

# **Disability Access Funding (DAF)**

**Guidance for Childcare Providers (update July 2020) Additional funding for providers to support children with Special Educational Needs and Disabilities aged three and four**

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Appendix 1 – Resource list

## 1. Introduction

Childcare providers have a legal duty to ensure they make reasonable adjustments to ensure they support the equity of access of all children to their provision under the Equality Act 2010. The Disability Access Funding (DAF) will help providers to support equal access to learning for all. The fund is for childcare providers/schools (providers) with three and four year olds who are in receipt of Disability Living Allowance (DLA) and taking up Funded Early Education Entitlement (FEEE).

The purpose of the fund is to help providers make those reasonable adjustments within their provision to support children with a disability. DAF is not based on an hourly rate and will be paid as a one-off payment of £615 per financial year to the provider of each eligible child.

For the purpose of this guidance, 'provider' refers to any establishment offering Funded Early Education Entitlement for three and four year olds.

## 2. Definition of 'Access' and responsibility to make 'Reasonable Adjustments'

For the purpose of DAF and early years, access refers to:

- The means or opportunity to enter the provision of space where early education is to take place. This includes either domestic or non-domestic premises<sup>1</sup>.
- The means or opportunity to engage with the Early Years Foundation Stage (EYFS)<sup>2</sup> with reference to the seven areas of learning and development and welfare requirements.

Substantial disadvantage can be avoided by making reasonable adjustments for disabled children. This means making positive steps to ensure that disabled children can fully participate in early education and enjoy the other benefits, facilities and services offered by the provision.

The reasonable adjustment duty comprises of three requirements:

- Provision, criteria and practices.
- Auxiliary aids and services.
- Physical features.

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<sup>1</sup> As determined by Ofsted

<https://www.gov.uk/guidance/childminders-and-childcare-providers-register-with-ofsted>

<sup>2</sup>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/596629/EYFS\\_STATUTORY\\_FRAMEWORK\\_2017.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf)

### 3. Definition of 'Disability'

A person is disabled if they have a physical or mental impairment that has a substantial and long term adverse effect on their ability to carry out normal day to day activities. (Equality Act 2010).

A physical or mental impairment includes learning difficulties, mental health conditions, medical conditions and hidden impairments such as dyslexia, autism and speech, language and communication impairments.

*It is important to note that because a pupil has a disability; it does not necessarily mean that he/she has special educational needs.*

### 4. Eligibility

4.1 Providers in Derby City are eligible to receive DAF where a three or four year old child is taking up a place and:

- the child is in receipt of DLA<sup>3</sup>; and;
- the child is taking up FEEE (either some hours or all hours of their entitlement).

4.2 Four year olds in primary school reception/foundation stage 2 classes are NOT eligible for DAF funding.

4.3 Providers are encouraged to raise awareness of DAF with parents in order to identify eligible children. The Council's FEEE parental contract can be used to ascertain if a child meets the relevant criteria for DAF.

4.4 If a child, eligible for DAF, is splitting their free entitlement across two or more providers their parent(s) will need to nominate the provider to whom they wish the payment to be made.

4.5 If a child receiving DAF moves from one provider to another, the new provider is not eligible to receive DAF for this child within the same financial year. The new provider will need to wait until the following financial year to be able to apply for funding for the child.

### 5. Making an Application

5.1 Parents with an eligible child must provide a copy of their child's DLA award letter<sup>4</sup> which must be sent to their provider of choice and complete the Council's FEEE Parental Contract to confirm the provider can make a claim for DAF

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<sup>3</sup> Criterion as determined by the Department for Education, April 2017. More information about applying for Disability Living Allowance (DLA) can be found at: <https://www.gov.uk/disability-living-allowance-children/eligibility>

<sup>4</sup> Applications without this supporting evidence will not be considered.

- 5.2 All Derby City FEEE providers can submit DAF applications for eligible children who attend their provision but reside outside of the county boundaries.
- 5.3 Please refer to Page 21 of the Families Information Service (FIS) Provider Portal Guide on how and when online DAF funding applications need to be made to the Council<sup>5</sup>. This can be found in the download section within this link:

<https://www.derby.gov.uk/community-and-living/childcare/childcare-providers/provider-funding-childcare-funded-places/>

## 6. Utilising DAF to support children with SEND

- 6.1 Providers should consider what reasonable adaptations are required to ensure the child has the same equity of access to the provision as any other child. Resources required to ensure basic entry and reasonable adjustments to the learning environment should be the priority for DAF.
- 6.2 Providers should involve the child's parent(s) and engage with other professionals working with the family to ensure DAF is spent appropriately. This is not limited to, but may include: Team Leader or Early Intervention Practitioner (Early Intervention Team), Health Visitor, Paediatrician, Occupational Therapists, Physiotherapists, Advisory Teachers, Educational Psychologists
- 6.4 Providers who have more than one child eligible for DAF at the same time may wish to 'pool' DAF<sup>6</sup>. This may provide an opportunity to support an adjustment or purchase of equipment that benefits more than one child.
- 6.5 Providers are encouraged to forward plan in utilising DAF to ensure a child's needs are met for the duration of time that the child will be attending their provision before they start school. However, providers are advised to spend DAF within the term it is awarded.
- 6.6 Any resources purchased as part of DAF remain the property of that particular provider. However, if a child is moving onto another provider, they *may* wish to make arrangements for the transfer of any resources<sup>7</sup>.
- 6.7 Providers may wish to allow parents to take resources home for weekends and holiday periods if they feel they would benefit the child.
- 6.8 Providers are encouraged to spend the entire £615 on the child eligible and meet the shortfall for any items over this amount. Derby City Council will not meet any additional requests for funding above the standard DAF grant.
- 6.9 DAF should be used to support providers in making reasonable adjustments to their settings and/or helping with building capacity. As well as physical resources for the child this might include training for staff that would directly support them to meet the needs of a child in accessing the EY provision they attend. It may also be considered appropriate to provide staff cover for a child to access an off-site trip/visit that they could not attend without additional adult support.

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<sup>5</sup> For applications received before the 20<sup>th</sup> of the month. Providers whose applications are received after the 20<sup>th</sup> of a month may have to wait until the month following the next actual month to receive DAF.

<sup>6</sup> If providers choose to 'pool' funds with other providers, they may choose to enter into an agreement regarding ownership, use and maintenance of resources.

<sup>7</sup> This may only be possible for non-static items and is at the discretion of the provider who purchased the resource.

## **7. Purchasing equipment and undertaking adaptations**

- 7.1 A list of potential resources which could be purchased with DAF is included in Appendix 1. This section should not be treated as an 'exhaustive' list but should provide some ideas and suggestions on how funding can be used to support eligible children.
- 7.2 Providers must ensure that any equipment purchased meet the relevant (safety requirements). Electrical items must be PAT tested yearly.
- 7.3 Providers must ensure any building adaptations meet the appropriate regulations and standards.

## **8. Keeping evidence/proof of spend**

- 8.1 Providers must keep receipts and proof of spend for audit purposes by Derby City Council.

## **9. Further documents and publications/links that providers may wish to refer to**

SEND Code of Practice 0-25 – January 2015

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/398815/SEND\\_Code\\_of\\_Practice\\_January\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

Statutory Framework for EYFS – 3 April 2017

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/596629/EYFS\\_STATUTORY\\_FRAMEWORK\\_2017.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf)

Equalities Act 2010 – <https://www.gov.uk/guidance/equality-act-2010-guidance>