
Provider Agreement

**For the Delivery of Free Early Education Entitlement
for Two, Three and Four Year Olds in Sunderland.**

From April 2018

Contents

Section 1: Overview

Section 2: Requirements and Key Responsibilities

Section 3: Safeguarding

Section 4: Eligibility for all Free Entitlement Places

Section 5: How the Grace Period for the Extended Entitlement (1140 Hours) will operate in Sunderland

Section 6: Flexibility

Section 7: Partnership Working

Section 8: Special Educational Needs and Disability (SEND)

Section 9: Social Mobility and Disadvantage (EYPP)

Section 10: Quality

Section 11: Business Planning

Section 12: Charging

Section 13: Funding

Section 14: Compliance

Section 15: Termination and Withdrawal of Funding

Section 16: Complaints Process

Section 17: Appeals and Disputes Process

Section 18: Declaration

Appendix 1: Application to be included in the Sunderland Directory of Providers of Free Early Education Entitlement for Two, Three and Four Year Olds.

Appendix 2: Parental Declaration and Consent Form.

Appendix 3: Disability Access Fund (DAF): Application and Consent Form.

Appendix 4: Early Years Team Contact Details.

1. Overview

1.1 This provider agreement applies to the 15 hour entitlement for the most disadvantaged two-year-olds, the 15 hour entitlement for parents of three- and four-year-olds (universal entitlement) and the extended entitlement of up to 30 hours for working parents of three- and four-year-olds (extended entitlement).

1.2 This document will not provide guidance on how providers operate their private businesses, including charges for provision over and above a child's free hours. Together for Children working on behalf of Sunderland City 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.

1.3 Who this agreement is for:

- Together for Children working on behalf of Sunderland City Council referred to throughout this document as Together for Children.
- Early years providers who are referred to as 'providers' and include:
 - Early years providers registered on the Ofsted Early Years Register;
 - Childminders registered on the Ofsted Early Years Register;
 - Childminders registered with a Childminder Agency that is registered with Ofsted;
 - Maintained Nursery Schools;
 - Maintained Primary Schools offering nursery provision;
 - Maintained Infant Schools offering nursery provision;
 - Independent Schools and Academies taking children age two and over and which are exempt from registration with Ofsted as an early years provider.

1.4 The 'Parental Declaration and Consent Form' in Appendix 2 is for:

- Early years providers, as set out above
- Parents
- Together for Children.

1.5 Together for Children will:

- Not impose requirements on providers which subject the quality of the early year's provision, or services provided by the childminder agency, to any quality assessment process. We will not require any provider to attend any training or other quality improvement programme, other than any training or quality improvement programme identified in an early year's provision inspection report.
- Fulfil our statutory obligation to secure information, advice and training around:
 - meeting the requirements of the Early Years Foundation Stage;
 - meeting the needs of children with special educational needs and disabilities, vulnerable and disadvantaged children; and
 - effective safeguarding and child protection.
- Support providers in the following categories:
 - those registered on the Ofsted Early Years Register who are judged less than 'good' by Ofsted in their most recent inspection report;
 - newly registered providers on the Ofsted Early Years Register who have not yet had an inspection report published.

(Early education and childcare - statutory guidance for local authorities: Part D: Information to childcare providers; pg. 32)

1.6 The following legal frameworks, guidance, codes and legislation underpin this agreement;

- Early education and childcare, statutory guidance for local authorities 2017;
- Childcare Act 2006;
- Childcare Act 2016;
- Equality Act 2010;
- School admissions code 2014;
- Statutory framework for the early years foundation stage 2017;
- 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 and the General Data Protection Regulation (EU) 2016/679;
- Freedom of Information Act 2000.

For the purpose of this agreement:

- Any reference to 'statutory requirements' shall mean any requirements that arise from the above list; and
- Any reference to a statute or statutory provision shall be considered to be a reference to it as amended, extended or re-enacted.

Should there be a change to any of the statutory requirements, or any other change in law (or applicable frameworks or guidance) that relate to the provision of free early years education entitlement for two, three and four year olds, then Together for Children reserves the right to unilaterally amend the terms of this agreement, but only to the extent required to ensure compliance with the statutory requirements.

2. Requirements and Key Responsibilities

2.1 Together for Children will:

- Secure a free entitlement place for every eligible child in Sunderland. Although, parents may not be able to access a place with a provider of their choice.
- Work with providers in Sunderland to agree how to deliver free entitlement places.
- Make available an expiration dashboard on the provider portal and provide termly reports on the status of 30 hour eligibility codes and the grace period end dates where a parent has fallen out of eligibility.
- Offer advice and guidance to providers in order for them to identify and meet the needs of children with special educational needs and/or disabilities (SEND) and to follow the 'Special Educational Needs and Disability Code of Practice: 0 to 25 years' (2015) in order to meet the individual needs of children.
- Contribute to the safeguarding and promote the welfare of children and young people in the area.

2.2 Providers of free entitlement places will:

- Comply with all relevant legislation.
- Maintain such insurance policies (with reputable insurance companies) as required by law or as prescribed by Ofsted from time to time. If required by Together for Children, the provider shall supply evidence that the required insurance policies are in place, and that all premiums relating to such insurances have been paid.
- Follow the EYFS and have clear safeguarding policies and procedures in place. (See Section 3)
- Have arrangements in place to support children with special educational needs and/or disability. (See Section 8)
- 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 details about the days and times that they offer free places, along with their services and charges. Children accessing the free entitlements should receive the same quality and access to provision as all other children.
- Complete a 'Parental Declaration and Consent Form' (Appendix 2) for each child attending a funded early education place. These consent forms must be kept by the provider for at least the duration of the child's placement and provided on request to Together for Children for monitoring and audit purposes.
- Inform Together for Children of any changes in contact details including provider portal account holder's phone numbers and email addresses.
- Inform Together for Children if a portal account holder leaves so their account can be deactivated.

3. Safeguarding

3.1 Together for Children will safeguard and promote the welfare of all children and young people in Sunderland. Work will continue in order to carry out statutory functions under the 1989 and 2004 Children Act, and outlined responsibilities with regard to safeguarding and child protection in 'Working Together to Safeguard Children' 2018 guidance.

3.2 Providers of free entitlement places must:

- Follow the EYFS and have clear safeguarding policies and procedures in place that are in line with the local authority's guidance for recognising, responding, reporting and recording suspected or actual abuse and neglect.
- Appoint a Designated Safeguarding Lead. This practitioner must take responsibility for safeguarding and all other staff must have training to identify signs of abuse and neglect. The provider must have regard to 'Working Together to Safeguard Children' 2018 and 'Keeping Children Safe in Education' (2016 guidance and 2018 consultation). Follow the links below for more information:

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

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

4. Eligibility for all Free Entitlement Places

4.1 As defined in the Childcare Act 2006, “Childcare” does not include care provided for a child by;

- (a) a parent or step-parent of the child;
- (b) a person with parental responsibility for the child;
- (c) a relative of the child;

Therefore you cannot claim a funded education place for a child falling into the above categories.

4.2 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, with full consent, 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 when there is no longer a good reason to keep the data. Please refer to the data privacy guidance detailed in the ‘Parental Declaration and Consent Form’ (Appendix 2).
- Offer places to eligible 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.

4.3 Together for Children must;

- Ensure that a child has a free entitlement place no later than the beginning of the term following the child’s eligible birthday and the parent/s meeting the eligibility criteria for the free entitlements. (See Table A 4.4.1 and Table B 4.5.1). Please note for extended entitlement places the child must meet the age eligibility and the parent or carer must have made a successful application prior to the 1st day of term, otherwise the child will not be eligible to access their entitlement until the beginning of the following term.

4.4 Children who move to England from another country can access a place on the same basis as any other child in the local authority area.

4.5 Eligibility for a free early education entitlement place for two year olds (570 hours per year)

4.5.1 If a parent or parents are in receipt of the following benefits they are eligible to receive free early education for their two year old child;

- Universal Credit; with an annual net earned income not exceeding £15,400
- Income Support;
- Employment and Support Allowance – Income Related (ESA(IR));
- Income Based Jobseeker’s Allowance;
- The Guarantee element of State Pension Credit;
- Support under part V1 of the Immigration and Asylum Act 1999;
- Child Tax Credit and/or Working Tax Credit AND have an annual income below a specific threshold (threshold - a household income of £16,190);
- Fostering Allowance (paid for the child);
- Disability Living Allowance (claimed for the child).

A child is also entitled to a place if;

- They are looked after by the local authority;
- You have a Special Guardianship, Adoption Order, Residence Order or a Child Arrangement Order and they were previously looked after;
- They have a current statement of special educational needs (SEN) or an education, health and care (EHC) plan.

As well as the eligibility criteria above, an eligible two year old child will need to meet the age criteria shown in Table A below:

Table A: Age criteria for two year old place:

A child's 2nd birthday is on or falls between:	Will become eligible for a free place in Sunderland (subject to providers admission timetable):
1 st April to 31 st August	The start of term on or after 1 st September (after Summer Holidays) (Autumn school term)
1 st September to 31 st December	The start of term on or after 1 st January (after Christmas Holidays) (Spring school term)
1 st January to 31 st March	The start of term on or after 1 st April (after Easter Holidays) (Summer school term)

4.5.2 The statutory requirements prescribe that eligible two year olds must be offered 570 hours per year, to be taken over no fewer than 38 weeks.

4.5.3 For two year olds who become eligible after the beginning of the term following their second birthday a place must be secured from the start of the next term, and the service ends when they meet the age criteria for an early education place for three- and four-year-olds.

4.6 Eligibility for a free early education entitlement place for three and four year olds (Universal offer of 570 hours per year)

4.6.1 The statutory requirements prescribe that three and four year old children can access a universal free early education entitlement place when they meet the age criteria described in Table B below:

Table B: Age criteria for universal three and four year old place:

A child's 3rd birthday is on or falls between:	Will become eligible for a free place in Sunderland (subject to providers admission timetable):
1 st April to 31 st August	The start of term on or after 1 st September (after Summer Holidays) (Autumn school term)

1 st September to 31 st December	The start of term on or after the 1st January (after Christmas Holidays) (Spring school term)
1 st January to 31 st March	The start of term on or after the 1st April (after Easter Holidays) (Summer school term)

4.6.2 The statutory requirements prescribe that eligible three and four year olds must be offered 570 hours per year, to be taken over no fewer than 38 weeks of the year (Universal offer).

4.6.3 Children are eligible for the universal free entitlement for three and four year olds until they reach compulsory school age (the beginning of the term following their fifth birthday). Unless circumstances require a child's reception year place to be deferred.

4.7 Eligibility for a free extended entitlement place for three and four year olds (Extended offer of 1140 hours per year)

4.7.1 The statutory requirements prescribe that for a child to be eligible for 30 hours a parent must have a taxable income of less than £100,000 and meet one of the following criteria:

- A single parent - must work at least 16 hours or earn at least the National Minimum Wage or Living Wage for 16 hours a week applicable to their age
- A couple - both parents must work at least 16 hours or each earn at least the National Minimum Wage or Living Wage for 16 hours a week applicable to their age
- Working **includes** those on statutory sick pay, parental, adoption, maternity or paternity leave;
- One parent is employed and the other parent is in receipt of specific carers' benefits, or specific disability or incapacity benefits.

4.7.2 Children must also meet the age criteria described for the free entitlement to early education for three and four year olds (see 4.5.1 Table B).

4.7.3 Eligibility for the additional free hours is determined by HMRC through an on-line application. The only exception to this is children in foster care (see 4.6.4). Parents are required to complete an eligibility check via www.childcarechoices.gov.uk. If deemed eligible they will be given an 11 digit eligibility code.

4.7.4 From September 2018, children in foster care will be eligible for the additional hours providing;

- They meet the age criteria set out in Table B (4.5.1)
- That accessing the extended hours is consistent with the child's care plan, placing the child at the centre of the process and decision making, and
- That in single foster parent families, the foster parent holds additional paid employment outside of their role as foster carer.
- That in two foster parent families, both partners hold additional paid employment outside of their role as a foster carer.

More information and details of the application process for foster carers can be found at <https://togetherforchildren.org.uk/families/childcare>

4.7.5 Alongside the child's unique 11 digit eligibility code, and original copies of documentation, a provider must acquire a signed written consent from the parent/s to be able to receive confirmation and future notifications from the local authority of the validity of the parent's 30 hours eligibility code. This consent should be obtained on the 'Parental Declaration and Consent Form' (Appendix 2). These consent forms must be kept by the provider for at least the duration of the child's placement and provided on request to Together for Children for monitoring and audit purposes.

4.7.6 Once a provider has received written consent from the parent they should verify the eligibility code with Together for Children using the on-line provider portal. The link to the portal and guidance for use can be found at: <https://www.togetherforchildren.org.uk/professionals/childcare-provider-portal>

5. How the Grace Period for the Extended Entitlement (1140 Hours) will operate in Sunderland

5.1 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.

5.2 Providers will be able to view the 'Expiration Dashboard' of the provider portal to check which children have fallen out of eligibility or children who are about to fall out of eligibility. The grace period end date will automatically applied to eligibility codes.

5.3 Together for Children 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' (2017). See table below:

Date parent receives ineligible decision on reconfirmation:	Grace period / funding end date:
1 Jan – 10 Feb	31 March
11 Feb – 31 March	31 August
1 April – 26 May	31 August
27 May – 31 August	31 December
1 September – 21 October	31 December
22 October – 31 December	31 March

5.4 A child cannot move to a different provider whilst in their grace period.

6. Flexibility

6.1 Providers of free entitlement places in Sunderland must deliver the entitlements as flexibly as possible, at times and in patterns that support parents/carers to maximise the use of the child's place. As a general rule providers must offer provision whereby:

- No session is longer than 10 hours;
- No minimum session length;
- No session is offered before 6.00am or after 8.00pm;
- A maximum of 2 sites in a single day;
- The offer can be 'stretched', i.e. taken as fewer hours over more weeks;
- There is no requirement for places to be delivered over only 38 weeks or in line with school term dates.

6.2 Children will be able to access their free entitlement place flexibly within each area of the city dependent upon local capacity. Providers must work with Together for Children 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 (Childcare Sufficiency). 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.

7. Partnership Working

7.1 Partnership working between different types of providers will be encouraged and promoted by Together for Children in order to meet the childcare needs of parents.

7.2 Providers should work in partnership with parents, carers and other providers to improve provision and outcomes for children in their setting. Providers should discuss and work closely with parents to agree how a child's overall care will work in practice particularly if their free entitlement is split across different providers, such as at a maintained setting and childminder, to ensure a smooth transition for the child.

7.3 Every parent whose child accesses an early education free entitlement place must have a clear written and signed agreement in place. This agreement should be co-signed by both parents where applicable. The 'Parental Declaration and Consent Form' (Appendix 2) of this document fulfils this requirement. Where a child accesses their full entitlement across different sites, each site must have their own signed agreement in place. For children eligible for the extended entitlement (1140 hours) the agreement will need to indicate where the child will continue to access their universal entitlement (570 hours) if they become ineligible for the extended entitlement.

7.4 Where providers decide to work together to provide flexible childcare for parents, a partnership agreement would need to be developed and signed by all parties. The Early Years Team would need to be informed of this agreement in order for funding arrangements to be supported. Please find 'Early Years Team Contact Details' (Appendix 4). An example of a partnership agreement could be between a term time only provider and an alternative provider during school holidays whereby the child only accesses one setting during census week.

8. Special Educational Needs and Disabilities

8.1 Providers 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.

8.2 Providers must adhere to the 'Statutory framework for the early years foundation stage' (April 2017) and must:

- 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.
- Ensure all staff are aware of their duties in relation to SEND.
- Have an appropriately trained setting-based SENCo who will implement the 'Special Educational Needs (SEN) Code of Practice' (2014) and the 'Disability Discrimination Act' (1995) to ensure the needs of all children are met. In the case of a childminder, the childminder will hold this responsibility.
- Enable the setting-based SENCo to attend relevant training in order to meet the needs of children in the setting and demonstrate how they do this.
- Have and implement an effective policy about ensuring equality of opportunities and for supporting children with additional needs, including those with learning difficulties and disabilities.
- Have and implement an effective intimate care policy.
- Ensure that no child is prevented from taking up their free entitlement because they are not yet toilet trained.

8.3 Providers should utilise Sunderland's Local Offer, Early Years Inclusion Fund and Disability Access Fund (DAF) to deliver effective support, whilst making information available about their SEND offer to parents.

8.4 A range of support and advice can be sought for parents and providers through Sunderland's Local Offer by following the link: www.sunderland servicedirectory.co.uk. Providers must submit and keep their Local Offer information up to date.

8.5 Early Years Inclusion Fund for two, three and four year olds with special educational needs (SEN) who are taking up the free entitlements is available to apply for. Criteria and application details are available from the Early Years Team. See 'Early Years Team Contact Details' (Appendix 4).

8.6 Disability Access Fund (DAF) applications can be made via the provider portal. Guidance on how to make an application including the criteria for applications can also be found on the portal. Please follow the link: <https://www.togetherforchildren.org.uk/professionals/childcare-provider-portal>

8.7 As part of the application process for DAF providers must complete and electronically attach when prompted the 'DAF Application and Consent Form' (Appendix 3) and a copy of the Disability Living Allowance letter confirmation from the parent/s. Approval of applications cannot be made without this supporting evidence.

9. Social Mobility and Disadvantage (EYPP)

9.1 Providers should ensure that they have identified the disadvantaged children in their setting as part of the process for checking Early Years Pupil Premium (EYPP) eligibility. For more information about Early Years Pupil Premium please view information on the Together for Children website:

www.togetherforchildren.org.uk/families/childcare. Providers will use EYPP and any locally available funding streams or support to improve outcomes for this group.

9.2 Consent to check eligibility for EYPP must be obtained on the 'Parental Declaration and Consent Form' (Appendix 2). Details should be added when prompted onto the provider portal in order for checks to be completed.

9.3 Children who are currently Looked After by a local authority or have left care through adoption, special guardianship, or child arrangement order will need to have a manual check carried out for EYPP. In these instances, a copy of the parental declaration form will need to be submitted securely to;

Sophie Maddison
Room 2.12,
Civic Centre,
Burdon Road,
Sunderland,
SR2 7DN.

10. Quality

10.1 The Early Years Foundation Stage (EYFS) statutory framework is mandatory for all schools that provide early year's provision and all 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.

10.2 Ofsted are the sole arbiter of quality for all free entitlements. Ofsted and inspectorates of independent schools have regard to the EYFS when carrying out inspections and report on the quality and standards of provision.

10.3 Together for Children will provide information, advice and training to providers of free entitlements on meeting the requirements of the EYFS, meeting the needs of children with SEND and on effective safeguarding and child protection procedures if they are rated less than 'Good' by Ofsted or they are a newly registered provider. However reasonable charges may apply for these services.

10.4 In relation to free entitlement places, providers will have regard for the national parameters on quality as set out in Section A3 of 'Early education and childcare - statutory guidance for local authorities' (2017) and the 'Statutory framework for the early years foundation stage' (2017).
<https://www.gov.uk/government/publications/early-education-and-childcare--2>

<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

10.5 Providers wanting to join the 'Sunderland Directory of Providers of the Free Early Education Entitlement for Two, Three- and Four-Year Olds' must have a current 'Good' or 'Outstanding' Ofsted outcome. Newly-registered early years providers awaiting their first Ofsted inspection will be able to deliver funded places for two, three- and four-year olds before their first full inspection judgement is published upon the successful completion of an audit of the safeguarding policy and practice carried out by the Early Years Team.

10.6 Following enrolment on the ‘Sunderland Directory of Providers of the Free Early Education Entitlement for Two, Three- and Four-Year Olds’ providers must adhere to the following;

10.6.1 A provider judged as ‘Outstanding’ or ‘Good’

- If, upon inspection (either planned or unannounced), a provider is judged by Ofsted to be ‘Outstanding’ or ‘Good’ you do not need to inform us and you will remain on the Sunderland Directory of Providers of the Free Early Education Entitlement for Two, Three- and Four-Year Olds’.

10.6.2 A provider judged as ‘Met’

- If, upon inspection (either planned or unannounced), a provider is judged by Ofsted to have ‘Met’ the requirements the provider must inform the Early Years Team by email within one working day of the inspection taking place (see Appendix 4). Phone calls must be followed up with a confirmation email. Failure to do so may result in removal from the ‘Sunderland Directory of Providers of the Free Early Education Entitlement for Two, Three- and Four-Year Olds’.
- As this inspection will have been carried out with no early year’s children on roll and therefore no official grading can be given the provider **will not** be allowed to admit new children requiring a free entitlement place for two-year olds but can still admit new children requiring a free entitlement place for three- and four-year olds.
- If places are required for sufficiency purposes a provider may be allowed to continue to offer free entitlement places to eligible two-year olds. Providers will be informed formally if they are able to do this.

10.6.3 A provider judged to ‘Require Improvement’

- If, upon inspection (either planned or unannounced), a provider is judged by Ofsted to ‘Require Improvement’ the provider must inform the Early Years Team by email within one working day of the inspection taking place (see Appendix 4). Phone calls must be followed up with a confirmation email. Failure to do so may result in removal from the ‘Sunderland Directory of Providers of the Free Early Education Entitlement for Two, Three- and Four-Year Olds’.
- The provider **will not** be allowed to admit new children requiring a free entitlement place for two-year olds but can still admit new children requiring a free entitlement place for three- and four-year olds.
- The provider will be required to work closely with the Early Years Team over the following twelve-month period to address all actions and recommendations raised in the inspection report and improve quality as outlined in the ‘Early Years Quality Improvement Support Programme’ (EYQISP). All quality improvement work undertaken will be monitored via a Team Around the Setting (TAS) quality improvement/development plan with regular progress meetings. If sufficient improvement is achieved and/or the places are required for sufficiency a provider may be allowed to continue to offer free entitlement places to eligible two year olds. Providers will be informed formally if they are able to do this.

10.6.4 A provider judged to be ‘inadequate’ or ‘not met’ or a provider who receives a ‘notice to improve’ or ‘welfare requirement notice’

- If, upon inspection (either planned or unannounced), a provider is judged by Ofsted to be ‘inadequate’ or ‘not met’ the provider must inform the Early Years Team by email within one working day of the inspection taking place (see Appendix 4). Phone calls must be followed up with a confirmation email. Failure to do so may result in removal from the ‘Sunderland Directory of Providers of the Free Early Education Entitlement for Two, Three- and Four-Year Olds’.
- If a provider receives a complaint driven visit or contact from Ofsted which results in a notice to improve or a welfare requirements notice being issued, then the provider must inform the Early Years Team in the same way.
- A full risk assessment will be undertaken to identify the impact upon children’s safety, well-being and development. This may result in removal or suspension from the ‘Sunderland Directory of Providers of the Free Early Education Entitlement for Two, Three and Four Year Olds’. If this is deemed necessary children may need to be found alternative childcare places. Work will be undertaken to identify the childcare requirements of families accessing funded places and children will be found alternative places with another provider. A smooth transition will be supported. As a result, this process may take a number of weeks up to one whole term.
- The provider **will not** be allowed to admit new children requiring a free entitlement place for two, three- and four-year olds.
- An inadequate provider of free entitlement places will be required to work closely with the Early Years Team over the following twelve-month period to address all actions and recommendations raised in the inspection report and improve quality as outlined in the ‘Early Years Quality Improvement Support Programme’ (EYQISP). All quality improvement work undertaken will be monitored via a Team Around the Setting (TAS) quality improvement/development plan with regular progress meetings. If sufficient improvement is achieved and there is judged to be no risk to children’s safety and well-being and the places are required for sufficiency a provider may be allowed to continue to offer free entitlement places to eligible two, three and four year-olds. Providers will be informed formally if they are able to do this.

11. Business Planning

11.1 The following documentation is required from providers to facilitate the delivery of free entitlements. The timetable is shown in the table below:

Documentation Required	How Often Documentation is Required	When Documentation is Required
Signed Provider Agreement Declaration	Once	Before being added to the provider list. As and when required if changes are made.
Childcare Sufficiency Returns	Annually	TBC
Parental Declarations	Once	When a child starts their funded early education entitlement place with each provider or as and when circumstances change. To be kept by the provider in line with their retention schedule.

Census Data (January Headcount)	Annually	Third Thursday in January
Headcount Data	3 times per term. Providers will be required to submit interim, actual and end of term data collection tasks.	Autumn term – actual headcount first Thursday in October Spring term – actual headcount third Thursday in January Summer term – actual headcount third Thursday in May

11.2 Local Authorities are required by legislation to secure sufficient childcare so far as reasonably practicable, for working parents, or parents who are studying or training for employment for children aged 0-14 years (or up to 18 years for disabled children). Providers are therefore required to complete a Childcare Sufficiency return as outlined in the table above in order for the local authority to fulfil this duty.

11.3 The census data collection (January) from providers is a statutory requirement through regulations under section 99 of the Childcare Act 2006 and The Education (Provision of Information about Young Children) (England) Regulations 2009. The content of the data collection will be determined by the Department of Education census requirements document.

11.4 All providers of early year's education are required to engage in Together for Children's termly headcount task via the provider portal in order to be funded for those children eligible to access the early year's free entitlement.

11.5 Failure to supply any of the information within the timescales set may result in inaccurate, delayed or suspended funding.

11.6 Providers should maintain accurate financial and non-financial records relating to free entitlement places e.g. registers, patterns of attendance, signed parental declarations and should give the Together for Children access with reasonable notice to all financial and non-financial records relating to free entitlement places funded under the provider agreement, subject to confidentiality restrictions.

11.7 The following charges will apply to any provider including childminders who provide late or incomplete information leading to additional administration in the processing of free entitlements:

- 5% of the full term funding up to a maximum of £500. Charges will be deducted from the final term payment.

11.8 Providers (and any of their employees in any way involved in the provision of the childcare services) shall comply with all the relevant requirements of the Data Protection Act 1998 and GDPR 2018.

11.9 Information set out or referred to in this agreement shall be considered strictly private and confidential, and providers shall not (and shall ensure that its employees do not) disclose or hand over any such information or documents to any third party, without the prior written consent of Together for Children.

12. Charging

12.1 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.

12.2 Providers 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. Providers should be particularly mindful of the impact of additional charges on the most disadvantaged parents.

12.3 Providers 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.

12.4 Together for Children 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 should be completely transparent about any additional charges.

12.5 Providers 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 pattern of hours is convenient for parents' working hours.

12.6 Providers can charge parents a deposit to secure their child's funded place but should refund the deposit in full to parents within a reasonable time scale. Settings should refund the deposit only after the census has taken place in which the child has been included and funding has been paid to the setting. If a parent withdraws the child prior to the census the deposit will not be refunded. Parents must be informed of this if providers decide to charge a deposit.

12.7 Providers 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 non-refundable registration fee as a condition of taking up their child's free place.

12.8 Providers should not charge or accept money from parents for a free entitlement place and then reimburse them following receipt of funding.

12.9 Providers should ensure their invoices and receipts are clear, transparent and itemised, allowing parents to see that they have received their free entitlement completely free of charge and understand fees paid for additional hours and services. The provider will also ensure that receipts contain the provider's full details so that they can be identified as coming from a specific provider.

13. Funding

13.2 Providers will be paid via an interim payment and final payment following the headcount tasks each term or can opt for monthly payments moving forward from September 2018. Both payment methods will be based only on the headcount information submitted by the provider.

13.3 Providers must accurately complete and submit headcount information and other necessary data returns as outlined in the 'Business Planning' section of this document. Data submissions will be made via the Capita Provider Portal in order to support Together for Children to make payments.

13.4 Where a child splits their entitlement between two providers in the same local authority, each provider must record the number of funded hours provided on the early year's census and headcount submissions and make clear for 30 hour places if these are universal or extended

hours. Each provider will be apportioned the amount of funding payable based on the number of funded hours accessed at each provider.

13.5 If a child accesses their free entitlement at two providers in different local authorities the local authorities will agree between themselves who will receive the funding and how this will be apportioned. In cases where this cannot be resolved the Department for Education will allocate the funding to the authority in which the child is resident based on their postcode.

13.6 If you have a child joining your setting after the start of term but **before** the termly headcount please check with the parent if the child has been attending another provider before joining you. If the child has been receiving their universal or extended entitlement at a previous provider, an appropriate amount of funding may need to be passed back to the first childcare provider. When completing the headcount task, both the total number of hours that the child has already taken, and the hours that will be taken for the remainder of the term, will all need to be claimed by the second provider. A partnership agreement should be entered into between the first and second provider. This agreement will entitle the first provider to receive their due proportion of funding, by invoicing the second provider for the number of hours the child accessed whilst with them.

13.7 If you have a child joining your setting **after** the termly headcount please check with the parent if the child has been attending another provider before joining you. If the child has been receiving their free entitlement from a previous provider, the first provider will receive funding for the whole term. Therefore, in order for the second provider to receive funding after head count, the first provider will need to agree to re-distribute funding for the remaining weeks of the term. If the first provider will not enter into an agreement committing to this re-distribution, then you may not receive funding for this child.

In certain cases, for example, where a child is looked after and has to move settings due to family circumstances then Together for Children will insist that a partnership agreement be entered into and funding transferred to the new provider for the remaining hours.

13.8 Where a child accesses their entitlement across two providers in particular a term time only provider and an alternative setting during school holidays the two providers will need to enter into a partnership agreement. The holiday provider will not be able to complete the termly headcount task as the child will not be in attendance during census week. However the term time only provider will have the child in attendance so as the lead provider could claim the total number of hours accessed across the term and reimburse their partner provider.

13.9 All providers should have a robust childcare contract in place which is signed by parents and covers all areas of the childcare service provision that has been agreed. The childcare contract also needs to clearly state what will happen if funded early education hours are missed due to setting closure e.g. a child who attends for funded hours on a Monday may miss some of their entitlement due to setting closure on a bank holiday. Contracts also need to state any notice period required should parents choose to move a child to another provider mid-term after the termly head count has taken place.

14. Compliance

14.1 Together for Children reserve the right to carry out checks and/or audits on providers to ensure compliance with the requirements of delivering the free entitlements.

14.2 Providers must obtain a signed 'Parental Declaration and Consent Form' (Appendix 2) from parents and as previously stated in 4.5.3 retain these for the duration of the child's funded place. Together for Children's Early Years Team will carry out termly spot checks following submission of the termly headcount data to ensure accuracy and compliance.

14.3 We aim to give providers notice that an audit will be undertaken. However, some checks may be unannounced as they may take place in response to issues/complaints received.

14.4 The providers acknowledge that Together for Children are subject to the requirements of the Freedom of Information Act 2000, and the providers shall be required to promptly assist and cooperate with both the Council and Together for Children to enable them to comply with their information disclosure obligations.

15. Termination and Withdrawal of Funding

15.1 If a provider of free early years provision for two three and four year olds fails to meet the conditions which are set out within this provider agreement with regard to:

- Safeguarding (see section 3)
- Partnership Working (see section 7)
- Special Educational Needs and Disabilities (SEND) (see section 8)
- Early Years Pupil Premium (EYPP) by ensuring it is drawn down for those children that meet the criteria and that the funding is used to help diminish the difference between the most advantaged children and the least (section 9)
- Quality (see section 10)
- Business planning (see section 11)
- Charging (see section 12)
- Funding (see section 13)

Together for Children reserve the right to terminate this provider agreement and withdraw a provider from the directory and cease funding. The provider may also be required to repay the whole or part of the funding they have been paid in respect of free places.

15.2 A failure by either Sunderland City Council and/or Together for Children to either:

- Enforce any one or more of the provisions of this agreement, or
- To require performance by the other party of any of the provisions of this agreement shall not constitute as a waiver of the provision or of their right to subsequently enforce all terms and conditions of this agreement at any time.

15.3 Should a provider close at short notice and cease to operate Together for Children may require the repayment of the whole or part of the funding they have been paid in respect of free places. Should a provider plan to close, they must inform Together for Children and give a notice period of at least one full term in order to minimise disruption to children and families. (See Appendix 4)

15.4 If a provider receives a complaint with regard to safeguarding or an allegation against a member of staff, they must inform the Early Years Team in writing or by email within 1 working day of receiving the complaint (see Appendix 4). A risk assessment will be undertaken and a decision will be made with regard to whether funded children will be removed from the setting. If children are moved, any funding paid for free entitlement places will need to be repaid to Together for Children. Together for Children will send an invoice for the outstanding hours of care for the remainder of the term.

15.5 Suspension/withdrawal 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. If a provider, offering free entitlement to early education places is suspended from the Early Years Register by Ofsted they must inform the Early Years Team by email within 1 working day (see appendix 4). In this circumstance the provider must provide the Early Years Team with full contact details for the parents of any children receiving a free entitlement place at their setting and work closely with the Early Years Team to find alternative placements for all funded children. Children will be allocated an alternative place to attend for their funded childcare while Ofsted complete their investigation. Any funding paid for free entitlement places will need to be repaid to Together for Children. Once any investigation is completed, the families of children will be informed and they will choose whether to return to the original provider or to remain with the new provider for the rest of the term and payments will be arranged with the preferred provider.

16. Complaints Process

16.1 Together for Children has a complaints procedure in place which can be used in the following circumstances:

- Any parent who has raised a concern with regard to funded childcare places with a provider and has not been able to resolve their concern directly with the provider.
- Parents who are not satisfied that their child has received their free entitlement in accordance with the legislation or as set out in this agreement and in Early Education and Childcare Statutory guidance for Local Authorities.
- Any provider who has an issue with the way that Together for Children has undertaken its duties in accordance with the legislation or as set out in this agreement and in Early Education and Childcare Statutory Guidance for Local Authorities.
- A provider who has been denied approval to offer free entitlements or has had their funding withdrawn in order to appeal the decision.

16.2 Together for Children's complaints procedure can be found at:

<https://www.togetherforchildren.org.uk/aboutus/complaints>

16.3 All providers of funded places 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.

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

17. Appeals and Disputes Process

17.1 A provider may be denied approval to offer the free entitlements or have their funding withdrawn as set out within this agreement. The provider can appeal against that decision. If a provider wishes to appeal please contact the Early Years Team (see Appendix 4).

17.2 All providers shall endeavour to notify Together for Children of any anticipated dispute at the earliest possible opportunity, so that any potential dispute can be attempted to be avoided by negotiation.

17.3 All providers and Together for Children both agree that they shall firstly endeavour to resolve any failure to agree matters (or any disputes) by direct negotiations between senior representatives of both parties.

17.4 In the event that a dispute arises that cannot successfully be resolved by negotiation, then both parties shall also give proper consideration to any request to refer the matter to mediation.

17.5 Unless given written instruction by Together for Children to the contrary, the providers shall continue to observe, perform and comply with all their obligations under this agreement, notwithstanding that a dispute may have arisen between the parties.

18. Declaration:

I have read and agree to the terms and conditions as outlined within the Provider Agreement for the Provision of Free Early Years Education Entitlement Places for Two, Three and Four Year Olds 2018 and would like to be included in the Directory of Providers in Sunderland.

I will inform Together for Children of any changes in provider portal account holder's details including name, phone number and email address or if an account holder leaves the setting.

*Please note - any amendments to any sections of this agreement will be made available through the Provider Portal.

Provider Agreement Signatures:

Setting name:	
Print name and job title:	
Signed on behalf of the provider:	
Contact number:	
Email:	
Date:	

Signed on behalf of Together for Children:	
Designation:	
Date:	

Please return the signed provider agreement declaration to:
The Early Years Team
FAO: Paula Dunn
Bunny Hill Centre
Room 3
Hylton Lane
Sunderland
SR5 4BW

Alternatively the signed form can be scanned or photographed and email to: paula.dunn@togetherforchildren.org.uk

Signed provider agreement declarations will be held electronically as long as you remain on the provider list.

Should you have any concerns in relation to how your information is being or will be used, please contact Together for Children's Data Protection Officer (a function of Sunderland City Council) – Tel 0191 520 5555.

Email – data.protection@sunderland.gov.uk

Appendices Contents:

- Appendix 1 - Application to be included in the Sunderland Directory of Providers of the Free Early Education Entitlement for Two, Three and Four Year Olds.**
- Appendix 2 - Parental Declaration and Consent Form.**
- Appendix 3 - Disability Access Fund (DAF) Application and Consent Form.**
- Appendix 4 - Early Years Team Contact Details.**

Appendix 1

Application to be included in the Sunderland Directory of Providers of the Free Early Education Entitlement for Two, Three and Four Year Olds

Please state registered name of setting:			
Address of provision:			
Postcode:			
Contact details	Day Time:		
	Evenings:		
	Weekends:		
	Email:		
Ofsted Early Years Registered Provider?	Yes	No	Ofsted Unique Reference Number (URN) where applicable:
Please state provision type: e.g. School, Childminder, Nursery			
	Yes	No	Type
School? If yes please state type e.g. primary, infant, nursery, independent and whether academy or maintained:			
Date of most recent inspection:			
Current Ofsted grading:			
Date of registration (newly registered providers only):			
Payment Details:			
Full name on bank account:	Bank name and address:		
Sort Code:	Account Number:		
How would you like to be paid for the funded childcare you deliver? Please tick			
Option A <input type="checkbox"/>	Option B <input type="checkbox"/>		
I would like to receive an interim and an actual payment each term.	I would like to receive monthly payments. I understand that this means the monthly payments will be generated from the termly headcount information that I submit via Capita.		

Please show which type of free entitlement places you intend to offer:	Yes	No	Term Time Only	Over more than 42 weeks	Only During School Holidays (Partnership)	Weekends (Partnership)
Disadvantaged Two-Year-Old Places:						
Universal 15 hours for three- and four-year-olds:						
Extended entitlement for three- and four-year-olds:						
Please state how many free early education entitlement places will you offer per day?	Number of Places Available Per Day					
	Mon	Tue	Wed	Thurs	Fri	
15 hours for Two Year Olds						
15 hours for Three and Four Year Olds (Universal Entitlement)						
30 hours for Three and Four Year Olds (Extended Entitlement)						

Declaration:

I have read and agree to the terms and conditions as outlined within the Provider Agreement for the Provision of Free Early Years Entitlement for Two, Three and Four Year Olds and would like to be included in the Directory of Providers in Sunderland. I understand that the information provided will be held on Together for Children's electronic data management systems and shared with the Local Authority in order to meet statutory and legal obligations.

Please tick as appropriate:

Head Teacher		Owner of Provision	
Childminder		Management Committee Chair Person	
Childminder Agency Lead		Chair of Governors	
Print name:		Signed:	Date:

Should you have any concerns in relation to how your information is being or will be used, please contact Together for Children's Data Protection Officer (a function of Sunderland City Council) – Tel 0191 520 5555. Email – data.protection@sunderland.gov.uk

Completed forms must be returned to:

**Early Years Team
Together For Children
Bunny Hill
2nd Floor Room 3
Hylton Lane
Sunderland
SR5 4BW**

For office use	Date	Initials
Receipt of application		
Added to Capita		
Vendor request submitted		
ICT user account requested		
Provider portal log in details sent to provider		

Appendix 2

Parental Declaration and Consent Form

The details requested in this form are required to assess your eligibility for free early education places and associated funding including Early Years Pupil Premium. Your early year's provider can support you to complete the declaration form.

Your child can attend a maximum of **three** providers in total with a maximum of **two** sites in one day. If your child attends more than one provider you must complete a declaration form at each provider your child attends to ensure that funding is paid fairly between them.

Please use **black ink** and write in **BLOCK CAPITALS**

Sections 1a, 1b & 1c	To be completed for ALL children
Section 2	Additional information needed to claim the two year old free entitlement (15 hours for two year olds)
Section 3	Additional information needed to claim 30 hours for three & four year olds (Extended entitlement)
Section 4	Additional information needed to claim Early Years Pupil Premium (EYPP)

1a: Summary of Placement (to be completed by ALL)							
Name of child:							
Name of provider:							
						Tick as appropriate ✓	
Type of placement attended at the above named provider:	Two year old free entitlement (15 hours for two year olds)						
	15 hours for Three & Four Year Olds (Universal Entitlement)						
	30 hours for Three & Four Year Olds (Extended Entitlement)						
Does your child split their free entitlement place across more than one site?				Yes		No	
If yes please state their pattern of attendance below:							
Provider / School name	Please enter total free entitlement hours attended per day					Total number of hours per week	Number of weeks per year (e.g. 38)
	Mon	Tue	Wed	Thur	Fri		
A							
B							
C							
Total daily free hours							

1b: Parent / Carers Details: the person receiving the benefit must be listed if applicable (to be completed by ALL)							
Title:		Legal forename:		Legal surname:			
Previously known surname: (if applicable)							
Address:							
Postcode:							
Date of birth (e.g. 31/08/1970)	Date	Month	Year	Gender:	Male	Female	
Contact telephone number:		Home: Mobile:					
Email address:							
Relationship to child?							
Are you a lone parent?		Yes		No			
National Insurance (NI) Number or National Asylum Support Service (NASS) Number: (NI number = 9 digits (2 letters, 6 numbers, 1 letter) NASS number = first 9 numbers only)							

If you have joint parental responsibility please complete the details below:							
Title:		Legal forename:		Legal surname:			
Previously known surname: (if applicable)							
Address:							
Postcode:							
Date of birth (e.g. 31/08/1970)	Date	Month	Year	Gender:	Male	Female	
Contact telephone number:		Home: Mobile:					
Email address:							
Relationship to child?							
Are you a lone parent?		Yes		No			
National Insurance (NI) Number or National Asylum Support Service (NASS) Number: (NI number = 9 digits (2 letters, 6 numbers, 1 letter) NASS number = first 9 numbers only)							

1c: Childs Details (to be completed by ALL)							
Title:		Legal forename:		Legal surname:			
Previously known surname: (if applicable)							
Address:							

Postcode:						
Date of birth (e.g. 31/08/2011)	Date	Month	Year	Gender:	Male	Female
Ethnicity Code: (see notes below)				Language/s spoken:		

Ethnicity Category	Code	Ethnicity Category	Code
White – British	WBRI	Asian or Asian British – Pakistani	APKN
White Irish	WIRI	Asian or Asian British – Bangladeshi	ABAN
Traveller of Irish Heritage	WIRT	Asian or Asian British – Any other Asian background	AOTH
Gypsy / Roma	WROM	Black or Black British - Caribbean	BCRB
White – Any Other White Background	WOTH	Black or Black British - African	BAFR
Mixed – White and Black Caribbean	MWBC	Black or Black British – Any Other Black Background	BOTH
Mixed – White and Black African	MWBA	Chinese	CHNE
Mixed - White and Asian	MWAS	Any Other Ethnic Group	OOTh
Mixed – Any Other Mixed Background	MOTH	Refused	REFU
Asian or Asian British - Indian	AIND	Information not yet obtained	NOBT

Please provide evidence to your childcare provider as proof of your child's age. (to be completed by ALL)			
Documentary proof of DoB Type (e.g. Birth Certificate, Passport):			
Document recorded by: (name of staff member)		Date recorded:	

2: Additional details for two year old free entitlement (to be completed if accessing a two year old funded place)	
Parent Notes: Some 2 year olds are eligible to 570 hours per year of childcare where families are in receipt of certain benefits, where children are Looked After or who have left care, for children who have an Education Health Care plan or are in receipt of Disability Living Allowance (DLA). To make an application and to read the full eligibility criteria please view information on the Together for Children website: www.togetherforchildren.org.uk/families/childcare	
Two year funded application reference number:	
Relationship to child on this claim:	

3: Additional details for 30 Hours for three and four year olds (Extended entitlement) (to be completed if accessing a 30 hour funded place)										
Parent Notes: Some three and four year olds are eligible for an additional 570 hours per year funded early education. Children may be eligible if their parent/s are working and meet particular criteria. To make an application and for further information please view information on www.childcarechoices.gov.uk All three-and-four-year-olds are entitled to 15 hours early education. If you are not entitled to the extended entitlement you can choose to pay for additional hours yourself and you may get support from the Government through Tax/Universal Credit or through Childcare Vouchers.										
30 Hours Eligibility Code (e.g. 12345678912) = 11 digit code										
If your child splits their 30 hour entitlement across more than one provider please complete the below:										
If your circumstances change making you no longer eligible for the extended entitlement, please state which provider you would like your child to continue attending for their universal 15 hours:							Name of Provider:			

4: Early Years Pupil Premium (EYPP)

Parent Notes:

Early Years Pupil Premium (EYPP) is an additional sum of money paid to early years providers for children of families in receipt of certain benefits or where children are Looked After or who have left Care. This funding will be used to enhance the quality of their early years' experience by improving the teaching, learning, facilities and resources, with the aim of impacting positively on your child's progress and development. For more information please speak to your childcare provider. For more information about Early Years Pupil Premium please view information on the Together for Children website: www.togetherforchildren.org.uk/families/childcare

	Yes	No
I agree to Together for Children using my information to enable my provider to claim Early Years Pupil Premium, where eligible, whilst my child receives early education.		

Parent/Carer/Guardian with Legal Responsibility Declaration

I (Print Full Name).....

confirm that the information I have provided above is accurate and true. I agree to inform the provider if there is any change in my circumstances.

I understand and agree to the conditions set out in this document and I authorise the provider named in section 1a to claim free entitlement funding as agreed above on behalf of my child.

I understand that my early year's provider will securely share the information contained in this declaration form with Together for Children. (Together for Children is a data controller in respect of the data it receives, and is subject to the same legal constraints in how it deals with personal and sensitive personal data as your early year's provider under the Data Protection Legislation. All information is held in accordance with Together for Children's retention schedule). I understand this information will be shared with the Department for Education (DfE) and Her Majesty's Revenue and Customs (HMRC) to confirm eligibility and the information provided will be held on Local Authority Systems and used to meet the Local Authorities Legal Requirements and ensure the correct use of public funds.

Parents Signature:		Date:	
Parents Signature:		Date:	
Setting Representative Name & Signature:		Date:	

***please note if both parent's details are included on the declaration form then a signature is required from both parents.**

Data privacy: The Data Protection Act 1998 and General Data Protection Regulation (GDPR) May 2018 puts in place certain safeguards regarding the use of personal data by organisations, including the Department for Education (DfE), local authorities and schools. The Act gives rights to those (known as data subjects) about whom data is held, such as pupils, their parents and teachers. This includes:

- the right to know the types of data being held;
- why it is being held; and
- to whom it may be communicated.

Should you have any concerns in relation to how your information or the information relating to your child/ren is being or will be used, please contact your provider directly or Together for Children's Data Protection Officer (a function of Sunderland City Council) – Tel 0191 520 5555. Email – data.protection@sunderland.gov.uk

Please note that information about whether a child is in receipt of Disability Living Allowance is sensitive personal data which should be handled appropriately. Providers are asked to pay particular note to advice from the ICO on holding personal data including sensitive personal data available at:

<https://ico.org.uk/for-organisations/guide-to-data-protection/principle-3-adequacy/>

Appendix 3

Disability Access Fund Application and Consent Form

Parents Notes:

Three and four year old children who are in receipt of child DLA and are receiving the free entitlement are eligible for the Disability Access Fund (DAF). DAF is paid to the child's setting as a fixed annual rate of £615. For more information please follow the link: <https://www.gov.uk/disability-living-allowance-children/overview>

By completing this form you agree to DAF funding being paid to **one** childcare provider as a one off payment. If you move your child to another childcare provider during the year then the DAF funding is not transferable.

Please return this completed form to your childcare provider along with a copy of your child's Disability Living Allowance letter confirmation. The childcare provider will then submit the application and supporting evidence to Together for Children.

Please read before signing

I declare that:

- I am the parent/legal guardian of the child named on the form;
- The below detailed information relating to my child is complete and accurate and I will notify the childcare provider of any changes;
- I have provided evidence that my child is in receipt of child disability living allowance (please submit a copy as supporting evidence);
- I confirm that my child is attending and claiming their free early education at the childcare provider named below;
- I consent to the information I have provided being passed to Together for Children to enable entitlement to the Disability Access Fund to be verified;
- I understand that if I move my child to another childcare provider that the DAF funding is not transferable;
- I understand that my personal information will be held securely in accordance with the Data Protection Act 1998 and General Data Protection Regulation (GDPR) May 2018 and will be used only for Local Authority purposes.

Child's Full Name:		Child's DOB:	
Child's Full Address:			
Parents Full Name:			
Signature:			
Date of application:			
Please name the provider you wish to receive the funding:			

To be completed by provider named above:

I can confirm that the child named above is in attendance and claiming their free early education at the setting and I have submitted official supporting documentation validating the child's details.

Setting representative name and signature:	
Date of application:	

FOR THE PROVIDER: Disability Fund Applications should be made via the childcare provider portal

<https://www.togetherforchildren.org.uk/professionals/childcare-provider-portal>

Please scan or screenshot this completed form and a copy of the benefit award letter and attach via the provider portal when prompted during the application. You will receive an outcome regarding your application via the provider portal once all information has been received by Together for Children. Please direct any DAF queries to the Early Years Team – Tel: 0191 5616650

Please note that information about whether a child is in receipt of Disability Living Allowance is sensitive personal data which should be handled appropriately. Providers are asked to pay particular note to advice from the ICO on holding

personal data including sensitive personal data available at: <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-3-adequacy/>

Appendix 4

Early Years Team Contact Details

Name	Role	Tel	Email Address
Pam Nield	Childcare Team Leader	07798617669	pamela.nield@togetherforchildren.org.uk
Judith Walker	Childcare Development Officer	07776245434	judith.walker@togetherforchildren.org.uk