**Slough Borough Council- Children and Families: Early Years Service**

**Covid-19 Related Closures and Early Education Entitlement Funding**

**5th January 2021**

**Introduction**

This document addresses the funding of early years and childcare provision in Slough for any period of time where a setting may need to close for COVID-19 related reasons but has been unable to secure evidenced advice or instruction from the Department for Education (DfE) and/or Public Health England (PHE).

The document must always be read in the context of government advice current at the time of reading. At the time of writing, specific guidance relating to the funding of early years providers during the national lockdown from 5 January 2021 has not been issued and therefore we are continuing to adhere to the latest DfE guidance whereby:

“*Local Authorities should continue to fund providers which have been advised to close, or left with no option but to close, due to public health reasons. Local authorities should not fund providers which are closed, without public health reason, from the start of the autumn term*”.

**Principle**

The approach is based on the principle that, working together, Slough Borough Council (SBC) and the Slough Early Years and Childcare Sector share the same aim to, through the COVID-19 pandemic and wherever possible, ensure a continuing and consistent level of early years and childcare provision for children and families.

We recognise that providers want to stay open fully and may feel concerned about having to close but, under the current circumstances and on occasions, it is inevitable and absolutely right that settings close either partially or fully for a defined period.

**Expectations**

In this context, SBC have the following expectations of early years and childcare providers, as independent businesses that are registered to deliver one or all of the three Free Entitlements:

* to do everything reasonably possible to remain open with their full publicly funded offer
* where closure for Covid-19 related reasons looks likely, in the first instance to endeavour to secure evidenced advice/instruction via the DfE and/or PHE. (Please refer to PHE flow chart)
* Consider what is operationally and financially viable to stay open
* have in place a robust business continuity plan to be the first port of call in the advent or actuality of closure
* have in place a comprehensive risk assessment to support the setting to stay open whilst minimising Covid-19 related risks

**Process**

If, in spite of having fulfilled all the above expectations, the outcome is that closure is the only option, providers should follow the process outlined next:

* advise your Development Officer (childminders) or Early Years Advisory Teacher (group settings), including evidence of DfE/PHE advice/instruction where you have been able to obtain this; under these circumstances your funding will continue for the length of time that the advice relates to
* where you have not been able to obtain DfE/PHE advice/instruction but have concluded that you have no choice other than to close (for whatever period), we will take a ‘Barriers and Solutions’ approach to funding for the closure period, essentially asking you to identify the barriers to opening and demonstrating that you have sought every feasible solution to avoid closure.
* where we agree that you have comprehensively and rigorously considered all possible solutions to avoid closure, but ultimately have no choice other than to close, funding will continue for the period to which the specific circumstances apply.
* Where closure is necessary all providers must outline a review date and discuss this with the Development Officer (childminders) or Early Years Advisory Teacher (settings)

**Funding of alternative providers**

Where a child needs to move settings as a consequence of their usual provider being closed as a result of COVID-19 as outlined in the previous paragraphs, the alternative provider should contact Early Years Finance on 01753 476554. This will help to establish if the child can or should be added to an adjustment task which would only apply if the setting goes above their current funding levels.

Where a child moves settings for any other reason (COVID-19 related or not) the normal funding rules apply where the funding follows the child.

**Funding for local authorities to early years providers in the spring term 2021**

Local authorities should return to the normal funding approach (that is, ‘funding following the child’) for all providers from 1 January 2021. This is in line with the approach announced in July 2020.

Providers should note that the guidance on [Early Years providers’ access to the Coronavirus Job Retention Scheme (CJRS)](https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care) has been updated to reflect this approach to funding in the spring term, to take account of the position of any providers who see reductions in entitlements funding as a result.

Local authorities must take account of the provisions within the [Early education and childcare statutory guidance](https://www.gov.uk/government/publications/early-education-and-childcare--2) for local authorities in making decisions on funding for providers which have restricted attendance, or are closed or temporarily closed for reasons connected to coronavirus (COVID-19). Local authorities should ensure that providers are:

* not penalised for short term absences of children, for example sickness, arriving late or leaving early, or a family emergency through withdrawing funding, but use their discretion where absence is recurring or for extended periods taking into account the reason for the absence and the impact on the provider
* aware of the local authority policy in the area in which they practice on reclaiming funding when a child is absent from a setting
* not penalised through withdrawal of funding for short term closures of a setting, for example, as a result of local or national elections or damage to the premises
* For the spring term, all settings will be funded based on the number of children on the January 2021 census.
* The census week is w/c 18th January. For the EY census- PVIs and Childminders- providers need to complete the total funded hours children take up during this week.
* *If a child is off sick or self isolating, then the provider should record their hours as if they were normally attending.*
* *If a provider is temporarily shut due to Covid-19, then they should record the number of funded hours they would have expected to deliver.*
* There will be an adjustment task available in March, if required, to record details of any new starters after census week.

**Please note**

* All children must have a signed parent declaration form in order to claim funding, this includes children who agreed to attend the setting but may have decided to postpone their start date

**News Bulletin: 5th January 2021**

**National lockdown to come into force on Wednesday 6 January**

The Prime Minister has today announced that a [new national lockdown](https://www.gov.uk/guidance/national-lockdown-stay-at-home?utm_source=4%20January%202021%20C19&utm_medium=Daily%20Email%20C19&utm_campaign=DfE%20C19#going-to-school-college-and-university) will come into force at 00:01 on Wednesday 6 January.

During the period of national lockdown, schools, alternative provision, special schools, and colleges will remain open to vulnerable children and young people and the children of [critical workers](https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision?utm_source=4%20January%202021%20C19&utm_medium=Daily%20Email%20C19&utm_campaign=DfE%20C19) only. Public vocational exams and assessments scheduled to take place in January will go ahead as planned. All other children and students will learn remotely until February half term.

Higher Education provision will remain online until mid-February for all except future critical worker courses.

**All early years providers (including registered childminders but not including reception years in primary schools) can remain open during this period of national lockdown.**

In these circumstances, we do not think it is possible for exams to go ahead fairly this summer. The Secretary of State for Education will be asking Ofqual to consult rapidly on an approach for alternative arrangements that will allow students to progress fairly.

We understand that schools and colleges may wish to open tomorrow (Tuesday 5 January) to allow for the distribution of remote education resources, and that is permitted within these rules, though not required.

We know that receiving face-to-face education is best for children’s mental health and for their educational achievement. We will be reviewing the restrictions on schools, colleges and universities and will ensure that children and young people return to face-to-face education as soon as the pressures are easing on the NHS.

This decision does not suggest that schools and colleges are no longer safe places for young people. Instead, limiting attendance is about reducing the number of contacts that all of us have with people in other households.

We have resisted closing schools until now, but in the face of the rapidly rising numbers of cases across the country and intense pressure on the NHS, we now need to use every lever at our disposal to reduce all contacts outside households wherever possible.

For vulnerable children and the children of critical workers, who can still attend school or college, as they did in March to May, and their teachers, the system of protective measures means that any risks are well managed and controlled.

We are responding to the intense pressure on the NHS, but that pressure is not driven by children. We are not seeing significant pressure from coronavirus (COVID-19) in paediatrics across the UK. The new variant appears to affect all ages but we have not seen any changes in the severity among any age groups, including children and young people.

The overwhelming majority of children and young people have no symptoms or very mild illness only. As cases in the community rise there will be a small increase in the number of children we see with coronavirus (COVID-19) who only rarely require admission to hospital.

**Vulnerable children and children of critical workers who can attend school and college**

During the period of national lockdown, schools and colleges should only allow vulnerable children and the children of critical workers to attend. Children with at least one parent or carer who is [listed as a critical worker](https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision?utm_source=4%20January%202021%20C19&utm_medium=Daily%20Email%20C19&utm_campaign=DfE%20C19) are eligible for a school place. It is not necessary for both parents to be critical workers.

Schools and colleges should speak to parents and carers to identify who requires a school place. If it proves necessary, you can ask for simple evidence that the parent in question is a critical worker, such as their work ID badge or pay slip.

The critical worker list has been updated to include new workforces whose work is critical following the end of the EU transition period. It is important these people are also identified as critical workers and their children can attend the education setting. This change will see a small increase in the overall number of critical workers.

List of critical workers (key workers) and vulnerable children and young people who can access full-time education provision in the case of future restrictions on education during the coronavirus (COVID-19) outbreak.

Change made:

Updated with information about the return to school and college in January, and added those whose work is critical to EU Transition to the list of critical workers.

Updated:

31 December 2020

<https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision?utm_source=8ff99bc5-98b6-48fb-a535-932474a17738&utm_medium=email&utm_campaign=govuk-notifications&utm_content=daily>

**Actions for early years and childcare providers during the coronavirus (COVID-19) outbreak**

What childcare services early years settings, childminders and local authorities need to provide during the coronavirus (COVID-19) outbreak.

Change made: Updated information on tier 4 restrictions, charging parents and carers, what to do when an individual has had close contact with someone with coronavirus (COVID-19) symptoms, how to contain any outbreak, the definition of close contact, when to count 10 days isolation period from and CJRS. Replaced ‘What to do if a child is displaying symptoms of coronavirus (COVID-19)’ with a new version.

Updated: 22 December 2020

Change made: Updated the guidance for pregnant employees.

Updated: 30 December 2020

<https://www.gov.uk/government/publications/coronavirus-covid-19-early-years-and-childcare-closures?utm_source=bbe44cf2-d6cb-4a84-91bf-234933dca15b&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate>

### Charging parents and carers if they are unable to take up their child’s place Providers should continue to be fair and balanced in dealings with parents or carers and must continue to avoid unfair charging practices. Providers should refer to:

* the [open letter to the early years’ sector](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904194/Open_letter_to_Nursery_and_Early_Years__settings.pdf) published by the Competitions and Markets Authority (CMA) on the 28 July 2020
* the CMA’s detailed advice to the [nursery and early years sector about coronavirus (COVID-19) restrictions and consumer law advice](https://www.gov.uk/government/publications/nursery-and-early-years-sector-covid-19-restrictions-and-consumer-law/nursery-and-early-years-sector-covid-19-restrictions-and-consumer-law-advice)
* the CMA’s broader advice on [cancellations and refunds for consumer contracts affected by coronavirus (COVID-19) health restrictions](https://www.gov.uk/government/publications/cma-to-investigate-concerns-about-cancellation-policies-during-the-coronavirus-covid-19-pandemic/the-coronavirus-covid-19-pandemic-consumer-contracts-cancellation-and-refunds)

The general principle is that providers should not charge parents or carers for services that cannot be provided. If there is a barrier to accessing childcare, based on government guidance or the law, the provider should not charge the parents or carers for this period. For example, from 28 September [people in England are required by law to self-isolate](https://www.gov.uk/government/news/new-legal-duty-to-self-isolate-comes-into-force-today) if they test positive for coronavirus or are contacted by NHS Test and Trace. Accordingly, if a child is self-isolating having been contacted by NHS Test and Trace, the provider should not charge the parent or carer for this period.

<https://www.gov.uk/government/publications/coronavirus-covid-19-early-years-and-childcare-closures/coronavirus-covid-19-early-years-and-childcare-closures#funding-and-business-support>

**Coronavirus (COVID-19): financial support for education, early years and children’s social care**

Updated 17 December 2020

Main changes to previous guidance

The early years section of the sector-specific guidance has been updated to reflect the interaction between the Coronavirus Job Retention Scheme (CJRS) and 2021 spring term funding.

‘No organisation should profit from the exceptional financial support available, and should therefore only access the support required. For example, organisations which continue to receive government funding should not furlough staff whose salaries that funding could typically be considered to fund, and therefore will not need to access the CJRS’.

‘All organisations are expected to have adequate and effective governance arrangements and controls in place to ensure public funding is spent effectively and appropriately’.

<https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care>

# What parents and carers need to know about early years providers, schools and colleges during the coronavirus (COVID-19) outbreak

Information for parents and carers about going back to schools, nurseries and colleges in January 2021.

Change made:

Added information about tier 4 restrictions and returning in January 2021.

Updated:23 December 2020

<https://www.gov.uk/government/publications/what-parents-and-carers-need-to-know-about-early-years-providers-schools-and-colleges-during-the-coronavirus-covid-19-outbreak?utm_source=491fd3df-6426-4028-a8d8-135c0c778c28&utm_medium=email&utm_campaign=govuk-notifications&utm_content=daily>

**Self-isolation period reduced from 14 days to 10 days**

Self-isolation is essential to reducing the spread of coronavirus (COVID-19) as it breaks the chains of transmission. After reviewing the evidence, the Department for Health and Social Care is now confident that we can reduce the number of days that contacts self-isolate from 14 days to 10 days. This was set out in the [UK Chief Medical Officers' statement on the self-isolation period](https://www.gov.uk/government/news/uk-chief-medical-officers-statement-on-the-self-isolation-period-11-december-2020?utm_source=14%20December%202020%20C19&utm_medium=Daily%20Email%20C19&utm_campaign=DfE%20C19) on 11 December.

From 14th December, the self-isolation period for close contacts of a positive case of coronavirus (COVID-19) has changed from 14 to 10 days. This change applies to all those who are currently self-isolating including those who commenced self-isolation before today. This means that if you are on the 11th, 12th or 13th day of your current self-isolation period today – you can stop isolating. Any new cases identified for self-isolation will be advised to self-isolate for 10 days.

We have updated our guidance to reflect this change.

The NHS test and trace app will be updated to reflect the change on Wednesday 17 December. Anyone who is, or has been, contacted by the NHS app to self-isolate before 17 December can reduce their isolation period by 3 days. From 17 December the NHS app will tell people to self-isolate for 10 days.

**Updates to the Coronavirus Job Retention Scheme (CJRS) Guidance**

In line with the spring term funding changes, DfE have also updated the CJRS guidance to come into effect from 1st January.  The new guidance can be found [here](https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care).

The revised guidance means that providers who have seen a reduction in their free early education entitlements funding (due to lower attendance) can increase their CJRS claim, so long as staff affected were on payroll on or before 30th October, and providers continue to meet the conditions as set out in DfE’s CJRS guidance.  Providers should consult the full guidance on the CJRS scheme before submitting a claim.

**Check if you can claim for your employees' wages through the Coronavirus Job Retention Scheme**

Find out if you’re eligible and how much you can claim to cover wages for employees on temporary leave ('furlough') due to coronavirus (COVID-19).

17 December 2020

Updated to remove reference to January review and reflect that the Coronavirus Job Retention Scheme has been extended to 30 April 2021. Minor update to mirror holiday pay guidance on other pages.

<https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme#history>

# HMRC: COVID-19: Employer support – live webinars

You can now submit your claims under the Coronavirus Job Retention Scheme (CJRS) for periods in December. These must be made **by** **14‌‌ January‌‌ 2021.**

Make sure you have the latest information by joining the live **Coronavirus Job Retention Scheme** webinar, which includes:

* who can claim
* who you can claim for
* how to calculate what you can claim
* how to make a claim.

[**Register here**](https://links.advice.hmrc.gov.uk/l/eyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbl9saW5rX2lkIjoxMDEsInVyaSI6ImJwMjpjbGljayIsImJ1bGxldGluX2lkIjoiMjAyMTAxMDQuMzI3NTkyMzEiLCJ1cmwiOiJodHRwczovL2F0dGVuZGVlLmdvdG93ZWJpbmFyLmNvbS9ydC84NTI4MDIxNDk5Njk2MTYzMzMxP3NvdXJjZT1KYW51YXJ5LUhNUkMtRENTLVN1cHAtRW1wLTEifQ.0XA2IJ04oubO8WXn5oYBD8rTDz3YEoRq8JDRsXJSAkA/s/510004055/br/92607482075-l)

We are also running monthly webinars on the **Coronavirus (COVID-19) Statutory Sick Pay Rebate Scheme**. Get the latest information on:

* who can claim
* who you can claim for
* how to make a claim
* what you may be entitled to, and more.

[**Register here**](https://links.advice.hmrc.gov.uk/l/eyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbl9saW5rX2lkIjoxMDIsInVyaSI6ImJwMjpjbGljayIsImJ1bGxldGluX2lkIjoiMjAyMTAxMDQuMzI3NTkyMzEiLCJ1cmwiOiJodHRwczovL2F0dGVuZGVlLmdvdG93ZWJpbmFyLmNvbS9ydC8zNjY3NTQ1Njg1NzIzMTIwNjQzP3NvdXJjZT1KYW51YXJ5LUhNUkMtRENTLVN1cHAtRW1wLTEifQ.Qg9UvLVrDfSak5Nclsj1dGqSodZBnGweDxj_MUZbyuE/s/510004055/br/92607482075-l)

During these interactive webinars you can ask questions using the on-screen text box and download handouts giving detailed examples and links to more information.

Afterwards we’ll also send you a link to a video recording of the webinars, in case you'd like to see any of it again.

We will continue to update our webinars to reflect the latest information as it becomes available.

# Support Together Early Education Resources (STEER)

Slough Early Years and Prevention Service have developed a collective package of inclusive materials, practical resources and ideas to support fundamental elements of early years learning and development now and in the future.

The materials incorporate links to other useful websites and professional organisations and use modern IT so they can be accessed on many different devices making it user friendly and easy to navigate and return to.

These materials are aimed at reaching and supporting the early year’s sector, settings, schools and families with young children during COVID-19 and beyond.

Link for parents: <https://www.slough.gov.uk/early-years-childcare/support-together-early-education-resources-steer>

Link for practitioners to access the full resource pack: <https://thelink.slough.gov.uk/early-years/support-together-early-education-resources-steer>

**Key points: Actions for early years and childcare providers during the coronavirus (COVID-19) outbreak**

<https://www.gov.uk/government/publications/coronavirus-covid-19-early-years-and-childcare-closures/coronavirus-covid-19-early-years-and-childcare-closures>

**Early years providers’ responsibilities**

Settings are responsible for:

* safeguarding - local agencies, services and settings should work together to actively look for signs of harm given the greater risk of harm that some children may have been exposed to through coronavirus (COVID-19)
* supporting the learning and development of - and caring for - children who attend, as set out in the [early years foundation stage (EYFS)](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) framework
* in the case of vulnerable children, particularly those with social workers, early years providers should continue to encourage these children to attend regularly and notify their social worker if they stop attending
* planning and implementing the [system of controls](https://www.gov.uk/government/publications/coronavirus-covid-19-early-years-and-childcare-closures/coronavirus-covid-19-early-years-and-childcare-closures#system-of-controls-protective-measures), building on the hierarchy of protective measures that have been in use throughout coronavirus (COVID-19) - the [infection prevention and system of controls](https://www.gov.uk/government/publications/coronavirus-covid-19-early-years-and-childcare-closures/coronavirus-covid-19-early-years-and-childcare-closures#infection-prevention-and-response-system-of-controls) section sets out the public health advice which early years settings must follow

Settings should still consider how they can minimise mixing within settings

**All other** [**system of controls**](https://www.gov.uk/government/publications/coronavirus-covid-19-early-years-and-childcare-closures/coronavirus-covid-19-early-years-and-childcare-closures#system-of-controls-protective-measures) **measures must remain in place.**

***Please look at the systems of control and prevention before updating your setting risk assessment***

**Risk assessment**

Settings must comply with health and safety law, which requires them to assess risks and put in place proportionate control measures.

**Staff and children who are clinically extremely vulnerable**

Clinically extremely vulnerable people should not go to the workplace if they live or work in areas where shielding advice is active.

Read further [guidance for the clinically extremely vulnerable](https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19).

**Staying in touch with parents or carers whose child is at home**

Settings should consider how:

* to continue to support the learning of children who do not attend settings including how these children can maintain contact with their key person and peers through the early years setting
* parents and carers can be supported to provide a positive learning environment at home

Settings should share national online home learning materials

Settings should work with local authorities to monitor the welfare of:

* vulnerable children who are not attending provision
* other children they might wish to keep in touch with, for safeguarding purposes

**Action to take when a child’s usual provider is closed**

In the case of vulnerable children, the closed setting should notify the local authority (and social worker, where relevant) that there are vulnerable children who need alternative provision. The closed setting should work with the families of vulnerable children and local authorities (and social workers, where relevant) to support this.

**Where a setting has closed, and a vulnerable child moves to a different early years setting – settings have several actions to comply with for safeguarding, effective transition and GDPR. Please read the section in document.**

**Prioritising early years places**

If there is a need to prioritise places (for example, where a nursery is oversubscribed, or unable to operate at full capacity), settings should give priority to:

* vulnerable children and children of critical workers
* then 3- and 4-year-olds, in particular those who will be transitioning to reception
* followed by younger age groups

Guidance: **Critical workers and vulnerable children who can access schools or educational settings** Updated 31 December 2020

[**https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision**](https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision)

**Safeguarding and welfare**

Settings must continue to take all necessary steps to keep children safe and well during this period and have regard to the statutory guidance on [working together to safeguard children](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2). The safeguarding and welfare sections of the [EYFS foundation framework](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) still apply, including requirements relating to child protection arrangements.