

## **Q&A for local authorities on extending 2-year-old early education entitlement to families with no recourse to public funds (NRPF)**

### **Why are you extending eligibility to NRPF families?**

The rationale for extending eligibility is that the most disadvantaged 2-year-olds should be able to access early education regardless of their circumstances. While some NRPF families have been eligible for some time, we understand there are more disadvantaged children whose parents have NRPF that cannot currently access the 2-year-old entitlement.

We published a [consultation](#) in March 2022 setting out our position and consulted on whether there were additional groups that should be included to help us to understand better the implementation of this policy change.

### **Why is there a higher income threshold for NRPF families than RPF families?**

The higher threshold has been put in place to broadly replicate the overall income of a similar Recourse to Public Funds family, taking into account their earnings in addition to the social security benefits they receive.

### **Why is there a higher income for families out of London compared to families inner London?**

The thresholds were developed to create comparative thresholds with broad equivalence with families with recourse to public funds and who qualify for the early education entitlement due to being in receipt of welfare benefits.

The different thresholds for within London have been put in place to take into account the higher cost of living families experience in the London area.

### **What happens if one parent in a family has No Recourse to public funds and the other parent has Recourse to public funds?**

Recourse to public funds status should take precedence in this scenario and parents should apply via the normal route. Income from work should be taken into account for the whole household.

### **What proof of income should we request from parents?**

A list of documents for you to consider can be found in the [guidance](#). The list is only illustrative and local authorities may request other or additional documents if they wish.

### **How can we determine how many children are in the household?**

Parents should self-declare how many children are in the household. LAs may ask for birth certificates if they see fit.

### **What groups fall under NRPF?**

These groups include, but may not be limited to children of:

- Zambrano carers

- families who have no recourse to public funds with a right to remain in the UK on grounds of private and family life under Article 8 of the European Convention on Human Rights
- families receiving support under Section 17 of the Children Act 1989 who are also subject to a no recourse to public funds restriction
- those who have [claimed asylum](#) in the UK and are waiting for a decision (known as 'part 6')
- a subset of failed asylum seekers supported under Section 4 of the Immigration and Asylum Act 1999
- Chen carers
- families holding a [BN\(O\) passport](#)
- spousal visa holders
- work visa holders
- student visa holders
- those with no immigration status
- those with a UK Ancestry Visa
- those with temporary protection status under Section 12 of the Immigration and Nationality Act
- those with pre-settled status who do not meet the qualifying right to reside test

### **What documentation should a parent provide to prove they are NRPF?**

As indicated in the [guidance](#), a parent should provide a Biometric Residence Permit to prove they have NRPF. Some parents may have access to the Home Office's Online Immigration Checking Services – [Check someone's immigration status](#) which will enable you to check their status online. Further details can be found in the [guidance](#).

### **Will LAs be funded for NRPF children?**

NRPF children will be funded in the same way as all other (RPF) children taking up the 2-year-old entitlement. NRPF children should be recorded on the [early years/school](#) census in the normal way.

### **Will DfE be providing lists or adding eligible NRPF families to the DWP lists? If not, how do you expect us to engage these households and encourage them to take up a place?**

No, the DWP lists will only contain the details of families in receipt of qualifying benefits and as such will not include NRPF households. DfE does not have information on which families are NRPF.

It will be for local authorities to determine how they engage these families to promote the benefits of the entitlement.

**If an NRPF family does not have documentation with them (e.g. a child's birth certificate or passport), what can a provider use as proof of age?**

If an NRPF family is not able to provide the normal documentation as proof of their child's age, then a provider can use the child's visa or IS116 form, which is issued by the Home Office and captures the child's date of birth. In the absence of these documents, then a provider should rely on the child's date of birth as stated in the parental declaration.