

## **Request to transfer an Early Education and Care Place in very exceptional circumstances**

Kirklees Council enters into contracts with free early education providers on an annual basis. To ensure parental choice, Parent Agreements are signed with the chosen provider before a child starts accessing a free early education and care place.

If a parent wishes to move their child to another provider they must give written notice of at least 20 provider working days. Provider Working Days means any day the Provider is usually open for business, therefore excluding weekends, Good Friday, Christmas Day, bank holidays, days designated as public holidays and any day specified by the Provider as a non-working day.

The Council recognises that there are occasions when family circumstances change unexpectedly or without warning and parents are unable to give the required notice to the provider. Whilst there is no obligation to fund transfers during the required notice period, the Council will do what it can to support parents and their young children in challenging circumstances so they can access their free entitlement to early education.

However, the Council has a fixed amount of funding and an immediate transfer of a child can cost the Council up to £300. Consequently any request for additional funding at a new provider must be considered carefully and can only be granted in very exceptional circumstances [see below].

**Please note if you change your free early education and care provider without giving the required notice and without Council approval you are at risk of having to pay for the place yourself.**

Very exceptional circumstances may include the following:

- **Safeguarding concerns** – based on recommendations from a Kirklees Council social care professional
- **Significant change of address** – where the distance from a new home to the current early education provider is greater than a least 1 mile than the distance from the old home to same provider
- **Multiple and significant changes placing a family in very challenging circumstances** – as assessed by a Kirklees Council officer
- **Where current Free Early Education and Care arrangements prevent a parent accepting a job offer** – only where there are no practical options for linking childcare as assessed by a Kirklees Council officer
- **Childs additional needs significantly not met** – as assessed by a Kirklees Council officer

## Decision making process

Decisions regarding requests to transfer an Early Education and Care Place will be made by Early Learning and Childcare Managers in consultation with specialist officers where required.

## Frequently Asked Questions

### **Q1: Can I change my provider during a term?**

A: Yes you can change your provider after you have given notice of 20 provider working days or you can change your provider sooner than this if the Council has assessed your circumstances to be very exceptional.

### **Q2: If I change my provider to a school, does this make a difference?**

A: No, please see the answer above.

### **Q3: My child is on the waiting list at my chosen provider and a place becomes available, can he/she start straight away?**

A: No, this would not be acceptable. If your child has an early education place at another provider you will need to give notice of at least 20 provider working days.

### **Q4: What is reasonable notice?**

20 provider working days' is reasonable notice. Provider Working Days means any day the Provider is usually open for business, therefore excluding weekends, Good Friday, Christmas Day, bank holidays, days designated as public holidays and any day specified by the Provider as a non-working day. Your Provider will notify you in writing and in advance, of the days they will be closed during the length of your Agreement. This may be by email, on their notice board or published on their website.

### **Q5: If I move house, does this make a difference?**

A: If the distance from your new house to your current provider is greater [by at least 1 mile] than the distance from your old house to your current provider this will be considered as a significant change of address.

### **Q6: What is meant by a child's additional needs significantly not being met?**

A: This is when a child has **additional** physical, emotional or social needs which are **consistently** not being met by the provider. You will need to prove that you have discussed these issues with your provider and that a solution has not been found. Children with additional needs will be known to a learning, health or social care professional, the professional will be requested to provide evidence of why your provider is not able to meet your child's additional needs.

**Q7: My child is not settling in the new provision, can I go back to my previous provider or move my child to another provider straight away?**

A: No, it is important that the provider works with the family to ensure that the transition period is managed well, however it is quite common for children to find transition an unsettling time and this is usually resolved by families and providers working together to best meet the needs of the child. Parents should ask for information about transition processes and policies before registering their child at a provider.

**Q8: If there is a financial or contractual dispute with my provider, would this be considered as very exceptional circumstances?**

A: No.

**Q9: If a provider changes or closes down for a short period of time, would this be considered as very exceptional circumstances?**

A: No, so long as the provider has given you reasonable notice and the closure is no longer than 5 working days. Closures longer than 5 days are very rare and will be assessed on a case by case basis. Short periods of closure without reasonable notice, for example for emergencies would not be accepted as very exceptional circumstances either.

**Q10: If a provider offered sub-standard care, or fails to meet standards, would this be considered as very exceptional circumstances?**

A: No unless the provider is deemed inadequate by Ofsted and you make a decision to move your child within 14 days of being informed about the Ofsted judgement. Any issue with quality of care or education must be raised with the provider in the first instance; if the issue is not resolved you must then log a formal complaint with the provider. If it is a breach of statutory requirements and not resolved you should report the issue to the registration and inspection body Ofsted. Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk) or telephone: 03001231231. For advice on any of these matters ring the Childcare Improvement Team tel: 01484 223839.

**Q11: My childcare arrangements have broken down and I am struggling to drop off/collect my child from the provider. Would this be considered as very exceptional circumstances?**

A: No, a breakdown of formal or informal childcare is not considered as very exceptional circumstance on it's own. To find alternative childcare visit <https://earlyyears.kirklees.gov.uk/PublicEnquiry/> or contact the Family Information Service (Kirklees Direct) on 01484 414887 or e-mail [fis@kirklees.gov.uk](mailto:fis@kirklees.gov.uk)

**Q12: I have recently had a baby and I am struggling to drop off/collect my child from the provider. Would this be considered as very exceptional circumstances?**

A: No, please see the answer to question 11 above.

**Q13: Can I appeal against a decision?**

A: Yes, appeals may be lodged by parents within 14 days of receiving a written decision. Appeals must be made in writing (e-mail is acceptable) stating the reasons for the appeal and addressed to:

Senior Manager for Early Learning and Childcare  
Kirklees Council  
Learning and Skills Service - Childcare Sufficiency Team  
First Floor  
Kirkgate Buildings  
Byram Street  
Huddersfield  
HD1 1BY

Or

E-mail [feecteam@kirklees.gov.uk](mailto:feecteam@kirklees.gov.uk)

The Senior Manager for Early Learning and Childcare will respond to appeals within 14 days of receipt. Their decision is final.