

Early Years Inclusion and Childcare Service

Policy for the Removal of Free Early Education Funding (FEEE)

This policy sets out the circumstances under which providers will have their funding removed, withheld, or the need to reapply.

1) Suspension by Ofsted / Childminder Agency (CMA)

Funding will be withdrawn from providers who have been suspended by Ofsted / their registered CMA.

Where a suspension is lifted, funding will be reinstated in line with our funding policy. Funding will only be available from the date the suspension was lifted and will not be backdated.

2) Inadequate judgement given by Ofsted or CMA

The LA **will not fund** any **new** eligible 2, 3 or 4 year olds in a provision graded Inadequate by Ofsted or their registered CMA. This includes any requests for increases in funded hours for existing children.

If you demonstrate that you are working actively with the LA / your registered CMA to address the Ofsted /CMA key actions, the LA **will** continue to fund those **existing** 2, 3 and 4 year olds.

Where a provision has received 2 consecutive Inadequate judgements, the LA will **cease funding as soon as practicable**. Only in exceptional circumstances will the LA consider continuation of payment of Early Years Funding to providers rated as inadequate by Ofsted.

3) Requires Improvement judgement given by Ofsted / CMA

The LA **will not fund** any **new** eligible 2 year olds in a provision graded Requires Improvement by Ofsted / their registered CMA.

If you demonstrate that you are working actively with the LA / your registered CMA to address the Ofsted / CMA key actions, the LA **will** continue to fund those **existing** 2 year olds. Failure to do so could also result in the **refusal of funding for any new 3 and 4 year olds**.

It is at the discretion of the LA to fund any new eligible 2 year olds in a setting that has a Requires Improvement judgement.

The LA 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 Ofsted inspection is judged 'Inadequate'.

4) CMA deemed 'Ineffective' by Ofsted

In the event that you are registered by a CMA which after inspection by Ofsted is deemed 'Ineffective', funding may be withdrawn as soon as practicable, as the individual grade awarded you by the CMA is brought into disrepute.

5) CMA registration is cancelled by Ofsted

In the event that you are registered by a CMA which after inspection by Ofsted has its registration cancelled, funding may be withheld until such a time that the LCC has confirmation of your registration with a relevant Ofsted register. At such point funding will be administered in line with our funding policy.

6) British values

The Local Authority will not fund providers who do not actively promote fundamental British values or if the provider is considered to promote views or theories as fact when contrary to the scientific or historical evidence and explanations.

7) Causes for concern

The Local Authority will inform Ofsted where it has concerns over the quality of early years provision.

8) Consistent failure to complete / return mandatory documents

Providers who fail to submit their mandatory requests for information by the given date, may have their funding withheld.

Without a valid signed Provider Agreement, no funding will be administered and providers will be removed from the Directory of Early Years Providers.

9) Failure to administer the FEEE in line with the guidance

Failure to administer and implement the FEEE funding in line with statutory and local guidance, may result in removal or withholding the funding. Providers will need to demonstrate that they are administering the funding appropriately to have their funding reinstated.

Please see the links at the bottom of this policy document for details of statutory and local guidance.

10) Making inaccurate claims for funding

If early years providers are found to make consistently inaccurate or fraudulent claims, funding will be removed. Legal action may also be considered.

The removal of funding process

Any reported breach of the terms and conditions of FEEE, as described above, will immediately trigger a **'Provider Causing Concern'** status, process below:

- The Lead Officer will state in writing any improvements required and the relevant timescales
- Failure to meet the requirements will result in the referral of the provider to the Removal of Funding Panel
- The Panel will assess the level of support received from the Early Years Inclusion and Childcare Service Officers and the Ofsted monitoring reports (where relevant) to ascertain the capacity for improvement
- Decisions taken by the Panel will be confirmed in writing. Where necessary, steps will be taken to remove funding with immediate effect
- Where the affected provider is registered with a CMA, the Lead Officer will also put their concerns in writing with the expectation that they take responsibility for monitoring any action required and alerting the Local Authority to the outcome of requested actions
- Whereby the issue lies with the CMA receiving a 'not effective' outcome when inspected by Ofsted, which may then have implications for access to funding for their registered childminders, the CMA will be responsible for ensuring regular liaison with the LA to demonstrate how they are working towards an outcome of 'Effective'.

Providers wishing to re-join the Directory of Early Years Providers will not be considered until all actions as required by Ofsted and the LA have been carried out.

The right of Appeal

In the event of the removal of FEEE funding, providers have a right of appeal to the Childcare Sufficiency and Organisational Development Team Manager within 10 days of receiving notification of the removal, as per our [appeals policy](#).

[Further information regarding the administration of FEEE](#)