

## **Full-Time Early Education Places – Criteria for eligible children**

The priorities outlined within this document provide strict guidance to early years practitioners on allocating full-time early education places for three and four year olds. These priorities are based on the Right Service, Right Time model in use within the Early Help Strategy.

The Strategy supports the Right Service Right Time framework and the Think Family approach which has been adopted across Birmingham and forms a part of a cohesive early help offer delivered jointly by all partners with a commitment to:-

- working better together and in an open way with the consent of the child and their family;
- identifying strengths and needs and finding practical and achievable solutions;
- providing the right information and advice to enable families to make positive changes themselves with tailored support;
- helping families build protective factors and family resilience to prevent situations recurring.

The provision of a full-time early education place should be considered when a child and their family have needs that may require an intensive or substantial package of support to address a safeguarding or education need to support narrowing the gap in the Early Years Foundation Stage (EYFS), or a short-term intervention around complex and challenging circumstances.

Places should be available to children who meet the thresholds for:-

**Complex/Significant Needs:** When a child and their family have needs that are so significant that they need immediate statutory social work intervention, or highly specialist services to prevent significant harm or serious risks to their health and welfare.

Outcome: Support at this level keeps children safe and helps families improve their long-term outcomes.

A statutory assessment will be undertaken and a plan developed, co-ordinated by a designated lead (for example, Social Worker, Consultant, Health Visitor) and specialist interventions are provided to minimise the negative impacts experienced by the child and family and prevent their needs getting worse or recurring. The holistic needs of the child and family are met through a range of universal, targeted and specialist services working effectively together and the need for a full-time early education should be part of the package to support the family.

**Additional Needs:** When a child and their family have needs that may require an intensive or substantial package of support, but the concerns can be managed without the need for statutory social work or other specialist interventions.

Outcome: The life chances of children and families will be improved by offering co-ordinated multi-agency support.

For children and families requiring substantial or intensive support a co-ordinated multi-disciplinary approach is usually best. Using an fCAF a lead professional must work closely with the child and

family, gaining their consent to the information sharing and agree their identified additional needs. The family plan should highlight the need for a full-time early education place which may be linked to narrowing the gap within the EYFS.

Help for disabled children and children with SEN will be co-ordinated through Education, Health and Care Plans. The need for a full-time place should be identified within this, or through working with professionals identified within their Early Support Plan.

A full-time early education place is not an entitlement. The statutory entitlement to early education is 15 hours. Even when a child is identified as meeting the criteria for a full-time place, it is not a guarantee that a place will be available. The best interest of the child and impact on their outcomes will be critical factors in the allocation of a place.

Children in the following circumstances **are likely** to meet the criteria to be offered a Full-time place (This list is not exclusive and is an example of situations that may be identified within the thresholds of Additional and Complex/significant needs):-

- Children with a Child Protection Plan; or are subject to a section 47 Child Protection investigation; or a section 17 Children in Need plan.
- Children in Local Authority Care or subject to a special guardianship order.
- Children identified as in need of early help through an fCAF and have in place a family support plan.
- Children with diagnosed Disabilities who have an Education, Health and Care plan (or are in the process of) and/or are in receipt of Disability benefit. Or children who have been referred to or by a Child Development Centre/equivalent specialist education agency.
- Children from families where their physical accommodation places the child at risk of harm.
- Children whose parents/carers need support as a result of their physical disability, learning disability, mental health problem or illness.
- Parent/carer in prison.
- Children from families experiencing domestic violence or drug/alcohol abuse.
- Children who are in the first stages of language development.
- Children from families with no recourse to public funds.
- Children in exceptional circumstances around a safeguarding/vulnerable situation need.

It is expected that any child identified as potentially eligible for a full-time place will have a supporting referral from a professional engaged in their support and an fCAF detailing the need for a full-time place to support improving their outcomes. Where this is not already in place, it is expected that an fCAF will be initiated in line with the Early Help strategy and Right Service, Right Time model.

An eligible child should be re-assessed for the ongoing provision of a full-time place for each academic year.

## **Admission Policy for Local Authority Nursery Schools and Nursery Classes**

Section 7 of the Childcare Act 2006 (as substituted by section 1 of the Education Act 2011) sets out the requirements for local authorities to provide free early education places for all 3 and 4 year olds and eligible 2 year olds. Regulations under the Act set out the number of hours and type of provision which must be secured, and the ages of the children who must receive it. The current regulations require local authorities to ensure free provision is available from the start of the term following a child's third birthday (or second birthday for eligible 2 year olds), for 570 hours a year over no fewer than 38 weeks of the year.

### **1. Criteria for the allocation of the Free Early Education Entitlement in LA nursery schools and classes**

Maintained Nursery Schools and Primary Schools with a nursery class should offer places to children who are identified as meeting the criteria for a full-time place first, and then offer remaining places on a part-time basis according to the criteria below.

Where a school has more applications for early education places than there are places available, the following criteria shall apply:

1. Children meeting the criteria for the allocation of a full-time place.
2. Children (siblings) with an older brother or sister already at the school (or at a linked school on the same or nearby site) who will still be in attendance at the time the sibling enters the school (subject to age restrictions below). Siblings are considered to be those children who live at the same address and either:
  - I. have one or both natural parents in common;
  - II. are related by a parent's marriage;
  - III. are adopted or fostered by a common parent.
3. Children who live nearest to the school.

Within each of these categories, priority is given to those who live nearest to the school, by straight-line measurement to one fixed point in the school.

### **2. Age constraints**

Admission to LA nursery schools and classes is in the term following the child's third birthday for the universal entitlement, or the term following the child's second birthday for those eligible for the targeted 2 year old entitlement.

### **3. Transfer to primary schools**

Parents should not be led to believe that the offer of a nursery (early education) place is dependent upon a commitment that their child will enter the school's reception class. There can be no guarantee that a child in the nursery class of a primary school will be able to transfer to the reception class of the same school.

#### **4. Religious or denominational allegiance**

Religious or denominational allegiance should not affect the priority given to a child's access to a nursery place.

#### **5. Home addresses**

A child's home address is considered to be a residential property that is the child's only or main residence and is either;

- I. Owned by the child's parent(s), or the person with parental responsibility for the child;
- II. Leased to or rented by the child's parent(s), or the person with parental responsibility.

Evidence of ownership or rental agreement may be required, plus proof of permanent residence at the property concerned.

Where parents have shared responsibility for a child, and the child lives with both parents for part of the week then the main residence will be determined as the address where the child lives the majority of the week. Parents may be requested to supply documentary evidence to support the address used for the allocation.

If a school is allocated on the basis of an address that is subsequently found to be different from a child's normal and permanent home address, then that place is liable to be withdrawn.

#### **6. Children not resident in the area of Birmingham City Council**

Children not resident in the area of Birmingham City Council may be admitted to a Birmingham LA nursery school or class in line with the criteria above. Full-time places within nursery schools and classes will only be offered to children resident in Birmingham, or children living outside of Birmingham who are the responsibility of Birmingham City Council as a Looked After Child.

#### **7. Full-Time early education places admissions**

Head Teachers are responsible for identifying which children meet the criteria in conjunction with other professionals. A proforma has been provided to enable Head Teachers/Nursery Managers to identify eligibility at the time of expression of interest.

In instances where a school/setting identifies that a child meets the criteria for a place but one is not available, the parent should be directed to other available provision within the local area. The focus of this criteria is on improving outcomes and life chances for the most disadvantaged and vulnerable children in Birmingham.

## **Placement Strategy for Schools and Settings to offer Full-time Early Education Places**

### **Type of Setting**

Children that are identified as eligible to access a full-time early education place will be able to do so in a local authority nursery school, a nursery class within a primary school or a Private, Voluntary and Independent (PVI) nursery provider.

### **Quality of School/Setting**

In order for schools and PVI providers to be able to offer a full-time early education place to an eligible child, they must meet the criteria agreed by Birmingham City Council. This is to ensure that the most vulnerable children benefit from high quality places, as research has proven it is the quality of the provision that makes the biggest difference to a child's outcomes.

Eligible children will be able to access a full-time early education place within schools/settings:-

- that have achieved a Good or Outstanding (Grade 1 or 2) Ofsted outcome. For primary schools this will be the rating given for the Early Years Foundation Stage.
- that have a comprehensive training and performance plan that is consistent for staff at all levels. All settings should have at least 1 Qualified Teacher or Early Years Teacher (EYP). (Childminders should be able to demonstrate how this support is accessed where the childminder themselves does not meet this criteria.)
- Where the leadership team of the school/setting demonstrate an ability to plan strategically and review and monitor short and long term targets. The school/setting should have a good record of staff retention. The Ofsted rating for leadership and management must be Good or Outstanding (Grade 1 or 2).
- that have a robust SEND policy and commitment to implementing this holistically. (This should cover EYFS PSED/personal independence/communication/behaviour or toileting needs.)

Schools and PVI settings that do not meet these criteria will not be able to offer a full-time place. If children meeting the criteria for a full-time place are identified during the admissions process, they should be signposted to the Early Years, Childcare and Childrens Centres team so that appropriate arrangements can be made. A part-time place can still be offered.

### **Identification and Placement of Children**

Head Teachers/Nursery Managers are responsible for identifying which children meet the criteria in conjunction with other professionals. A proforma has been provided to enable Head Teachers/Nursery Managers to identify eligibility at the time of expression of interest. The provision

of a full-time early education place should enable an improvement in a child's outcomes and contribute to a narrowing of the gap within the Early Years Foundation Stage.

In instances where a school/setting identifies that a child meets the criteria for a place but one is not available, the parent should be directed to other available provision within the local area. The focus of this criteria is on improving outcomes and life chances for the most disadvantaged and vulnerable children in Birmingham.

Children that are accessing a full-time early education place should be included on the termly school census and schools/settings will be required to identify the specific criteria that the child has met. Evidence of how the criteria have been met must be retained by the school/setting for inspection as part of the School/EEE Audit process.

Schools/Settings are required to adhere to all other conditions as detailed within the Early Years Foundation Stage and the terms and conditions for funding (as appropriate).