



Norfolk County Council

Children's Services
Early Years Childcare &
Extended Schools
Services
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Please ask for:
Contact Number:

Jo-anne Lamb
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Your ref:
My ref:

10th June 2011

Dear Provider

Consultation on the Directory of Providers

We are inviting your views on a draft Provider Agreement between Norfolk County Council and Providers in Norfolk in relation to the funding for the free entitlement of early years provision and childcare.

Why we are consulting

Section 7(1) of the Childcare Act 2006 Act places a duty on English local authorities to secure free early years provision for all eligible children in their area. Regulations made under Section 7 set out the type and amount of free provision and the age of children to benefit.

Section 7(2) of the Act requires that in discharging their duty under Section 7(1), local authorities must have regard to any guidance given by the Secretary of State. The Code of Practice on Delivery of Free Early Years Provision for three and four year olds ("**the Code of Practice**") issued by the Department for Education constitutes such guidance. It is effective from 1 September 2010 and replaces all previous guidance on the delivery of free early years provision for eligible children.

As part of the eligibility process for inclusion on the Directory of Providers, the Code of Practice suggests local authorities should establish agreements with providers ("**Provider Agreement**") which are in line with the quality standards and principles outlined in the Code of Practice.

Accordingly, Norfolk County Council (“the Council”) has drafted a Provider Agreement and is holding a consultation prior to a final version being issued to providers in Norfolk.

It is the view of the Council that the draft Provider Agreement is reasonable. In drafting the Agreement, the Council has had regard to:

- the Code of Practice - available from the Department for Education at:
<http://www.education.gov.uk/childrenandyoungpeople/earlylearningandchildcare>
- the “Towards Excellence in the Early Years” document (as already supplied to the providers in September 2010);
- the existing eligibility requirements and processes currently used by the Council before admitting providers on to its local Directory of Providers; and
- the existing legal obligations that the Council and providers are already subject to and should already be complying with.

The Council also intends the conditions of the Provider Agreement to apply to Providers who access funding to provide free early learning and childcare to eligible 2 year olds under the Council’s entitlement scheme. The conditions of the Provider Agreement would apply in addition to the requirements set out in the “2 Year Old Learning & Childcare Entitlement Scheme Guidance” document, revised in April 2011.

Who we are consulting

The Provider Agreement is aimed at non-maintained settings; however, its contents will also feed into discussions between Norfolk County Council and maintained settings.

Accordingly, we are consulting with non-maintained providers but also giving maintained providers the opportunity to comment.

How you can respond to the consultation:

We are inviting your views, comments and suggestions in writing. When responding please provide details of your organisation and your position.

Please refer to any specific clauses or appendices you wish to comment on.

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You can respond to the consultation:

- Online: <https://www.surveymonkey.com/s/early-years-providers-consultation>; or
- By post to: Jo-anne Lamb,
Early Years Adviser,
Norfolk County Council,
County Hall, Norwich,
NR1 2DH

When we are consulting

Our consultation starts on the **Monday 13th June 2011**

Our consultation ends on the **Monday 22nd August 2011**

Under our consultation guidelines, we generally allow a 12 week period for written consultations. However, the timetable for this consultation is shortened to 10 weeks because we consider that the majority of the draft Provider Agreement sets out requirements that providers are already subject to. The Agreement includes the requirements set out in the statutory Code of Practice, the Council's existing "Towards Excellence" documents, the Council's existing eligibility requirements for inclusion on to the local Directory of Providers and relevant legislation.

We will gather views and consider whether any amendments to the draft Provider Agreement are necessary before issuing the final version in mid to late August 2011.

How we will make our decision and feed this back to you

When the consultation has closed, the Early Years Team will review the draft Provider Agreement in light of the views expressed during the consultation and the team may decide to make amendments if appropriate.

Personal information, confidentiality and data protection

Information you provide in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information laws. This includes the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice that we have to comply with that deals with issues of confidentiality. Because of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system is not enough, in itself, to be regarded as binding.

We will process your personal data in accordance with the Data Protection Act, which means that we will not give your personal data to any third parties.


Responding to your comments

We are unlikely to be able to respond to every question or comment submitted, but all responses will be considered when reviewing the draft Provider Agreement.

Your views are valuable to us and we thank you for taking the time to read this document and respond.

If you have any questions about the consultation, please contact the Early Years Team on 01603 222900.

Yours sincerely

A handwritten signature in black ink that reads "Jo-anne Lamb". The script is cursive and fluid.

Jo-anne Lamb
Early Years Adviser
Early Years Improvement Team
Children's Services