

# Provider Agreement

**Grant funded early years provision for 9 month olds, 2, 3 and 4 year olds**

**December 2025**

**V2.0**

<b>Key Changes</b>	
1.2	Updated to reflect early education funding from September 2025.
2.67	Changes as a result of the switch to a termly Early Years Census from an annual Early Years Census. Clarification on acceptable changes to headcount and cut off points in the term.

# Contents

Section 1: Overview	3
Legal framework and statutory guidance	3
Section 2: Provider agreement	4
Key Solihull Council responsibilities	4
Key provider responsibilities	4
Eligibility	5
The Grace Period	6
Partnership working	7
Special educational needs and disabilities	7
Social mobility and disadvantage	8
Quality	8
Business planning	9
Charging	10
Funding	11
Termination and withdrawal of funding	14
Appeals process	14
Complaints process	14

## Section 1: Overview

- 1.1. This agreement is based on the DfE 'Model Agreement; Early Years Provision Free of Charge and Free Childcare' January 2024. Early years Childcare Providers ("providers") must follow this agreement if they are funded by the local authority to provide Early Education Funding ("EEF").
- 1.2. This agreement applies to the provision of childcare in Solihull for the following:
  - \* the 15 hour entitlement for the most disadvantaged 2-year-olds ('disadvantaged 2-year-olds entitlement')
  - \* the 15 hour entitlement for parents of 3- and 4-year-olds (the 'universal entitlement')
  - \* the 30 hour entitlement for eligible working parents for children aged 9 months to 4-year-olds
- 1.3. This document does not provide guidance on how providers operate their private businesses, including charges for provision over and above a child's free hours. DfE states that local authorities should 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 free place.
- 1.4. This agreement will be kept under review and updated as necessary.

## Legal framework and statutory guidance

- 1.5. The following frameworks and legislation underpin this agreement:
  - Early Education and childcare, Statutory guidance for Local Authorities February 2025
  - Childcare Act 2006
  - Childcare Act 2016
  - Equality Act 2010
  - School admissions code 2021
  - Statutory framework for the early years foundation stage 2024
  - Local Authority, (Duty to Secure Early Years Provision Free of Charge) Regulations 2014
  - The Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016
  - Special educational needs and disability code of practice: 0 to 25 years 2015
  - Data Protection Act 2018

## Section 2: Provider agreement

### Key Solihull Council responsibilities

- 2.1. Local authorities must secure a free entitlement place for every eligible child in their area. Solihull Council meets this responsibility by undertaking periodic sufficiency research and publishing this in an Early Years Sufficiency Plan
- 2.2. Solihull Council should work in partnership with providers to agree how to deliver free entitlement places.
- 2.3. The local authority should be clear about their role and the support on offer locally to meet the needs of children with special educational needs and/or disabilities (SEND) as well as their expectations of providers. Solihull Council meets this responsibility by maintaining a Special Educational Needs document and implementation of associated processes: "Solihull Special Educational Needs and Disability (SEND): Definitions, Bands and Descriptors for Areas of Need". Aligned with this Solihull provides additional funding for pupils with additional needs from an Inclusion fund.
- 2.4. Solihull Council will promote the safeguarding and welfare of children and young people in their area.

### Key provider responsibilities

- 2.5. The provider must comply with all relevant legislation and insurance requirements.
- 2.6. The provider should deliver the free entitlements consistently to all parents, whether in receipt of 15 or 30 hours and regardless of whether they opt to pay for optional services or consumables. This means that the provider should be clear and communicate to parents' the details about the days and times that they offer free places, along with their services and charges. It must be agreed with the parent the pattern of delivery for the funded hours before the child starts and that this cannot be changed by increasing hours, at any setting the child attends, after headcount week until the following term. Those children accessing the free entitlements should receive the same quality and access to provision.
- 2.7. The provider must follow the EYFS and have clear safeguarding policies and procedures in place that link to the local authority's guidance for recognising, responding, reporting and recording suspected or actual abuse.
- 2.8. The provider must have arrangements in place to support children with special educational needs and/or disabilities (SEND). These arrangements should include a clear approach to identifying and responding to SEND. Providers should utilise the SEN inclusion fund and Disability Access Fund to deliver effective support, whilst making information available about their SEND offer to parents.
- 2.9. The provider must inform Solihull Council as a matter of urgency of any circumstances which mean they can no longer offer Early Education provision for existing children receiving a funded place; or if that offer changes in a material way. For example, if the building is not operational or there is an emergency

resulting in a temporary closure of the business. This is to ensure that appropriate arrangements are made for these children to ensure they are able to continue to access funded provision. Solihull Council will decide on the impact this closure will have on funding and children's access to funding.

## Safeguarding

2.10. Solihull Council 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 1989 and 2004 Children Acts which make this clear, and the 'Working together to safeguard children' 2023. guidance<sup>1</sup> sets these out in detail.

2.11. The provider must follow the EYFS and have clear safeguarding policies and procedures in place that are in line with local guidance and procedures for responding to and reporting suspected or actual abuse and neglect. 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' 2023 guidance.

<sup>1</sup> <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

## Eligibility

2.12. The provider should check original copies of documentation to confirm a child has reached the eligible age on initial registration for all free entitlements. The provider can retain paper or digital copies of documentation to enable the local authority to carry out audits and fraud investigations. Where a provider retains a copy of documentation this must be stored securely and deleted/destroyed when there is no longer a good reason to keep the data. Solihull Council will issue a separate privacy notice to providers. Providers must ensure that the privacy notice is passed to parents prior to acceptance of funding offer. Reference to the privacy notice will be included in the Parental Declaration Form provided by the local authority.

2.13. The provider should offer places to eligible disadvantaged two-year-olds on the understanding that the child remains eligible until they become eligible for the universal entitlement for three- and four-year-olds. Information about eligibility and eligible date of birth ranges will be issued to providers by Solihull Council each term as part of the termly information published on the Early Years website – [www.solgrid.org.uk/eyc/eeef](http://www.solgrid.org.uk/eyc/eeef).

2.14. Solihull Council must ensure that a child has a free entitlement place no later than the beginning of the term following the child's 9 month, 2<sup>nd</sup> or 3<sup>rd</sup> birthday and the parent meets the eligibility criteria for the free entitlements

2.15. Children can claim EEF up to the term the child turns 5 years old if they remain in an Early Years provision. Children who have been admitted to a Reception class in a Maintained School or Academy cannot access EEF as the School are funded separately for a Reception place.

- 2.16. Alongside the 30 hours eligibility code, which is the child's unique 11-digit number, and original copies of documentation (see 2.12), a provider must acquire written consent from, or on behalf of, the parent to be able to receive confirmation and future notifications from Solihull Council of the validity of the parent's eligibility code. The provider can use the Parental Declaration Form provided by the local authority to gather the necessary information and consent from the parents.
- 2.17. Solihull Council will provide a validity checking service to providers via the provider portal. The provider portal connects directly to the DfE Eligibility Checking Service (ECS) and allows for instant code validity checks to be completed by the provider. Once a provider has received written consent from the parent the provider must verify the eligibility code on the portal.
- 2.18. Thereafter, Solihull Council will complete audit checks to review the validity of eligibility codes for children who qualify for funded childcare at 5 fixed points in the year, both after half term and immediately after carry forward across the year. Solihull Council won't be able to complete an audit check for the beginning of the Autumn term as the local authority won't have any data to complete an audit at this point. It is Solihull Council's responsibility to notify a provider where a parent has fallen out of eligibility and inform them of the grace period end date.

## The Grace Period

- 2.19. A child will enter the grace period when the child's parents cease to meet the eligibility criteria set out in the Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016, as determined by HMRC or a First Tier Tribunal in the case of an appeal.
- 2.20. Solihull Council 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. The grace period end date will automatically be applied to eligibility codes. The grace period end dates will be either 31<sup>st</sup> March, 31<sup>st</sup> August or 31<sup>st</sup> December.
- 2.21. Solihull Council will continue to fund a place for a child who enters the grace period as set out in the Early Education and Childcare Statutory guidance for Local Authorities June 2024.
- 2.22. Details of the child's grace period will be made available to the providers via the provider portal. The information will be updated in line with the audit dates set out in the table above.

## Flexibility

- 2.23. Provision must be offered within the national parameters on flexibility as set out in Section A2 of Early Education and Childcare Statutory guidance for Local Authorities.
- 2.24. The provider should work with Solihull Council and share information about the times and periods at which they are able to offer free entitlements to support the

local authority to secure sufficient stretched and flexible places to meet parental demand in the local authority. The provider should also make information about their offer and admissions criteria available to parents at the point the child first accesses provision at their setting.

2.25. A child may receive their entitlement by attending between 6am – 8pm, up to two sites per day and a maximum of 10 hours per day, ensuring that they do not exceed 15 hours per week. (or 30 hours per week if eligible for the extended entitlement). A child must not exceed the termly maximum number of hours as set by Solihull Council. For further information on notice periods and children moving please visit [www.solgrid.org.uk/eyc/eef](http://www.solgrid.org.uk/eyc/eef).

## Partnership working

2.26. Partnerships will be supported by Solihull Council on four levels between:

- Solihull Council and providers
- Providers working with other providers, including childminders, schools and organisations
- Providers and parents
- Solihull Council and parents

2.27. Solihull Council will promote partnership working between different types of providers, including childminders, across all sectors and encourage more providers to offer flexible provision.

2.28. The provider should work in partnership with parents, and other providers to improve provision and outcomes for children in their setting. The Childcare Works Hub<sup>2</sup> has a bank of resources available to childcare providers implementing the childcare expansion programme.

2.29. The provider should discuss and work closely with parents to agree how a child's overall care and early education will work in practice when their free entitlement is split across different providers, such as at a maintained setting and childminder, to ensure a smooth transition for the child.

<sup>2</sup> <https://childcareworks.org.uk/hub-for-providers/introduction/>

## Special educational needs and disabilities

2.30. Solihull Council will 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 Educational Needs and Disability code of practice: 0 to 25 years<sup>3</sup> (January 2015).

2.31. 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. There is further information here - <https://councilfordisabledchildren.org.uk/about-cdc/media-centre/news-opinion/disabled-children-and-the-equality-act-2010-what-early-years>

- 2.32. Solihull Council will be clear and transparent about the support on offer in their area, through their Local Offer, so parents and providers can access that support. The Solihull local offer can be found here: <https://www.solihull.gov.uk/children-and-family-support/localoffer>
- 2.33. 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.
- 2.34. The provider must work in partnership with the child's parents and other support services to ensure that the child's needs are met.

## **Social mobility and disadvantage**

- 2.35. Solihull Council will promote 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.
- 2.36. The Provider shall ensure that they obtain parent data and submit this data via the portal to enable Solihull Council to identify children eligible for Early Years Pupil Premium (EYPP). They will also use EYPP, and any locally available funding streams or support, to improve outcomes for this group.

## **Quality**

- 2.37. To become eligible to receive EEF a provider on the Early Years Ofsted register must have an Ofsted rating of "requires improvement", "good" or "outstanding" for 9 month olds, 2-, 3-, 4- year olds. A new provider will be classed as being eligible until such time as their first Ofsted inspection is published.
- 2.38. Where a provider receives an Ofsted rating of "inadequate", and their safeguarding is judged as "ineffective", this would put children at risk of harm. The provider cannot offer any 9 month old, 2-, 3- or 4- year old funding to new and existing children and will be temporarily removed from Solihull's register of providers. This will be activated on receipt of the Ofsted inspection report. The Family Information Service will notify the Early Years Team of the above action and update the provider's record detailing the actions taken. When a funded provider receives an inadequate or requires improvement graded Ofsted inspection, the setting are required to access and act upon further support and advice from the Early Years Team to ensure strategies can be put in place to improve the quality of the early education being provided.

<sup>3</sup>  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/398815/SEND\\_Code\\_of\\_Practice\\_January\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

- 2.39. Solihull Council will reinstate funding and promote the provider for EEF once an Ofsted report confirms there are no longer any significant safeguarding concerns and safeguarding is effective. If there are exceptional circumstances that Solihull Council are not aware of then providers can appeal the decision to withdrawal funding however this must be submitted in writing and a panel will consider whether there are any grounds for re-instating funding. Solihull Council will

support all settings on the LA register of EEF to ensure they have an Ofsted rating of “good” or better. To remain on the register of providers settings should agree to ongoing support from the Early Years Team (for example to access training and coaching).

2.40. The Early Years Foundation Stage (EYFS) statutory framework is mandatory for all schools and settings that provide early years provision and Ofsted-registered early years providers in England. The EYFS sets the standards that all early years providers must meet to ensure that children learn and develop well and are kept healthy and safe.

2.41. Ofsted are the sole arbiter of quality for all free entitlements and Ofsted and inspectorates of independent schools have regard to the EYFS in carrying out inspections and report on the quality and standards of provision. A childminder agency must inform Solihull Council, within 5 working days, if a Solihull childminder in their agency doesn’t meet the appropriate quality.

Childminders registered with an agency will be graded by the agency and the outcome grade will impact on their Early Education Funding. This is the same as the grades given to an individual childminder registered with Ofsted (see 2.37 and 2.38 for the impact a grade has on Early Education Funding).

When a Childminding Agency is inspected by Ofsted and receives an ineffective Ofsted grade we will continue to use the childminders grade from the agency as a basis for funding decisions for the individual childminder. For those childminders who haven’t yet been inspected by the agency, we will not remove funding unless safeguarding concerns have been raised by the Agency. Solihull Council will remove funding from childminders registered with an agency where the agency has received 2 consecutive ineffective Ofsted grades.

2.42. Solihull Council will 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, in line with the legal duty to do so.

2.43. Provision must be offered in accordance with the national parameters on quality as set out in Section A3 of Early Education and Childcare Statutory Guidance for Local Authorities and the EYFS statutory framework.

## **Business planning**

2.44. Solihull Council will provide details of the information required from providers each term. This information will be published on <https://www.solgrid.org.uk/eyc/eef/>. The information will include a timetable which providers should follow when submitting information via the provider portal or where documentation needs to be sent to the local authority. It will also set out the importance of timely and accurate census returns.

2.45. A termly Early Years Census is mandatory and must be completed by providers as instructed by the local authority. The information to be collected by the Census

are determined by the Department of Education. Providers will be notified when this information is required and returned by. Failure to complete and return the Census within the timeframe will result in funding being withheld.

- 2.46. Solihull Council will not charge providers disproportionate penalties for providing late or incomplete information leading to additional administration in the processing of free entitlements. Any charges will be reasonable and proportionate to the inconvenience or costs incurred to the local authority as a result of the lateness and Solihull Council will ensure charges are clearly communicated to providers.
- 2.47. Solihull Council will not carry out audit regimes that are unnecessarily burdensome to providers.
- 2.48. The provider should ensure they submit timely and accurate information, including, but not limited to, headcount data and census data, as per the financial guidelines of the local authority. Failure to do so may result in inaccurate, delayed or suspended funding.
- 2.49. The provider should maintain accurate financial and non-financial records relating to free entitlement places and should give the local authority access, on reasonable notice, to all financial and non-financial records relating to free entitlement places funded under the provider agreement, subject to confidentiality restrictions.

## Charging

- 2.50. Government funding is intended to cover the cost to deliver 15 or 30 hours a week of free, high quality, flexible childcare. It is not intended to cover the cost of meals, consumables, additional hours or additional services.
- 2.51. Parents of eligible children must pay no charge in respect of the child's minimum entitlement. Providers must ensure that the free entitlement is not presented to parents as monetary subsidy but as a free part-time place.
- 2.52. The provider can charge for meals and snacks as part of a free entitlement place and they can also charge for consumables such as nappies or sun cream and for services such as trips and yoga. These charges must be voluntary for the parent. Where parents are unable or unwilling to pay for meals and consumables, providers who choose to offer the free entitlements are responsible for setting their own policy on how to respond, with options including waiving or reducing the cost of meals and snacks or allowing parents to supply their own meals.
- 2.53. The provider should deliver the free entitlements consistently so that all children accessing any of the free entitlements will receive the same quality and access to provision, regardless of whether they opt to pay for optional hours, services, meals or consumables.
- 2.54. Solihull Council 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 free place. The provider must be completely transparent about any additional charges.

- 2.55. The provider should publish their admissions criteria and ensure parents understand which hours/sessions can be taken as free provision. 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 patterns of hours are convenient for parents' working hours.
- 2.56. The provider can charge parents a deposit to secure their child's free place but should refund the deposit in full to parents within a reasonable time scale. Providers should be mindful of a parent's ability to provide this deposit as this may prevent a child taking up their funded provision.
- 2.57. The provider cannot charge parents "top-up" fees (the difference between a provider's usual fee and the funding they receive from the local authority to deliver free places) or require parents to pay a registration fee as a condition of taking up their child's free place.
- 2.58. The provider should ensure that the total number of funded hours are clear on their invoices. The invoice will also include (if applicable) the itemised breakdown of any charges for additional hours, food, nappies, trips and any other consumables or service that the parent has chosen to take. This is so the parent can clearly identify that the funded hours have been applied as agreed and claimed for by the provider, and so the Council can easily determine what a parent has received against the actual claim in the event of a provider/parent disagreement.

## Funding

- 2.59. Solihull Council will publish details of the funding claim procedure and associated key dates and deadlines. Each term will be available via the Early Years website - [www.solgrid.org.uk/eyc/eeef/](http://www.solgrid.org.uk/eyc/eeef/) . This includes information on how to claim funding and helpful guidance notes.
- 2.60. Solihull Council offer 2 payment options for private, voluntary and independent (PVI) settings and Academies. Providers need to inform the Family Information Service before the end of the Summer term if they want to switch to a different payment method. The first option is funding being paid in two instalments. An advance payment will be based on the providers estimate of funded hours of eligible children for the term and is payable at 75%. A final headcount payment will be calculated based on the headcount data for the term submitted by a provider. The balance due will be calculated by deducting the advance claim already paid. EYPP and Disability Access Funding (DAF) payments are included in the final headcount payment.

The other option is monthly payments. This will be 4 payments per term with the first 3 based on the estimate submission followed by a final headcount balance payment. Providers who are paid monthly will receive payment in the first week of each month. The payment months for each term are as follows;

Spring term – January, February, March and April

Summer term – May, June, July and August

Autumn term – September, October, November and December

- 2.61. Childminders cannot claim EEF for a child as defined in section 18 of the 2006 Act, which specifically excludes care provided for a child by a parent, step-parent, foster parent (or other relative) or by a person who fosters the child privately or has parental responsibility for the child.
- 2.62. Payments to Maintained schools are made in full as part of the final headcount payment. Maintained schools do not receive an advance payment.
- 2.63. It is mandatory to gather the child's information required for a headcount claim on a parent declaration form. Parent consent must be obtained to ensure Providers comply with the GDPR/Data Protection Act 2018.
- 2.64. The provider will specify on the Parental Declaration Form the funding hours agreed at their setting and the parent will state any attendance elsewhere. Where the parent has specified dual attendance at a school or Academy the school or Academy will claim the universal hours. For information on funding on Bank Holidays and changes to funding please visit the Early Years website – [www.solgrid.org.uk/eyc/eef](http://www.solgrid.org.uk/eyc/eef).
- 2.65. Where a child transfers to another PVI setting or school during a term the funding must follow the child. Providers reserve the right to claim up to 4 weeks' notice maximum. Providers can waive the right to this notice if appropriate for the child to access funding elsewhere immediately. The new provider is unable to claim funding whilst notice is active. Overpayment of EEF to the original provider will be identified and recovered by Solihull Council. The child may take up their remaining EEF entitlement for the term at the new provider.
- 2.66. If the headcount payment has been paid the Provider must send a Late Starter Form and a current Parental Declaration Form in order to be paid an adjustment payment. The Provider must check if the child has accessed funding elsewhere and if so, whether notice has been served. The previous Provider must send an Early Leaver form before the funding can be allocated to the new Provider.
- 2.67. Solihull Council will not pay late starters payments or missing funded hours that relate to attendance before the Early Years Census deadline submission date as the children should be included on your headcount claim. We will publish this date on the Provider Portal homepage in each term.
- 2.68. The provider must accurately complete and submit headcount and other necessary data returns by the agreed date as stipulated in the termly information published on the Early Years website to support the local authority to make payment. The provider is solely responsible for submitting accurate data and claims. If providers consistently fail to meet our termly deadlines, then we reserve the right to delay future payments until we have received the headcount submission. Consistently overclaiming EEF will result in further action being taken by Solihull Council such as the removal from the EEF register. If your claim is inaccurate or missing information we will reject it via the Provider Portal and you will receive an email notifying you of this.
- 2.69. In the event of any overpayment, arising from a provider overclaiming, then the

Council will recover monies owed in all circumstances, including if necessary, legal action to recover debts. Normally, an overpayment will be deducted from the following term's payment. In the event that there is no payment in the next term (or the amount is greater than the next payment) then the Council will raise a debtor invoice to the provider, and the Council's normal debt recovery processes will be followed.

- 2.70. Providers should only claim for the hours a child is accessing at the setting. If, in agreement with parents, a longer period of part-time hours is agreed for an extended period of time, then the actual hours in setting must be claimed.

## Compliance and absence

- 2.71. Solihull Council will use an audit process to check that all providers in receipt of EEF are administering the funding in line with these terms and conditions in the Provider Agreement and legal requirements. Audits will be carried out periodically for a random sample of providers or may be initiated as a result of a complaint regarding the provision of EEF. Audits may be unannounced.
- 2.72. At the audit visit the local authority officer will go through registers of children and associated documentation to compare with the providers EEF claim. They will also review the invoicing system and examples of invoices. The local authority officer may also take away copies of any or all of the above documentation
- 2.73. The local authority officer might also contact a number of parents of children accessing their EEF place at the setting. This is to ensure Early Education Funding is being delivered in a fair and compliant manner.
- 2.74. Providers are obliged to make all records fully available to any visiting officer from Solihull Council as requested, and to cooperate fully with the audit process.
- 2.75. During the audit the local authority officer will highlight any discrepancies to the provider and make suggestions or directions for any changes to recording or administration processes that may need to be made.
- 2.76. After the visit the local authority officer will compile a full report for Solihull Council. The report will identify any discrepancies found during the audit along with all recommendations and actions required to the provider at the time of the visit. The provider will receive an electronic copy of the report or, where there is no email address provided, a hard copy will be posted.
- 2.77. Failure to comply with the actions of the report will result in removal from the EEF register.
- 2.78. Solihull Council will report any evidence of fraudulent activity to the police and will recoup any or all payments made to the provider.
- 2.79. Solihull Council reserves the right to refuse EEF to any person or organisation that has a history of misuse of public funds or any criminal record relating to

financial mismanagement or fraud.

- 2.80. All early years providers must meet the standards set out in the Early Years Foundation Stage (EYFS) to ensure that children learn and develop well and are kept healthy and safe. The free entitlement must be accessed at the highest possible quality, and provide planned learning opportunities to help children progress towards achieving the early learning goals.
- 2.81. When a child is absent, for example due to sickness, holiday or adverse weather conditions, it is at the discretion of the provider whether to offer the EEF hours at an alternative time. Solihull Council would encourage the provider to do so however where this is not practical the Provider must use the funding for the benefit of the children. This should be documented for audit purposes.

## Termination and withdrawal of funding

- 2.82. Suspension of registration by Ofsted or a breach of statutory requirements or safeguarding issues may result in the termination of the arrangement and withdrawal of funding.
- 2.83. Failure to adhere to the Provider Agreement can result in removal from the Solihull Early Education Funding register.
- 2.84. Further information on the termination and withdrawal of funding is available in the “Quality” section of this document (paragraphs 2.36 to 2.43).

## Appeals process

- 2.85. A provider may be denied approval to offer the free entitlements or have their funding withdrawn as set out above. The provider can appeal against that decision.
- 2.86. Providers should write to the Head of Service, Access and Development, within 10 days of receiving the letter advising them that their funding has been withdrawn, setting out in full why funding should not have been withdrawn. Email is also acceptable which should be sent to [eefenquiries@solihull.gov.uk](mailto:eefenquiries@solihull.gov.uk).

## Complaints process

- 2.87. 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.
- 2.88. If a parent is not satisfied that their child has received their EEF in accordance with the legislation or as set out in this agreement and in Early Education and Childcare Statutory guidance for Local Authorities, and has not been able to resolve their concern directly with their provider, they should contact the Family Information Service via [eefenquiries@solihull.gov.uk](mailto:eefenquiries@solihull.gov.uk). Solihull Council will investigate the parent’s complaint and will ask the provider to provide information

regarding the complaint within a specified timescale.

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

2.90. Solihull Council's complaints procedure can be found here -

<http://www.solihull.gov.uk/About-the-Council/Complaints>

## **Glossary for the EEF Provider Agreement**

### **2 year old EEF**

Families may be entitled to a free childcare place for 2 year olds if the family meet either the disadvantaged families or working families criteria as specified by the DfE.

### **3&4 year old universal EEF**

All children are eligible for up to 15 hours per week of free childcare the term following their 3<sup>rd</sup> birthday with a Local Authority Approved Childcare Provider.

### **30hrs or Extended EEF**

Working families of 3&4 year olds who meet the criteria can access up to 30 hours of free childcare per week with a Local Authority Approved Childcare Provider.

### **Advance Payment**

This is the payment that Childcare Providers will receive at the beginning of a Term and calculated based on the estimate submitted. The payment will be 75% of these hours.

### **Childcare Provider**

This is a collective term used for providers of services for early years and includes; Day Nurseries, maintained Schools, Academies, Pre-Schools, Childminders & Independent Schools amongst other services in the Private Voluntary and Independent sector.

### **DfE**

The Department for Education is responsible for children's services and education including early years, schools, higher and further education, policy, apprenticeships and wider skills in England.

### **DAF**

Disability Access Fund is a one-off annual payment for early years providers to aid access to free childcare places for disabled children.

### **Early Leavers**

If a child leaves a setting before the end of a term the child's record should be amended to reflect this via the Provider Portal. If the Provider Portal has closed an Early Leaver Form should be completed and emailed to the FIS team.

### **Early Years Census**

Each Spring Term Childcare Providers are required to submit mandatory data to the DfE via Solihull Council about their childcare service. This data results in Solihull Council receiving the Early Years Funding budget for the following financial year. The data is also

used by the DfE to inform their policy makers. Failure to provide this information to Solihull Council will result in payment of Early Education Funding to be withheld.

## **ECS**

The DfE Eligibility Checking System (ECS) is used to ascertain the validity of codes issued by HMRC to give families access to free childcare where they meet the set criteria.

## **EEF Provider Agreement**

This is the terms and conditions of Early Education Funding in Solihull and explains the expectations of Solihull Council and Solihull Childcare Providers. Childcare Providers must adhere to guidance within the agreement to receive EEF payments and remain on the register of EEF settings.

## **Eligibility Codes Audit**

FIS will refresh eligibility codes in the Provider Portal 5 times a year so that Childcare Providers will see the latest code information on a child's record on their Headcount Claim.

## **Estimate**

PVI settings or Academies can submit the total number of funded hours to be claimed in the term for all the eligible children. This is done in the estimate section on the provider portal. Submitting an estimate will result in an advance payment.

## **EYFS**

The Early Years Foundation Stage is a statutory framework that schools and Childcare Providers must meet for the learning, development and care of children from birth to 5 years.

## **EYPP**

Early Years Pupil Premium is additional funding for early years settings to enhance the education they provide for funded children whose families are meeting the EYPP criteria as set by the DfE.

## **EYT**

The Early Years Team work with settings and practitioners to support the quality of early education and childcare provision. They also support those working with children with a wide range of significant and complex needs from birth to 5 years.

## **FIS**

Family Information Service helps families with children aged 0-19 to find and access the services they need.

## **GDPR**

General Data Protection Regulation is the UK's data privacy law that governs the processing of personal data from individuals inside the UK.

## **Headcount / Actuals**

Providers will submit funding data for each child they are claiming within that term during headcount week. The data will be submitted using the Provider Portal and will reflect the hours and weeks a child is claiming. The information is recorded on the actuals tab of the Provider Portal.

## **Headcount Payment**

The Headcount payment is the funding balance for the term. The amount received will be the total funding for the term minus any advance payment already received in the term. The final Headcount Payment will include any EYPP, Deprivation supplement and Inclusion Funding for eligible children. It will also include any DAF payments that should be awarded.

### **HMRC**

Her Majesty's Revenue and Customs refers to the tax authority of the UK Government. They are responsible for collecting taxes, enforcing tax & customs laws, setting the criterion for and paying benefits, enforcing the payment of minimum wage by employers. HMRC are responsible for issuing eligibility codes and offer Tax Free Childcare to eligible families.

### **Inclusion Fund**

Providers who have children with additional needs may qualify for extra funding to support emerging needs.. Applications for this funding are made to the Early Years Team.

### **Late Starters**

If children join a setting after the start of a term they can be added onto a Headcount claim via the Provider Portal until it closes for the term. After the Provider Portal closes a Late Starter Form needs to be completed for any children missed off the Headcount Claim.

### **Ofsted**

Ofsted is the Office for Standards in Education, Childrens Services and Skills who inspect services providing education and skills for learners of all ages, and regulate services that care for children and young people.

### **Parental Declaration Form**

This form should be used to collect all of the mandatory information required from a family to claim Early Education Funding.

### **Provider Portal**

The Provider Portal is accessed via a website and is used by Childcare Providers to submit funding claims, update information about childcare services and complete Early Years Census forms.

### **SEND**

Special Educational Needs and Disabilities refers to the education of children with disabilities.