 'looked after' by a local authority.

- Child has left care under an adoption order, special guardianship order or a child arrangements order.

Note: Social Worker details are required to verify eligibility for Criterion B.

**Criterion C: Child with Special Educational Needs and/or Disability:**

- Child in receipt of [Disability Living Allowance](#)
- Child with a current [Education Health and Care \(EHC\) plan](#)

Note: Documentation copies are required to verify eligibility for Criterion C.

**Criterion D: Non-UK citizen who cannot claim benefits**

Parents with immigration status with 'no recourse to public funds', may still get free childcare for their 2 year old. Must live in England and the combined household income must be no more than:

- £26,500 for families outside of London with one child
- £34,500 for families within London with one child
- £30,600 for families outside of London with two or more children
- £38,600 for families within London with two or more children

Cannot have more than £16,000 in savings or investments.

**Criterion E: Child In Need and Child Protection Plan by the Local Authority\***

- Child In Need (CIN)
- Child Protection Plan (CPP)

Note: Social Worker details are required to verify eligibility for Criterion E.

\*This is a local authority criterion and is subject to removal at any time. All other criterion is statutory.

There may be other groups of children that qualify for this funding, but the provider will need to check with the Families Information Service.

Eligible children qualify after their second birthday as follows:

A child turning 2 between	Will become eligible for a funded place from
1 April - 31 August	September (Autumn school term)
1 September - 31 December	January (Spring school term)
1 January – 31 March	April (Summer school term)

**Eligibility evidence**

It is the responsibility of the provider to check eligibility of children for the free early education entitlement. In the case of 2 year olds, the parent should provide one of the following pieces of evidence of eligibility:

- a copy of a letter or email from Harrow Council for disadvantaged families
- a copy of a letter or email from a neighbouring local authority for disadvantaged families

The provider should be aware that when offering places to eligible 2 year olds of disadvantaged families, the child remains eligible until they become eligible for the universal entitlement for 3 and 4 year olds regardless of any changes in their household finances.

However, eligibility for 2 year olds of working families will need to be reconfirmed every three months with the HMRC.

### Universal 3 and 4 year old funding

3.2. All 3 and 4 year old children are entitled to 15 hours of early education per week over 38 weeks or 570 hours per year which is known as the universal offer.

The entitlement begins the term after a child's third birthday until they are of statutory school age, which is the term after their 5<sup>th</sup> birthday.

Eligible children qualify after their third birthday as follows:

A child turning 3 between	Will become eligible for a funded place from
1 April - 31 August	September (Autumn school term)
1 September - 31 December	January (Spring school term)
1 January – 31 March	April (Summer school term)

### Working Parent's Entitlement (9 months+, 2 year old and 30 hours funding)

- eligible 9 months - 23 month olds of working parents can access 15 hours funded early education and childcare over 38 weeks or 570 hours per year (**from the term after their child turns 9 months old**).
- eligible 2 year olds of working parents can access 15 hours funded early education and childcare over 38 weeks or 570 hours per year (**from the term after their child's 2nd birthday**).
- eligible 3 and 4 year olds of working parents can claim up to 30 hours per week over 38 weeks or 1140 hours per year (**from the term after their third birthday**).

Eligible 9 months - 23 month old children qualify as follows:

A child turning 9 months old between	Will become eligible for a funded place from
1 April – 31 August	September (Autumn school term)
1 September – 31 December	January (Spring school term)
1 January – 31 March	April (Summer school term)

### Eligibility depends on:

- if the parent(s) are working
- the income (and the partner's income if they have a partner)
- the child's age and circumstances
- parent(s) immigration status

If a parent has a child who will reach the relevant age before the next funded period but forgets to apply, they will have to wait until the **start of the following** funded period to claim their hours. Harrow Council does not have the discretion to change validity dates linked to the eligibility codes and does not have additional funds available to parents who have not applied for or validated their code within the business rules determined by HMRC.



Review and appeals process available to parents if they disagree with the eligibility outcome as determined by HMRC. The review and appeals process are managed by HMRC.

#### **Application deadlines for new codes are as follows:**

- 31 August in order to be valid for the autumn term (starting in September)
- 31 December in order to be valid for the spring term (starting in January)
- 31 March for in order to be valid the summer term (starting in April)

Once a provider has received a signed Parent Declaration form, they should verify the eligibility code on the Synergy Online Provider Portal eligibility checker to make instant checks for code validity. Start dates of codes must be on or prior to the application deadlines above for the respective terms stated.

If a 4 or 5 year old child is not taking up a reception class place they are only entitled to the funded hours until they reach compulsory school age (the beginning of the term following their 5<sup>th</sup> birthday).

### **Cross borough funding**

Eligible children can access funded places in other neighbouring local authorities. These places will be funded by the boroughs in which the settings are located. Therefore, Harrow can also fund eligible children from outside of the borough.

### **The extended entitlement for children in foster care**

Children in foster care who have attained the relevant age are also eligible for the working parent entitlements, the criteria are:

- accessing the entitlement is consistent with the child's care plan; and
- the foster parent is taking up paid employment outside of their fostering role.

Once the local authority is satisfied that the foster parent meets the eligibility criteria a code will be issued. Foster parents who apply through their responsible local authority will receive codes beginning with '400'.

### **The Grace Period**

- 3.3. A child will enter the grace period when the child's parents cease to meet the eligibility criteria.
- 3.4. Local Authorities will be able to access information about whether a child has ceased to meet the eligibility criteria and entered the grace period via the Eligibility Checking Service.

Please note: a child cannot start accessing working family entitlements for the first time within their code's grace period (period between the validity end date and grace period end date) even if the code has been validated.

### **Non-UK citizens**

- 3.5. Permanent resident of the UK - a child moving to England from another country is entitled to the universal funded early education for 3 and 4 year olds on the same basis regardless of their citizenship. They can also apply for 2 year old funding and working parent entitlements, if they meet the criteria.
- 3.6. Temporary resident of the UK - temporary residents including children with working parents/carers, students and asylum seekers can claim universal early education

funding for 3 and 4 year olds on the same basis as any other child. Some families with 'No Recourse to Public Funds (NRPF)' may be eligible for the 2 year old funding.

- 3.7. Holiday - Children visiting or on holiday to the UK from abroad cannot access Funded Early Education Funding.

## 4. Funding payments

- 4.1 The interim payment will be based on approximately **75%** of the estimates submitted prior to the start of term. Childminders will be paid monthly pro rata.
- 4.2 In order for Providers to receive their payments, it is imperative that settings adhere to the set submission dates.
- 4.3 The total payment to Providers will be based on the total claim for the term. The final payment due will be adjusted in respect of any interim payment made in the term. If the interim payment exceeds the total sum due to a provider in respect of the term, then we will deduct the overpayment from the following term's final payment or should this not be appropriate, we will arrange with the Provider to repay the excess amount.
- 4.4 A funding summary will be available on the Provider Portal 'Summary Screen'. This will break down how the termly funding has been calculated. See Appendix 3 for Key Funding Dates Table.
- 4.5 To access the funding, children must remain in the provision for a minimum of two weeks. Should parents choose to remove their child before this qualifying period, it is the Provider's responsibility to make parents aware that they will be liable for all incurred costs. It would be advisable to have this written into the agreed and signed terms and conditions, to avoid any issues with recovering incurred costs at a later date.
- 4.6 A childminder, whether registered with Ofsted or with a Childminder Agency, cannot claim funded early education funding for their own children, stepchildren, or a relative's child (grandparent, aunt, uncle, brother, or sister, including by marriage).
- 4.7 If a child leaves a setting during or after the headcount week, See Appendix 3 for Key Funding Dates Table, but before half term, funding will be paid for the number of weeks attended.

### **Staggered entry to school reception classes**

We know that many schools operate a "settling-in" period or a start date later in the term for reception class children. In these cases, a claim can be made for the number of weeks attended, even if the child leaves before headcount week.

If a child starts at a school nursery, and then leaves, then no funding will be paid to another provider until the beginning of the next funded term.

### **Charging guidelines**

- 4.8 Government funding is intended to cover the cost to deliver 15 or 30 hours a week of high quality, flexible childcare. It is not intended to cover the cost of meals, consumables, additional hours, or additional services.
- 4.9 Providers should not charge top-up fees for funded hours. The definition of a top-up fee is the difference between a Provider's usual fee and the funding they receive from the local authority to deliver funded places.
- 4.10 Providers should publish their admissions criteria and ensure parents understand which hours/sessions can be taken as funded entitlements to enable them to make an informed choice of provision. This should include information about any charges for "additional services", such as meals and snacks, nappies or sunscreen, trips, extra activities such as dance, music tuition or forest school and specialist tuition which are led by an outside tutor or craft items to take home which have a bought element.

- 4.11 The Provider should deliver the funded entitlements consistently so that all children accessing any of the funded entitlements will receive the same quality and access to provision, regardless of whether they choose to pay for optional hours, services, or consumables.
- 4.12 The Provider should ensure that they are mindful of the impact of additional charges on the most disadvantaged parents.
- 4.13 Providers are responsible for setting their own policy with options for alternatives to additional charges; and should publish in their admissions criteria the details of the funded entitlements to ensure parents understand how to apply and which sessions/hours/number of places are available.
- 4.14 The Local Authority will not intervene where parents choose to purchase additional hours of provision or additional services, providing that this does not affect the parent's ability to take up their child's funded place.
- 4.15 Not all Providers will be able to offer fully flexible places, but Providers should work with parents to ensure that as far as possible the pattern of hours are convenient for parents' working hours. Providers should publish a statement of how they deliver the free entitlement and any additional charges for optional activities.
- 4.16 The provider should ensure their invoices and receipts are clear, transparent, and itemised, allowing parents to see that they have received their free entitlement completely free of charge and understand fees paid for additional hours.
- 4.17 The Provider can charge parents a small administrative fee and/or refundable deposit once they are certain that the child will attend their provision. Providers should ensure that it is clear in their terms and conditions, what notice period is required prior to a child taking up a place, whereby the deposit will be returned, and after which point it will be retained.

Notice periods are not covered by the funding - it is the responsibility of the provider to ensure that any notice period is agreed with families when a child registers at a setting.

A copy of the signed contract agreement should be provided to the parent/carer for their records.

## Funding Hourly Rates

- 4.18 The table below details the base rate and supplements (if eligible). These will be paid per hour, where applicable. The supplements are to support activity designed to improve outcomes for children.

	Payment Type	9 months - 23 months old funding	2 year old funding	3 and 4 year old funding
	<b>Base Rate</b>	<b>£10.37</b>	<b>£7.62</b>	<b>£5.36</b>
<b>Supplements</b>	<b>Deprivation Supplement (IDACI)</b>	<b>£0.11</b>	<b>£0.09</b>	<b>£0.06</b>
	<b>Flexibility</b>	<b>£0.52</b>	<b>£0.38</b>	<b>£0.27</b>
	<b>Quality</b>	<b>£0.52</b>	<b>£0.38</b>	<b>£0.27</b>

<b>EYPP</b>	<b>Early Years Pupil Premium (EYPP)</b>	£0.68 for criterion A £3.48 for criterion B/C	£0.68 for criterion A £3.48 for criterion B/C	£0.68 for criterion A £3.48 for criterion B/C
<b>SEND</b>	<b>Disability Access Fund (DAF)</b>	One-off lump sum of £910.00 - Only applicable to children in receipt of Disability Living Allowance	One-off lump sum of £910.00 - Only applicable to children in receipt of Disability Living Allowance	One-off lump sum of £910.00 - Only applicable to children in receipt of Disability Living Allowance
	<b>Inclusion Funding</b>	Full information and SEND Register Forms are on the <a href="#">Early Years SEND webpage</a> .		

- 4.19 **Deprivation Supplement – based IDACI (Income Deprivation Affecting Children Index) rank** - this supplement is based on the postal code in which the child lives. The IDACI tool will be used to allocate funding as it uses the postcode of each child. It is important for Providers to provide correct postcodes with the addresses for the children for whom they are claiming. For any eligible child the supplement will be added to the hourly funding rates for the hours claimed for that child.
- 4.20 **Flexibility** – this supplement will apply to all Providers that offer the free entitlement flexibly based on patterns of delivery accommodating family needs. Each term Families Information Service will assess the flexibility that Providers offer and will fund accordingly.
- 4.21 **Quality** - this supplement is to incentivize and reward the provision of high quality leadership and management across the borough. An annual form is required.
- 4.22 **Disability Access Fund (DAF)** – this is a one-off payment per financial year. Children do not have to take up the full early education entitlement hours in order to receive the DAF.
- The fund is to support Providers in making reasonable adjustments in their settings to enable the child in question.
  - If the eligible child is splitting their funded entitlement across two or more Providers, the Local Authority will ask parents to nominate the main setting. This setting will be where the Local Authority will pay the DAF for the child.
  - If a child receiving DAF moves from one setting to another within a financial year, the new setting is not eligible to receive DAF funding for this child within the same financial year. DAF funding received by the original setting will not be reclaimed by the Local Authority.

**Eligibility:**

9 months+, 2, 3 and 4 year olds will be eligible for the DAF if they meet the following criteria:

- The child is in receipt of child disability living allowance (DLA) and
- The child receives free early education.

4 year olds in primary school reception classes are NOT eligible for DAF funding.

**Early Years Pupil Premium (EYPP)**

4.23 The provider should ensure that they have identified the disadvantaged children in their setting as part of the process for checking EYPP eligibility. They will also use EYPP and any locally available funding streams or support to improve outcomes for this group. A child would be eligible if their family meets any of the following criteria:

**Criterion A: For families who receive one of the following benefits:**

- Income Support.
- Income-based Jobseeker's Allowance.
- Income-related Employment and Support Allowance.
- Support under part six of the Immigration and Asylum Act 1999.
- The guaranteed element of State Pension Credit.
- Child Tax Credit (provided they're not also entitled to Working Tax Credit) and have an annual gross income of no more than £16,190.
- Working Tax Credit run-on, which is paid for 4 weeks after they stop qualifying for Working Tax Credit.
- Universal Credit - your household income must be less than £7,400 a year after tax not including any benefits you get.

**To claim EYPP for this group, Providers must submit through the Provider Portal:**

- Parent's full name
- NI numbers for all parents/carers (within the household where the child resides) or for asylum seeking children, the parent(s) NASS number
- Date(s) of birth of parents/carers in household.

**Criterion B: For families where they have indicated that their child belongs to one of the following groups:**

- They have been adopted from care in England or Wales.
- They have left care under a special guardianship order.
- They are subject to a child protection arrangement or residence order.

**To claim EYPP for this group, Providers must submit:**

- A copy of the parent/carer court order to check that this is correct **or** details of a Harrow Council Social Worker who is able to verify that this is correct.

**Criterion C: They have been in local-authority care for 1 day or more in England or Wales (Looked After Child – LAC)**

Details of a Harrow Council Social Worker who is able to verify that this is correct.

**Please note:** the Local Authority will only pay EYPP for Children Looked After who live in Harrow, so if a child is looked after by another Local Authority and attends a Harrow setting, the provider will need to contact the appropriate Local Authority for details on how to claim EYPP for the child.

- 4.24 Although the government is not specifying how this should be used, settings need to be aware of how many children have received EYPP and be able to clearly demonstrate to Ofsted how the money is being spent to support these children and help close the gap between the attainment of the most disadvantaged children and their peers.

## **SEND (Special Educational Needs and Disability)**

- 4.25 The Local Authority must strategically plan support for children with special educational needs and/or disabilities (SEND) to meet the needs of all children in their local area as per the [Special Education Needs and Disability code of practice: 0 to 25 years](#).
- 4.26 The provider must ensure owners and all staff members are aware of their duties in relation to the [SEND Code of Practice and the Equality Act 2010](#).
- 4.27 The Local Authority must be clear and transparent about the support on offer in their area, through their [Local Offer](#) and [Early Years SEND webpage](#), so parents/carers and

providers can access that support.

- 4.28 The provider should be clear and transparent about the SEND support on offer at their setting and make information available about their offer to support parents to choose the right setting for their child with SEND.
- 4.29 The funding options available for SEND are:
- Inclusion Funding
  - Disability Access Funding (DAF).
- 4.30 **Inclusion Funding** - Information and application guidance can be found on the [Early Years SEND webpage](#).

Providers will be able to use the DAF claim form to apply for this funding. This form can be found on our [webpage](#).

## 5. The Claim Process

**For Key dates and actions – Please refer to the funding timetable and Harrow Early Years Provider Portal Guidance**

### **Additional provider claims support information and conditions**

- 5.1. It is the provider's responsibility to accurately claim funding for each child on the Provider Funding Portal. Families should not be charged because of any mistakes made by the provider in claiming the funding.
- 5.2. It is the Providers' responsibility to ensure that they have the parent/carer permission and signature to submit funding claims for a child.
- 5.3. Providers can only claim for the number of hours for which the child is attending.
- 5.4. Providers may only claim the full term's funding for eligible children who are on their register during the headcount week (see Appendix 3 for eligible dates of birth). If the child is sick or there is any other genuine temporary absence, the provider can still claim funding.
- 5.5. Providers can currently claim the full term's funding for children who join by the end of headcount week. You can also claim for new 3 and 4 year olds enrolments / adjustments until half-term.
- 5.6. Funding claims for 9 months and 2 year olds under the working families criteria will work in the same way as the current process for 3 and 4 year olds, whereby claims can be made up until half term (latest they can start is the first day after half-term as long as we are informed by the Friday before half term).
- 5.7. Only 2 year old funding claims under the disadvantaged criteria will continue to be allowed to be made throughout the term.
- 5.8. All sections must be **fully** completed, as set out in the Provider Portal Guidance document. Incomplete or incorrect completion will not be processed, and payment will therefore be delayed.
- 5.9. Providers are required to create and maintain a daily register of children.
- 5.10. Families Information Service will not become involved in any disagreement between a family and a Provider if a provider fails to submit information to Families Information Service on the required dates and a child does not receive their funded place.
- 5.8. If a parent wishes to split their extended entitlement between two Providers, they will need to nominate which setting they wish to access the additional extended hours with. This is the setting that they will need to present their eligibility code to.
- 5.9. Where there is a staggered school intake and the child has not commenced a settling period at their new school, funding can be claimed for the interim period. Claims cannot be made where a child is attending a school for any part of the day.
- 5.10. It is a criminal offence to make false claims for funding and any suspected false

claims will be treated seriously and the appropriate action taken.

## **6. Compliance**

### **Data Protection**

- 6.1. It is vital that those who collect and use personal data maintain the confidence of those who are asked to provide it, by ensuring full compliance with the requirements of the Data Protection Act 2018.

The Provider and the Local Authority will comply with the requirements of Appendix 2: Data Protection Requirements.

- 6.2. Harrow Council retains information about each child which is held on a database. Details are used for administration and audit purposes and are shared with the Department for Education (DfE).

### **Records and Audit**

- 6.3. The Provider should secure and maintain accurate financial and non-financial records relating to free entitlement places and should give the Local Authority and its representative, Auditors Fraud Investigators, and anyone else acting on behalf of the Council or another relevant other public body, access on reasonable notice to all financial and non-financial records relating to free entitlement places funded under the provider agreement.
- 6.4. Accounting records and records of all claims made for funding and copies of the supporting evidence required as described in the duty to co-operate and the transparency obligations in this Handbook should usually be kept for at least 12 years from the end of the financial year or accounting period to which they relate. The records must be made available to the Council, its Auditors (both internal and external), its Fraud Investigators, and anyone else acting on behalf of the Council or another relevant public body.
- 6.5. The Council or its representatives or professional advisers may during business hours and on reasonable notice except in the case of emergency, enter and inspect, audit and take copies of relevant records, and other documents as necessary to verify the Provider or PVI's compliance with the terms and conditions of this Handbook.

### **Annual Early Years Census**

- 6.6. Central government bases the funding Harrow Council receives on the number of children reported in the Department for Education (DfE) annual census each January. All Providers must return full and accurate census forms by the given date, to ensure we are given the right amount of funding each year.

### **Overpayment, Non-Compliance, Bribery, Fraudulent Claims: Consequences**

- 6.7. The Council will at its absolute discretion require one or all of the following in the event of overpayment of funding, non-compliance bribery or fraud. The more serious the breach the more likely it is that all the following will apply. The Council reserves the right to take the following actions: -
- withhold future Early Years funding in respect of the relevant child for whom overpayment has been made or in respect of whom a false claim has been made.
  - demand repayment of any funding paid and proceed to claim recovery of any overpaid amounts from you by way of debt recovery or other civil proceedings

and once an Order is made, we will pursue recovery by way of insolvency proceedings, third party debt orders, attachment of earnings orders, charging orders or by sending in bailiffs to recover what's due.

- you will be investigated by the Council's Internal and/external auditors.
- we will refer you to the Council's Fraud Investigators where bribery or fraud is suspected.
- we will refer you to the police where bribery or fraud is suspected.

## **Bribery and Corruption**

- 6.7. The Provider must not at any time prior to or after the making of a claim for funding, Commit a Prohibited Act as defined in the Bribery Act 2010. If it is subject to an investigation or prosecution which relates to an alleged Prohibited Act; and/or been listed by any government department or agency as being debarred suspended, proposed for suspension or debarment, or otherwise ineligible for participation government procurement programmes or contracts on the grounds of a Prohibited Act, then the Council must be entitled to withhold or stop any funding, or to recover it in accordance with bribery, fraudulent claims section of this Handbook.

## **7. Complaints**

- 7.1. The Provider should ensure they have a complaints procedure in place that is published and accessible for parents who are not satisfied their child has received their free entitlement in the correct way, as set out in this agreement and in Early Education and Childcare Statutory guidance for Local Authorities.
- 7.2. For Local Authority Early Years complaints, in the first instance please raise complaints in writing to the service manager:

FIS Manager - Education Services | Children's Services Directorate  
London Borough of Harrow, Forward Drive, Harrow, HA3 8FL  
Email: [fis@harrow.gov.uk](mailto:fis@harrow.gov.uk)

The query will be logged, and a representative will be in contact within 5 working days of complaint receipt. The matter will be investigated in a sensitive and timely way ensuring that concerns and issues are dealt with in a confidential and professional manner.

- 7.3. The Local Authority has in place a formal complaints procedure for any Providers or parents/carers who are not satisfied with the service they are receiving. Complaints can be submitted through completing the following online complaints form.

Alternatively, please write to: Corporate Complaints Officer  
London Borough of Harrow, Forward Drive, Harrow, HA3 8FL  
[Harrow Corporate Complaints Policy Guidance Document](#)

- 7.4. If a parent or provider is not satisfied with the way in which their complaint has been dealt with by the Local Authority or believes the Local Authority has acted unreasonably, they can make a complaint to the Local Government Ombudsman. Such complaints will only be considered when the local complaints procedures have been exhausted.



## 8. Changes to the Handbook

- 8.1. The Council reserves the right to make changes to this Handbook which must take effect so as to bind the Council and Providers from the date on which the next edition is published on our [webpage](#)
- 8.2. Such changes may reflect operational changes or changes in the law.
- 8.3. The Provider or PVI must ensure that they monitor the Council's website from time to time to update themselves of any changes that have been made by the Council so as to inform themselves and the Parents on behalf of whom they apply for funding.

## 9. Data Protection

- 9.1 The Council and the Provider or PVI will comply with GDPR in regard to the transfer, storage and processing of personal information transferred between them.

## 10. Confidentiality

- 10.1 Subject to Paragraph 10.2, and paragraph 11 of this Handbook, the Council and the Provider or PVI must keep confidential all matters relating to the funding and must use all reasonable endeavours to prevent their representatives from making any disclosure to any person of any matters relating hereto.
- 10.2 Paragraph 10.1 must not apply to any disclosure of information:
  - (a) required by any applicable law or court or tribunal,
  - (B) that is reasonably required by persons engaged by either party in the performance of its obligations in respect of Early Years funding,
  - (c) where the Council and the Provider or PVI can demonstrate that such information is already generally available and in the public domain otherwise than as a breach of the duty of confidentiality in the Handbook,
  - (d) to information that the Council and the Provider or PVI have agreed contains no commercially sensitive information;
  - (e) to enable a determination to be made under the Dispute Resolution provisions of this Handbook,
  - (f) which is already lawfully in the possession of the receiving party, prior to its disclosure by the disclosing party;
  - (g) by the Council to any other department, office or agency of the Government; and
  - (h) by the Council relating to this agreement and in respect of which the Provider or PVI has given its prior written consent to disclosure.

## 11. Freedom of Information

- 11.1 The Provider or PVI acknowledges that the Council is subject to the requirements of the Freedom of Information Act 2000 ("FOIA") and any subordinate or successor legislation and the Environmental Information Regulations 2004 (SI 2004/3391) together with any guidance and/or codes of practice issued by the Information Commissioner or relevant government department in relation to such regulations ("EIR"). The Provider or PVI must:

- (a) provide all necessary assistance and cooperation as reasonably requested by the Council to enable the Council to comply with its obligations under the FOIA
- (b) transfer to the Council all Requests for Information relating to this agreement that it receives as soon as practicable and in any event within 2 Working Days of receipt;
- (c) provide the Council with a copy of all Information belonging to the Council requested in the Request for Information which is in its possession or control in the form that the Council requires within 5 Working Days (or such other period as the Council may reasonably specify) of the Council 's request for such Information; and
- (d) not respond directly to a Request for Information unless authorised in writing to do so by the Council.

11.2 The Provider or PVI acknowledges that the Council may be required under the FOIA to disclose Information without consulting or obtaining consent from the Service Provider. The Council will take reasonable steps to notify the Provider or PVI of a Request For Information (in accordance with the Secretary of State's section 45 Code of Practice on the Discharge of the Functions of Public Authorities under Part 1 of the FOIA) to the extent that it is permissible and reasonably practical for it to do so but (notwithstanding any other provision in this agreement) the Council must be responsible for determining in its absolute discretion whether any Commercially Sensitive Information and/or any other information is exempt from disclosure in accordance with the FOIA and/or the EIR.

## 12. Dispute Resolution

12.1 If a dispute arises out of or in connection with the funding arrangements or the provisions of this Handbook or its replacement (if any) the Council and the Provider or PVI will follow the procedure set out in this paragraph: -

- (a) either the Council and the Provider/PVI must give to the other written notice of the dispute, setting out its nature and full particulars together with relevant supporting documents. On service of the notice, their authorised representatives must attempt to resolve the dispute in good faith between themselves.
- (b) if the authorised representatives are for any reason unable to resolve the dispute, the Council's Head of Early Years and the Provider or PVI's Director must attempt in good faith to resolve it; and
- (c) if for any reason the dispute remains unresolved within [30] days of it being referred to them, the parties will attempt to settle it by mediation in accordance with the CEDR Model Mediation Procedure.

12.2 The commencement of mediation must not prevent the parties commencing or continuing court or arbitration proceedings in relation to the dispute.

## Appendix 1: Glossary

Definitions: The terms defined below are found in this Provider Partnership	
<b>DfE</b>	Department for Education. The government department responsible for education and children's services.
<b>Directory of Providers</b>	A local Directory of Providers that indicates whether a provider is eligible to deliver the free early education entitlement. The Directory must be maintained and kept up to date by the Authority and made available on request.
<b>Early Years Advisers/ consultants and Practitioners</b>	Professionals who work for or on behalf of People Services in providing advice, support and/ or training to Early Years and Childcare Providers
<b>EYFS</b>	The Early Years Foundation Stage. The statutory framework that sets the standards for the learning, development and care of children from birth to five, with which all funded Providers are required to comply.
<b>ISI</b>	Independent Schools Inspectorate. A body approved by the Secretary of State for Education for the purpose of inspecting independent schools under Section 162A of the Education Act 2002.
<b>Manager</b>	The person in day-to-day charge of the provider.
<b>Ofsted</b>	The Office for Standards in Education, Children's Services and Skills, which is responsible for the regulation and inspection of early year's provision.
<b>Education Services</b>	The Authority's Directorate that is responsible for this sector
<b>Practitioners</b>	Any individual who is delivering early year's education and childcare.
<b>Provider</b>	A person or organisation providing childcare and education from birth to 5 year olds on domestic and non-domestic premises. This definition also includes PVI's.
<b>PVI</b>	Any Private, Voluntary or Independent sector provider for example: full day care, sessional groups, childminders.
<b>SENCO</b>	Special Educational Needs Co-ordinator. An identified member of staff with responsibility for co-ordinating services for children with special educational needs and/or disabilities.
<b>Setting</b>	A person or organisation providing childcare and education from birth to 5 year olds on domestic and non-domestic premises.

## Appendix 2: Compliance with data protection act 1998 requirements ("Data Protection Legislation")

The following applies insofar as there is any transfer of personal information. The definitions below are taken from the Data Protection Legislation.

- Both the Council and the Provider or PVI will comply with all applicable requirements of the Data Protection Legislation. This Schedule is in addition to, and does not relieve, remove or replace, any other express obligation under the Data Protection Legislation.

2. For the purposes of the Data Protection Legislation, either the Council or the Provider or PVI can be the Data Controller or the Data Processor of any information depending upon whether either party gives the other personal information (Data Controller) or receives processes and stores it (Data Processor).
3. Either the Council or the Provider or PVI whilst acting in the capacity of Data Controller will ensure that it has all necessary appropriate consents and notices in place to enable lawful transfer of personal data to the other for the duration of the early years funding arrangements for a relevant Child.
4. As regards any Personal Data processed by it, either the Council or the Provider or PVI whilst acting as a Data Processor must:
  - (a) process that Personal Data only on the written instructions of the Data Controller unless the Data Processor is required by the Data Protection Legislation to do so in a particular way. Where this is the case, the Data Processor will promptly notify the Data Controller of this before performing the processing required (unless the Data Protection Legislation prohibits the Data Processor from notifying the Data Controller).
  - (b) ensure that it has in place appropriate technical and organisational measures, reviewed and approved by the Data Controller to protect against unauthorised or unlawful processing of Personal Data and against accidental loss or destruction of, or damage to, Personal Data, appropriate to the harm that might result from the unauthorised or unlawful processing or accidental loss, destruction or damage and the nature of the data to be protected, having regard to the state of technological development and the cost of implementing any measures (those measures may include, where appropriate, pseudonymising and encrypting Personal Data, ensuring confidentiality, integrity, availability and resilience of its systems and services, ensuring that availability of and access to Personal Data can be restored in a timely manner after an incident, and regularly assessing and evaluating the effectiveness of the technical and organisational measures adopted by it);
  - (c) ensure that all personnel who have access to and/or process Personal Data are obliged to keep the Personal Data confidential; and
  - (d) assist the Data Controller, at the Data Controller 's cost, in responding to any request from a Data Subject and in ensuring compliance with its obligations under the Data Protection Legislation and NIS Regulations with respect to security, breach notifications, impact assessments and consultations with supervisory authorities or regulators;
  - (e) notify the Data Controller Data Controller without undue delay on becoming aware of a Personal Data breach;
  - (f) at the written direction of the Data Controller, delete or return Personal Data and copies thereof to the Council on termination of the agreement unless required by Applicable Law to store the Personal Data; and
  - (g) maintain complete and accurate records and information to demonstrate its compliance with this paragraph 3 and allow for audits by the Data Controller or the Data Controller 's designated auditor.
4. No third party processor may receive, hold, store or process Personal Data under this agreement.
5. The Council may, at any time on not less than 30 days' notice, revise this clause.

## Appendix 3: Key Funding Dates Table

### Academic Year 2024- 2025

	Autumn Term 2024	Spring Term 2025	Summer Term 2025
<b>*Harrow school term dates</b> (Please note funding is only paid for 38 weeks per academic year, whilst the school year is 39 weeks)	Monday 2 September - Friday 20 December	Monday 6 January - Friday 4 April	Tuesday 22 April - Tuesday 22 July
<b>Number of funded weeks for the term</b> (Providers should confirm with parents the number of funded weeks they offer per term)	14	12	12
<b>Half term week (not paid)</b>	Monday 28 October - Friday 1 November	Monday 17 February - Friday 21 February	Monday 26 May - Friday 30 May
<b>Headcount week</b>	Thursday 19 - Wednesday 25 September	Thursday 23 January - Wednesday 29 January	Thursday 8 May - Wednesday 14 May
<b>Estimates for Interim Payment (for the following term)</b>	Monday 1 – Wednesday 24 July 2024	Monday 2 - Friday 20 December 2024	Monday 17 March – Friday 4 April 2025
<b>Eligibility codes</b> (Providers must validate working family eligibility codes before a child takes up the entitlement)	<b>Parents apply by / Code start date by 31 August</b>	<b>Parents apply by / Code start date by 31 December</b>	<b>Parents apply by / Code start date by 31 March</b>
<b>Interim payment</b> (You can expect payment to be in your bank account a few working days after the payment dates)	Wednesday 11 September	Wednesday 15 January	Wednesday 30 April
<b>Provider Portal Opens</b>	Monday 2 September	Monday 6 January	Tuesday 22 April
<b>Provider Portal Closes</b>	Wednesday 2 October	Wednesday 5 February	Wednesday 21 May
<b>Final payment</b> (You can expect payment to be in your bank account a few working days after the payment dates)	Friday 8 November	Friday 28 February	Friday 6 June
<b>Adjustments in</b>	Friday 25 October	Friday 14 February	Friday 23 May
<b>Adjustments payment by</b>	Friday 29 November	Friday 14 March	Friday 4 July
<b>Dates of birth for eligible 9 month - 23 month olds</b>	1 September 2022 - 30 November 2023	1 January 2023 - 31 March 2024	1 April 2023 – 30 June 2024
<b>Dates of birth for eligible 2 Year Olds</b>	1 September 2021 - 31 August 2022	1 January 2022 - 31 December 2022	1 April 2022 - 31 March 2023
<b>Dates of birth for eligible 3 and 4 Year Olds</b>	1 September 2019 - 31 August 2021	1 January 2020 - 31 December 2021	1 April 2020 - 31 March 2022

## Academic Year 2025- 2026

	Autumn Term 2025	Spring Term 2026	Summer Term 2026
<b>*Harrow school term dates</b> (Please note funding is only paid for 38 weeks per academic year, whilst the school year is 39 weeks)	Monday 1 September - Friday 19 December	Monday 5 January - Friday 27 March	Monday 13 April - Monday 20 July
<b>Number of funded weeks for the term</b> (Providers should confirm with parents the number of funded weeks they offer per term)	14	11	13
<b>Half term week (not paid)</b>	Monday 27 October - Friday 31 October	Monday 16 February - Friday 20 February	Monday 25 May - Friday 29 May
<b>Headcount week</b>	Thursday 18 - Wednesday 24 September	Thursday 22 January - Wednesday 28 January	Thursday 30 April - Wednesday 6 May
<b>Estimates for Interim Payment (for the following term)</b>	Monday 1 - Friday 25 July 2025	Monday 30 November - Friday 19 December 2025	Monday 2 - Friday 27 March 2026
<b>Eligibility codes</b> (Providers must validate working family eligibility codes before a child takes up the entitlement)	<b>Parent apply by / Code start date by 31 August</b>	<b>Parent apply by / Code start date by 31 December</b>	<b>Parent apply by / Code start date by 31 March</b>
<b>Interim payment</b> (You can expect payment to be in your bank account a few working days after the payment dates)	Wednesday 10 September	Wednesday 14 January	Wednesday 22 April
<b>Provider Portal Opens</b>	Monday 1 September	Monday 5 January	Monday 13 April
<b>Provider Portal Closes</b>	Wednesday 1 October	Wednesday 4 February	Wednesday 13 May
<b>Final payment</b> (You can expect payment to be in your bank account a few working days after the payment dates)	Friday 14 November	Friday 6 March	Friday 12 June
<b>Adjustments in</b>	Friday 24 October	Friday 13 February	Friday 22 May
<b>Adjustments payment by</b>	Friday 5 December	Friday 13 March	Friday 3 July
<b>Dates of birth for eligible 9 month - 23 month olds</b>	1 September 2023 - 30 November 2024	1 January 2024 - 31 March 2025	1 April 2024 – 30 June 2025
<b>Dates of birth for eligible 2 Year Olds</b>	1 September 2022 - 31 August 2023	1 January 2023 - 31 December 2023	1 April 2023 - 31 March 2024
<b>Dates of birth for eligible 3 and 4 Year Olds</b>	1 September 2020 - 31 August 2022	1 January 2021 - 31 December 2022	1 April 2021 - 31 March 2023

## **Childminders will receive monthly payments as follows:**

The payments will be based on 100% of your estimates submitted for each term. Payments will be split as equally as possible between each month of the term and will be processed for payment as below (**You can expect payment to be in your bank account a few working days after the payment dates**).

The flexibility supplement will be automatically applied and included in your monthly payments.

The IDACI and EYPP supplement (if applicable) will be added once we have received and processed your claims for the term and will be included within the third monthly payment of each term.

In the summer term, the quality supplement will be added in the third monthly payment of that term once we have received a completed application form. As this form is required to be completed once per financial year in the summer term, during the subsequent autumn and spring terms, this supplement will then be included from the start of term. (For information on supplements please pages 19 to 21)

<b>Term</b>	<b>Monthly payments</b>			
Autumn 2024	4 September	2 October	6 November	4 December
Spring 2025	8 January	5 February	5 March	N/A
Summer 2025	23 April	14 May	11 June	9 July

Payment dates have been arranged for the first Wednesday after the start to each funded term and subsequently every four weeks thereafter for the remainder of term.

Any overpayments from a particular term will be deducted from the third monthly payment of the following term.

Any adjustments received after the final monthly payment in a particular term, will be paid with the first month's payment of the following term.