**Advisory Document**

**Temporary Reduced Hours Arrangements for Children Under Compulsory School Age**

**April 2024**

\*To be read in conjunction with Brent Reduced Timetable guidance October 2022

1. **Introduction:**

This advice sets out the best practice in relation to any temporary reduced educational entitlement offer for children of non-compulsory school age. This has been developed in line with the Brent reduced timetable guidance for statutory school aged children. Whilst the advice refers to non-statutory education provision across early years settings and Reception classes it also makes reference to statutory requirements around safeguarding responsibilities and adherence to the Children and Families Act 2014, SEN Code of Practice 2014, the Equality Act 2010 and the UN Convention on the Rights of the Child <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

The early years educational entitlements referred to for the purposes of this advice relate to

* The 15-hour entitlement for the most disadvantaged two-year-olds
* The 15-hour universal entitlement for parents/carers of three and four-year-olds

It also includes the following working family entitlements:

* From April 2024, the 15-hour entitlement for children of eligible working parents from

the age of 2

* From September 2024, the 15-hour entitlement for children of eligible working parents from the age of 9 months to compulsory school age
* From September 2025, the 30-hour entitlement for children of eligible working parents from the age of 9 months to compulsory school age.

**2.0 Children Under Compulsory School Age**

Compulsory school age is met at the start of the term following a child’s 5th birthday. Most children begin primary school at the start of the school year in which they reach school age (5 years old). All schools must provide for the admission of children from the September following their fourth birthday. This advice refers to children before they reach compulsory school age.

**2.1 What do we mean by Temporary Reduced Hours for Children Under Compulsory School Age?**

For the purposes of this advice this refers to an agreement made with the parent or carer, and in some circumstances the local authority that the number of hours spent in education is less that the child’s education entitlement and funded hours for a time-limited period. This should typically be for maximum of six weeks. Placing a child on temporary reduced hours should have clearly defined objectives, a specified end date (maximum 6 weeks), a clear plan evidencing working towards full entitlement and the consent of parents/carers. ***N.B. This is different from a situation where a parent/carer has opted to take up fewer hours than the full entitlement and the setting is funded for these fewer hours long term.***

**2.2 Can a setting or school place a non-compulsory school aged child on a part-time timetable?**

The assumption is that pupils should receive full-time education consistent with their Key Stage and educational entitlement. In regards to Early Years entitlements Brent Council has a duty to ensure that there is clear accountability of anyone in receipt of public funding. For the purposes of the early years entitlements and accountability of settings it is therefore advised that reducing educational provision when funded in full is considered only in exceptional circumstances and is only temporary as set out in point 2.1 above.

**2.3 When might a temporary reduced educational provision be considered?**

A reduced educational provision should only occur in exceptional circumstances, where every other avenue to ensure a child receives their full early years entitlement has been exhausted. The exceptional circumstances are likely to be:

1. As part of a planned re-integration following an extended period out of provision due to non-attendance or to facilitate a transition between schools/settings

2. As a temporary short-term plan to address and manage the impact of significant developmental or social/emotional needs whilst alternative arrangements are being made to meet the individual needs or to coordinate with therapeutic and intervention services.

3. For medical reasons – if a child has a serious medical condition, where recovery is the priority outcome.

Brent Council regards reduced educational provision as the last resort and least desirable method of managing children with Early Years entitlement

**2.4 Safeguarding**

When considering a temporary reduced educational provision, EY settings must give full consideration to safeguarding issues. Settings have a safeguarding responsibility for all children on their roll and therefore must be aware that even with parental agreement to any arrangement they make, the safeguarding and welfare needs of the child must come first.

**2.3** **Promoting Attendance**

It is advised that setting out high standards for full educational entitlement take up from the earliest point will have long term positive impact on setting and school attendance. Conversely, reducing a child’s educational offer or placing them on part time timetables means that young children and their parents/carers may not always supported to understand the value of the Early Years Foundation Stage and this important stage of their learning journey. The DFE in February 2022 report identified that schools maintaining high levels of attendance and minimising persistent absence all tend to have a number of features in common including setting expectations about attendance from the outset – from Nursery onwards.

**3.1**  **Links to the Early Years Provider Agreement (updated April 2024)**

The Council has a duty to ensure that there is clear accountability of anyone in receipt of public funding and therefore the Council may carry out checks and/or audits on an Early Years provider to ensure compliance with the requirements of delivering the free entitlements.

The Brent Early Years Provider Agreement outlines that providers will receive a financial monitoring visit to ascertain if the funding for free entitlements has been used for the purposes it was provided and may include, for example, a review of the Provider’s accounts and supporting documentation. Complaints from Parents with regard to funding will also be investigated through financial monitoring visits.

The Council cross references all claims made in respect of the free entitlements to early education including school nursery data.

The Council officers may contact parents/carers whose children are attending a provision where the free entitlement to early education is claimed, to confirm their child’s attendance, the number of hours accessed, that they have received the free entitlement benefit and have not been charged for any part of the free hours.

Council officers may contact other teams within the Council to discuss any findings from visits.

**3.2 Vulnerable Groups - additional considerations should be made for pupils with additional needs/SEND, Pupils with an Education, Health and Care Plan and pupils known to children’s social care**

* It is illegal for schools or settings to discriminate against all pupils on the basis of their special educational needs and/or disability.
* A part-time timetable should only be used for a pupil with an Education, Health and Care Plan in very limited circumstances.
* A pupil should not be put on a part-time timetable/reduced educational entitlement because of their special educational need as this may constitute discrimination. In some cases, a special educational need may also be a disability and therefore constitute a protected characteristic under the Equality Act 2010.
* If the child is looked after or subject to a Child in Need or Child Protection Plan, Children’s Social Care and the Virtual School must be consulted in addition to the requirements set out above.

**3.3 Checklists**

* Any proposal to temporarily reduce a child’s educational offer (hours) from their entitlement must be discussed with the parent/carer before the arrangements start.
* A parent/carer must consent (and not be coerced) to a reduced offer signing an agreement form. The agreement form must make explicit that they are consenting to a temporary reduction in hours of entitlement.
* The timetable should be for a limited period. The suggested maximum length of a part-time timetable is 6 weeks. If this time needs to be exceeded schools are strongly advised to discuss the situation with a relevant local authority officer and parents may choose to invoke a longer term reduction of hours which will mean the funding to settings reduces accordingly.
* The objectives of any temporary reduction of hours should be clearly recorded and understood.
* Any temporary reduction of hours arrangements must be regularly reviewed over the 6 week period
* Part time timetables that do not have clearly defined objectives, a specified end date, a review process or the consent of parents/carers may constitute an illegal exclusion.
* Where an EY child moves school or setting and has at any point been on a temporary reduction of hours arrangement, all information relating to this should be sent to the receiving school as part of the transition support process.

**If a** **temporary reduction of hours arrangement is implemented, it is advised that schools and settings should:**

* Ensure that a part-time timetable is not deemed to be an illegal exclusion.

1. **Notifying the local Authority**

**In line with Brent best practice advice for non-compulsory school aged children,**

**Schools and settings should:**

1. Notify and consult the SEND 0-25 officer when moving a child with an EHCP onto a temporary reduction of hours arrangement

2. Notify and consult the Brent Virtual School if moving a child or young person who is looked after or is known to children’s social care onto a temporary reduction of hours arrangement

3. For all other pupils, where a school has a non-statutory school aged pupil on a temporary reduction of hours arrangement it is advised that they notify and discuss the case with the Brent Early Years Inclusion Support Team.

**5.0 This advice will be kept under review and updated as necessary.**