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**Vicky Ford MP**

Parliamentary Under-Secretary of State for Children and Families

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Caroline Lucas MP

By email: [caroline.lucas.mp@parliament.uk](mailto:caroline.lucas.mp@parliament.uk)

Your ref: ML.C0094.CM.19.1.21

15 March 2021

Dear Caroline,

Thank you for your email of 19 January, about the census of early years private, voluntary, and independent (PVI) providers. I would like to apologise for the delay in responding.

May I begin by wishing you well in these challenging times.

As announced on 4 January by the Prime Minister, early years provision should remain open to all children to attend their expected hours, as agreed with parents or guardians. This has remained the default position for all areas irrespective of national lockdown restrictions. Open providers must ensure that they are able to meet statutory requirements to ensure safe and high-quality early education and childcare, in line with the Early Years Foundation Stage (taking into account the disapplication and modifications in place) and the coronavirus (COVID-19) systems of control.

For the Early Years Census (Private, Voluntary and Independent providers of funded entitlements), Annex B, on page 47 of the official annual guidance, states 'Please record the normal situation during the week beginning 2021-01-18. If children are temporarily absent, for example, sick or on holiday, please include them. If the provider was temporarily closed for any reason, record the situation which would have applied during the week.' This principle remains the basis of the Early Years Census 2021. This annual guidance was not changed, although supporting documentation was issued to ensure consistency of application, given that the census is a national statistic with relevance to funding. Providers were asked to record the expected weekly hours a child usually would have received in situations where the child was self-isolating, ill, shielding, absent due to parental caution, or absent due to a parent caring for them at home – provided the parental declaration with the provider had not been changed. Similarly, contracted or expected hours were returned by temporarily closed providers for reasons such as staff illness, self-isolation, or following government guidance such as staff shielding or an inability to access the site premises during lockdown.

We are funding nurseries as usual, and all children are able to attend their early years setting in all parts of England. Where nurseries do see a drop in income from either parent-paid fees or income from the department, they are able to use the furlough scheme. More details on the furlough scheme are available at: [tinyurl.com/39sP3err](https://tinyurl.com/39sP3err).

We recognise childcare attendance has been affected by the COVID-19 outbreak. On 17 December, the government announced a return to funding early years settings on the basis of attendance. In line with the existing and unchanged statutory guidance, local authorities (LAs) should ensure that providers are not penalised for short-term absences of children, for example sickness, arriving late or leaving early, or a family emergency through withdrawing funding, but use their discretion where absence is recurring or for extended periods, taking into account the reason for the absence and the impact on the provider.

We will fund LAs in the 2021 spring term based on their January 2021 census. If attendance rises after the census is taken, we will top up councils to up to 85% of their January 2020 census level, where an LA can provide evidence for increased attendance during the spring term. This will give LAs additional financial confidence to pay providers for increasing attendance later in the spring term.

Further guidance for LAs, setting out the details as to how the 85% top-up scheme works, together with information on our approach for funding the summer term 2021, will be shared soon.

We continue to work with the early years sector to understand how they can best be supported to ensure that sufficient safe, appropriate and affordable childcare is available for those who need it now, and for all families who need it in the longer term.

Thank you for writing about this important matter. I hope this reply is useful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Vicky Ford', with a small dash at the end.

**Vicky Ford MP**  
**Parliamentary Under-Secretary of State for Children and Families**