

West Partnership

Cross Boundary Funding Protocol

Session 2023-24



GLASGOW
CITY REGION
Education



Update: August 2023

Cross Boundary Inter - Authority Funding Protocol

This protocol is designed to enable local authority officers to facilitate choice for parents/carers of children who are eligible for 1140 hours of Early Learning and Childcare and wish to access provision in a funded provider irrespective of the local authority the provider operates within.

Rationale

“Funding Follows the Child” is ‘provider neutral’ and is underpinned by a National Standard that all settings – regardless of whether they are in the public, private or third sector, or childminders – will have to meet in order to be able to deliver funded ELC.

For families this means that they will be able to access high quality funded ELC with the provider of their choice – in the public, private, third sector or a childminder - if that provider meets the criteria set out in the National Standard, wishes to deliver the funded entitlement, has a space available, is able to offer the funded hours in-line with their local authority’s ELC delivery plan (subject to the capacity of the setting), and is in contract with their local authority to deliver the funded hours.”

(Funding Follows the Child, Scottish Government, July 2021)

Purpose of Protocol

The statutory duty is to provide 1140 hours of early learning and childcare to all eligible children. Along with this duty is the expectation that local authorities adhere to the requirements of Funding Follows the Child.

Funding Follows the Child allows families access to high quality funded ELC with the provider of their choice (if that provider meets the criteria set out in the National Standard, wishes to deliver the funded entitlement, has a space available, is able to offer the funded hours in line with local ELC delivery plans subject to the settings overall capacity) and is willing to enter into a contract with the local authority.

The West Partnership Cross Boundary Funding Protocol is designed to support the implementation of Funding Follows the Child. As well as the 8 local authorities that make up the West Partnership (Glasgow, East Renfrewshire, Renfrewshire, Inverclyde, South Lanarkshire, North Lanarkshire, East Dunbartonshire and West Dunbartonshire), neighbouring local authorities in Argyll and Bute, East, North and South Ayrshire Councils operate in line with this protocol, however access and processes may differ.

The commitment to this approach allows all aforementioned local authorities to work together, where physical and financial capacity allows, to support the requirements of Funding Follows the Child.

The duty for providing early learning and childcare lies with the authority where a child lives.

These authorities are referred to as **resident authorities**.

In delivering on the key requirements of Funding Follows the Child, families have greater choice in how they seek to access their child’s funded entitlement; in particular where they are requesting early learning and childcare funding from a local authority that they are **not** resident in. For clarity of purpose we will refer to these authorities in which the nursery is located as **host authorities**.

Host authorities will continue to accept funding requests from non-residents and will be considered in line with the host authority’s admissions priorities.

Procedure

Please Note:

Resident Authority: authority parent/carer and child live in.

Host Authority: authority in which your child attends/is seeking to attend Funded Provider setting.

All Funded Providers: private, voluntary, third sector and childminders in contract with the host authority to provide funded ELC

1. Parents/carers can ask a funded provider including a childminder working in partnership with any of the named authorities to make a request on their behalf to the host authority for a child to receive early learning and childcare funding. The funded provider must be in partnership with the host authority. The timing of this request should be considered to ensure it complies with existing host authority timelines for allocating funding to funded providers (details of which can be obtained from individual local authorities). Funded providers must ensure they are aware of their responsibility to apply on behalf of families and also the timeline for applications as outlined in this document.
2. The West Partnership Cross Boundary Admission Group inclusive of representatives from all participating local authorities will meet in May each year to review funding requests and agree levels of cross boundary funding for the new session commencing August. Funding requests will be granted in the first instance on a reciprocal basis, thereafter any requests over and above reciprocal numbers will be recharged.
3. The funded entitlement and application process to provide up to 1140 hours will be determined by the policy within the resident authority. It is therefore imperative that local authorities share their application timeline (along with the cross boundary timeline) with others, including families.
4. Where there is an imbalance of number of children placed between host and resident authorities; negotiation will take place to agree the level of cross boundary funding, with payment rates being invoiced at the rate of the host authority.
5. The National Entitlement for children Eligible 2 years and 3-5 years for meals, snacks and milk is 1 free meal, 1 free snack and 189 mls (1/3 pints) of milk daily for children with effect from August 2021. The new Scheme for milk and snacks is underpinned by the [Milk and Healthy Snack Scheme \(Scotland\) Regulations 2021](#) which came into force on 21 March 2021. A cross boundary food funding rate has been agreed by all participating local authorities. Funding for food will be based on an hourly rate of £0.50 per hour to a maximum of 1140 hours (£570) per annum /pro rata. This rate will be provided irrespective of the funding rate set by the individual local authority.
6. Inter Authority Cross Boundary Funding requests submitted to the host authority before their appropriate deadline, will be agreed at the Inter Authority Cross Boundary Admissions Group in May of each year for the following session commencing in August.
7. Late applications (closing date for applications as per host authority policy) for funding received by the host authority for sharing with the Resident authority will be considered from the first Monday following receipt of the application by the host authority or effective funding date if later.
8. To ensure all local authorities work to provide best value they will closely monitor the number of children attending their funded providers, ensuring careful management of both physical and financial capacity. Therefore it should be noted that there is no guarantee that late applications will be approved.

9. Host authorities will notify their funded providers of the outcome of their request. After which, funded providers or local authorities (depending on resident authority local protocol) will notify parents/carers of the decision.
10. Cross boundary funding cannot be guaranteed by the resident authority not participating in the West Partnership Cross Boundary Funding Protocol.
11. The application process for cross boundary funding will be subject to annual review.
12. The application process for returning children remaining with a funded provider for a new session will be determined by the host authority and subject to the host authority's admissions priorities. Funded providers must follow the host authority application process and ensure that information in respect of returning children is available for discussion at the Inter Authority Cross Boundary Admission Group meeting.

Funding Eligibility Dates

In line with Scottish Government guidance, all eligible 2, 3 and 4 years olds become eligible for funding as follows:*

If your child is born between:	They will be eligible for a funded early learning & childcare place from the term noted below
1 March to 31 August	Autumn term (August)
1 September to 31 December	Spring term (January)
1 January to the last day in February	Summer Term (April)

In accordance with Scottish Government guidance, children become eligible to access their statutory entitlement from the beginning of the term following either their 2nd or 3rd birthday. Please note, individual authorities may provide early access to the entitlement, however, this should be confirmed with each individual authority in advance. Funded providers should contact the host authority to check the funding start date arrangements for all children requesting cross boundary funding and ensure this is communicated to parents.

Children aged 2 years that meet the Criteria for Eligible 2 Funding

Children who meet the criteria for Eligible 2 year old funding will receive their funding the term after their 2nd birthday or, the first term after the parent starts receiving those benefits.

Under part 6 of the Children & Young People (Scotland) Act 2014, an entitlement was introduced in August 2014 for some 2 year olds.

Children aged 2 years are eligible for a funded place if a parent is in receipt of:

- Income Support
- Job Seeker's Allowance
- Any income related element of Employment and Support Allowance
- Incapacity or Severe Disablement Allowance
- State Pension Credit
- Child Tax Credit, but not Working Tax Credit and income is £18,725* or less
- Child Tax Credit and Working Tax Credit and income is £8,717* or less
- Support under part VI of the Immigration and Asylum Act 1999
- Universal Credit where household take-home pay, is £726* a month or less

Additionally, any child aged 2 or over is eligible for funded ELC where they are or have been looked after by the Council, or are the subject of a kinship care order or the subject of a guardianship order, along with children whose parents have been care experienced in the past.

* This applies to children who have turned two on or after 1st March 2023. The income thresholds for Child Tax Credit and Working Tax Credit can vary annually, therefore you should check the following website for the most up to date information on eligibility for funded ELC <https://www.mygov.scot/childcare-costs-help/funded-early-learning-and-childcare>.

The Resident authority will be responsible for identifying if a child meets the eligible 2 criteria in accordance with the resident authority eligible 2 application process.

Deferred Entry Cross Boundary Funding


From 2023/24, all children not yet 5 years old at the beginning of the school session now have the right to access an additional year of funded ELC if they choose to defer entry to primary school. Any request for cross-boundary funding for a deferred child follows the existing cross-boundary protocol process, in that an application is made by the parent via the funded provider to the host authority. This is the established process for all funding requests.

Please note, where a child is choosing to access an additional year of funded ELC, it is essential they follow the resident authority process for deferring entry to school.

Any decision on whether a child's application to defer entry to school is granted (for example, for those children already 5 years old at the beginning of the school session) rests with the resident authority and it is only where such requests are granted that funding will be progressed.

Inter Authority Cross Boundary Process Timeframe

End of February/host authority:*	Closing date for new session applications
End of May/June:	Inter Authority Cross Boundary Admission Group <ul style="list-style-type: none">• sharing funding request information• agreeing funding requests
End of June/July:	Parents/carers informed of funding request outcome
End January/Beginning February:	Inter Authority Invoicing for Term 1 and Term 2 of current session (current financial year)
August/September:	Inter Authority Invoicing for Term 3 of current session (following financial year)



* Cross Boundary Funding Applications should be submitted to host authorities within their appropriate deadlines if they differ from the date noted. Late applications can be forwarded to the host authorities throughout the Session for consideration and information will be shared with resident authorities for funding consideration at the end of each calendar month. All applications received after the above timeline will be considered in accordance with the resident authority Admissions Policy and within the confines of resident authority physical and financial capacity, therefore there is no guarantee that funding will be available throughout the Session.

Quality Assurance

This National Standard will ensure families across the West Partnership can expect a consistent, high-quality approach to ELC provision, reflecting national policy priorities. To obtain partnership status within the West Partnership all funded providers must demonstrate meeting of the National Standard. In addition, Education Scotland and the Care Inspectorate complement internal quality assurance systems within each local authority.

Partnership Status

It is the responsibility of individual local authorities across the West Partnership to award partnership status. The timeline and length of agreements vary across all local authorities. When agreeing cross boundary funding it is important that applications considered at the Cross Boundary Admissions Group meeting in May/June of each year only include those ELC settings that have partnership status in line with the National Standard. If partnership status is granted after this meeting then applications for funding will be considered as late requests and there is no guarantee that physical or financial capacity will allow funding to be approved.

Financial Implications

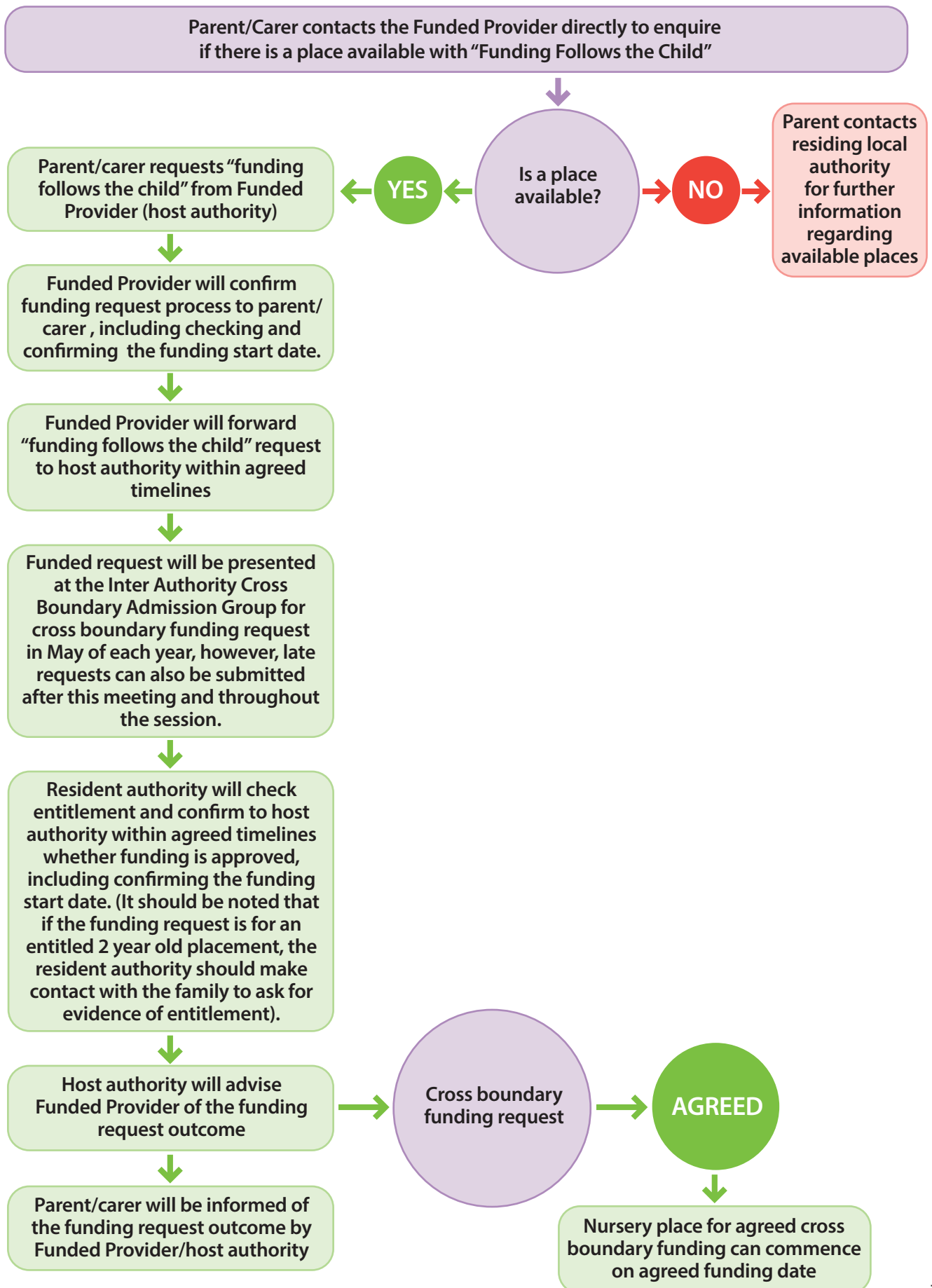
This Protocol is written in an attempt to minimise the administrative burden of Inter Authority Cross Boundary Funding whilst maximising parental choice in where a child is placed. Every attempt will be made to have reciprocal arrangements where there is a balance of children in and out of an education authority area. However, it is recognised that on occasions there may be an imbalance of funding requests between local authorities. This Protocol is designed to facilitate discussion and agreement and to ensure neither host nor resident authorities are held liable for funding. It should be noted that this agreement is made within the confines of resident authority budgets. No additional funding will be charged without this formal agreement and as such parents/carers and funded providers should be made fully aware of this Protocol.

Monitoring and Evaluation

Host authorities will continually monitor the children attending funded provider settings, reporting any discrepancies to the resident authority immediately. Where it is apparent that parents/carers are receiving funded hours in both the resident and host authority, the parent/carer will be liable for any charges incurred by the host authority for any hours beyond their child's statutory entitlement. In order to review and continually improve the West Partnership Cross Boundary Protocol, The West Partnership Early Learning and Childcare Early Years Network will evaluate this protocol for each nursery session.

Appendix 1

Application Process for Cross Boundary Funded Providers (As per Host Authority Application Process)



Appendix 2

Funded Provider Process for Cross Boundary Funding

Funded Provider must communicate directly with parent/carer: the process and timeline for Cross Boundary Funding Follows the Child Requests



Submission of Cross Boundary Funding Request:
Information to their local authority –
(NAMS or resident Council process applies).
Submission must include all information as requested
as part of the “funding follows the child” request.



Local Authority takes cross boundary funding request to
Inter Authority Cross Boundary Admission Group and informs
Funded Provider of the funding start date.



Funded Provider communicates the outcome of
cross boundary funding request to parent/carer
in accordance with host authority process.



APPROVED



Place allocated and must be in line with the
Inter Authority Cross Boundary Funding Protocol.



**All cross boundary funding requests must be presented at
the Inter Authority Cross Boundary Funding Admissions Group.**

**Please note:
Funded Provider should only start a child in setting when
“funding follows the child” has been confirmed.**



Appendix 3

XXXX Nursery
Parent/Carer's name and address
Date

Cross Boundary Funding Request: "Funding follows the child" Session (insert session years) . . .

Early Learning and Childcare: Child's Name and Nursery

Thank you for your cross boundary funding request for Session (insert session years). I have passed on your request to XXXXX (insert Local Authority). Your request will be considered in accordance with their Cross Boundary Agreement with XXXXXX (insert Local Authority) and confirmation of your "funding follows the child" request will be communicated to you by end of June prior to the start of the new session.

Should you have any questions in respect of this request please do not hesitate in contacting me at the nursery.

Yours sincerely

West Partnership

