

## Disability Access Fund (DAF) – Early Years

### Briefing Note WSCC Free Entitlement Settings – April 2017

#### What is Disability Access Fund (DAF)?

The Equality Act 2010 ensures that local authorities and settings must not discriminate, harass or victimize children with a disability, and must make reasonable adjustments. Local authorities must ensure that children with disabilities entitled to a place are found suitable provision.

The Disability Access Fund (DAF) is a new measure which aids access to early years places by, for example, supporting providers in making reasonable adjustments to their settings and/or helping with building capacity (be that for the child in question or for the benefit of children as a whole attending the setting).

The Department for Education is encouraging local authorities to establish a special educational needs (SEN) inclusion fund to help settings better address the needs of individual children. The current WSCC Inclusion funding meets this requirement.

#### Who is eligible?

Three and four year olds will be eligible for the DAF if they meet the following criteria:

- the child is in receipt of child Disability Living Allowance (DLA) (Appendix A) and;
- the child receives Free Entitlement for 3 and 4 year old funding.

Please note that four year olds in primary school reception classes are not eligible for DAF funding. Details of the dates when children become eligible for universal Free Entitlement are available at: [www.westsussex.gov.uk/ecsfreetitlement](http://www.westsussex.gov.uk/ecsfreetitlement)

#### The Entitlement

The settings of three and four year olds eligible for the DAF will be entitled to receive a one-off payment of £615 per year. The DAF is not based on an hourly rate and is an additional entitlement.

Children do not have to take up the full 570 hours of Free Entitlement in order for the setting to receive the DAF. Where children are eligible for DAF the setting will receive the payment regardless of the period of Free Entitlement take-up by the parent. The DAF is a one off payment within the year it is agreed. If the child changes childcare settings within the financial year, the new setting will **not** receive another payment of the DAF. The new setting will need to wait until the following financial year.

#### Identifying eligible children

Early years settings are ultimately responsible for identifying eligible children and settings are encouraged to speak to parents in order to find out who is eligible for the DAF.

Providers will be able to use the **Parent Declaration** form for parents to tick if their child is in receipt of DLA. Please download the latest version of the Parent Declaration under "additional scheme documents" at [www.westsussex.gov.uk/ecsfreetitlement](http://www.westsussex.gov.uk/ecsfreetitlement).

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### Eligibility checking

WSCC must check that the DAF eligibility requirements are met. As a local authority (LA) we should be satisfied that the child in question is receiving DLA. We will need to see evidence of the child's DLA award letter and should keep a copy of this evidence on file. Settings must e-mail a copy of the DLA award letter **and** signed Parent Declaration to [free.entitlement@westsussex.gov.uk](mailto:free.entitlement@westsussex.gov.uk) and follow the updated guidance on how to submit your Free Entitlement actuals available [www.westsussex.gov.uk/ecportal](http://www.westsussex.gov.uk/ecportal).

### How much funding will my setting receive?

WSCC must fund all early years settings providing a place for each child eligible for the DAF in their area at the fixed annual rate of £615 per eligible child.

The DAF is payable as a lump sum once a year per eligible child. If a child eligible for the DAF is splitting their Free Entitlement across more than one setting, WSCC will ask parents to nominate the main setting (usually where the child accesses the majority of hours or the setting you parent thinks the payment will make the biggest difference to their child). This setting will be where WSCC will pay the DAF for the child.

If a child receiving DAF moves from one setting to another within a financial year, the new setting is not eligible to receive DAF funding for this child within the same financial year. DAF funding received by the original setting will not be recouped provided evidence is available of relevant spending of the DAF.

In cases where a child who lives in one LA area attends a setting in a different LA, the setting's LA is responsible for funding the DAF for the child and eligibility checking.

All early years settings who are eligible to receive funding for three and four year old Free Entitlement are also eligible to receive the DAF.

### A parent is in the process of applying for DLA for their child, is there support in the meantime?

Yes, please discuss the possibility of Inclusion funding to help support the child before you are eligible to claim DAF.

### Why should a parent apply for DLA?

Following the introduction of Personal Independence Payments, DLA is a benefit to help support children under 16 with care and mobility needs.

DLA could be an entitlement depending on the child's current needs and will help the parent to provide the extra support the child needs. If a child receives DLA the early years setting they attend will be able to receive the DAF to help make their setting more accessible to the child and other children.

- The parent may not consider their child has a disability but they may be giving them additional support that other parents do not have to provide for their child of the same age - this means they **may** be eligible for DLA.

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- Is the child known to professionals such as speech and language therapist, specialist health visitor, Child Development Centre? These professionals may be able to support a claim for DLA.
- Have they discussed any concerns about the child's development with an early years practitioner in your setting? Has the parent asked you 'do you need to give my child additional support for them to be able to manage every aspect of their time in the setting?' The setting should discuss the child's stage of development, progress, and any concerns they may have about a child's progress on a regular basis (at least once a term). The child's setting will be able to support a DLA claim with any reports or assessments of the child's stage of development.
- Is the child known to Early Years Planning and Review Meeting? If so the reports written about the child may be useful for a DLA claim.
- Does the child's setting receive Inclusion Funding to help support the child? If yes, they **may** be eligible for DLA.

### What additional help and guidance is available for parents?

The following links provide information about completing a DLA form and things to consider when a parent is deciding what extra support they provide for their child. As it is sometimes difficult to know what is expected at each age and stage the parent may wish to talk to their early year's key person in their childcare setting, their health visitor or a member of staff at the local Children and Family Centre for advice.

Support for children under 5 with SEND: [www.westsussex.gov.uk/earllysupport](http://www.westsussex.gov.uk/earllysupport)

To apply for DLA: <https://www.gov.uk/disability-living-allowance-children>

Tips for claiming DLA:

<http://amazingbrighton.org.uk/wp-content/uploads/2013/03/4.-Claiming-DLA-low-res-for-web.pdf>

Advice and guidance on claiming DLA:

[https://www.cafamily.org.uk/media/975632/claiming\\_dla\\_for\\_children.pdf](https://www.cafamily.org.uk/media/975632/claiming_dla_for_children.pdf)

Information on developmental stages:

<http://www.foundationyears.org.uk/what-to-expect-when/>

### Who should I contact for more information?

Please contact the Family Information Service on **01243 777807**

[www.westsussex.gov.uk/family](http://www.westsussex.gov.uk/family)  
[family.info.service@westsussex.gov.uk](mailto:family.info.service@westsussex.gov.uk)



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### Appendix A – Example of acceptable evidence to demonstrate child in receipt of DLA

Settings to e-mail a copy of this letter to [free.entitlement@westsussex.gov.uk](mailto:free.entitlement@westsussex.gov.uk), together with copy of the signed parent declaration form and submit DAF claim online with FE actuals via the Online Provider Portal.

<b>DWP</b> Department for Work and Pensions	
<b>Disability and Carers Service</b> Website: <a href="http://www.direct.gov.uk/disability">www.direct.gov.uk/disability</a>	<b>Disability Living Allowance</b> Your reference is _____ Please tell us this number if you get in touch with us
Mrs	Disability Benefit Centre 4 Post Handling Site B Wolverhampton WV99 1BY
Shoreham-By-Sea W Sussex BN	Phone 0345 7123456 TEXTPHONE for the deaf/hard of hearing ONLY 08457 224433
Date 05 Dec 2014	Helpline Opening Hours 07:30 - 18:30 Monday - Friday
Dear Mrs	
<b>ABOUT YOUR CLAIM</b>	
You are dealing with a claim for <b>Check child's name</b> Remember that the information in this letter is about them.	
We are pleased to tell you that you are entitled to Disability Living Allowance.	
This letter tells you how much you are entitled to and how much we can pay you.	
<b>What you are entitled to</b>	
From 06/08/2014 to <b>Check dates</b> you are entitled to:	