

Early Education and Childcare Provider Agreement Addendum September: 2022 – August 2023

The current [Staffordshire Early Education Funding Provider Agreement 2020/ 21](#) (“Agreement”) outlines the current conditions and parameters of funded childcare places for 2, 3 and 4 year olds is appended to the Department for Education’s Statutory Guidance 2018.

The Staffordshire Agreement, that your early years provision (“Providers”) has previously completed and returned to Staffordshire County Council (“Council”), was extended in summer 2021 for a further twelve months until 31st August 2022.

1. Section 2 Terms - Clause 2.1 of the Agreement informs Providers that the Council can extend the current Agreement. To limit the burden on Providers and as the Statutory Guidance remains the same, the Council is informing Providers of the extension of the current Agreement to cover 1st September 2022 - 31st August 2023.

This Addendum also advises Providers on some elements of the Agreement that have been updated due to procedural and guidance changes. These are as follows.

2.1 Definitions

- **“EYFS”** – change to weblink due to update of Early Years Foundation Stage Framework in 2021, definition now reads:
 - means Early Years Foundation Stage:
<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>
- **“EYPP”** – change to weblink, definition now reads:
 - means Early Years Pupil Premium:
<https://www.staffordshire.gov.uk/eyp>
- **“Relevant Legislation”** – lists legislation applicable to Early Education and Childcare. Below is the recently updated legislation:
 - *School Admissions Code 2021* - **supersedes** School Admissions Code 2014
 - *Statutory Framework for the Early Years Foundation Stage 2021* – **supersedes** Statutory Framework for the Early Years Foundation Stage 2017

2.2 Think2 - Golden Tickets

- Clause 6.3 (including 6.3.1 – 6.3.3), references to the 'Golden Ticket' process is removed in its entirety. Due to updated guidance from the Department for Education requiring all 2 year funded applications must be checked for eligibility, allocating funding via the 'golden ticket' process is no longer a valid application process.
- Clause 6.3 has been updated to advise Providers how the Council will notify parents of potential Think2 eligibility and how to apply, this replaces 6.3 Golden Tickets, clauses 6.3.1, 6.3.2 and 6.3.3 have been removed. Clause 6.3 now reads as:
 - **6.3 Identifying Eligible Families**
The Council will use data supplied by the Department for Work and Pensions to identify families of two years olds who could be eligible for Think2 funding based on the economic criteria. The Council will contact these families via a postcard which signposts parents to apply online.

2.3 Think2 - Applications

- **Clause 6.4**– removal of the text that references golden tickets - '(whose parent has not received a Golden Ticket).'
- **Clause 6.4.1** – amendment of entire clause to reflect the new Citizen Portal registration process, clause now reads:
 - 6.4.1 Online at www.staffordshire.gov.uk/think2 - parents click 'Apply Online' to create a Citizen Portal account that will allow parents to make an application for Think2 funding. Any parent who does not have online access can make an assisted application via their childcare provider or by visiting their local library or children's centre.
- **Clause 6.4.3** – amendment to text in reference to non-economic criteria applications and changes to how evidence can be supplied. Clause to now read:
 - 6.4.3 Parents who meet the Think2 criteria for non-benefits related criteria e.g. child is looked after or in receipt of Disability Living Allowance, must upload evidence to their Citizen Portal account application.
- **Clause 6.5.1** - removal of the text: 'All places (and *Golden Tickets*) must be verified and agreed by the Council before funding can commence' and 'voucher/letter or,' due to no longer being applicable. Clause will now read as:

- 6.5.1 No exceptions will be made for Providers who have accepted children for Think2 places without an eligibility code.
- **Clause 6.5.2** - removal of entire clause due to 'Golden Ticket' reference.
- **Clause 6.5.4** – Removal of the text in reference to retaining the voucher, '*The Provider will need to retain the bottom part of the confirmation voucher or letter that includes a unique access code and ensure the start date on the voucher/ letter has been checked.*' Additional and replacement text outlining how the Provider can confirm eligibility. The clause will now read:
 - 6.5.4 Providers can confirm Think2 eligibility by viewing a copy of the confirmation of funding if presented by the parent or through an assisted application via the Citizen Portal. Providers should add the confirmation code to the current parent declaration and privacy notice. The Provider can claim from the confirmed eligible from/ start date.

2.4 – 3 & 4 Years Olds – EYPP

- **Clause 8.8** – amendment to text: '0.53p' to now read '0.60p' due to an increase in rate.

2.5 Dispute Resolution and Termination

- **Clause 16** – a new clause 16.3.4 is added:
 - 16.3.4 The Council may terminate this Agreement prior to expiry if the Department for Education update the Statutory Guidance and require a new agreement to be put in place.

2.6 Complaints and Appeals

- **Clause 19.1** – amendment of text to reflect the change of department handling funding complaints replacing the current reference to the Complaints and Customer Feedback Team, and the inclusion of new additional text that outlines the time which the Council will respond to complaints . Clause 19.1 now reads as:
 - 19.1 If the Provider or parent believes that the requirements of the law, the Statutory Guidance or this Provider Agreement are not being met, they can in the first instance complain via email to the Early Education and Childcare Team (EEAC) at: eeac@staffordshire.gov.uk, the Provider must outline the nature of the complaint.

Providers will receive an acknowledgement within five working days from the receipt of a complaint. With completion and response from the EEAC Team within 28 days from receipt of the complaint.

- **Clause 19.3** – removal of the text to reflect changes as noted in the clause (19.1), in reference to the handling of parent complaints. Additional new text to be included at the end of clause 19.3 that signposts a Parent to Council’s complaints process. Clause 19.3 now reads:
 - 19.3 Where the Parent is not satisfied that their child has received EEF properly and has not been able to resolve a dispute with the Provider, the Parent can feedback to the EEAC Team via the email set out in clause 19.1. If the Parent is still not satisfied that their enquiry has been resolved in a satisfactory manner, they should be signposted to the Council’s Complaints and Customer Feedback Team:

<https://www.staffordshire.gov.uk/Contact-compliments-and-complaints/complimentscommentscomplaints/Complaints.aspx>

2.7 Appeals Process for Providers

- **Clause 19.6** – removal of the text that references Complaints and Customer Feedback Team and replacement text to advise who now oversees appeal decisions for funded places and additional new text that outlines the time which the Council will respond to appeals. Clause 19.6 now reads:
 - Providers can appeal against a decision to refuse access to EEF, or the removal of EEF, by writing in the first instance to the Council’s Early Education Funding Review (EEF) Group by emailing eeac@staffordshire.gov.uk.

The Provider must outline the nature of their appeal with any accompanying evidence. The Provider will receive an acknowledgement within five working days from the receipt of an appeal. The outcome of the appeal will by the EEF Review Group have considered all aspects of the appeal. The Provider will receive a written response on the outcome of their appeal within 28 days of their appeal which will outline the process and considerations undertaken for the decision.

3. Supplementary Provisions

3.1 The Council has the right to unilaterally vary the agreement to reflect changes in legislation and departmental guidance.

3.2 References to legislation could be amended from time to time, without express change in the model agreement and/or provider agreement.

4. Addendum acknowledgement

Current Providers offering EEF and who have previously returned and signed the [Provider Agreement](#) are not required to sign or return this Addendum but should acknowledge its receipt by emailing the Early Education and Childcare Team at: eeac@staffordshire.gov.uk no later than 31st August 2022.

Providers or new settings who are registering to offer EEF will sign and return the current provider agreement along with this addendum and all other required documentation and as advised at: www.staffordshire.gov.uk/eefapp