

# Early Years Funded Entitlement Provider Declaration

1 April 2026 – 31 March 2027  
(published March 2026)



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## Introduction

The Early Years Funded Entitlement (EYFE) for children over 9 months old to statutory school age is at the heart of the Government's vision for all children to have access to high quality early years education, giving every child the best start in life.

The Department for Education (DfE) provides the Local Authority (LA) with statutory guidance namely 'Statutory guidance Early Education and Childcare (applies from 1 April 2026)' which outlines how to meet the duties set out in the Childcare Act 2006 and subsequent legislation. It also includes information about eligibility and conditions of funding.

While providers may wish to note this guidance, your obligations in connection with delivering the funded early years entitlements are set out in the following West Sussex County Council (WSCC) Provider Declaration. This document does not provide guidance on how providers operate their private businesses outside of the funded entitlement.

## EYFE Provider Declaration Form

The purpose of this document is to clarify statutory requirements and expectations of West Sussex County Council (WSCC). This form sets out the conditions for receiving the EYFE in West Sussex, identifying those which **must** or **should** be adhered to. For conditions which are identified as **should**, WSCC has an expectation that these will be met unless the provider can give a 'good reason' why they cannot. For conditions which are identified as **must**, WSCC expect these to be adhered to. (See Section 6 and Appendix F).

Providers **must** agree and comply with these conditions and sign and return the Provider Declaration Form via the Online Provider Portal if they wish to claim the EYFE for children within their setting. WSCC may, from time to time, amend these conditions but all providers will be notified of any such changes.

WSCC offers support to providers with an Ofsted or Independent Schools Inspectorate (ISI) outcome of 'Not Met' or less than 'Expected Standard' and for any provider requiring business support or help to include children, including those with Special Educational Needs and Disabilities (SEND). This is to enable eligible EYFE children to access high quality, inclusive early learning. Where providers do not make the necessary improvements required by Ofsted, ISI or childminder agency (CMA), WSCC may withdraw EYFE funding as soon as is practicable, securing alternative provision for children accessing their early education place. See also point 3.6.

## Glossary

Term	Definition
CMA	Childminding agency
DAF	Disability Access Fund
DfE census day	Census day as set by The Department for Education
Early Learning for 2-year-olds (LA Issued EYFE)	EYFE funding awarded by the Local Authority under the income-based benefits or other criteria.
Extended EYFE	Extended (or 30 hours) Early Years Funded Entitlement for eligible 3 and 4 year olds
EYFE	Early Years Funded Entitlement
EYFE for Working Families	Early Years Funded Entitlement awarded through the Government HMRC Childcare Service
EYFS / EYFSP	Early Years Foundation Stage / Early Years Foundation Stage Profile
EYPP	Early Years Pupil Premium
FIS	Family Information Service
INCo	Inclusion Coordinator
ISI	Independent Schools Inspectorate
LA	Local Authority
LADO	Local Authority Designated Officer
Must	Required to do
Ofsted	Office for standards in Education, Children's Services and Skills. Whenever WSCC refers to Ofsted, this also includes an independent inspectorate approved by the Secretary of State for Education.
Provider/Setting	This includes childminders, childminder agencies, childminder without domestic premises, day nurseries, pre-schools, maintained nursery schools, maintained or academy nursery classes, independent schools, free schools, breakfast clubs, out of school clubs or holiday play schemes.
SENCo	Special Educational Needs Coordinator
SEND	Special Educational Needs or Disabilities
SFF	Single Funding Formula
Should	Required to do unless there is a good reason not to
Universal EYFE	Universal Early Years Funded Entitlement for 3 and 4 year olds
WSCC	West Sussex County Council

## Statutory initiatives and documentation

There are a number of national expectations and regulations for childcare providers. All providers need to have regard to the following:

- [Early Education and Childcare - Statutory Guidance for Local Authorities \(April 2026\)](#)
- [Early years foundation stage \(EYFS\) statutory framework](#)
- [Early years qualification requirements and standards](#)
- [Special educational needs and disability code of practice \(January 2015\)](#)
- [The Human Rights Act 1998 and The Equality Act 2010](#)
- Any amendment or re-enhancement to the above or any regulations or code of practice that may be implemented to the above.
- Any other Acts of Parliament and all orders, regulations and byelaws made with statutory authority by government departments or by local or other authorities.
- [Right From the Start: West Sussex Early Years and Childcare Strategy 2024 to 2027](#)
- [Information for childcare providers website](#)
- [Giving every child the best start in life - policy paper](#)

## Section 1: The Early Years Funded Entitlement (EYFE)

### What a parent/carer is entitled to

1.1. Children become of eligible age for EYFE on the dates set out below:

#### Eligible 9 month olds

(Appendix B for Working Families criteria)

<b>A child born on or between:</b>	<b>Will turn 9 months old on or between:</b>	<b>Will become eligible age at the start of the term beginning in:</b>
1 April and 30 June	1 January and 31 March	April after turning 9 months old
1 July and 30 November	1 April and 31 August	September after turning 9 months old
1 December and 31 March	1 September and 31 December	January after turning 9 months old

#### Eligible 2 year olds

(Appendix A for Early Learning for 2 year olds (LA Issued EYFE) criteria, Appendix B for Working Families criteria)

<b>A child born on or between</b>	<b>Will become eligible age at the start of the term beginning in:</b>
1 April to 31 August	September after their 2nd birthday
1 September to 31 December	January after their 2nd birthday
1 January to 31 March	April after their 2nd birthday

#### Eligible 3 and 4 year olds

(Appendix B for Extended criteria)

<b>A child born on or between</b>	<b>Will become eligible for a funded place at the start of the term beginning on or following:</b>
1 April to 31 August	September after their 3rd birthday
1 September to 31 December	January after their 3rd birthday
1 January to 31 March	April after their 3rd birthday

1.2. Parents/carers can decide how their child accesses their weekly entitlement, subject to a provider's pattern of delivery, and available sessions.

1.3. Current eligibility criteria for:

- Early Learning for 2 year olds (LA Issued EYFE) are listed in Appendix A
- EYFE for Working Families, together with grace periods, is listed in Appendix B
- 3 and 4 year old Universal EYFE has no additional eligibility criteria

- 1.4. The EYFE does not guarantee a place at any one provider or a particular pattern of provision.
- 1.5. Providers' patterns of delivery for funded hours are subject to the following standards which should enable children to have access to regular, high-quality provision while maximising parental flexibility and ensuring a degree of provider stability:
- no EYFE session to be longer than 10 hours
  - no minimum session length or quantity of sessions (subject to the requirements of registration on the Ofsted Early Years Register)
  - not before 6am or after 8pm
  - a maximum of 2 sites in a single day
  - ensure children can take up their EYFE in continuous blocks without any artificial breaks. For example, a provider should not offer 10am to midday and 1pm to 3pm as EYFE and offer only non EYFE hours in between

<b>EYFE scheme</b>	<b>Maximum hours per week (over 38 weeks)</b>	<b>Maximum hours per year</b>
9 month old EYFE for Working Families	30	1140
2 year old EYFE for Working Families	30	1140
Early Learning for 2 year olds (LA Issued EYFE)	15	570
2 year old EYFE for working families + Early Learning for 2 year olds (LA Issued EYFE)	30 (15 of each)	1140 (570 of each)
Universal EYFE for 3 and 4 year olds	15	570
Universal + Extended EYFE for 3 and 4 year olds	30	1140

- 1.6. A child can take up EYFE, subject to availability:
- across a maximum of 52 weeks of the year if the parent is stretching their child's entitlement, reducing the weekly hours accordingly
  - outside of maintained school term times
  - at weekends
- 1.7. A child moving to England from another country is entitled to Universal EYFE on the same basis as any other child regardless of whether they have British citizenship.
- 1.8. Temporary residents, including children with working parents/carers and asylum seekers can claim EYFE funding subject to the eligibility criteria, see point 1.3.
- 1.9. Children visiting or on holiday to the UK from abroad cannot access EYFE funding.

1.10. WSCC has set up reciprocal arrangements with neighbouring authorities, whereby they agree to fund EYFE places for child residents in neighbouring areas attending provision in West Sussex and vice versa.

1.11. A child may move provider at any point during a term; however, parents/carers **should** make sure that they have complied with a provider's notice period (unless leaving before headcount day) up to a maximum of four weeks (for any funded hours). If moving provider within West Sussex, the funding **must** follow the child, with no deductions. If a child attended elsewhere between the start of term and prior to headcount day, funding for the time attended **must** be passed on to the previous provider.

Any funding transferred **must** include EYPP and the Deprivation supplement (where applicable).

1.12. All children in attendance at the WSCC headcount day should be claimed for as part of the providers' actuals claim. WSCC will fund all children in attendance during the WSCC headcount days below for the full term.

The table below shows the upcoming headcount days:

Term	WSCC headcount day*
Summer 2026	Thursday 30 April 2026
Autumn 2026	Thursday 17 September 2026
Spring 2027	Thursday 21 January 2027

\*Subject to change, dependent on DfE guidance.

1.13. Providers can claim for any eligible child that starts after WSCC headcount day, up to the below DfE census day through an adjustment process (see Appendix D). These claims will be paid based on the weeks the child has attended and at a later date. All claims remain subject to standard eligibility checks.

The table below shows the DfE census day:

Term	DfE census day
Summer 2026	Thursday 21 May 2026
Autumn 2026	Thursday 1 October 2026
Spring 2027	Thursday 21 January 2027 *

\* Please note for spring term the DfE census day is the same day as the WSCC headcount day

1.14. In the case of nurseries on a school site, the admissions policy **must** make clear that attendance at the nursery does not influence the child's chance of obtaining a place in the reception or foundation class at the school.

1.15. It is the responsibility of providers to communicate the following operational aspects of the scheme to parents to ensure they understand which hours can be taken as funded provision.

This includes:

- explaining the importance of headcount/DfE census day and the impact non-attendance at headcount may have, unless an exceptional reason applies see 4.14
- ensuring parents receive a clear statement of term dates for the year in advance
- ensuring that parents/carers understand that there is a maximum of 15 hours per week (Universal EYFE, Early Learning for 2 year olds (LA Issued EYFE) or 30 hours per week (EYFE for eligible Working Families) over 38 weeks irrespective of the type of provider (private, voluntary, independent, academy or maintained)
- explaining that they can charge parents for meals, snacks and consumables (see Appendix L) as part of an EYFE place, and for services such as trips and specialist tuition. However, these additional charges **must** be voluntary for the parent (see also point 1.19)
- explaining that any additional, private paid hours taken up will be charged for according to their usual terms and conditions (see also point 1.19)
- from September 2025, ensuring that where families are eligible for both the Early Learning for 2 year olds (LA Issued EYFE), and the Working Families entitlement, parents should be funded under the Early Learning for 2 year olds (LA Issued EYFE) entitlement for the first 15 hours they claim. Any further hours to claim (up to 15 expanded hours) should be claimed from the working parent entitlement

1.16. Providers **must** have clear policies available for parents/carers before signing up. Such policies **must** include:

- any admissions criteria, fees policy, pattern of delivery, notice periods. Private, voluntary, and independent providers are allowed to set their own criteria for the admission of children, providing they comply with relevant legislation on equalities and non-discrimination
- if a provider has vacancies, after the admissions policy criteria have been applied, they **must** be offered to parents requesting only EYFE sessions. Whilst the child continues to take up EYFE there should be no restrictions on that place. For example, to support continuity of care, parents should not have to reserve a place each term
- drop-off/collection arrangements
- how EYFE is offered
- options for reasonable alternatives to additional charges that allow parents to access the entitlement for free, including allowing parents to supply their own meals or nappies, or waiving the cost of meals and snacks
- information about Early Years Pupil Premium (EYPP) and Disability Access Fund (DAF), including what these are, provider policies on how the best use of funding is determined, and what information is required from parents to enable the provider to claim

1.17. Parents **must** understand that they will not be charged for EYFE hours and the circumstances in which fees are payable. Before a child takes up an EYFE place parents **must** be made aware of:

- any additional charges for example, for those parents opting to purchase additional hours or services
- any circumstances where a deposit may not be refunded
- the process for changing EYFE hours and any costs or fees that are linked to this. In addition, any changes to these fees or charges **should** be clearly communicated to parents
- the requirements for eligibility codes for EYFE for Working Families to be verified by WSCC or the provider prior to their child taking up the EYFE each term. WSCC can only fund valid codes

1.18. Providers **must** ensure the following information is available to parents:

- information about the EYFS is made available to parents and that they will be supported to engage in their children's learning.
- information about the provider's Local Offer and how they include children with special educational needs and/or disabilities (SEND), including pre-entry support, **must** be made available to parents.
- information about the costs of chargeable extras **must** be itemised and published on provider websites or, where they do not have any website, on local authority Family Information Services. (childminders and providers caring for 10 children or under at any one time are exempt from publishing this information)

1.19. For children accessing EYFE, providers **must** ensure that no fees or conditions of access are levied. Additional services and charges **should** be on the basis of parental choice and a willingness to meet the charges. Any charges **should** be fair and reasonable and not prevent take up, especially for disadvantaged families. The following **must not** be a condition of accessing EYFE hours:

- non-refundable registration/administration fees as a condition of taking up a child's EYFE place
- non-refundable deposits as a condition of taking up a child's EYFE place. The provider may retain the deposit if the parent does not take up their place
- non-refundable retainer fees in relation to EYFE places
- top-up fees (any difference between a provider's normal charge to parents and the funding they receive from the local authority to deliver free places)
- requirement to take up additional private paid hours
- general charges, including but not limited to, non-itemised enrichment charges, sustainability charges, business continuity charges, additional charges, enhanced ratios, hourly rates, or any other supplementary charges on top of the EYFE hours
- it **must not** be compulsory for parents/carers to pay for meals or snacks provided by the provider in order to access any EYFE hours (see also point 1.25)

- it must not be compulsory for parents/carers to pay for consumables such as nappies or sun cream and for services such as trips and yoga in order to access EYFE hours. Parents/carers must be given the option to supply their own consumables instead. See Appendix L for a list of chargeable and non-chargeable consumables
- voluntary contributions for non-chargeable items (as listed in appendix L) are acceptable but must not be included in any invoice totals or added as a condition of access
- it must not be compulsory for parents/carers to pay for additional support costs for children with special educational needs and disabilities (SEND) as part of their entitlement hours or as a condition of accessing an entitlements place. (See point 2.15)

1.20. Any refundable charges for children solely accessing EYFE hours **must** be re-paid to the parent shortly after headcount (except in circumstances where a provider would not be obliged to refund the charges. For example, if a parent fails to take up their place without giving sufficient notice).

### **Additional hours and invoicing (see Appendix K for example invoice)**

1.21. The rates charged for privately funded hours are a matter for providers to decide. Parents/carers should be provided with an invoice and receipt which is clear, transparent and itemised, showing that parents have only been charged for additional hours/services and not for EYFE hours.

1.22. Invoices and receipts **must** be itemised, and providers **must** ensure their invoices break down separately into:

- EYFE hours
- additional private paid hours
- food charges
- non-food consumables charges (see Appendix L)
- activities charges

Invoices and receipts **should** include the provider's full details so that they can be identified as coming from a specific provider.

1.23. Parents **must** be able to see that they have received their child's entitlement completely free of charge and understand fees paid for additional hours or services. EYFE **must not** be shown to parents/carers as a monetary subsidy. Parents/carers that only access EYFE hours **should** be invoiced at least once a term showing hours taken but with a zero monetary value.

1.24. Ensure the rates charged for additional paid for hours are no higher than the standard published fees. Parents **must** be informed of any changes to fees in line with providers Terms and Conditions for fee reviews

- 1.25. Where a provider's usual hourly rate is more than the EYFE funded hourly rate, additional 'top-up' fees **must not** be charged to parents/carers. Providers **must not** deduct the amount they receive from WSCC from parent/carer bills and the rates paid by WSCC **must not** be shown on any invoices. Similarly, where the normal hourly rate is less than the funded hourly rate, funding **should** be used to support the learning within the provision, but the difference **must not** be refunded to parents/carers.
- 1.26. A child will only be funded for EYFE hours if a parent chooses for their child to attend for hours outside of a provider's written pattern of delivery for EYFE then the parents/carers can be charged for those hours, even if they are not accessing more than the maximum total EYFE hours per week. Charged for hours **should** not be a condition of accessing a funded place though as per point 1.17. Providers **must** make clear to parents/carers what their pattern of EYFE delivery is (see section 2).

## Meals

- 1.27. EYFE hours may include meals and snacks, if this is incorporated into the EYFS delivery. Providers can charge for meals and snacks the children receive during the day; however, parents/carers **must** be provided with reasonable options for alternatives or have the cost of meals and snacks waived. Where a parent provides their child with a packed lunch or snack instead, this must be subject to healthy eating (including allergies) policies.

WSCC expects providers to work in partnership with parents who wish to bring in their own food by promoting healthy eating and agreeing alternatives that meet the same nutritional criteria without the need to place unreasonable conditions on what parents can provide. All providers **should** have a clear policy on food brought from home, offering guidance that supports healthy eating and ensures the safety of children with allergies or dietary needs

- 1.28. For further information on food safety advice you can refer to [the DfE food safety guidance](#). Any charge that a provider makes for lunch **must** be agreed with parents/carers in advance. Providers **must** ensure that children are able to take up their EYFE in continuous blocks if they wish to, and there should be no artificial breaks. For example, a provider **should not** offer 10am to midday and 1pm to 3pm as EYFE and offer only non EYFE hours in between.

## Non-attendance

- 1.29. Funding is paid on participation based on the agreed pattern of hours for the headcount week (see Section 4, specifically point 4.22). Children leaving before the headcount (unless confirmed as short-term sick or taking holiday) **cannot** be claimed for, even if the parent has given notice for their child (also see point 1.11).

If a child is frequently absent, absent for a prolonged period, or absent without notification from the parent/carer, providers **must** keep a record of this with reasons for children's absence. For example, a verbal or written statement from the parent/carer, which may be requested as part of the audit to support the claim.

When recording what they would judge as poor attendance providers **should** consider the child's/parent/carer vulnerabilities and home life.

Providers **must** have an attendance policy which they share with parents/carers, and which includes the actions they will take if a child is absent for a prolonged period for in line with the EYFS statutory framework. For example, following their safeguarding procedures or contacting emergency contacts if they are unable to follow up with the parents.

If poor attendance continues or a holiday exceeds 4 weeks (including if the holiday spans across more than one term) providers **must** contact WSCC about whether it is appropriate to continue to claim public funds for a child in future periods.

- 1.30. If the child is unable to attend due to short term sickness or a parent chooses to take them out on a short-term holiday, they cannot accrue these hours to be used at another time. The provider **should** explain this to parents thinking of taking holiday.

### Early Years Pupil Premium (EYPP)

- 1.31. Providers **should** identify children who qualify for the EYPP and the Disability Access Fund and promote these to parents.

- 1.32. All EYFE children who meet the eligibility criteria will attract additional funding to the hourly base rate, up to 15 hours per week.

EYPP **must** be used in ways which improves the quality of the provision for all children but with particular regard to the children it has been paid for.

However, for children who attract EYPP as they are cared for by the local authority, the funding **must** be used specifically for that child.

WSCC will ensure that children who are cared for by the local authority will receive the full EYPP entitlement of 570 hours across the year, even if the child attends less than 15 hours per week.

- 1.33. Providers **should** produce a written policy or statement which outlines how they plan to utilise the EYPP funding. It is up to the provider to demonstrate to Ofsted, during an inspection, how the EYPP has been spent and evidence how this has improved the learning outcomes for the children in attendance.

- 1.34. To claim EYPP funding, providers **must** gather the information required from parents and record this on the Parent Declaration form for submission with headcount. For further information regarding identifying eligible children refer to our [EYPP webpage](#).

For 3 and 4 year old children it is the parent/carer's choice where they access the Universal EYFE and **must** not be a condition of their place.

Where a 2 year old is eligible for both the Early Learning for 2 year olds (LA Issued EYFE) and EYFE for Working Families, EYPP will be applied to the Early Learning for 2 year olds (LA Issued EYFE) hours.

## Disability Access Fund (DAF)

1.35. The DAF is a funding entitlement which aids access to early years places by, for example, supporting providers in making adjustments to their settings.

EYFE children will be eligible for DAF if the child meets both of the following criteria:

- is in receipt of child Disability Living Allowance and receives EYFE, and
- receives EYFE

Providers with EYFE children eligible for DAF can claim a one-off payment, this is currently £975. The DAF is not based on an hourly rate and is an additional entitlement. If the child changes childcare providers, the new provider is not eligible to receive another payment of DAF for this child until a year after the first payment was made.

The new provider will need to wait until the following year. DAF is not transferable between providers unless agreed between the providers given the circumstances of a child.

Providers **must** include within their policies information relating to DAF, including what it is, what information is required from parents, and how best use of the funding will be determined. To claim DAF, providers **must** obtain the parent/carer's consent via the Parent Declaration form for submission with headcount. If the child is splitting their EYFE across more than one provider, WSCC will ask parents to nominate the provider of their choice. This provider will be where WSCC will pay the DAF for the child.

Providers **should** keep a record of DAF payments received and how this money was used and the impact it had for the child for whom the payment was received.

## Transfers between providers

1.36. Notice periods, outside of EYFE, are a matter for providers to decide and agree with parents/carers. When a child starts at a provider mid-term, providers **must** contact the previous provider, if in West Sussex, to ensure that the notice period at the previous provider has been served. Providers are asked that, where there are exceptional circumstances, the need to serve a notice period is waived.

1.37. If transfer of funding is disputed, the providers involved **should** contact WSCC to decide, or to consider an exceptional funding claim.

1.38. The amount transferred **must** include both EYPP and the deprivation supplement paid for the child transferring, as well as any remaining Inclusion funding.

DAF cannot be transferred to a new provider, however, the new provider may be able to apply for another DAF payment in the next relevant year, see point 1.35. The new setting **should** contact the Family Information Service (FIS) to ascertain the next date of eligibility for DAF

1.39. Where a child moves from one childcare provider to another within West Sussex after headcount week, providers **must** ensure that the balance of the unused funding is transferred to the new provider.

Childcare providers will be expected to work together to arrange the transfer of funding. Monies **must** not be given directly to a parent/carer.

- 1.40. If a provider accepts children mid-term from another provider that has closed, they **should** contact FIS directly, rather than the closed setting, to confirm the process for claiming funding.
- 1.41. Any remaining funding for the term if a child leaves a provider mid-term may be retained by the setting, provided the child does not transfer to another West Sussex setting during the same term. Any unused funding cannot be carried forward or transferred to subsequent terms.
- 1.42. Parents are expected to honour notice periods agreed to, however, there are occasions when this is not in the interest of the child.  
  
If a parent has not kept to a notice period, WSCC expects providers to be fair and proportionate and waive the notice periods where circumstances are exceptional and beyond the family's control.  
  
WSCC will only acknowledge a notice period of **up to 4 weeks** relating to transfer of EYFE. The 4 weeks is inclusive of periods of setting closure, for example half-term
- 1.43. Settings working in partnership to share funding over a term, including school holidays, **should** have a formal agreement in place. For example, if a parent wishes to access stretched funding during term-time and access holiday provision, the setting where the child is in attendance during headcount day will claim the funding and be responsible for forwarding on funds to the holiday provision through an agreement between themselves. This **must** not exceed the maximum weekly EYFE hours (as set out in point 1.5) over standard number of weeks.

## Section 2: Flexibility

### Pattern of delivery

Providers can choose how they wish to offer EYFE hours, this is called their pattern of delivery.

A parent/carer does not have a right to access EYFE hours outside of the provider's stated pattern of delivery. However, a provider, including maintained nurseries, cannot insist that a parent takes up a full pattern, meaning the full 15 or 30 hours. This means that the parent is entitled to access as many or as few EYFE sessions as they wish within the providers' pattern of delivery.

Where a child is accessing EYFE funding, all rules pertaining to EYFE apply to each WSCC funded hour.

Providers **should** work with parents to ensure that, as far as possible, the pattern of hours meets the needs of the children attending and are convenient for parents/carers to access. Children **should** be able to take up their full entitlement at times that best support their learning and development, and at times which fit with the needs of parents to enable them to work or increase their hours of work if they wish to do so. For example, a provider **should not** restrict access to session patterns such as 2:30pm–5:30pm.

- 2.1. Providers can choose to deliver the EYFE hours over up to 52 weeks of the year by stretching the EYFE over more than the standard 38 weeks, reducing the weekly hours accordingly. See point 4.33.
- 2.2. Providers **must** have a written pattern of delivery and make this available to parents when they enquire about their child accessing EYFE at the provider as part of the setting's policies and procedures. This **must** be given to WSCC via your provider update form on the Online Provider Portal. Example patterns of delivery are:

15 hours EYFE	30 hours EYFE
5 hours per day over 3 days of the week	10 hours per day over 3 days of the week
3 hours per day over 5 days of the week	6 hours per day over 5 days of the week

- 2.3. Providers may change their pattern of delivery but **must** contact the Early Years Funding Team to do so and may be required to re-sign up to offer EYFE. For example, if a provider wishes to amend the number of weeks across the year that they will offer funding, to add a stretched or term time EYFE offer, to add a new age group to their offer or change the days of the week they will offer funded hours, in these circumstances providers would be required to complete the re-sign up process.

Providers should provide parents with at least a term's notice following WSCC approval of their revised pattern of delivery and policies (see point 6.9).

### **Providers not able to offer the maximum weekly EYFE hours for the full 38 weeks**

- 2.4. Providers unable to offer the full 15 or 30 hours EYFE per week **must** inform parents/carers they are entitled to claim the remaining hours at another provider.

### **Inclusion and supporting children with SEND**

- 2.5. The EYFS provides an inclusive framework that supports the individual needs of all children. WSCC is committed to effectively implementing this framework, therefore all providers in receipt of EYFE **must** do the following, shared in points 2.6 to 2.15.
- 2.6. Ensure that no child is refused admission when space is available, and they are eligible for an EYFE place.
- 2.7. Identify an Inclusion Coordinator (INCo)/Special Educational Needs Coordinator (SENCo) from within the setting to take responsibility for developing and implementing inclusive policies and practice within the setting and ensuring that all members of staff understand their responsibilities in planning to meet each child's individual needs. This **must** include the production of a SEND Information Report in line with the SEND Code of Practice 2015. Your settings report must be reviewed and updated on an annual basis.
- 2.8. Ensure that where there are on-going concerns about a child's inclusion in the setting, supporting online materials and guidance are accessed in the first instance.

Following consistent implementation of suitable strategies, if the setting still need support, the provider may request further support from WSCC via the setting support phonenumber (see Section 7: Contact List).

2.9. Ensure that no child is excluded or at risk of being excluded without ensuring that all appropriate strategies are in place, parents are involved, and support has been requested from WSCC.

2.10. Ensure appropriate policies, facilities and procedures for staff to meet children's personal care needs. An EYFE place cannot be withheld based on a child's learning, health care needs or their need for additional support within the setting, for example because a child is incontinent, or due to allergies or specific medical needs.

Childcare and early years education providers **should** ensure that their practice enables all children to access the same opportunities as their peers regardless of their needs or stage of development. Policies **must** not exclude children based on continence, beliefs, immunisation status, or other non-medical factors relevant to equal access.

Providers **should** contact the FIS in the first instance for advice (see Section 7: Contact List).

2.11. Ensure strategies are put in place to support children and families for whom English is an additional language. Providers **should** use support information available on our website in the first instance for advice (see Section 7: Contact List).

2.12. Ensure that, when children move between settings, they are supported to make a smooth transition by, with parental permission, sharing information including records of the child's progress and, if appropriate, organise a transition meeting with the new setting. All safeguarding information **must** be shared with the new provider.

2.13. Ensure that where children are attending 2 or more settings, with parental permission, providers **must** share information including details of the child's progress, safeguarding concerns, and funding information.

2.14. All settings **must** monitor the progress of all children, identify children not making progress and put in strategies and support to enable all children to reach their full potential.

Settings **must** ensure that vulnerable children and families are enabled to access the services that can support their needs, for example, referrals to health professionals or setting up an Early Help Plan. Settings should use appropriate tools to identify vulnerable children and families.

2.15. Children in receipt of EYFE with identified SEND may be entitled to Inclusion funding. For further information please refer to our [Inclusion Funding guidance](#).

## Section 3: Quality and safeguarding

### Quality of providers

- 3.1. WSCC will only fund EYFE through childcare and early years education providers who deliver the full Early Years Foundation Stage (EYFS) (unless specifically exempted by Ofsted), and are either registered with Ofsted, a childminder agency or the Independent School Inspectorate as early years providers, or are schools taking children aged 2 and over, and therefore exempt from registration with Ofsted as early years providers.
- 3.2. WSCC will fund places for children eligible for the Early Learning for 2 year olds (LA Issued EYFE) at new providers who have yet to be inspected by Ofsted, and providers rated, 'Safeguarding – Met', **and** 'Leadership and Governance - Expected Standard,' 'Strong Standard or Exceptional'.
- 3.3. WSCC will fund places for children eligible for the Universal 3 and 4 year old EYFE and the EYFE for Working Families at new providers who have yet to be inspected by Ofsted, and providers rated 'Safeguarding – Met', **and** 'Leadership and Governance Expected Standard, Strong Standard or Exceptional'.
- 3.4. Providers **must** meet all the safeguarding and welfare requirements of the current EYFS and local safeguarding procedures. Appendix J sets out the flow of safeguarding information between the FIS, Setting Support, LADO, Ofsted and other relevant services.
- 3.5. Providers **must** inform WSCC of any Ofsted inspection outcomes that are 'Not Met', 'Needs Attention or Urgent Improvement' no later than the day after their inspection. This will trigger a process of support to ensure that Ofsted actions are addressed swiftly and effectively.
- 3.6. Settings who receive a published Ofsted report rating of 'Safeguarding - Not Met, Leadership and Governance - Urgent Improvement' will no longer be able to offer EYFE for any new children joining the setting.  
  
Existing funded children can continue to access their EYFE place at the setting, should their parents choose to. Where this provider fails to improve, EYFE funding for all children will be removed (see Appendix F).
- 3.7. Settings who receive an Ofsted rating of 'Safeguarding - Not Met, Leadership and Governance - Needs Attention or Urgent Improvement' will no longer be able to offer EYFE for any new Early Learning for 2 year olds (LA Issued EYFE) children joining the setting. Existing Early Learning for 2 year olds (LA Issued EYFE) children can continue to access their EYFE place at the setting, should their parents choose to.

WSCC will only fund places for new children eligible for the Early Learning for 2 year olds (LA Issued EYFE) at 'Safeguarding - Not Met, Leadership and Governance - Needs Attention or Urgent Improvement' rated providers where there is not sufficient, accessible provision which is judged to be at the expected standard or above. (see Appendix F).

- 3.8. Childminders are not required to hold a specific qualification to offer EYFE. However, WSCC encourage working towards gaining a full and relevant level 3 qualification if they do not already hold one.
- 3.9. WSCC will secure alternative provision and withdraw funding as soon as is practicable, when Ofsted publish a second consecutive inspection judgement of a childminder agency of 'ineffective' (see Appendix F).

## Section 4: Funding the Early Years Funded Entitlement

### Conditions of funding

Providers **must**:

- 4.1. Sign and return the EYFE Provider Declaration Signature Form.
- 4.2. Supply any additional information requested by WSCC or partner organisations, including any Census return on behalf of the DfE, Termly Childcare Update Form and termly Sufficiency information, in order to support monitoring the use of public funds and childcare sufficiency planning.
- 4.3. Adhere to headcount day for all children accessing the Universal EYFE and EYFE for Working Families for 2, 3 and 4 year olds. These dates **must** be clearly stated for parents and carers.

A child who is in regular attendance but is legitimately absent (such as sickness or planned holiday for no more than 4 weeks) during WSCC headcount day can be included in the submission.

- 4.4. Follow the adjustment process for eligible children accessing the Universal EYFE and EYFE for Working Families for 2, 3 and 4 year olds who start after WSCC headcount day up to the DfE census day.
- 4.5. Follow the adjustment process for Early Learning for 2 year olds (LA Issued EYFE) and children in receipt of the 9 month working family's entitlement.

There is no restriction on when these children can start during a term. Eligible applications are supported throughout the period by following the process for requesting funding after headcount (see appendix D).

- 4.6. Maintain a separate non-personal bank account specifically for their childcare provision. The account **must** be dual signatory unless a provider is a sole trader.

EYFE payments will only be made to the specified bank account through the BACS system. Any alterations to the specified bank account **must** be notified to WSCC.

- 4.7. Repay, on demand, any payment of funding if that payment was:
  - for provision which did not WSCC's conditions of funding
  - made incorrectly due to an administrative error
  - an estimate overclaim

- made for a child due to failure of the provider to make an adjustment at the correct time.

4.8. Inform WSCC urgently as soon as you are aware that your provision has any current or anticipated financial difficulties or sustainability issues, especially if there is the possibility of permanent closure.

Settings **should** request [Targeted Setting Support](#) from WSCC. In the event of permanent closure, you will be expected to repay any unused funding to WSCC.

4.9. Actively promote fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.

4.10. Not promote views or theories as fact, which are contrary to established scientific or historical evidence and explanation.

4.11. Meet the needs of children with additional needs and/or disabilities.

When a child starts to attend school, even on a part-time basis, EYFE funding will cease. Should a child start school and then return to early years provision (before they are of statutory school age – the term after the child turns 5) or parents defer entry/no school places available providers **must** contact WSCC to discuss funding.

Those children who attend reception classes in independent schools or are being home schooled can continue to receive the Universal EYFE Funding until statutory school age.

Parents cannot claim their 30 hours in addition to a full-time reception place in a state funded or independent school.

A child born on or between	Must legally be in full time education and therefore EYFE ceases completely beginning on or following:
1 April to 31 August	September following their 5th birthday
1 September to 31 December	January following their 5th birthday
1 January to 31 March	April following their 5th birthday

4.12. Childminders **must** not claim EYFE funding for their own child/ren or any other related child.

“Childcare”, as defined in section 18 of the 2006 Act, 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. This means early years provision supplied by a childminder (either independently registered with Ofsted or registered with a childminder agency) for a ‘related’ child does not count as childcare in legal terms.

Funded hours cannot be claimed by, or spent on, childminders providing childcare for their own child or a related child, even if you are claiming for other children.

## Payment mechanisms

4.13. The EYFE is funding provided for eligible children, claimable in half-hour increments. Providers may choose to receive payments in one of the following ways:

**Two payments per term** – payment for each is in 2 instalments.

- The **first instalment** is based on the total estimated weekly hours (that is to say, an estimate of EYFE hours expected to be taken up in the headcount week). This is submitted by a provider in the previous term, and 70% of the forecast termly grant is paid at the beginning of the term.
- The **second instalment** is based on the return following headcount day (which is close to the start of term), and children **must** be attending by that date to receive the grant (for Early Learning for 2 year olds (LA Issued EYFE) see point 4.3).

After submission of the headcount figures (such as the exact numbers of children attending, hours taken up and number of full weeks - not part of a week - which may vary for each child), the balance of the termly payment is made after half term. This enables adjustments to be made if the estimate and headcount numbers differ.

**Monthly payments** – payments for each term are split to enable a payment at the beginning of each month.

- **All instalments except the final instalment** are based on the total estimated weekly hours. Like the first instalment above, this is submitted by the provider prior to the term, and the sum of all but the final instalment is equivalent to 70% of the forecast termly grant. This 70% is then split between the instalments.
  - Spring – 2 instalments of 35%, paid each month in January and February.
  - Summer – 4 instalments of 17.5%, paid each month from April to July.
  - Autumn – Three instalments of 23.3%, paid each month from September to November.
- **The final instalment** is based on the return following headcount day (which is close to the start of term), and children **must** be attending by that date to receive the grant (for Early Learning for 2-year-olds (LA Issued EYFE) see 4.3). After submission of the headcount figures (such as the exact numbers of children attending, hours taken up and number of full weeks - not part of a week - which may vary for each child), the balance of the termly payment is made for the final month of the term.

4.14. Any approved claims submitted for children starting after the WSCC headcount day will be paid separately to the actual's payments. These payments will be made at a later date in the term, subject to when the claim was submitted. This includes claims for children starting after WSCC headcount day up to DfE census day.

4.15. Where a child accesses fewer than the full entitlement hours, the EYFE is paid based on the hours taken up.

Parents may split the entitlement between more than one provider or on more than one site if they wish. This **must not** equal more than 15 hours per week or 570 hours per 12 month period for 3 and 4 year old Universal EYFE and Working Families EYFE and 30 hours per week or 1140 hours per 12 month period for 3 and 4 year old Extended EYFE.

To ensure correct payments are made to each provider, a copy of the Parent Declaration Form **must** be submitted to WSCC where indicated in the table below.

Scenario	Submit copy of Parent Declaration Form to WSCC
Child is eligible and claiming DAF	Yes
WSCC request a copy to resolve dispute in funding claims	Yes
Child is claiming EYPP	No

4.16. Parents who wish to claim the EYFE **must** have started the child (unless on short-term sick or planned holiday, see point 1.30) with the provider no later than headcount day.

Children who start attendance after the WSCC headcount date and up to the DfE census day may also be eligible to claim EYFE via an adjustment process for requesting funding after headcount (see Appendix D) subject to the standard eligibility verification checks.

For the 9 months plus EYFE for Working Families age group and Early Learning for 2 year olds (LA Issued EYFE) these children can start at any point in the term, subject to having a valid eligibility code.

For all other children eligible for EYFE, only in exceptional circumstances may claims be accepted for EYFE after the DfE census day.

4.17. Examples of exceptional circumstances include:

- moving from outside of West Sussex after headcount. Funding is not transferred between local authorities
- missed headcount due to serious illness
- children from Traveller communities
- children with an additional need whose start with a provider has been supported by a professional such as a GP, Portage, Speech and Language, Health Visitor and any other relevant professionals
- Children looked after (for example, foster care or other placement types)
- asylum seekers/refugees/Afghan families who have resettled in the UK
- Children with a minority ethnic background and/or with English as an Additional Language (EAL)

- child of parent who is in a women's refuge or part of a Witness Protection Programme
- other vulnerable children

4.18. Requests for funding for children starting after DfE census day **must** be submitted by the end of the term within which a child began their funded attendance.

Providers **must** submit their request in full otherwise it will be rejected. If not adhered to, WSCC will not pay funding for the child's attendance (see point 4.33). For further guidance, see [requesting funding after headcount](#).

4.19. A child who has left the provider before WSCC headcount day is not eligible to be part of headcount figures.

However, if a child then attended elsewhere on headcount day, funding for the time attended only can be claimed from the subsequent provider.

#### 4.20. **Debt recovery process**

If a provider has been overpaid, an invoice will be raised for payment within 30 days of notification. Failure to clear an account will result in the debt being referred to WSCC Corporate Finance for further action. Debts over £250 will be referred to WSCC Legal Services for court proceedings.

### **Data submissions**

4.21. WSCC requires all EYFE claim submissions to be completed using the following guidelines at all times, unless otherwise stated in communications to childcare providers.

4.22. The information sheet (specifically the notes on completion of Parent Declaration form) for parents/carers **must** be available to all parents/carers of children within the provision (see Appendix C).

4.23. All newly eligible children **must** provide proof of eligibility. Childcare providers **must** confirm that they have seen the original of a child's Birth Certificate or Passport and record the number on the Parent Declaration Form.

For eligible Early Learning for 2 year olds (LA Issued EYFE) children, WSCC will have allocated a reference number which **must** be included on the Parent Declaration Form.

For EYFE for Working Families, parents/carers **must** provide their date of birth, National Insurance number, together with the valid HMRC-issued 11-digit reference number with a validity end date.

4.24. The parents/carers of all eligible children **must** complete and sign an individual Parent Declaration Form, which **must** be retained and signed by the provider for audit purposes. Childcare and early years education providers **must** not sign on behalf of parents and carers.

4.25. The Parent Declaration Form **must** be recompleted and **signed by the parent and the provider** when personal and/or attendance details change.

Any change in hours **must** be made before headcount day at the start of the term. Any change to an existing declaration after headcount day will not be accepted for funding purposes.

4.26. Children's details will be shared with WSCC. Therefore parents/carers **must** be made aware of this when joining the provider and providing information, this can be through use of the Privacy Notice (see Appendix E).

Consent for the sharing of information relating to children **must** be explicitly sought and a parental signature obtained at the point of the child's admission to the provision.

4.27. It is the responsibility of the provider that parents are informed of any impact that a stretched offer may have should the parent choose to move setting.

4.28. Signed Parent Declaration Forms **must** still be retained by the provider where children are absent on WSCC headcount day due to short term illness or a planned short absence (see point 4.34).

4.29. It is the responsibility of the person completing EYFE funding claims to ensure that all information submitted matches the information given by parents on the Parent Declaration (for example, dates of birth, address, number of hours accessed, ethnicity).

Any inaccuracies in date of birth or postal address could result in errors such as the School Admissions process.

4.30. It is the responsibility of the provider to ensure that they receive, read and act upon the Early Years and Childcare Newsletters. All information regarding the administration of EYFE funding will be communicated through these emails.

Providers who are not receiving any communication from WSCC **should** urgently contact the FIS by telephone (01243 777807).

### **EYFE termly payments**

4.31. Estimate payments are standardised to the pattern shown in the table below. As providers can set their own term dates and lengths, within the limits set by WSCC, providers may operate to a different pattern.

Final payments will be made according to the term length of the individual provider. Providers **must** therefore ensure the term length is accurate for each child's claim on their headcount submission. Final payments will be based on the headcount information which **must** record the accurate number of hours and weeks for each child. If WSCC is not informed of the term length a provider wishes to claim over, the final payment will also be based on the pattern in the table below.

For additional guidance on submitting your claims, look at the help guides '[How to submit an estimate](#)' and '[How to claim child level funding \(actuals\)](#)'.

Funded weeks for providers open to maximum of 38 per year	Summer	Autumn	Spring
33	11	11	11
34	12	11	11
35	12	12	11
36	12	12	11
37	12	13	11
38	13	14	11

The table below sets out the maximum number of weeks term time only providers should deliver in each term for the year ahead, and what timeframe these weeks should be delivered in.

Term	Number of weeks	Term dates
Summer 2026	13	13/04/2026 – 22/07/2026
Autumn 2026	14	01/09/2026 – 18/12/2026
Spring 2027	11	04/01/2027 – 26/03/2027
Summer 2027	13	12/04/2027 – 16/07/2027

### The stretched offer

4.32. Providers **should** provide EYFE hours on as flexible a basis as possible to suit the needs of working families. This may include provision outside of the school terms with the EYFE hours reduced accordingly.

Payments will be made on a termly basis as set out in points 4.14, but providers can stretch the funding to suit parents' preferences, subject to the termly limit set out below.

Term	Stretched claims – maximum number of weeks available	Term dates
Summer 2026	20 (includes half term and Summer Holidays)	13/04/2026 – 28/08/2026
Autumn 2026	18 (includes half term and Christmas Holidays)	01/09/2026 – 31/12/2026
Spring 2027	14 (includes half term and Easter Holidays)	04/01/2027 – 09/04/2027
Summer 2027	20 (includes half term and Summer Holidays)	12/04/2027 – 31/08/2027

4.33. It is the provider's responsibility to accurately claim funding for each child.

Parents/carers **must not** be charged because of any mistakes made by the provider in claiming the funding.

For further explanation of the different ways you can claim EYFE, please refer to the [providing Early Years Funded Entitlement guidance](#).

4.34. Providers **must not** continue to claim for a child beyond the term in which they leave, even if they are within their notice period (see point 4.17).

### Planned or unplanned temporary closures

4.35. If a provider has any planned closures during EYFE time (for example due to holiday, INSET days or bank holidays or planned sick leave) these **should not** be included in the offer, and those EYFE hours offered at another time wherever reasonable.

Any planned closures could have implications on funding.

4.36. In the event of an unplanned closure (for example, due to staff sickness or in the event of an emergency) you **must** contact the FIS to discuss the circumstances and anticipated length of closure. The FIS can offer support to parents to find temporary childcare and discuss funding arrangements.

It is expected that you make up any loss of EYFE hours wherever reasonable.

### Early Years Single Funding Formula

4.37. WSCC sets the rates at which providers will be funded based on the Early Years Single Funding Formula (EYSFF) with rates being reviewed annually. The WSCC formula is Base Rate plus a mandatory deprivation supplement if applicable. Deprivation supplement is linked to Early Years Pupil Premium (EYPP) eligibility. This is calculated using each term's headcount. EYPP is additional to the EYSFF (see point 1.31). The Disability Access Fund (DAF) is additional to the EYSFF (see point 1.35).

## Section 5: Auditing and compliance

5.1. WSCC staff will carry out a number of EYFE provider audits each year to verify processed claims and check policy compliance against the above framework. EYFE audit visits will be carried out by an Early Years and Childcare Advisor (EYCA).

Providers will usually be given notice of any audit visit by telephone and/or letter but if WSCC cannot contact a childcare and early years education provider or has any cause for concern around a provider's claim for funding, a visit may be made without any prior notice. Please refer to Appendix H: Audit Process for further details.

5.2. WSCC may also work with providers to carry out compliance checks or investigate concerns such as parental complaints. This could include requesting copies of relevant provider policies or gathering further information.

5.3. Childcare and early years education providers **must** ensure that the headcount arrangements are not subject to fraud on the part of directors, governors, staff, or parents with regard to inaccurate, incomplete, or misleading claims for payment.

It is the provider's responsibility to ensure that the Parent Declaration forms are accurate.

5.4. Providers **must** retain all documentation related to the EYFE places for the current year plus 2 years for audit purposes.

All Parent Declaration forms (including signed confirmation that the original of each child's birth certificate or valid passport was seen by the provider representative making the return), registers of attendance, estimate and final headcount claims **must** be retained for the current year plus 2 years.

- 5.5. Providers **must** maintain a separate non-personal bank account specifically for the childcare provision in order to facilitate payment for the EYFE places through the BACS system. The account **must** be dual signatory unless the provider is a sole trader.
- 5.6. Any providers that are registered charities **must** refer and comply with the Charities Commission guidelines on maintaining financial accounts and records, as well as meeting the relevant requirements above.
- 5.7. If you are signing on behalf of the registered person(s) (for example, an owner, Trustees of the company or the Committee that runs the setting) please ensure they are fully aware of the conditions set out in the EYFE Provider Declaration document (including each time it is updated) and their financial obligations under this agreement.
- 5.8. All or part of the payment may be reduced, suspended, withheld or reclaimed if it becomes evident that:
  - there is failure to comply with any obligations under this form of agreement
  - false, inaccurate or misleading information is provided
  - the organisation has been, or is about to be, dissolved
  - the provider is not meeting the needs of children with special educational needs and/or disabilities
  - the provider is not promoting fundamental British values
  - the provider is promoting as fact, views or theories which are contrary to established scientific or historical evidence and explanations

## Section 6: Directory of providers

- 6.1. WSCC is required to keep an up-to-date directory of all providers within their area that are eligible to claim funding for the provision of EYFE places. Providers **must** update their setting information termly via the Termly update form on the OPP.
- 6.2. Only providers included within this directory are eligible to receive funding. Providers will not be funded for any period in which they are not included in the Directory. Any funds paid in error for such periods will be recovered.
- 6.3. For providers to be eligible for inclusion in WSCC's childcare and early years education directory, and hence funding of EYFE, providers must offer EYFE for eligible children at premises within the WSCC area and must be one of the following:
  - an Ofsted registered group care provider with provision for under 5s. WSCC must receive Ofsted Notifications
  - an independent school registered with the DfE

- a Local Authority maintained school, or Academy, with a nursery class
- a registered provider rated 'Safeguarding – Met and Leadership and Governance – Needs Attention, Expected Standard, Strong Standard or Exceptional', or equivalent ratings, by Ofsted.

To deliver EYFE for Early Learning for 2 year olds (LA Issued EYFE), providers are required to be Ofsted rated 'Safeguarding - Met and Leadership and Governance - Expected Standard, Strong Standard or Exceptional'.

- childminders registered with a childminder agency who is rated Effective (see Appendix I)
- a school-based pre-school provision exempt from Ofsted registration

## Adding providers to the directory

- 6.4. New providers **must** apply to WSCC for entry to the directory by contacting the FIS prior to offering EYFE places, with a minimum of 6 weeks' notice before making their first claim. Exceptional circumstances can be discussed with FIS.
- 6.5. New providers may be included in WSCC's childcare and early years education directory in advance of their Ofsted inspection to deliver EYFE, but this is conditional upon their submitting to inspection by Ofsted when required to do so.

In the event of the provider not meeting the required standards in the first Ofsted inspection (see point 3.5), they will be removed from the directory.

- 6.6. Before including a provider in the directory, WSCC will:
- ensure that the provider fits into one of the categories eligible to receive funding for the provision of EYFE and request documentary evidence of this
  - ensure that the provider has updated their setting information
  - ensure that the provider is able to meet the conditions that have been set
  - ensure that the provider operates in West Sussex
- 6.7. For every provider in the directory, WSCC will record the address of the premises where the EYFE is provided, the contact details for the head teacher, proprietor, manager, or other contact responsible for administration, the details of the bank account into which funding is to be paid and the Ofsted unique reference number.
- 6.8. Providers **must** inform WSCC as soon as possible whenever there is a change in the following:
- ownership, registered person or premises including from an organisation or committee-run to business-run
  - name or address of the contact responsible for administration
  - the details of the bank account into which funding is paid
  - change to Ofsted outcome, as a result of an inspection, resulting in 'Not Met', 'Needs Attention or Urgent Improvement'. This includes provision that falls under a school's inspection

- receipt of a Welfare Notification
- suspension of Ofsted registration

Failure to inform WSCC of a change which results in a mis-payment of funding will result in the claw back of that funding.

In the event of the providers Ofsted registration being suspended, EYFE hours cannot be delivered, claimed or paid during this time. Any funding already paid in relation to the suspension period will be clawed back.

### Amending a providers Early Years Funded Entitlement offer

6.9. To amend how you offer EYFE including changing your pattern of delivery or your claiming method, or adding a new age group to your offer, providers must contact the Early Years Funding team: [EYFE@westsussex.gov.uk](mailto:EYFE@westsussex.gov.uk). This **must** be done in the first half of the term prior to the one in which they wish to start delivering the new offer.

Providers will be asked to supply copies of admissions policies, funding policies, pattern of delivery, fees, example invoices that include EYFE hours, and EYPP and DAF policies. Amending your offer of EYFE is conditional on your policies being compliant with the EYFE Provider Declaration.

Once WSCC receives all the relevant documents we will review and respond to providers within 6 weeks.

### Rejecting an application to be included in the directory

6.10. New applicants to join the directory will be rejected because they are unable to meet the conditions required by WSCC.

6.11. Where a provider's application is rejected, WSCC will give the provider a written explanation of the decision.

### Removing provider from the directory

6.12. At any time, if a provider fails to meet the requirements, they will be sent an 'official notice of intention to remove EYFE', explaining what it is they are failing to meet and what is expected of them in order to remain on the directory in the future.

6.13. If the provider continues to fail to meet the requirements and/or refuses to work in partnership with WSCC, they will be removed from the directory. In this instance, providers will be given sufficient notice to allow parents/carers to find alternative provision without losing access to funding (see Appendix F).

6.14. If a provider is refused inclusion or is facing removal from the directory providers can appeal as per Appendix M.

6.15. Removal on the grounds of quality will be in line with the Ofsted policy on registration and de-registration of providers.

6.16. Removal on the grounds of not promoting fundamental British values or promoting as fact, views or theories which are contrary to established scientific or historical evidence and explanation, will lead to WSCC securing alternative provision for children accessing their EYFE, as soon as is practicable.

### **Variation to agreement**

6.17. As new policy is being introduced by central Government on a regular basis, WSCC may need to issue a variation to the requirements. When this happens, the changes will be communicated with providers. If they do not wish to accept the changes, then the provider will be removed from the Directory.

## Section 7: Contact list

### Family Information Service (FIS)

Support and training for the development of quality provision and practice and the implementation of the EYFS to meet EYFE and Ofsted and statutory requirements (all providers including childminders).

You can find information and support using the web links below:

- [WSCC children and families information](#)
- [WSCC early years and childcare information](#)
- [WSCC business support for early years and childcare providers](#)

You can contact FIS either by phone on 01243 777807 or email to [family.info.service@westsussex.gov.uk](mailto:family.info.service@westsussex.gov.uk).

### Early Years Funded Entitlement

Information and guidance for providers on the exceptions, policies, delivery and administration of the EYFE.

- '[Apply to offer Early Years Funded Entitlement \(EYFE\)](#)' – contains copies of key supporting documents.

Contact the EYFE team using the FIS number above or email [EYFE@westsussex.gov.uk](mailto:EYFE@westsussex.gov.uk).

### Support to settings

- [WSCC Targeted Support request for settings](#)
- [WSSC SEND and Inclusion Setting Support Phone Line](#)

Contact us using the FIS number as above or email your EYCA for SEND and Inclusion or Quality and Sufficiency.

### EYCA for SEND and Inclusion

- [EYCSEND.North@westsussex.gov.uk](mailto:EYCSEND.North@westsussex.gov.uk) – is for the EYCA SEND and Inclusion team in the North (Crawley, Mid Sussex and Horsham)
- [EYCSEND.South@westsussex.gov.uk](mailto:EYCSEND.South@westsussex.gov.uk) – is for the EYCA SEND and Inclusion team in the South (Adur/Worthing, Arun and Chichester)

### EYCA for Quality and Sufficiency

- [SettingSupportCrawley@westsussex.gov.uk](mailto:SettingSupportCrawley@westsussex.gov.uk)
- [SettingSupportHorsham@westsussex.gov.uk](mailto:SettingSupportHorsham@westsussex.gov.uk)
- [SettingSupportMidSussex@westsussex.gov.uk](mailto:SettingSupportMidSussex@westsussex.gov.uk)
- [SettingSupportChichester@westsussex.gov.uk](mailto:SettingSupportChichester@westsussex.gov.uk)
- [SettingSupportAdurWorthing@westsussex.gov.uk](mailto:SettingSupportAdurWorthing@westsussex.gov.uk)
- [SettingSupportArun@westsussex.gov.uk](mailto:SettingSupportArun@westsussex.gov.uk)

## West Sussex Virtual School

The West Sussex Virtual School Advisory Service champions the educational experiences and outcomes of children and young people who have, or have ever had social care involvement, and those who have achieved permanence through a court order.

- [WSSC Virtual School](#) – information and support for parents and professionals.

## Ofsted

Regulatory body for care and education.

- Phone: 0300 123 1231
- Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

## Appendix A: Eligibility criteria for Early Learning for 2 year olds (LA Issued EYFE)

Families living in West Sussex need to meet the eligibility criteria in order to [apply](#) to WSCC for the Early Learning for 2 year olds (LA Issued EYFE).

You can find more information and eligibility criteria on the [WSCC 2 year old Local Authority Issued web page](#).

## Appendix B: Eligibility criteria for EYFE for Working Families (over 9 months old to statutory school age)

B.1. Working families could be entitled to up to 15 hours EYFE, (for 3 and 4 year olds this is an additional 15 hours, known as Extended EYFE or 30 hours EYFE).

Providers should direct parent/carers to check whether they could be eligible for a range of government childcare offers, including EYFE for Working Families, via [Best Start in Life](#) on [our funded childcare web pages](#). Parents who could be eligible for EYFE for Working Families will be directed to the online childcare service to apply.

B.2. Parent/carers will need to meet eligibility criteria. These include:

- the parent earns or expects to earn the equivalent to 16 hours at National Minimum or Living Wage over the coming three months. This applies whether you are in paid employment, self-employed or on zero hours contract
- the parent (and their partner where applicable) should be seeking the EYFE to enable them to work
- where one or both parents are on maternity, paternity, shared parental or adoption leave, or if they are on statutory sick leave
- where one parent meets the income criteria and the other is unable to work because they are disabled, have caring responsibilities or have been assessed as having limited capability to work
- where a parent is in a 'start-up period' (such as they are newly self-employed) they do not need to demonstrate that they meet the income criteria for 12 months
- if a non-EEA national, the parent must have recourse to public funds
- For foster carers who work in addition to their role as a foster carer, if accessing additional hours is in the best interests of the child. In this instance, the foster carer will apply via the social worker rather than the processes outlined here. This will be considered on a case-by-case basis by WSCC Children's Social Care and the Virtual School

B.3. Parent/carers will need to meet eligibility criteria. These include:

- either parent has an income of more than £100,000
- either parent is a non-EEA national and subject to immigration control (and has no recourse to public funds)

B.4. If a parent/carer loses eligibility:

- they will receive a 'grace period' – this means they will be able to keep their EYFE place at their existing provider for a short period
- once the "grace period" has lapsed, the EYFE place will end for 9 month olds and 2 year olds. 3 and 4 year olds will still be entitled to the Universal 15 hours EYFE

For full criteria, visit [GOV.UK: Free Childcare for Working Parents](https://www.gov.uk/free-childcare-for-working-parents).

B.5. HMRC is responsible for checking whether a parent is eligible and issuing an eligibility code, with validity start/end dates and identifying grace periods.

For foster children, eligibility is determined by WSCC instead of HMRC.

B.6. Providers **must** ensure that eligibility codes are valid before offering a place. For more information on how to check eligibility codes including start/end dates and grace periods, see the [WSCC funded entitlement codes – Working Families eligibility checker](#).

Providers and local authorities are responsible for verifying (or confirming) eligibility by checking that the parent's code is valid.

Please note if you are checking a temporary working families code (this is a code beginning with 11) that these can still be checked in the same way through the Online Provider Portal, however, please be aware sometimes these codes can take several days after being issued to become active.

B.7. To claim EYFE for Working Families, providers **must** record the child's eligibility code, child's date of birth and the National Insurance number of the parent who made the application via the Parent Declaration form for submission with headcount. A partner who is listed on the application may come in place of the applicant and should bring their own National Insurance number.

Parents **must** re-confirm eligibility every 3 months when prompted by HRMC via text message and/or e-mail. This includes where a parent has applied early and falls within their grace period before taking up their EYFE for Working Families place.

Providers **must** encourage parents to apply for the working families EYFE the term **before** the child becomes of eligible age (see point 1.1).

B.8. For parents starting or returning to work on or after 1 February, the following dates will apply:

Date of starting or returning to work	When you can apply from	When you can access your entitlement from
1 October to 31 January	1 September to 31 December	1 January
1 February to 30 April	1 January to 31 March	1 April
1 May to 30 September	1 April to 31 August	1 September

## Grace periods

B.9. The grace period enables parents to retain their EYFE place until the end of term if they become ineligible for the EYFE for Working Families. The table below shows the specific grace period end dates:

Validity end date	Grace period end date
1 January – 10 February	31 March
11 February – 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

B.10. Parents reconfirm their eligibility around every 3 months.

- The 'validity start date' is the date on which the parent has applied and been issued a code.
- The 'validity end date' is the parent's 'deadline' for reconfirming.
- Their 'grace period' date is the last date on which they should receive the EYFE for Working Families. A child **should not** start accessing their EYFE for Working Families at their current or new provider whilst in their grace period.

B.11. The online childcare service will automatically assign grace period end dates to every eligibility code and WSCC will inform providers which children are in their grace period via the Online Provider Portal.

## Appendix C: Parent Declaration Form

The current version of the Parent Declaration Form (available on the [WSCC providing EYFE web page](#)) **must** be used in the following circumstances:

- all new children from summer 2026 onwards must use this form
- when there is a change to any of the details on the form, including changes to sessions attended or number of hours claimed
- when submitting a claim for DAF
- when submitting a new claim for EYPP

The declaration should be signed by both provider and parent before headcount day to be able to claim at headcount as noted in point 4.22 of the Provider Declaration.

## Appendix D: Requesting funding after headcount

- [WSCC requesting funding after headcount](#).

## Appendix E: Privacy notice for parents

- [WSCC parents accessing early years and childcare provision privacy notice](#)

## Appendix F: EYFE removal

### Triggers for EYFE restriction/removal

This process may be triggered when WSCC is notified by Ofsted that a provider:

- receives an Ofsted outcome of 'Not Met' for Safeguarding or 'Urgent Improvement' for Leadership and Governance. In addition, an Ofsted outcome of 'Needs Attention' for Leadership and Governance for Early Learning for 2 year olds (LA Issued EYFE)
- a childminder registered with a CMA that receives a second consecutive Ofsted inspection judgment of 'Ineffective'

This process may be triggered by the following:

- parental complaints received by WSCC
- non-compliance concerns identified by WSCC

### Process for restricting EYFE following an Ofsted outcome

1. Restrict EYFE. The Early Years Funding Team will formally write to a provider to advise the impact of the Ofsted outcome on the EYFE that they can deliver and formally remove the relevant EYFE offer from the providers record.

2. WSCC will offer support to the provider in addressing the issues identified by Ofsted or liaise with a CMA where applicable.

### **Process for removal of EYFE following compliance concerns**

1. If a provider is identified as non-compliant — The Early Years and Childcare Adviser (EYCA) meets with the provider to set clear actions, including clear time frames for completion.
2. Following the deadline, if actions are incomplete, or limited progress has been made towards the agreed actions, the Early Years Funding Team will formally write to the provider within [10 working days](#) to advise they cannot offer a funded space to any new children joining the setting. This will accompany an official notice of intention to withhold the next EYFE payment and remove funding, outlining the reasons why and support offered.

The Family Information Service (FIS) will notify existing parents of the warning to withdraw funding and identify suitable alternative providers.

3. Withhold next EYFE payment (either estimate or actuals) if the agreed actions are not completed. Provider will receive payment once actions to become compliant have been taken/evidenced.
4. Remove EYFE if setting does not fully complete set actions. WSCC to write to provider giving formal notice to remove EYFE funding, including confirmation of date funding will cease. The FIS to write to parents to confirm funding removal date and offer Childcare Brokerage to assist in finding alternative provision (plus evaluation).

All EYFE related funding is removed no less than 6 weeks following formal notice to remove it.

If at any stage, the provider wishes to appeal any of the findings, decisions or outcomes resulting from the process outlined above, please refer to Appendix M.

## Appendix G: Appeals process for parents

The Family Information Service (FIS) has a role to relay accurate and impartial information to parents. If parents have any queries or concerns about their EYFE funding, they should raise these in the first instance with the childcare and early years education provider through which funding is being accessed.

However, in some circumstances, parents may wish to seek guidance about EYFE funding and how it should be administered. The FIS can therefore provide impartial information and may initiate support from colleagues within Children, Young People and Learning.

However, the complaint is held between the customer (parent) and the supplier (childcare provider). It is the responsibility of all childcare providers to communicate with their customers (parents) regarding the service provided and administration of the EYFE.

The local authority has a role within administration of the EYFE only and not the overall or general fee structure of childcare providers, unless directly contravening the EYFE agreement and principles, for example top-up fees, compulsory services, or different hourly rates for EYFE parents only.

This appendix sets out how FIS will deal with a parent's query:

Step 1 - Receive a potential complaint about EYFE administration. Within 10 working days in line with [our customer promise](#), FIS will:

- provide parent with further information about the scheme, providing additional information such as a leaflet, or referring to web pages
- inform parent of the role of WSCC, within the context of EYFE Administration only, and our limitations in terms of a provider's fee structure
- if after providing additional information the parent still has concerns the FIS will direct the parent to speak to the provider direct

Step 2 – The parent contacts FIS again and is still not satisfied that EYFE is being correctly administered. FIS will:

- confirm the parent has spoken to the provider and still has concerns, and reiterate the role of FIS and WSCC in EYFE administration only — not wider fee structures
- inform the parent about the role of WSCC colleagues and that WSCC cannot guarantee any outcomes from their involvement; for example, a potential fee structure review in the provider could lead to fees being increased rather than decreased
- check the parent is happy to continue and gain permission to pass information to WSCC colleagues (or anonymously if the parent would prefer). Where possible, WSCC would encourage parents to share their details to support WSCC with investigating their concerns

Step 3 – Next steps/outcomes. FIS will:

- ensure that all information passed on is objective and anonymous (unless parental consent is gained to share details with the wider team and childcare and early years education provider for resolution)

- if the concern/issue is resolved, update the parent – no further action
- if the concern/issue is not resolved for the parent, log the concern, which may trigger an EYFE compliance support by WSCC, ideally before the end of the current term but this may not always be possible

## Appendix H: Audit process

### Process of how EYFE audits are carried out

When selected for an EYFE audit, an EYCA will contact you to arrange a time to visit and to confirm the documents that will need to be made available to support the audit process.

In advance of the audit providers will be asked to supply policies relating to funding and admissions, including, for example funded entitlements and fees policy, admissions policy, nutrition and packed meals policy, SEND information report.

During the audit WSCC will check the following setting documentation against funding claims and provider policies to ensure compliance:

- the attendance registers and Parent Declaration forms
- accounts and supporting documentation

Any compliance issues identified will be discussed with the provider.

After the audit is complete, one of the following will happen within 10 working days:

- where no further action is identified WSCC will confirm this in writing and the audit process will end
- where further actions are identified these will be confirmed in writing detailing timescales for completion

The provider **must** evidence that the actions have been addressed within the set timescales. The evidence will be checked within 15 working days, and one of the following will happen:

- if the evidence received shows that the actions have been addressed in full WSCC will confirm this in writing and the audit process will end
- if no evidence is received, or the evidence shows that the provider has not addressed the actions in full, then the process to remove EYFE is triggered

If at any stage, the provider wishes to appeal any of the findings, decisions or outcomes resulting from the audit process outlined above please see Appendix M: Appeals process for providers.

## Appendix I: Childminder agencies (CMA)

WSCC will ensure that no funding (including EYPP and DAF payments) paid to childcare providers registered with a CMA to deliver free places is retained by the agency.

WSCC will rely on the CMA as the benchmark of quality. This includes ensuring CMAs maintain and evidence robust quality assurance processes in line with statutory guidance.

WSCC will fund places for eligible EYFE children at any childcare provider registered with a CMA judged 'effective' by Ofsted if a parent wants their child to take up their free place at that provider and the provider is willing to accept the local authority funding and any other local authority requirements.

WSCC will fund places for eligible EYFE children at a childcare provider registered with a CMA until the agency's first full Ofsted inspection judgement is published if a parent wants their child to take up their EYFE place at that provider and the provider is willing to accept the local authority funding and any other local authority requirements.

WSCC will secure alternative provision and withdraw funding from a provider, as soon as is practicable, after Ofsted publish a second consecutive inspection judgement of a CMA of 'ineffective'.

WSCC will not fund childcare providers registered with a CMA where the agency has indicated to WSCC that the childcare provider is not of the appropriate quality unless funding is required to ensure sufficiency of accessible places or support parental choice. In all cases, WSCC will consider both the sufficiency of EYFE places and the safety and wellbeing of children when making funding decisions. WSCC will also take into account any information the CMA provides about the childminder or their premises, particularly where this relates to quality, suitability, or the ability to deliver EYFE safely and effectively.

WSCC will also consider any information published by Ofsted about a CMA, including the agency's inspection history and any previous concerns relating to a provider's provision at specific addresses. This may include situations where WSCC has reason to believe that a provider previously judged 'inadequate', 'not met', 'safeguarding – not met' and/or 'leadership and governance – urgent improvement or needs attention' may have re-registered in order to avoid making required improvements.

CMAs **must** share relevant information with WSCC within published timeframes (these can be found in the WSCC and CMA working together agreements and Information Sharing Agreements), including:

- new registrations and deregistration
- changes in suitability
- quality assurance grading changes
- non completion of registration
- any concerns impacting the ability of the childminder to safely deliver EYFE

CMAs are expected to support childcare providers in understanding and complying with EYFE requirements, including invoicing rules, chargeable consumables guidance, auditing and compliance expectations, funding deadlines and the use of Parent Declaration Forms.

CMAs **must** maintain documented quality assurance processes, including regular monitoring and suitability checks, and **must** share outcomes with WSCC where these impact EYFE delivery.

WSCC will only fund childcare providers directly as set out in Section 4 of the Provider Declaration, and **not** through the CMA.

If a child leaves the childcare provider mid-term, WSCC expects the CMA to recalculate agency fees charged and reimburse any overpaid fees to the provider. Childcare providers are then expected to transfer the full remaining funding to the new provider, where applicable.

EYFE requirements will apply to the person with whom WSCC makes arrangements to deliver EYFE. As WSCC funds a CMA registered childcare provider directly, WSCC will place requirements on the childcare providers as outlined in this declaration.

## Appendix J: Sharing safeguarding concerns

The following steps outline the process for the flow of safeguarding information between the Family Information Service (FIS), Setting Support, the Local Authority Designated Officer (LADO), Ofsted and other relevant services, where concerns may impact Early Years Funded Entitlements (EYFE).

### Step 1 – Identification of safeguarding concerns

Safeguarding concerns may relate to either:

#### A. The setting (Ofsted responsibility)

FIS may be notified through the Ofsted data feed of:

- Welfare Requirements Notices
- Improvement Notices
- Suspensions
- Safeguarding - Not Met outcomes
- Supervision of children issues identified by Ofsted

#### B. An individual member of staff (LADO responsibility)

LADO may be notified directly by:

- the provider
- Ofsted

### FIS may also become aware of individual safeguarding concerns through:

- conversations with providers
- information from parents or carers
- safeguarding specific training needs identified (for example, non-compliance with the EYFS on relevant safeguarding training requirements)
- notification of safeguarding concerns or complaints

### Step 2 – Information sharing within 24 hours

Within 24 hours of any initial notification, relevant safeguarding information is shared with the appropriate parties. This may include Ofsted, LADO, and/or internal Local Authority colleagues, to ensure the Local Authority has timely oversight of concerns that may affect the settings' safeguarding arrangements or EYFE eligibility.

### Step 3 – Monitoring and EYFE impact checks

FIS and Setting Support teams log and monitor safeguarding cases, regardless of whether the concern was identified by FIS, Setting Support, Ofsted or LADO.

A high-level review is carried out to determine whether the concern may affect the provider's suitability to deliver EYFE (see Appendix F).

#### **Step 4 – LADO and Ofsted updates**

- LADO provides updates on individual staff cases, including actions and expected timeframes.
- LADO identifies if the case meets threshold and where the case should be dealt with by LADO only.
- Where an action plan is required, an EYCA is informed once investigations conclude.
- Ofsted and other Local Authority safeguarding teams may also provide updates where concerns relate to the setting's overall safeguarding provision (for example, Safeguarding - Not Met, Welfare Requirements Notice, or suspension).

#### **Step 5 – Local Authority liaison**

FIS and Setting Support teams maintain ongoing communication with relevant Local Authority safeguarding services to ensure coordinated oversight. Updates are shared as required, depending on the nature and seriousness of the concern and its potential impact on EYFE.

#### **Step 6 – Completion and EYFE outcome**

FIS records when actions are completed. The EYFE team communicates any outcomes relating to the continuation, suspension, or removal of EYFE funding, depending on the assessed suitability of the setting.

## Appendix K: Example invoice

In this example, the child is attending the provider for 4 x 5 hour morning sessions a week. Using 15 universal hours across three sessions, with an additional privately charged morning session. The parents have agreed to the meals, snacks and consumables charge.

**Provider details:** Name address (could also include company or charity or registration number)

**Invoice to:** Parents name and address

**Childs name:**

**Date of invoice:**

**Billing invoice period:** (Optional – could include reference or invoice numbers)

Invoice breakdown	Cost
15 x EYFE hours per week term time only (totaling 60 hours over 4 weeks)	£0.00 (EYFE has no monetary value and so must not be shown as a subsidy or deduction)
4 x additional paid for hours per week @ £6.25 ph x 4 weeks	£100.00
12 x Lunch and snacks @ £4.00 (These should also be optional if accessed during EYFE hours).	£48.00
60 x Consumables @ £0.50 per EYFE hour (These should also be optional if accessed during EYFE hours. – see Appendix L). (Accessed during EYFE sessions) should include a breakdown of what this includes, for example, a contribution towards sunscreen, and nappies.	£30.00
4 x activity charges (extracurricular lessons) @ £3.00 per lesson (These should also be optional if accessed during EYFE hours).	£12.00
2 x trips (add description of trips and individual costs) (These should also be optional if accessed during EYFE hours).	£6.00
(Discounts – Sibling discount, promotional discount)	-£0.00
Details of other charges, such as, late charges as applicable. These should be itemised and costed separately. Remember that voluntary contributions should not be included on the invoice total.	£0.00
<b>Invoice total</b> This could include an accumulative balance to show credit/debit balance brought forward from previous months.	£196.00

### Terms of payment

- 1.1. Include details of when fees are due i.e., Fees are due by DATE or Within xxx days of receipt of this invoice.
- 1.2. Could include how to pay with bank transfer details.
- 1.3. Result if payment is late, is there a charge?
- 1.4. Refer to which policies have more details and how they access copies, for example, fee policy, late payment policy, Early Years Funded Entitlement policy, terms and conditions.
- 1.5. Could include what a parent should do if they are having difficulty paying their bill.

## Appendix L: Chargeable consumables/services

To clarify the items, you can include in a charge, please see the lists below of chargeable and non-chargeable items, along with rationale behind these limitations. This is not an exhaustive list. In all cases, these chargeable extras **must not** be a condition of taking up a funded place. Providers **must** offer reasonable alternatives that allow parents to access the entitlement for free, including allowing parents to supply their own, or waiving the cost of these items.

Providers **should** deliver the EYFE consistently, so that all children within a setting accessing EYFE receive the same quality and access to provision, regardless of whether they choose to pay for additional hours, optional extra services, meals or consumables.

### Chargeable

- Meals and snacks –where parents supply their own meals and snacks these must be in line with the setting’s policy on allergies and healthy eating.
- Nappies, nappy sacks and wipes
- Sun cream
- Activities over and above the EYFS such as ballet, French and yoga.
- Trips out - however, consideration must be given to equal opportunity for any child/ren whose parent/s could not or choose not to pay.

### Non-chargeable

- Fresh drinking water. EYFS (3.55).
- General play and learning resources (including but not limited to, craft materials, crayons, paper, books, instruments, toys, or other equipment or learning resources that are necessary for the effective delivery of childcare). A core business expense to enable registration with Ofsted and delivery of the EYFS.
- Gardening activities. A voluntary charge could be considered for a ‘one off purchase or activity’, for example, to buy plants. However, consideration **must** be given to equal opportunity for any child/ren whose parent/s could not or choose not to pay.
- Blankets/sheets. This is about providing basic care for children. EYFS (3.71).
- Online journaling and progress tracker tools. Business costs central to tracking and monitoring children’s progress.
- Toilet rolls, soap, hand gel, paper towels, face cloths and other similar items. **must** be supplied by setting to meet Health and Safety law and the requirements of the EYFS (3.71).
- Parents **must not** be charged for the disposal of soiled nappies or be required to take soiled nappies home (except where the parent has provided cloth nappies). These must be treated as onsite offensive waste, stored and disposed of by the setting via licensed waste carriers. It is the settings responsibility to meet their statutory duty of care under the Environmental Protection Act 1990.
- Cleaning products, for example, washing powder, hygiene gloves, aprons **must** be supplied by setting to meet Health and Safety legislation.
- Provision of white goods within the setting such as washing machines, tumble dryers, fridges or cookers. These are an expense to the business as part of providing your service.
- Business costs, including but not limited to, rent, mortgage, staff wages, cleaning materials, stationery, insurance, disposal of waste, or utility bills such as energy, gas or water.
- Insurance is a requirement for registration as stated in EYFS (3.73).

- Staff training costs. Benefit to business and EYFS (3.21) states 'providers must support staff to undertake appropriate training and professional development opportunities to ensure they offer quality learning and development experiences for children that continually improves'.
- First Aid supplies **must** be supplied by setting to meet Health and Safety law and the requirements of the EYFS (3.29).

If you are unsure if you can charge for an item or service, please contact [EYFE@westsussex.gov.uk](mailto:EYFE@westsussex.gov.uk) for advice.

## Appendix M: Appeal process for providers

The Early Years Funding Team is responsible for the administration of the Early Years Funded Entitlements (EYFE) and to support the local authority's role to ensure compliance with the statutory guidance.

This appendix sets out the process to follow if an early years and childcare provider is not satisfied with any aspect of this policy, or a funding decision made as a result of this policy.

This could include the following:

- outcomes of [requests for funding after headcount](#)/exceptional payment requests
- headcount/exceptional payment requests
- Disability Access Fund decisions
- Early Years Pupil Premium funding decisions
- Working Families and Early Learning for 2 year olds (LA Issued EYFE) eligibility codes
- restrictions on offering EYFE as a result of an Ofsted outcome or a complaint
- audit actions/outcomes
- refunds
- Remove of EYFE (follow from step 3)

### Step 1 – Provider to raise concern with the Early Years Funding Team via The Family Information Service (FIS)

- The Early Years Funding Team will aim to respond within 10 working days in line with [our customer promise](#) to offer advice and/or provide additional information. Wherever possible will aim to reference this agreement, webpages or statutory guidance in their response.

### Step 2 – Following consultation with Early Years Funding Team

- If the provider is not satisfied, they **should** set out the circumstances in writing to [EYFE@westsussex.gov.uk](mailto:EYFE@westsussex.gov.uk) who will forward to the Early Years Funding Team Advisers to investigate the matter and aim to respond within 10 working days in line with [our customer promise](#).

### **Step 3 – Following consultation with Early Years Funding Team**

- If providers are still not satisfied, they **should** set out the circumstances in writing, providing additional information to consider, to [EYFE@westsussex.gov.uk](mailto:EYFE@westsussex.gov.uk) who will forward to the Team Manager for Early Years Funding, who will arrange for a further investigation into the matter and aim to respond within 10 working days in line with [our customer promise](#).
- If at any stage the issue is resolved, no further action is required.

### **Step 4 – Following consultation with Early Years Funding Manager**

- If providers are still not satisfied after further investigation from the Team Manager for Early Years Funding, this **should** then be escalated to the Early Years and Childcare Strategic Lead who will aim to respond within 10 working days in line with [our customer promise](#).

### **Step 5 - Following consultation with Early Years and Childcare Strategic Lead**

If providers are still not satisfied with the response after further investigation from the Early Years and Childcare Strategic Lead, they should follow the WSCC formal complaints process, available on the [make a complaint or appeal web page](#).

## Appendix N: Change history

First published: March 2026

Summary of significant changes from 2025/2026

Section	Summary of changes	Relevant excerpt
Introduction	An additional sentence has been added to clarify that the WSCC Provider Declaration relates to EYFE-funded hours and does not constitute guidance on the operation of private businesses.	While providers may wish to note this guidance, your obligations in connection with delivering the funded early years entitlements are set out in the following West Sussex County Council (WSCC) Provider Declaration. This document does not provide guidance on how providers operate their private businesses outside of the funded entitlement.
Glossary	New abbreviation added "CMA"	Childminding agency now referred to as CMA.
Glossary	New term added "DfE census day"	This refers to an additional date after the WSCC headcount day, up to when providers can submit late adjusted claims.
Glossary	New abbreviation added ISI	Independent Schools Inspectorate.
Throughout the document	New name for "LA issued 2 year old EYFE"	This has been renamed by the DfE to be called "Early Learning for 2 year olds".
Throughout the document	Early Years Funding team email address updated	<a href="mailto:EYFE@westsussex.gov.uk">EYFE@westsussex.gov.uk</a>
Statutory Initiatives and Documentation	Current useful publications or website bullet points updated to remove previous outdated links.	<a href="#">Early years qualification requirements and standards</a> <a href="#">Early Education and Childcare - Statutory Guidance for Local Authorities (April 2026)</a>
Section 1: The Early Years Funded Entitlement	1.5 Re-worded to clarify limits for EYFE hours and providers setting their pattern of delivery.	1.5 "Providers' patterns of delivery for funded hours are subject to the following standards which should enable children to have access to regular, high-quality provision while maximising parental flexibility and ensuring a degree of provider stability: No EYFE session to be longer than 10 hours"
Section 1: The Early Years Funded Entitlement	EYFE maximum hours per week table updated to show new entitlement of 30 hours a week for 9 month and 2 year old children	See table in point 1.5.
Section 1: The Early Years Funded Entitlement	WSCC headcount days updated for the upcoming 3 terms.	See table in point 1.12.

Section	Summary of changes	Relevant excerpt
Section 1: The Early Years Funded Entitlement	Point 1.11 updated to include the details that EYPP and Deprivation supplement <b>must</b> be included in any funding that is transferred between providers	<p>1.11 "A child may move provider at any point during a term; however parents/carers <b>should</b> make sure that they have complied with a provider's notice period (unless leaving before headcount day) up to a maximum of 4 weeks (for any funded hours).</p> <p>If moving provider within West Sussex, the funding <b>must</b> follow the child, with no deductions. If a child attended elsewhere between the start of term and prior to headcount day, funding for the time attended <b>must</b> be passed on to the previous provider. Any funding transferred <b>must</b> include EYPP and Deprivation supplement (where applicable)".</p>
Section 1: The Early Years Funded Entitlement	New section added to outline an updated process, enabling providers to submit claims for children who start after the WSCC headcount day and up to the DfE census day.	<p>"All children in attendance at the WSCC headcount day <b>should</b> be claimed for as part of the providers actuals claim. WSCC will fund all children in attendance during the WSCC headcount days above for the full term.</p> <p>Providers can claim for any eligible child that starts after WSCC headcount day, up to the below DfE census day through an adjustment process (see appendix D). These claims will be paid based on the weeks the child has attended and at a later date. All claims remain subject to standard eligibility checks."</p>
Section 1: The Early Years Funded Entitlement	New table added showing the DfE census days	See table in point 1.13.
Section 1: The Early Years Funded Entitlement	Point 1.19 has been updated to reflect updates in statutory guidance to state charges providers cannot apply to parents in connection with the EYFE hours	<p>"Any charges <b>should</b> be fair and reasonable and not prevent take up, especially for disadvantaged families. The following <b>must not</b> be a condition of accessing EYFE hours:</p> <ul style="list-style-type: none"> <li>• Non-refundable registration/administration fees as a condition of taking up a child's EYFE place</li> <li>• Non-refundable deposits as a condition of taking up a child's EYFE place. The provider may retain the deposit if the parent does not take up their place</li> <li>• Non-refundable retainer fees in relation to EYFE places</li> <li>• Top-up fees (any difference between a provider's normal charge to parents and the funding they receive from the local authority to deliver free places"</li> </ul>

Section	Summary of changes	Relevant excerpt
Section 1: The Early Years Funded Entitlement	Point 1.27 expanded to reflect the expectations of providers when supporting families to provide alternatives to opting out of additional meals costs	"WSCC expect providers to work in partnership with parents who wish to bring in their own food by promoting healthy eating and agreeing alternatives that meet the same nutritional criteria without the need to place unreasonable conditions on what parents can provide. All providers <b>should</b> have a clear policy on food brought from home, offering guidance that supports healthy eating and ensures the safety of children with allergies or dietary needs."
Section 1: EYPP	Point 1.31 has been included to provide clarity regarding the provider's responsibility to identify potential eligible families and actively promote EYPP.	"1.31 Providers <b>should</b> identify children who qualify for the Early Years Pupil Premium and the Disability Access Fund and promote these to parents."
Section 1: The Early Years Funded Entitlement	DAF rate updated from summer 2026 term	New rate increases to £975 per year.
Section 1: The Early Years Funded Entitlement	New points 1.40 and 1.41 added to clarify the procedure for children transferring mid-term from a closed provider, and to outline how funding is managed when a child leaves a provider and does not subsequently attend another WSCC setting.	1.34 "If a provider accepts children mid-term from another provider that has closed, you <b>should</b> contact FIS directly, rather than the closed setting, to confirm the process for claiming funding." 1.35 "Any remaining funding for the term if a child leaves a provider mid-term may be retained by the setting, provided the child does not transfer to another West Sussex setting during the same term. Any unused funding cannot be carried forward or transferred to subsequent terms."
Section 1: The Early Years Funded Entitlement	Previous point 1.35 removed	As the previous point referred to new providers who have not yet signed the WSCC Provider Declaration, it does not need to be included within this declaration. This information will instead be moved to our web page.
Section 1: New providers	Section removed as guidance for this on the web page for new providers.	Point 1.37 – "To claim EYFE, new providers <b>must</b> contact the FIS in the first instance to register their provision. This is in addition to registration with Ofsted. Providers <b>must</b> apply to join the EYFE scheme in the first half of the term prior to the one in which they wish to begin claiming EYFE. This process may be started prior to the completion of a providers Ofsted registration, however it will only be approved once the provider's registration is active. Providers will be asked to supply copies of admissions policies, funding policies, pattern of delivery, fees, example invoices that include EYFE hours, and EYPP and DAF policies. Signing up to claim EYFE is conditional on your policies being compliant with the EYFE Provider Declaration. Once WSCC receive all the relevant documents we will review and respond to providers within 6 weeks. The timescales for sign-up will be subject to the completion of any required compliance actions and may be extended where additional support is necessary."

Section	Summary of changes	Relevant excerpt
Section 2: Flexibility	The Pattern of Delivery section has been updated to set out expectations for providers to offer flexibility when establishing patterns of delivery and to support the arrangements of working families.	"Providers <b>should</b> work with parents to ensure that as far as possible the pattern of hours meets the needs of the children attending and are convenient for parents/carers to access. Children <b>should</b> be able to take up their full entitlement at times that best support their learning and development, and at times which fit with the needs of parents to enable them to work or increase their hours of work if they wish to do so. <b>For example, a provider should not restrict access to session patterns such as 2:30pm–5:30pm.</b> "
Section 2: Inclusion and Supporting Children with SEND	Previously named Local offer document is now referred to as "SEND information report"	See point 2.7.
Section 2: Inclusion and Supporting Children with SEND	Point 2.10 wording has been amended to clarify that EYFE places cannot be withheld based on a child's need for additional support.	Point 2.10 providers in receipt of EYFE <b>must</b> "ensure that they have appropriate policies, facilities and procedures for staff to meet children's personal care needs. An EYFE place cannot be withheld based on child's learning, health care needs or their need for additional support within the setting, for example because a child is incontinent, or due to allergies or specific medical needs."
Section 3: Quality and Safeguarding	Previous Ofsted ratings are now updated with new gradings.	See section 3.
Section 4: Funding the Early years Funded Entitlement	Point 4.5 new exception added for children in receipt of 9 months EYFE for working families to be able to start at any point in the term	Point 4.5 "For the Universal EYFE and EYFE for Working Families, the dates for the headcount <b>must</b> be adhered to. A child who is in regular attendance but is legitimately absent (such as sickness or planned holiday for no more than 4 weeks) during headcount day can be included in the headcount). Headcount dates <b>must</b> be clearly stated for parents and carers. For Early Learning for 2 year olds (LA Issued EYFE) and children in receipt of the 9 month working families entitlement, there is no restriction on when children can start during a term."
Section 4: Funding the Early years Funded Entitlement	Point 4.11 has additions to further explain that childminders caring for their own child or a relative are not permitted to claim or use EYFE for that child.	Point 4.11 "Childminders <b>must</b> not claim EYFE funding for their own child/ren or any other related child. "Childcare", as defined in section 18 of the 2006 Act, 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. This means early years provision supplied by a childminder (either independently registered with Ofsted or registered with a childminder agency) for a 'related' child does not count as childcare in legal terms. Funded hours cannot be claimed by, or spent on, childminders providing childcare for their own child or a related child, even if you are claiming for other children."

Section	Summary of changes	Relevant excerpt
Section 4: payment mechanisms	An additional sentence has been included to clarify the payment process for the new adjustment arrangements for children who start by the DfE headcount day.	"For both payment options any adjustments for children starting later than our WSCC headcount day will be paid after the actual's payments, subject to when the late claim was submitted."
Section 4: Payment mechanisms	Point 4.14 Further information included for the new process for children starting after the WSCC headcount day and by the DfE census day.	Point 4.14 "Parents who wish to claim the EYFE <b>must</b> have started the child (unless on short-term sick or planned holiday, see 1.26) with the provider no later than headcount day. Children who start attendance after the WSCC headcount date and up to the DfE census day may also be eligible to claim EYFE via an adjustment process, subject to the standard eligibility verification checks. For the 9 Months Plus EYFE for Working Families age group and Early Learning for 2 year olds (LA Issued EYFE) these children can start at any point in the term, subject to having a valid eligibility code. For all other children eligible for EYFE, only in exceptional circumstances may claims be accepted for EYFE after the DfE census day."
Section 4: Payment mechanisms	Point 4.15 added to clarify new claims process for children starting after WSCC headcount day up to DfE census day.	Point 4.15. "Any approved claims submitted for children starting after the WSCC headcount day will be paid separately to the actual's payments. These payments will be made at a later date in the term, subject to when the claim was submitted. This includes claims for children starting after WSCC headcount day up to DfE census day."
Section 4: EYFE termly payments	Term time weeks for each term have been changed to reflect the DfE termly weeks. New term dates for 2026/2027 updated	See tables in point 4.32 and point 4.33
Section 4: Planned or unplanned temporary closures	New point 4.37 added to provide guidance on the actions providers <b>must</b> take in the event of an unplanned closure, including the required timescale for notifying FIS.	Point 4.37 "In the event of an unplanned closure (for example, due to staff sickness) lasting more than 5 working days, the provider <b>must</b> notify FIS. Support may be offered to families to secure temporary alternative childcare arrangements, and a discussion regarding EYFE may be required."
Section 6: Directory of Providers	Point 6.8 Changes to Ofsted outcomes updated to reflect new gradings	Point 6.8" Providers <b>must</b> inform WSCC as soon as possible whenever there is a change in the following: <ul style="list-style-type: none"> <li>"Change to Ofsted outcome, as a result of an inspection, resulting in 'Not Met', 'Needs Attention or Urgent Improvement'. This includes provision that falls under a school's inspection, unless there is a clear statement in the report that rates the early years provision as Good or Outstanding"</li> </ul>

Section	Summary of changes	Relevant excerpt
Appendix F: EYFE Removal	Appendix updated to ensure the document reflects current Ofsted terminology and provides clear guidance on how inspection outcomes relate to potential restrictions.	See Appendix F.
Appendix H: Audit process	Appendix updated to detail updated process of how EYFE audits are carried out.	See Appendix H.
Appendix I: Childminder Agencies	This appendix has been revised to clearly define the respective roles of the CMA and WSCC in quality assurance, safeguarding oversight, and decision-making relating to EYFE funding.	See Appendix I
Appendix J: Sharing Safeguarding Concerns	This appendix has been replaced and updated to ensure the appendix accurately outlines the up-to-date procedure for reporting and managing safeguarding concerns.	See Appendix J
Appendix L: Chargeable consumables/ services	New non-chargeable extras included.	<ul style="list-style-type: none"> <li>• “Parents <b>must</b> not be charged for the disposal of soiled nappies or be required to take soiled nappies home (except where the parent has provided cloth nappies). These <b>must</b> be treated as onsite offensive waste, stored and disposed of by the setting via licensed waste carriers. It is the settings responsibility to meet their statutory duty of care under the Environmental Protection Act 1990.”</li> <li>• Parents <b>must</b> not be charged for disposal of waste as part of a business cost.</li> </ul>