

Section A	Eligibility
Section B	Requirements for being a member of the List of Providers in Suffolk
Section C	Funding
Section D	Audit Arrangements for providers of Funded Early Education places
Section E	Quality
Section F	Removal from the List of Providers
Section G	Equality and Inclusion
Section H	Support

1. Section A- Eligibility

This guidance is for providers who provide funded early education places. It has been written with the knowledge available at the time of its production. It is possible that changes at a national or local level could impact on this guidance and if this is the case providers will be able to access updated information via [Early Years – Suffolk Learning](#)

In drawing up this guidance Suffolk County Council (SCC) has referred to the Department for Education “Early Education and Childcare: Statutory Guidance for Local Authorities” (updated January 2024 and effective from 1st April 2024) on their duties under the Childcare Act 2006 Sections 6, 7, 7A, 9A, 12, 13 and the Childcare Act 2016, Sections 1 and 2.

1.1. To be eligible to be a member of the List of Providers in Suffolk, providers must be:

- registered on the Ofsted Early Years register
- delivering funded early education
- And
- be judged by Ofsted to be ‘requires improvement’ or above; or
- be a childminder registered with a childminder agency which is judged to be effective by Ofsted; or
- be judged by Ofsted as ‘met’ or are yet to be inspected.
- abide by the Suffolk Agreement for List of Providers members.

2. Section B- Requirements for being a member of the List of Providers in Suffolk

By signing the proforma to join the Suffolk List of Providers the registered person understands they are responsible for ensuring that the following requirements are met.

2.1. Flexibility:

- **Outcome:** children are able to take up their funded early education place at times that best support their learning and development, and at times which fit with the needs of parents to enable them to work or increase their hours of work if they wish to do so.
- SCC will adhere to Statutory Guidance for Local Authorities, Early Education and Childcare Section A2. [Early education and childcare - GOV.UK \(www.gov.uk\)](#)

2.2. Actively Promote Fundamental British Values

SCC will adhere to the Statutory Guidance for Local Authorities, Early Education and Childcare.

2.3 Safeguarding

Comply with its statutory duty to keep children safe under the ‘Working Together to Safeguard Children’ Guidance and the Suffolk Safeguarding Partnership requirements.

2.4 Visits from Early Years and Childcare Service (SCC)

SCC reserves the right to visit childcare providers who are members of the Suffolk List of Providers. Normally visits will be pre-arranged with the childcare provider but SCC may, on occasion, make unannounced visits if deemed necessary.

3. Section C- Funding

All details regarding payments, funding guidance and portal guidance can be found at the link: [2, 3 & 4 Year old funding – Suffolk Learning](#)

3.1. **Delayed submission or failure to submit a claim**

Delays in submitting a headcount task will result in the balance payment being delayed and an administration charge of £35 being applied.

3.2. **Universal and extended entitlement:**

SCC is required to fund early education and childcare places for eligible children. SCC is required to limit the requirements they place on any provider (other than the governing body of a local authority maintained school) or childminder agency to those which ensure:

- places are provided flexibly in a pattern which meets the needs of parents;
- that the funding provided is used properly and in accordance with any arrangements made with providers.

3.3. **2023/2024 Early Years National Funding Formula (EYNFF) Funding rates from April 2024**

3 and 4 Year Olds	£5.21 per child per hour
Eligible funded 2 Year Olds	£7.38 per eligible child per hour
Deprivation supplement	40p per eligible child per funded hour
EYPP hourly rate	68p per eligible child per funded hour
SEN Inclusion Fund	Refer to guidance: Inclusion Funding – Suffolk Learning
Disability Access Fund	£800 per eligible child per annum (Suffolk currently £1000 per child)

3.3 **Deprivation Supplement – 3 and 4 Year Olds**

Information relating to the Deprivation supplement can be found in the Early Education Funding Guidance.

Deprivation payments are generated through an automated matching process which identifies home postcodes deemed to be 'deprived' using Government data called IDACI.

3.4 **Children accessing their funded early education place with multiple providers.**

Where parents would like to take up their funded entitlement at multiple providers, all involved providers will need to make sure that the Suffolk Parent Authorisation Form (PAF) has been completed fully by the parents and includes details of the hours taken at each setting.

When multiple providers' claims total more than the maximum number of available hours per week (15 universal and 15 extended) this will be treated as an overclaim. If this happens **all the hours will be removed from each provider's claim**. The providers will be notified of this by email.

To resolve an overclaim the providers will then need to find out from the parents the number of hours from their entitlement they wish to claim at each setting and contact the other providers involved to confirm this. The providers will be able to resubmit their claims with the correct number of hours on the **additional headcount task** later in the term.

A new SCC PAF will need to be completed to reflect the corrected claim.

3.5 **All eligible funded children for the Universal and Extended entitlement**

Evidence of eligibility for funded children must be seen and verified **before** a place can be offered and claimed for. Funding can be claimed from the date evidence was seen.

All claims for funding must be submitted through the Provider Portal. Providers will be notified when the task opens and when it will close each term. Once the task has closed providers will be unable to submit any further claims.

Additional headcount task

Providers will be able to claim for children starting with them **after headcount week** using the additional headcount task. This task will be available after half term and will close 2 weeks before the end of term. The additional task can only be used to claim for children new to the setting who have not claimed their full early education entitlement anywhere else in Suffolk in the same term. It will not be possible to claim for children who join a provider in the last 2 weeks of a term.

The additional headcount task can be used to correct any overclaims from the first headcount task.

3.7 Extended entitlement for 3 and 4 year olds

Validating 30 Hour (extended entitlement) eligibility codes

Providers must follow SCC guidance for checking eligibility codes. Codes must be validated **before** a funded place is offered.

Information about the extended entitlement can be found in the Provider Portal Expanded/Extended Hours Checker Guidance

4. Section D – Audit Arrangements for providers of Funded Early Education places

(‘Early education and childcare: Statutory Guidance for local authorities’)

4.1. Audit arrangements.

- a. The parent/carer authorisation form confirms that, if the child is attending more than one provider, they will not receive more than the funded entitlement.
- b. If more than one provider is being used, then each provider must ensure that no more than the maximum funded hours is being claimed per week between them.
- c. Once a parent/carer accepts **a full or part time place** for their child in a school reception class this acceptance equates to the child’s full entitlement.
However, if a parent/carer chooses the option to defer the place until later in the reception class year the parent/carer can use their entitlement in the private and voluntary sector. The school must then keep the place for that child from the term requested by the parent/carer.
- d. SCC reserves the right for its staff or nominated representatives to audit the use of additional resources provided by SCC to any provider to assist with the inclusion of children.

You will be required to pay back any funding claimed for a child if:

- a correctly completed parent/carer authorisation form is not available at the time of the audit.
- proof of eligibility cannot be provided where appropriate.
- attendance records do not match the SCC PAF and show a consistent overclaim.

4.2. Audit visits.

The provider will be asked for the following:

- a) The original completed parent/carer authorisation forms (SCC PAF) paper or digital copies as appropriate for each child claimed for. Please note, if SCC PAF forms are

not available at the time of the audit the funded hours for the child will be reclaimed. If the date of birth evidence reference number is not on the SCC PAF at the time of the audit, the funded hours for the child will be reclaimed.

- b) A register showing the attendance of each child claimed for in the term being audited. To ensure hours claimed on the SCC PAF is evident in the child's attendance, a member of staff will be required to assist the Suffolk County Council Officers. (Accurate registers are an essential part of finance and safeguarding procedures).
- c) A stretched offer agreement must be completed and signed by the parent/carer for parents who choose to 'stretch' their child's entitlement over more than 38 weeks of the year. This must be attached to the SCC PAF (Suffolk Agreement, 2.51).
- d) Evidence of how any funded children meet the eligibility criteria. Please note, if you cannot prove the child is eligible at the time of the audit the hours for the child will be reclaimed.
- e) Evidence, other than economic, for children whom you have claimed Early Years Pupil Premium. Please note, if you cannot provide evidence for these children at the time of the audit, we will reclaim the EYPP funding.
- f) A sample of the setting's invoices, or alternative appropriate documents, which are clear, transparent and itemised and allow parents to see how they have received their funded early education and any fees paid for additional hours. Receipts should contain the setting's full details so that they can be identified as coming from a specific provider.
- g) Details about the days and times the setting offers funded places, along with the setting's services and additional charges.
- h) If applicable, a policy for when parents are unable to pay additional charges and evidence of procedures for waiving or reducing costs/supplying own meals.
- i) A member of staff who has the knowledge to answer any questions and to receive any feedback on the outcome of the audit must be available on the day including access to the Provider Portal.

5. Section E – Quality

Outcome: all children are able to take up their funded early education place in a high quality setting. Evidence shows that higher quality provision has greater developmental benefits for children, particularly for the most disadvantaged children leading to better outcomes. The evidence also shows that high quality provision brings benefits to children's development. This guidance reflects the Government's intention that, as far as possible, funded places are delivered by providers who have achieved an overall rating of 'outstanding' or 'good' in their most recent Ofsted inspection report.

The Early Years Foundation Stage (EYFS) Statutory Framework is mandatory for all early year's providers in England. The EYFS Statutory Framework sets the standards that all early year's providers must meet to ensure that children learn and develop well and are kept healthy and safe. Ofsted and inspectorates of independent schools have

regard to the EYFS Statutory Framework in carrying out inspections and report on the quality and standards of provision.

5.1. **In relation to quality** SCC will adhere to the requirements of the Early education and childcare: Statutory Guidance for local authorities’.

[Early education and childcare - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/early-education-and-childcare-statutory-guidance-for-local-authorities)

- In places for funded children 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 wants their child to take up their funded early education place at that provider and the provider is willing to accept the local authority funding and any other local authority requirements.
- places for funded children at any provider judged ‘requires improvement’ by Ofsted or at any childminder registered with a childminder agency judged ‘effective’ by Ofsted if a parent wants their child to take up their funded early education place at that provider and the provider is willing to accept the local authority funding and any other local authority requirements. The above is also the case for funded disadvantaged two year old children, but the golden ticket will not be redeemable at provision with this grading from Ofsted. This is because the golden ticket is a fast track option for parents to access Good or Outstanding provision. If a parent decides to claim their funded hours with a childcare provider who are judged as ‘Requires Improvement’ by Ofsted they will need to complete the full eligibility checks by completing a PAF and providing either paperwork evidence or a code generated from the online parent checker.
[Funded early education for 2-year-olds | Suffolk County Council](#)
- places for funded children 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 wants their child to take up their funded early education place at that provider and the provider is willing to accept the local authority funding and any other local authority requirements.
- providers with exemptions from the Early Years Foundation Stage if a parent wants their child to take up their funded early education place at an exempt provider and the provider is willing to accept the local authority funding and any other local authority requirements.
- individual children who have exemptions from the EYFS.
Local authorities are not required to fund places at providers who do not meet the quality standards set out at A3.2 and A3.3 of the Early education and childcare: Statutory Guidance for local authorities but may choose to do so to ensure sufficiency of funded early education places.

accordance with sections A3.2 – A3.7 & A4.9 SCC will fund:

5.2. Ofsted inspections

Providers should notify SCC immediately following Ofsted notifying them of an inspection. This should be done by emailing childcare.planning@suffolk.gov.uk with the subject marked as List of Providers – Ofsted inspection. A member of the Early Years and Childcare Service will endeavour to attend the inspection feedback.

Conditions for a provider judged as ‘requires improvement’ by Ofsted.

SCC will only pay funding for funded early education to providers rated 'requires improvement' if they make a commitment to improve the quality of their provision by addressing the concerns raised by Ofsted. Providers must demonstrate this commitment by:

- Informing SCC immediately following an Ofsted inspection if the outcome is less than good. This should be done by sending an email to: childcare.planning@suffolk.gov.uk with the subject marked as List of Providers – Ofsted outcome.
- Working with designated SCC staff or their nominated representatives within an agreed time scale; this may include the provider's staff undertaking identified training and will involve drawing up an action plan to be approved by SCC which addresses the concerns raised by Ofsted. This action plan should be submitted for consideration to SCC by email to: childcare.planning@suffolk.gov.uk (with the subject marked with the *Provider's name* - Ofsted Action Plan) no later than 20 working days from the publication date of the Ofsted Inspection report.
- Permitting designated SCC staff or their nominated representatives to visit the provider as often as SCC deems necessary and act upon concerns raised by Ofsted, ensuring that at least one member of the management team is available at that visit to respond to questions and queries.

5.1.1. The role of SCC

- To approve the action plan drawn up by the provider to address the concerns raised by Ofsted at their most recent inspection.
- To agree how and by whom the action plan will be monitored and the time scale in which individual actions will be completed. This timescale will be dependent on the nature of the concerns raised by Ofsted and will be no greater than six months.
- The designated SCC member of staff will report to the relevant service lead at SCC at regular intervals.
- In the event that the relevant service lead at SCC concludes that insufficient progress is being made they will notify the provider in writing that the provider will be removed from the List of Providers. Removal will take place at the end of the term in which this notification is issued.

Providers judged as 'inadequate' or 'unmet' or non-compliant by Ofsted

Where an Ofsted inspector judges the quality of provision to be 'inadequate' or 'unmet' or non-compliant. Ofsted may take enforcement action against the provider because of the poor quality of provision and may also issue a notice to improve.

- The provider must inform SCC immediately following an Ofsted inspection if the outcome is less than good. This should be emailed to: childcare.planning@suffolk.gov.uk with the subject marked as List of Providers – Ofsted inspection outcome.
- The provider must work with designated SCC staff or their nominated representatives within an agreed time scale; this may include the provider's staff undertaking identified training and will involve drawing up an action plan to be approved by SCC which addresses the concerns raised by Ofsted. This action plan should be submitted for consideration to SCC by email to: childcare.planning@suffolk.gov.uk (with the subject marked with the *Provider's name* - Ofsted Action Plan) no later than 20 working days from the publication date of the Ofsted Inspection report.
- Permitting designated SCC staff or their nominated representatives to visit the provider as often as SCC deems necessary and act upon concerns raised by Ofsted, ensuring that at least one member of the management team is available at that visit to respond to questions and queries.

5.1.2. The roles of SCC

- To approve the action plan drawn up by the provider to address the concerns raised by Ofsted at their most recent inspection.
- To agree how and by whom the action plan will be monitored and the time scale in which individual actions will be completed. This timescale will be dependent on the nature of the concerns raised by Ofsted and will be no greater than six months.
- The designated SCC member of staff will report to the relevant service lead at SCC at regular intervals.

Funding following an Inadequate judgment.

The role of SCC is to secure alternative provision and withdraw funding from a provider (other than a local authority maintained school), as soon as is practicable, when Ofsted publishes an inspection judgement of the provider of 'inadequate', 'unmet' or 'non-compliant' or an inspection judgement of a childminder agency of 'not effective'. SCC will determine an appropriate timeframe for withdrawing funding.

For childminders registered with a childminder agency where the agency has indicated to the local authority that the childminder is not of the appropriate quality, SCC will withdraw funding.

In an academy taking children aged two and over this applies when the EYFS judgement within an Ofsted inspection report is inadequate regardless of the overall outcome for the school.

When withdrawing funding SCC will take into account the continuity of care for children who are already receiving their funded early education hours at a provider or with an agency registered childminder and Ofsted monitoring information about the provider or agency. In accordance with 'Early education and childcare: Statutory Guidance for local authorities', SCC will write to the provider to inform it that SCC will:

- secure alternative provision for children in receipt of early education funding at the provision and
 - withdraw funding (removal from the List of Providers) from the provider as soon as is practicable. The timescales for the withdrawal of funding will be clearly documented in the letter.
 - Following an inspection outcome of inadequate or unmet, or non-compliant membership of the Suffolk List of Providers will be suspended with immediate effect.
 - This means you can continue to provide the free early education entitlement to any children who are currently receiving this entitlement with you.
- or
- any children who prior to the inspection regularly attend as fee paying children and their parents/carers expect to access the funded entitlement with you and choose to remain with you for their child's childcare (evidence will be required in this instance).
 - You cannot offer funded education to any other children who are not currently receiving this with you.
 - If you do not receive an improved Ofsted outcome, which is published by Ofsted, at your next inspection you will be removed from the List of Providers.
 - This means you will no longer be able to offer the funded entitlement to any children.

It is the provider's responsibility to inform all parents/carers of their Ofsted judgement and to contact any prospective parents/carers immediately to enable them to make alternative plans for their child's funded early education entitlement.

The provider must provide names of all children (and their dates of birth) currently attending their provision upon request by SCC.

6. Section F – Removal from the List of Providers

6.1. Non-Compliance

If at any time a provider is deemed non-compliant because it does not meet the full requirements for inclusion on the Suffolk List of Providers Agreement, SCC will remove the provider from the list. Re-admission will be dependent on the nature of the non-compliance.

Some examples of a provider's non-compliance include:

- The misuse of public funds. In this case SCC will take the advice of its legal and audit services. Such misuse may include a failure to comply with the requirements of SCC payment and audit arrangements.
- A failure to comply with its legal duties under the Equality Act 2010 and or statutory duty to keep children safe under the Working Together to Safeguard Children guidance.
- A failure to improve quality following an Ofsted judgement which is less than 'good'.

Please note SCC will not pay funding for early education places from the date of removal and will require re-payment in full of any advance payments. This will apply to funding for both places and additional funding for children with special educational needs and disabilities.

6.2. Re-admission to the List of Providers

Quality

This will be dependent on the provider receiving an inspection from Ofsted with a judgement of at least 'requires improvement'.

Non-Compliance

This will be dependent on the issue of non-compliance being resolved in accordance with the List of Providers Suffolk Agreement.

6.3. Appeals Process for Removal from the List of Providers and Withdrawal of Funding

If a provider believes they have been removed from Suffolk's List of Providers or that SCC has withdrawn funding, for reasons other than those outlined in the Suffolk List of Providers documentation, the provider can appeal against that decision by putting their case in writing to the Assistant Director for Education, Skills & Learning at SCC who will consider the appeal.

7. Section G – Equality and Inclusion

SCC promotes equality and inclusion, particularly for disadvantaged families, children in care, children in need, children with disabilities and children with special educational needs. SCC will work with parents/carers and providers to remove barriers of access to early education and to support all children to fulfil their potential.

SCC must ensure it meets its duties under the Equality Act 2010 when securing early education places.

Providers must comply with their legal duties under the Equality Act 2010 and the SEND Code of Practice 2015.

All children are entitled to attend any provision and to have their needs identified and met.

Under the Equality Act 2010, admission to a provision cannot be denied or a child excluded due to a child's health or developmental needs. Providers must support and enable all children with Special Educational Needs and Disabilities (SEND) to access their provision and the Early Years Foundation Stage. They must provide an inclusive

environment which reflects their duty to promote equality and their obligations as outlined in the Act. For a child with SEND this may mean that they require auxiliary aids in order to be fully included. Auxiliary aids may mean extra or special resources, additional specialist training, building adaptations and in some cases an enhanced staffing ratio.

Every provider must have regard to **the SEND Code of Practice 0-25 2015** including the identification of a Special Educational Needs Co-ordinator (SENCo).

If the setting identifies that a child needs additional support, they can complete an IAA self-referral form requesting support from EYCS.

A child's healthcare needs must be documented, and a healthcare plan put in place. Providers must work with the child's parents/carers and health visitor who will be able to offer advice.

7.1. **Support from Suffolk County Council**

All members of the List of Providers are eligible to apply for Early Years High Needs (HN) funding if they have an eligible child accessing all or part of their funded early education with them. This is a contribution to the provider's total resource to support them to meet the needs of the child and to enable the child to be effectively included.

HN funding payments will be made directly to the provider and will equate to the number of hours the child attends the provision.

7.2. **Dual placements – special school assessment nursery and Early Years and Childcare listed provider:**

There are a small number of two, three and four year olds with SEND who have a special school assessment nursery placement and also attend Early Years and Childcare provision. In these circumstances, the provider will need to discuss individual arrangements with SCC to determine the funding available.

Other resources may be available in individual cases; SCC can advise you on how to apply if appropriate.

8. **Section H – Support**

SCC does not have the power to close any provider's business, nor does it have a duty to sustain a provider in the event that the provider experiences financial difficulties.

Any provider joining the List of Providers to provide Early Education places for funded children does so on the understanding that they are wholly and fully accountable for the governance and financial management of their own business or organisation in accordance with their own constitution or articles of association.

Any support to providers over and above the funding provided in respect of early education places is at Suffolk County Council's discretion.

Suffolk County Council offers providers:

Information Advice and Assistance (IAA)

This is provided as part of the Suffolk Family Information Service (FIS).

Updates and useful information for childcare providers can be found at the link: [Early Years – Suffolk Learning](#).

You can contact FIS by emailing: childcare.planning@suffolk.gov.uk.

Training and Qualifications

Information regarding qualifications and training and courses can be found via [Training, qualifications & how to apply – Suffolk Learning](#)