



Operational Guidelines for Administering the Free Entitlement



Contents

Introduction.....	3
The Headcount Process.....	4
Opening Pattern	4
Sessions.....	5
Movement of Children	6
Good Practice.....	7
Duplicate Checks.....	8
Additional Funding.....	8
Other Information.....	8
DCSF Annual Census	9

Introduction

The following is a list of guidelines and requirements that are designed to explain and assist PVI providers in understanding KCC administrative process around the distribution of the free entitlement.

It is our intention to make the operational processes to distribute the funding as flexible as possible while maintaining our high operational standards and statutory duties. The present budget for EY funding in Kent is approximately £27M and KCC is responsible for the way public money is spent and is subject to *audit requirements imposed by District Auditors*.

It is also worth noting that the maintained school year is 39 weeks or 195 days and schools close to pupils for 5 staff training days. Funding from the DCSF to Local Authorities is only for 38 weeks and does not include these staff training days. KCC is lobbying central government to address this imbalance.

We appreciate that within Kent there is a mixed economy within the PVI sector, with over 700 settings varying in size, type, accommodation, opening weeks, facilities and experience, and that collectively we are looking after, and from our perspective administering, 20,000-30,000 children during each free entitlement period. The processes to administer these numbers are as flexible as possible within a paper based environment but we do recognise that some providers still find issues and conflicts in the way the scheme is administered against the way they run their businesses, for this we sympathise and will try to accommodate where we can, but reality is that there are always going to be differences.

Also to note KCC have had a recent restructure (which is ongoing) and there is no longer a specific EYFEMI team. Most of these staff and functionality have been absorbed into a bigger team known as the Management Information Unit (MIU) many of whom you have already spoken to as they are divided into supporting specific clusters with all the PVI Providers and schools that reside in them.

Guidelines, Requirements & Observations

The Headcount Process

1. The headcount process is the terminology Kent uses to describe the payment procedure which takes place three times per year (Autumn, Spring & Summer). They occur within fixed termly (free entitlement period) time frames but with some flexibility of opening within them.

A headcount pack comprising the necessary forms and information that is applicable for that period will be sent to providers at the start of each free entitlement period.

2. Within each headcount period KCC will pay in two distinct instalments, an “interim payment” and a “balancing payment”; the split in funding will vary from free entitlement period to free entitlement period and currently is based on when the schools’ half term falls. For the academic year **2008/09** they are as follows:

Headcount

***Autumn = Term 1 (Interim) is based on seven weeks,
Terms 1&2 (Balancing) is based on 14 weeks.***

Headcount

***Spring = Term 3 (Interim) is based on six weeks,
Terms 3&4 (Balancing) is based on 12 weeks.***

Headcount

***Summer = Term 5 (Interim) is based on six weeks,
Terms 5&6 (Balancing) is based on 12 weeks.***

Opening Pattern

3. A Free Entitlement period is in line with the maintained sector school terms, and these will be published in advance. Although not all PVI Providers are necessarily open for this length of time these are the dates which the free entitlement is paid within. For the academic year **2008/09** the Kent entitlement periods are:
 - Term 1 (Autumn) runs from 1 September to 24 October 2008 (8 weeks)
 - Term 2 (Autumn) runs from 3 November to 19 December 2008 (7 weeks)

 - Term 3 (Spring) runs from 5 January to 13 February 2009 (6 weeks)
 - Term 4 (Spring) runs from 23 February to 3 April 2009 (6 weeks)

 - Term 5 (Summer) runs from 20 April to 22 May 2009 (4 weeks & 4 days)
 - Term 6 (Summer) runs from 1 June to 20 July 2009 (7 weeks & 1 day)

4. The maximum funding PVI Providers can claim is currently 38 weeks and KCC is dictating for operational considerations that this can only be paid in full weeks. In a 14 weeks, 12 weeks, 12 weeks split, however KCC will support days being borrowed throughout the academic year to make up a complete week;

e.g. a provider might only be open 13 weeks and 4 days in autumn 2008 but 12 weeks and 1 day in spring 2009, therefore it would be acceptable to borrow a day from the spring period to enable autumn to claim for 14 weeks.

5. PVI providers can open for as few weeks as they wish, but need to inform parents/carers if they are unable to offer 38 weeks per year.

Sessions

6. Sessions are no longer being used to calculate the free entitlement; a session now refers to a length of academic time. Traditionally sessions were 2½ hrs but the DCSF Code of Practice now allows providers the flexibility to offer sessions in whatever time period suits their business.
7. As a result of session lengths being flexible within Kent, the MIU team now collects the total free entitlement hours per child, and not the number of sessions in order to calculate each child's funding. KCC has no record of how long individual provider's sessions are.
8. PVI providers need to be aware that the free entitlement for all children is 12.5 free hours per week and parents/carers cannot claim in excess of this even with another local authority.
9. In order for KCC to calculate the free entitlement for a PVI Provider an "estimate" and "headcount" claim form must be completed by the provider.
 - The Estimate Claim form:
This gives the total number of children and the total free hours the provider estimates they will be claiming for per week; including the number of weeks the setting will be offering the free entitlement over.
 - The Headcount Claim form:
This lists child level details and the actual total free hours per week each child claims. It also lists the total hours per week each child attends the setting.

The Headcount form will be pre-populated wherever possible, but where a child is new or the details have changed the PVI provider will need to enter this information accordingly.

10. To be available for funding a child **MUST** be in attendance at the PVI provider during the headcount week. PVI providers unable to open for the published headcount week *should* use the next available full calendar week in which to complete and return their paperwork. Payments will be made as swiftly as possible after the published payment dates.
11. The Headcount Claim form can now be signed by the registered, responsible or authorised person. A provider decides who is authorised.
12. PVI providers *must* use their best endeavours to safeguard headcount arrangements against fraud on the part of directors, governors, staff or parents/ carers with particular regard to inaccurate, incomplete or misleading claims for a payment.
13. Headcount packs will now be posted to arrive with providers on a Tuesday instead of a Monday to resolve the issue of Royal Mail trying to deliver special next day delivery post on a Saturday. (You will also be pleased to note that KCC finally appears on the Royal mail database at Brenchley House which has caused problems to some in the past.)

Movement of Children

Movement of children between providers and children increasing or decreasing their hours can now be accommodated but within certain guidelines.

14. If a child changes PVI provider after the headcount week but before the Kent half term dates, their free entitlement will stay with the existing provider until the start of Terms 2, 4 or 6, depending upon when they left.
15. Please use the adjustment (joiners) form to notify the MIU team when a child starts with you. (There is no need to inform us when a child leaves as this date will be assumed to be the day before the child joins their new setting.)

e.g. young Nic leaves Happy Crackers nursery on the 9th October to join ABC Nursery.

ABC Nursery will receive free entitlement funding for young Nic from 3rd November (start of Term 2) therefore ABC Nursery will need to ensure that the parent of young Nic pays accordingly for the period when the free entitlement is not available.

Happy Crackers on the other hand would have automatically received the funding for young Nic based on their estimate claim. They will be paid up until the 24th October (end of Term 1).

16. Children who wish to increase or decrease their hours during the free entitlement period after headcount week can do so, but their free entitlement will only be adjusted from the start of terms 2, 4 or 6 (this is to a maximum of 12.5 hrs per week). Please use the adjustment (increase/decrease) form to notify the MIU team.
17. Payment for adjustments will be paid on the last day of Term 2, 4 or 6 in which the movement is made, assuming complete and timely paperwork has been received by the MIU team.
18. It is important to note that the ability to allow children to move or change their hours during the free entitlement period impacts directly on MIU's ability to complete the process of payment; until all the movement has been plotted we cannot run the payments process as this will determine if a child has claimed more than 12.5 hours per week.
19. KCC has complied with the Code of Practice to allow children to move, but also taken into consideration PVI providers' views and their own ability to administer movement of children.

Good Practice

20. To avoid any delays in making payments, PVI providers should ensure the MIU team have appropriate and current contact telephone numbers for any queries during the headcount process (including periods of school holidays).
21. PVI providers *should* establish the eligibility and legal identity of every new child before allowing them to claim their free entitlement for the first time, by requesting to see the child's birth certificate (including change of name deed if appropriate) or valid passport.
22. In an effort to reduce the administrative burden on providers the MIU team will not be collecting in copies of birth certificates or passports.
23. The MIU team will also not be collecting in Parental Declaration forms although a blank PD form will be available for providers' internal use if they desire.
24. Providers should retain all paperwork relating to the free entitlement in accordance with auditors requirements.
25. Due to data protection rules, PVI providers should use either Royal Mail Recorded delivery or Special next day delivery when returning the Headcount Claim forms. Providers should not pay to have this mail delivered before 9am as the building is not open until after 9 am for the receipt of postal deliveries.

Duplicate Checks

26. The DCSF is now running duplicate checks on a termly basis and will reduce the funding to KCC proportionally if parents claim in excess of 12.5 hours per week.

It is the PVI Provider's responsibility via parents and carers to ensure that children within their Setting are not claiming in excess of the maximum 12.5 hours per week across all settings.

Guidance issued by the DCSF states that if any over claim of free entitlement between PVI Providers in different Local Authorities cannot be resolved, then the local authority in which the child resides will get the entire funding.

Additional Funding

27. Currently children who are identified within the Additional Education Needs (AEN) service as being (EY Action/EY Action Plus/EY Statemented) will initially be funded for the amount of free entitlement hours they claim. Once all payments for the free entitlement period have been calculated, the MIU team will match any child that has been funded during the free entitlement period to the list supplied by the AEN service and make further payments (to the maximum of 12.5 hrs per week) where applicable.

This is a Kent initiative and could be subject to change depending on funding; however notice of any change would be given in advance.

Other Information

28. Holidays/Sickness will be funded regardless of the length of time the child is off during that free entitlement period, but long term absence will not be carried over from free entitlement period to free entitlement period. In these instances, funding will not resume until the child returns.

29. The lunch period may be included within the free entitlement only where this is delivered as part of a learning experience and parents/carers are informed from the onset. In these circumstances parents cannot be charged for the lunch period although providers can ask for a reasonable charge for any snacks or meals taken at other times, however parents should be allowed to provide their own meals if required.

30. A PVI calendar has been produced which succinctly shows

Free entitlement period

Academic year

Headcount week

Date of birth calculator

Payment dates

Adjustment window

These are sent out annually with the Estimate Claim Forms but copies can be obtained either on line:

<http://www.kenttrustweb.org.uk/Finance-Assessment/earlyyears.cfm>

or by phoning the MIU team.

DCSF Annual Census

Up until January 2008, this annual paper census was managed by the DCSF. PVI providers *were required to* complete and return this with accurate information. The completion of this form underpinned the funding that came down from central government to the LA.

The DCSF has now passed this mandatory requirement over to the Local Authorities to administer and KCC are replicating the old DCSF requirements. In addition we will be sending the Census forms to each provider pre-populating the information where known, which will reduce your administration.

It is imperative that PVI providers check that the pre-populated form is still correct and that any new information, especially that child numbers are accurate; the DCSF compares this information with the headcount information to check for any anomalies. Any anomalies discovered could mean funding is withheld or delayed but would certainly add to the administrative burden on the PVI provider and the MIU team.

From September 2008 the MIU team will attempt to send out elements of the census for PVI providers to check. It is hoped that in this way by the time the main census arrives in January most of the information should already be known and accurate and only the child numbers need to be entered.