

Leicestershire County Council Free Early Education Entitlement (FEEE) Guidance 2023 – 2024

Introduction

Welcome to Leicestershire County Council's guidance for the delivery of the funded childcare for children aged 2, 3 and 4 years, updated August 2023.

For further advice, guidance, good practice ideas and to access a copy of the current statutory guidance and accompanying policies please [visit our FEEE website](#).

1. Funding the Entitlement

In order to receive funding for 3- and 4-year-olds and eligible 2-year-olds, providers are required to sign up to the local authority's Directory of Early Years Providers and must:

- be registered by Ofsted on the early years register and subsequently be in receipt of a Certificate of Registration
- or fall under a schools Ofsted registration
- or be considered as 'exempt' from the Ofsted Registration process
- or be part of a registered Childminding Agency (CMA)
- be of the appropriate Ofsted / CMA grade
- agree to the terms and conditions stipulated in the Provider Agreement.

There are currently 3 streams of funding which can be accessed:

1. The 3- and 4-year-old universal offer. This offers all children up to a maximum of 570 hours (per annum which is the equivalent of 15 hours per week for 38 weeks per year). There is no eligibility criteria for this offer as it is universal and all 3- and 4-year-olds can access this funding the period following a child's 3rd birthday.
2. The 3- and 4-year-old extended offer. This offers eligible children the chance to take up to a maximum of 1,140 hours per annum (which is the equivalent of 30 hours per week for 38 weeks per year). Eligibility for this funding has to be reconfirmed by parents / carers and validated by providers every 3 months. Please visit the [30 hours extended FEEE](#) web page to see the eligibility criteria that parents / carers have to meet to receive this funding.
3. The 2-year-old funding offer. This offers eligible children the chance to take up to a maximum of 570 hours per annum (which is the equivalent of 15 hours per week for 38 weeks per year). Once a parent / carer is eligible for this funding, they will remain eligible even if their circumstances change. Parents / carers are not expected to re-check their eligibility. Please visit the [funding-for-2-year-olds](#) web page to see the eligibility criteria that parents / carers have to meet to receive this funding.

Where a child accesses a provision part way through a period, funding is pro-rata'd accordingly.

1.1 Funding Periods

Leicestershire deals with funding 'periods' rather than 'terms'. This is in recognition that the constantly changing term dates can make planning difficult. This way of working not only provides consistency year after year, but also brings the funding in line with eligibility deadline dates and birth date criteria.

The number of weeks for each period is typically 11 – Spring, 12 – Summer and 15 – Autumn; However, this can occasionally change, so please always refer to our [FEEE Calendar](#) which will confirm the correct number of weeks which can be claimed in each period.

The FEEE calendar also shows the **maximum hours** allowed per period excluding any banked hours.

Term-time only providers should only claim for the number of hours they are open in any period. If the total number of weeks is lower than the maximum that can be claimed for, then the remaining will be banked to enable providers to claim more in the next period or allow parents / carers to use them at other settings.

1.2 Eligibility of children based on their age

The following eligibility table shows when a child is eligible to receive funding from (all dates are inclusive). This is applicable to all aspects of the 2-, 3- and 4-year-old funding.

A child born between:	Will be eligible for a free place from:
1 April and 31 August.	From the 1 September following their 3rd birthday, or if eligible, following their 2nd birthday
1 September and 31 December.	From the 1 January following their 3rd birthday, or if eligible, following their 2nd birthday
1 January and 31 March.	From the 1 April following their 3rd birthday, or if eligible, following their 2nd birthday

1.3 Specific information for 2-year-olds

As we have recently moved to the new Synergy Provider Portal, any Leicestershire children who have a 'TYF' voucher code produced from the old system will have to be checked by Leicestershire County Council before payment can be made. Evidence of eligibility (e.g., the

confirmation letter or email provided by the local authority) will need to be uploaded to the 'Documents' tab in the Provider Portal for verification.

In Synergy, voucher codes for 2-year-olds are automatically produced when a parent / carer applies online. An email / letter is sent to parents / carers as proof of funding from the local authority. A copy of this confirmation should be given to the child's chosen childcare provider, so that they are able to add the voucher code in the Provider Portal when completing the headcount / adjustment tasks. The provider should follow the process below.

- **For Leicestershire children** ensure that they have the correct voucher code relating to the eligible child by seeing a copy of the email / letter sent by the local authority. Please keep a photocopy on file for your records.
- **For voucher codes that have been issued by a different local authority**, these will have to be checked by Leicestershire County Council before payment can be made. Evidence of eligibility (e.g., the confirmation letter or email provided by another local authority) will need to be uploaded to the 'Documents' tab in the Provider Portal for verification.

When claiming please ensure that you adhere to the 'effective date' on the letter. We will only pay funding from this date.

1.4 Specific information for the 30 hours extended entitlement

When making a claim for children eligible for the extended entitlement, providers are responsible for validating the DERN numbers through the Provider Portal. Once validated, providers will be made aware of a validity end date and a grace period end date.

Parents / carers are required to re-check their eligibility every 3 months. Providers should ensure they encourage parents / carers to do this prior to the validity end date they are given to enable continuity of funding.

When parents / carers come to a provision with their eligibility code, please make sure you reference the table below which clearly states when a child is eligible based on their birthday. **No payment will be made unless this criteria for funding is met, even if they have an eligibility code.**

If a parent / carer does not complete a check prior to the dates stated below they will have to wait until the following period to take up their extended entitlement but may still access the universal 15 hours.

Eligibility checking deadline dates:

A check completed between:	Allows a child to take up a free place from:
1 April and 31 August.	1 st September – assuming the child is already of eligible age (i.e., has reached the term after their 3 rd birthday)
1 September and 31 December.	1 st January– assuming the child is already of eligible age (i.e., has reached the term after their 3 rd birthday)
1 January and 31 March.	1 st April – assuming the child is already of eligible age (i.e., has reached the term after their 3 rd birthday)

If parents / carers are having difficulty in getting a code or revalidation of a code, we will need to see written evidence from HMRC to make a payment. The local authority can only pass on funding when we see evidence of eligibility. We cannot get involved in any disputes between a parent / carer and HMRC. All enquiries must be settled with HMRC – the parent / carer can contact them on 0300 123 4097.

If you have concerns that a parent / carer has made a fraudulent claim for the 30 hours funding, you should raise these concerns directly with the HMRC on 0300 123 4097.

1.5 The funding process

Parents / carers invoices should clearly show the number of funded hours accessed. There should not be a monetary amount shown for the free entitlement as the local authority are purchasing the hours on behalf of the parent / carer. The number of additional hours / services / activities should be listed separately.

Any charges in relation to services / time accessed outside the funded hours should be agreed with parents / carers prior to any charges being made. Providers should ensure all information relating to their current and future costs are clear and transparent for parents / carers, making sure their prospectus, contracts and invoices all reflect accurate information.

When parents / carers first join the setting, they should be told what the setting's policy is when children become eligible for funding.

Additional hours / services or resources should not be a condition to accessing the funded hours, nor should they create a barrier to parents / carers accessing their full entitlement. Where practicable, parents / carers should be given the option to 'opt' out of additional services. Where this is not practicable, providers should have clear policies in place to share with parents / carers.

Where possible providers should consider if there is any alternative funding that may be used to subsidise the cost for the parent / carer, this may mean utilising EYPP funding if the child qualifies or supporting the cost of the 'extras' from the deprivation supplement received. If possible, you should also consider whether offering the parent / carer alternative times to access their hours would mean they incur less additional costs. If an agreement cannot be reached parents / carers should be signposted to the [Family Information Service](#) to find an alternative provider which better suits their needs.

1.6 How the funding is paid

The local authority delivers the entitlement on a period basis - 'Autumn', 'Spring' and the 'Summer'. As you will see from the payment schedule, these periods also include the half term breaks and the holiday periods.

In each period a set amount of hours is available for providers to claim. Providers may if they wish, offer these hours flexibly, and do not have to operate in a period only way, as long as they do not claim for more than the total number of hours available in a period.

The funding paid is based on information supplied by early years providers via the headcount / adjustment task. It is the responsibility of the provider to check that each submission is accurate and reflects the claims and attendance of the children on register at the setting.

The payment schedule can be found by looking at the relevant [FEEE Calendar](#) on our [FEEE Information For Providers Web Page](#). The FEEE Lead may consider on a case-by-case basis whether a payment can be made outside of the payment run. On the rare occasion where circumstances may warrant the FEEE Lead to authorise this, there will be an additional charge to the provider.

1.6.1 Provider Portal

By using the [Provider Portal](#) , settings can:

- Submit their headcount and adjustment tasks (including parental details, which will allow us to confirm eligibility for EYPP on your behalf)
- Validate the 30 hours DERN codes
- Access their estimate, actual and adjustment payment summaries
- Nominate a child for DAF and upload the relevant evidence required
- Complete the Self Update form on a regular basis to ensure that your setting information is accurate and up to date

You will be able to submit children's information multiple times whilst the headcount or adjustment task is open. This makes the system more flexible by allowing you to enter information at the start

of the period. You can then update this information if you get requests from parents / carers or, if you notice any mistakes, these can be rectified and then the tasks can be resubmitted. Additionally, you will be able to view previously submitted tasks – allowing you to marry up payments with claims far more easily.

There are user guides available via [our dedicated webpage to the Provider Portal](#) which will support you in completing the headcount / adjustment tasks as well as the other elements listed above. Please ensure you read the guides thoroughly prior to completing your headcount / adjustment tasks.

1.6.2 The initial / estimate payment

The initial / estimate is an advanced payment made at the beginning of each period to all settings who submit an estimation of their total hours for the forthcoming period. Please refer to [FEEE Calendar](#) for payment dates. Specifically, the payment is calculated by:

- the provider submitting an 'Estimate' of total hours they wish to claim in the new period and then,
- calculating the advertised % payment by taking the total number of estimated hours, multiplying it by the number of term time weeks available in the new period and by the current rate (not including the deprivation supplement).

1.6.3 The actual payment

The actual payment is calculated based on the total number of the eligible children on register during the period being claimed for, multiplied by the number of hours claimed in respect of each child, multiplied by the amount payable per child, minus the initial / estimate payment sum.

Some children may also receive a deprivation supplement – this will depend on the child's postcode. Once you submit your headcount / adjustment tasks, the FEEE Team will run your children's postcodes through the Government's IDACI (Income Deprivation Affecting Children Indices) Postcode Checker. Each child's postcode is ranked – any postcode that scores between 1-9744 will receive an additional £0.08 per hour and any scores ranked between 9745-22737 will receive an additional £0.04 per hour. For any score ranked 22738 or higher, they will not receive a monetary value.

The actual payment will not be made unless you submit a headcount task by the return date.

A summary for each payment will be available via the Provider Portal once the FEEE team have processed the data. These details should be checked to ensure all eligible children have been funded correctly.

If the initial / estimate payment was greater than the total amount payable for the period, the shortfall will be clawed back from the next payment run until it has been paid back in full or the provider will be invoiced.

1.6.4 Adjustment payments

The local authority also administers mid-period adjustments which gives providers an opportunity to adjust their claim after their headcount has been submitted. This may mean informing us about leavers or children who have increased / decreased their hours as well as any new children who joined the setting after the headcount was submitted.

Where a child is transferring between provisions in Leicestershire, both providers should complete the necessary adjustment task, claiming accurately for the hours relevant to their provision. The payments will be amended and reflected at the next payment run. We recommend you also upload a copy of the child's full PSOU in the Provider Portal to the 'Documents tab' in the specific child's record to avoid any delay in payments.

After the adjustment period has closed, we will only accept amendments made on the Provider Portal to legitimate claims that are after the adjustment deadline date. **Any late claims for children who are at the setting before the adjustment claims period ends will not be funded.**

Please be aware that we **do not backdate funding to previous periods**. It is your responsibility to ensure that the headcount task is fully completed, and the payment summary is checked for any inaccuracies. If there is a mistake, this can be rectified on the subsequent adjustment task to ensure you receive the correct payment.

Owners who delegate the completion of headcount or adjustment tasks to their employees **must** quality assure their work before the final submission is sent via the Provider Portal.

Providers should also note that the childcare funding and EYPP funding will always follow the child. Funding cannot be kept by a provider to subsidise a notice period if the child is not in attendance. Notice periods are a private business matter and not something the local authority can comment on. Providers may not keep funding for a child that has moved to another provision.

1.7 Completion of headcount tasks

Completion of a headcount task allows providers to inform the local authority of eligible children on roll at their setting during the funded period.

All children to be claimed for should be on register at the provision on or prior to the submission of the headcount task.

If no children are being claimed for, there is no need to send a nil return.

Providers should note that where a headcount task is not submitted, no funding will be paid for the actual payment, and you may receive an invoice for monies paid in the initial / estimate payment. Providers should also note that they must not make a claim until they have confirmation of the child's eligibility such as a birth certificate, passport, or medical card. Two-year-old funding or the 30 hours extended entitlement require an eligibility code. Funding will be reclaimed if this documentation is missing when a compliance visit is undertaken by one of the Compliance Officers.

Additionally, all parents / carers claiming, must complete a PSOU (Parental Statement of Undertaking). This document can be found on the [FEEE website](#) under the 'FEEE Payments' section and should be amended in line with any alterations to the funded hours throughout the time that the child is in attendance.

1.8 Absence management

Children should be in attendance for **all of the FEEE funded time claimed for** unless there is a valid reason, such as illness or holiday. Providers are expected to maintain accurate records of each child's attendance (including start and leaving times) and ensure they actively engage with parents / carers where attendance is sporadic or consistently lower than the funded hours claimed, amending their claims when relevant. If attendance is consistently lower than the FEEE hours claimed due to high / short-term absences e.g., consistent late drop offs and early pick-ups and/or unexplained days off, money will be reclaimed from the Provider.

If claims are considered to be inconsistent with the hours attended or there are doubts about the validity of the claim, money will be reclaimed from the provider.

Providers must complete the headcount / adjustment tasks accurately and ensure that they reflect the child's attendance. Please note where absence does not exceed more than 50% of the period we will continue to fund the child's place and providers can continue to claim for the usual amount of hours the child would have attended had they been present for 100% of the time.

Arrangements for keeping the child's place open during long periods of absence are a private business matter and not something the local authority can comment on.

1.9 Cross border arrangements

If a child is also attending another setting which is not in Leicestershire, providers must ensure that the parent / carer does not claim for more than their eligible hours in total.

Leicestershire cross-references child data with neighbouring authorities ensuring that no duplication of payment is made.

1.10 Flexibility

Early years providers are expected to operate flexibly to support parents / carers in optimising the amount of funded hours which can be taken.

Leicestershire acknowledges that it may not always be possible for parents / carers to access the hours they want at the provider of their choice.

The local authority requests that where reasonably practicable providers offer the funding in such a way that children are able to take up their funded hours in continuous blocks to avoid artificial breaks being created throughout the day, for example over the lunch time period.

Parents / carers are able to bank hours or stretch their entitlement which Leicestershire strongly supports.

- Banking hours is where parents / carers can use less hours in a period and then use them in another period e.g., though the summer holidays.
- Stretching hours is where parents / carers can use less hours per week but over a longer period e.g., approximately 22.35 hours per week for 51 weeks for a 30-hour child or 11.17 hours per week for 51 weeks for a 15-hour child. This is limited to total hours in a period.

1.11 Quality

Leicestershire County Council will fund:

- places for all children aged 3 and 4 and eligible 2-year-olds at any provider judged 'Good' or 'Outstanding' by Ofsted or at any childminder registered with a childminder agency judged 'Effective' by Ofsted if a parent / carer wants their child to take up their free place at that provider and the provider has been accepted onto the Directory of FEEE providers.
- places for all children aged 3 and 4 at any provider judged as 'Requires Improvement' by Ofsted or at any childminder registered with a childminder agency judged 'Effective' by Ofsted if a parent / carer wants their child to take up their free place at that provider and the provider has been accepted onto the Directory of FEEE providers.
- places for all children aged 3 and 4 and eligible 2-year-olds at new providers registered with Ofsted until the provider's first full Ofsted inspection judgement is published or at a childminder registered with an agency until the agency's first full Ofsted inspection judgement is published if a parent / carer wants their child to take up their free place at that provider and the provider has been accepted onto the Directory of FEEE providers.
- providers with exemptions from the Early Years Foundation Stage if a parent / carer wants their child to take up their free place at an exempt provider and the provider has been accepted onto the Directory of FEEE providers.
- individual children who have exemptions from the EYFS.

Leicestershire will not fund eligible 2-year-old children in settings rated as 'Requires Improvement' by Ofsted. Where providers already claim for eligible 2-year-olds and subsequently receive a 'Requires Improvement' judgement by Ofsted, **no newly eligible** 2-year-olds will be funded in that provision until the Ofsted grade is improved upon. However, for continuity, funding will continue to be paid for children who have previously been claimed for.

The local authority deems it vital that early years providers can demonstrate their capacity to improve. Therefore, removal of funding may be considered under the following circumstances:

- A provider who is judged as Requires Improvement by Ofsted / their registered CMA at two consecutive inspections
- A provider who is judged as Requires Improvement by Ofsted / their registered CMA, and who at their next inspection is judged 'inadequate'.

The local authority will no longer fund any **new** 2-, 3- and 4-year-olds in a setting following the publication on the website of a first 'Inadequate', 'Ineffective' or 'Not Met' inspection grade by Ofsted or childminder agency. Nor will existing children who become eligible for the extended entitlement whilst a provider has one of these grades be able to use any of the additional extended hours in this setting.

Funding for **existing** 2-, 3- and 4-year-old children will cease, and the provider will be removed from the FEEE Directory of Providers, as soon as is practicable, for those providers that receive a second consecutive 'Inadequate', 'Ineffective' or 'Not Met' grade, once the inspection report has been published by Ofsted or the local authority has been notified by a childminder agency of the outcome. These providers will be able to reapply for the FEEE funding once their Ofsted or Childminder Agency inspection grade has improved and has been published, but they will be expected to complete a new FEEE registration application form, which can be found on the [FEEE Guidance](#) website under the section called 'Registering to provide FEEE for the first time'.

The local authority reserves the right to withdraw funding to all childminders registered to a childminder agency following a second consecutive inspection judgement of 'Ineffective' as soon as practicable, once the Ofsted report has been published. However, the local authority will continue to fund the childminder agency's providers if the agency has assessed them as being of acceptable quality and Ofsted has not identified any concerns about the agency's assessment arrangements. The local authority will endeavour to treat all of the agency childminders in a comparable way to Ofsted-registered providers with equivalent judgements.

The local authority will determine the appropriate timeframe for withdrawing funding, as they will need to wait until the Ofsted inspection judgement has been published. When withdrawing funding, the local authority will take into account the continuity of care for children who are already receiving their free hours at a provider or with an agency registered childminder and Ofsted monitoring information about the provider or agency. When withdrawing funding from a

childminder agency-registered provider, the local authority will also take into account parents' / carers' wishes.

2. The compliance process

The local authority undertakes compliance visits to ensure that government funding is being administered correctly. Providers should be aware that fraudulent claims could result in their removal from the Directory of Early Years Providers and possible legal action.

Once you start claiming FEEE funding, at some point, you will be visited by one of our Compliance Officers. This will involve a visit to your setting. You will be asked to provide information in relation to the previous periods funding (this is so that we can see evidence across the whole of a period e.g., Spring, Autumn, Summer). The main purposes of the visit are to:

- Work in partnership with providers to ensure the requirements within the government guidance, local guidance and the provider agreement are being met.
- Ensure claims submitted by providers are accurate and reflect what has been signed and agreed by parents / carers.
- Identify areas where improvements, or additional information is required.
- Support providers with any queries or concerns they have around the administration of FEEE.

For a compliance visit, providers should have all documentation ready and provide suitable space and resources to enable officers to carry out the visit as efficiently as possible.

3. Additional Funding Available

3.1. Early Years Pupil Premium (EYPP)

Providers may claim for additional EYPP funding, designed to support the most vulnerable 3- and 4-year-olds. This funding equates to a maximum of £376.20 per annum per child and is paid as a lump sum as part of the actual or adjustment payment. For further information on eligibility, claiming and how to evidence use of the EYPP funding, please view the [EYPP Guidance](#).

EYPP is only paid on universal hours. When a parent / carer completes their Parental Statement of Undertaking (PSOU), they must state which setting is to receive the universal hours (this only applies if a child is attending more than one setting). Parents / carers must also tick to confirm that they are happy for you to check to see if they are eligible via the Provider Portal. Should a dispute arise and EYPP is being paid to another setting, you should send us a copy of the child's PSOU to show that the parent / carer wished for the universal hours (and therefore the EYPP) to be paid to you. We will then look into resolving this for you.

Once the headcount task closes and the FEEE Team have transferred the children's data to the system we use, we will check the children for EYPP against the DWP (Department for Working Pensions) database. You will then be able to view your submitted headcount task via the Provider Portal on the 'Summary' tab and this will show which children are eligible for EYPP – EYPP will appear under the 'Child Weightings' column.

Once EYPP funding has been approved it will not be necessary to re-apply.

3.2 Special Educational Needs and Disabilities (SEND)

Providers are expected to claim for any additional SEND take up as they would all other claims for the FEEE funding.

The local authority recognises the costs providers incur when supporting children with SEND and Inclusion Funding may be available to contribute towards these costs. You can find information relating to the criteria and application process on our [Inclusion Funding page](#).

3.3 Disability Access Fund (DAF):

3- and 4-year-old children in receipt of Disability Living Allowance (DLA) and who are claiming the free entitlement are eligible for the DAF. This is paid at a fixed rate of £881.00 per annum. Parents / carers should nominate 1 setting only to receive this funding. Providers can reapply for DAF a year later if the child is still in attendance and still meets the above criteria.

This will not provide parents / carers with a discount but instead allows providers to maximise the potential of children in their setting through the support of additional resources, staff or activities, making reasonable adjustments where necessary to ensure a quality experience for all children. Please view the [Disability Access Fund](#) web page for more information. The SEND Entitlement Assistant will also be able to offer support to parents / carers who wish to access the Disability Living Allowance.

4. The Provider Agreement

As a member of the Directory of Early Years Providers, all providers are required to complete and sign a Provider Agreement. This confirms a commitment to adhere to the local authority's terms and conditions in relation to the receipt of funding for 2-, 3- and 4-year-olds.

Please note that the person signing the Provider Agreement must be the person recorded as the Ofsted 'responsible person', as per the Ofsted registration certificate. If the setting is run by a committee or a governing body, the Chair of that responsible body is required to sign the Provider Agreement.

If a valid, signed, Provider Agreement is not in place, funding cannot be released.

4.1 What to do if your circumstances change

The local authority requires providers to inform them via a 'Change of Circumstance' Form, if there are any significant changes to their business or administration. The types of changes we need to be notified about, include a Change of Ownership, Change of Premises, Change of Banking Information, Change of Setting Name, Change of Organisational Status, Change of Committee Representative or Registered Person, Change of Provider Portal user or Closure/Withdrawal from FEEE. As soon as providers are aware of an impending change, we ask that you submit the Change of Circumstance form as quickly as possible, so that the FEEE Team have ample time to make the necessary changes and ensure that your future FEEE payments are not delayed. The form can be found on the [FEEE Guidance](#) page under the 'Change of Circumstance' section.

4.2 Removal from the Directory of Early Education Providers and withdrawal of funding

A provider may find their funding is withdrawn or withheld if it is found to be in breach of its provider agreement, or if serious concerns are raised in relation to the quality of the provision and the safeguarding of children.

Providers should be aware that if funding is withheld or withdrawn, the base rate, deprivation supplement and any EYPP monies applicable to the settings will be affected. You can find more information on the [Removal of Funding Policy](#).

5. Useful Information

[For all your funding advice, guidance, resources and good practice tools](#)

[For FEEE Fact Sheets to assist with the Administration of Funding](#)

[For access to the Provider Portal](#)

[For access to AnyComms+](#)

[FEEE Calendar](#)

[The Family Information Directory](#)

To check a child's eligibility for the 2-year-old funding parents can visit:

www.leicestershire.gov.uk/apply-for-2s.

For advice and guidance on the administration of the funding or to discuss your payments please email feee@leics.gov.uk. Please note that you should not include any personal, private, sensitive or confidential information in an email due to GDPR. If you have a query regarding a specific child, please put this in writing and upload the document to AnyComms+. This request is in line with data protection regulations.