



Department
for Education

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Childcare Choices: 30 Hours Free Childcare
Ref: A17397816/CD/ts

31st October 2017

[REDACTED]

I am writing in response to your letter to [REDACTED] at HMRC dated 13 October 2017. Your letter has been passed onto the Department for Education as the department responsible for policy on free childcare entitlements and related content on the Childcare Choices website. Thank you for agreeing to extend the deadline for a response to 31 October 2017.

In your letter you ask for information in relation to a challenge from the complainant that the claim “30 hours free childcare” is misleading, specifically:

‘He considers the claim gives the impression that existing childcare services will be available free, but in his experience, childcare providers are not providing 30 hours “free”. Rather, they offer discounts to their existing rates consistent with the actual amount of funding being offered to them as compensation. According to the complainant, this can be less than their actual hourly rates, particularly in London. He also understands that the scheme’s average number of free hours over a year is less than 30 hours per week’.

Charges

The 30 hours content on Childcare Choices refers to free childcare. We are clear in statutory guidance¹ (for local authorities) and operational guidance² (for local authorities and childcare providers), that Government funding is intended to deliver 30 hours a week of free, high quality, flexible childcare. Government funding is not intended to cover the costs of meals, other consumables, additional hours or additional services.

The statutory guidance is clear that parents must not be required to pay any fee as a condition of taking up a free entitlement place, and must be offered alternative options to paying any fees. Local authorities have a responsibility to ensure parents are not charged “top-up” fees (the difference between a provider’s usual fee and the funding they receive from the local authority to deliver free places). Where parents

¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/596460/early_education_and_childcare_statutory_guidance_2017.pdf

²https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/629544/Early_years_entitlements-operational_guidance.pdf

Annex A

Current view on homepage

The screenshot shows a purple banner at the top with the text "30 hours free childcare". Below this, on the left, is a graphic with the text "Age 3&4". To the right of the graphic is a list of bullet points:

- For working families in **England**
- With **3 and 4-year-old children**
- An extra 15 hours a week of free childcare - so 30 in all

 Below the list is a green button that says "Is it for me?" with a dropdown arrow. To the right of the list are two buttons, each with a GOV.UK logo and a right-pointing arrow:

- A purple button that says "Apply now"
- A pink button that says "Or email me when available to me"

Proposed new copy

	30 hours free childcare	
Age 3 & 4	<ul style="list-style-type: none"> • For working families in England • With 3 and 4-year-old children • A total of 1,140 hours per year, that you can use flexibly with one or more childcare provider 	
	Is it for me? [button]	Apply now for a January start [button]
		Or email me when I can apply [button]

Current view on drop down homepage

30 hours free childcare

Age

3&4

- For working families in **England**
- With **3 and 4-year-old children**
- An extra 15 hours a week of free childcare - so 30 in all

Is it for me?

Apply now

>

Or email me when available to me

>

If eligible, you're entitled to an extra 570 hours of free childcare a year to use flexibly, so 1140 hours in total.

You, and any partner, must each expect to earn (on average) at least £120 a week (equal to 16 hours at the National Minimum or Living Wage). If you, or your partner, are on maternity, paternity or adoption leave, or you're unable to work because you are disabled or have caring responsibilities, you could still be eligible.

You can't get 30 hours free childcare if you, or your partner, expect to earn £100,000 or more.

Available at participating:

- Nurseries and nursery classes
- Playgroups and pre-school
- Childminders
- Sure Start Children's Centres

Proposed new copy

	30 hours free childcare	
Age 3 & 4	<ul style="list-style-type: none"> For working families in England With 3 and 4-year-old children A total of 1,140 hours per year, that you can use flexibly with one or more childcare provider 	
	Is it for me? [button]	Apply now for a January start [button]

		Or email me when I can apply [button]
<p>If eligible, you're entitled to an additional 570 hours of free childcare a year to use flexibly, so 1,140 hours in total.</p> <p>You, and any partner, must each expect to earn (on average) the equivalent of working 16 hours a week at your national minimum wage (£120 at the National Living Wage, less if you are on the National Minimum Wage)</p> <p>If you, or your partner, are on maternity, paternity or adoption leave, or you're unable to work because you are disabled or have caring responsibilities, you could still be eligible.</p> <p>You will not be eligible for 30 hours free childcare if you or your partner expect to earn £100,000 or more.</p> <p>Your child can start in their childcare place the term after they turn 3 years old and have received a valid 30 hours code, whichever is later. Term start dates are 1st September, 1st January and 1st April.</p> <p>Apply now to start a place next term. You may get asked for further information, so we strongly advise you to apply before 30 November.</p> <p>You will need to reconfirm your eligibility every 3 months to retain your child's 30 hours place.</p>		
<p>Available at participating:</p> <ul style="list-style-type: none"> • Full day care (e.g nurseries) • Schools • Childminders • Sessional providers (e.g. playgroups) • Sure Start Children's Centres • After school clubs 		
<p>The 30 hours free childcare offer is not intended to cover the costs of meals, other consumables (such as nappies or sun cream), additional hours or additional activities (such as trips). Providers may charge a fee for these additions. If you choose to pay for these it is an arrangement between you and the childcare provider. However, parents must not be required to pay any fee as a condition of taking up a free entitlement place, and must be offered alternative options.</p>		