



**Ministry
of Defence**

**JSP 342
Education of Service Children and Young People**

Part 1: Directive

Foreword

People lie at the heart of operational capability; attracting and retaining the right numbers of capable, motivated individuals to deliver Defence outputs is critical. This is dependent upon maintaining a credible and realistic offer that earns and retains the trust of people in Defence. In order to achieve this, all personnel must be confident that, not only will they be treated fairly, but also that their families will be treated properly and that Service veterans and their dependants will be respected and appropriately supported.

Our Service children and young people, from an early age, can sometimes experience challenges that their civilian counterparts may not; mobility within the Services can mean that children change schools more frequently and dealing with deployment can also impact upon a child. Education, from early years through to higher education, can provide the stability to help children and young people through these times. The Directorate of Children and Young People is responsible for: the detailed development and direction of policy, plans, services, governance and change programmes supporting children and young people; the representation of the needs of Service children and young people in the Defence and cross-Government arenas; the sharing of best practice between MOD-provided schools overseas, the Queen Victoria School in Scotland and UK counterparts.

JSP 342 promulgates the policy requirements and comprehensive practical guidance for the coordination and delivery of education to Service children and young people.

Lieutenant General James Swift
Chief of Defence People
Functional Owner for People

Preface

How to use this JSP

1. Joint Service Publication (JSP) 342 defines the MOD policy for the Education of Service Children and Young People. It is designed to be used by staff responsible for the delivery of children and young people's education services and for Service personnel and entitled MOD Civilians to assist their decisions on the provision of education for their children. This JSP contains the policy on Service children's education and childcare. It is the intention that this JSP will be reviewed annually.
2. This JSP is structured as a single directive document, providing the direction that must be followed in accordance with statute or policy mandated by Defence or on Defence by Central Government. Supporting guidance is available at the DCYP home page on www.gov.uk.

Coherence with other Policy and Guidance

3. Where applicable, this document contains links to other relevant JSPs, some of which may be published by different Functions. Where particular dependencies exist, these other Functions have been consulted in the formulation of the policy and guidance detailed in this publication.

Related JSP	Title
JSP 464	Tri-Service Accommodation Regulations (TSARs)
JSP 462	Financial Management and Charging Policy Manual
JSP 752	Tri-Service Regulations for Expenses and Allowances
JSP 770	Tri-Service Operational and Non-Operational Welfare Policy
JSP 800	Defence Movement and Transport Regulations
JSP 820	Tri-Service Disability and Additional Needs Policy
JSP 822	Defence Direction and Guidance for Training and Education
JSP 834	Safeguarding Service Children and Young People
JSP 893	Policy on Safeguarding Vulnerable Groups

Further Advice and Feedback – Contacts

4. The author of this JSP is the Director, Directorate of Children and Young People (Dir DCYP). For further information on any aspect of this guide, or to ask questions not answered within the subsequent sections, or to provide feedback on the content, contact:

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1 General

Definitions

1. For the purposes of this JSP, the definition of a child laid out in primary policy JSP 752, Tri-Service Regulations for Expenses and Allowances, is used. This definition is used for all Education related expenses and allowances and, for ease, is repeated below:

A child is defined as a legitimate or legitimated child or step-child of either or both of the spouses/civil partners; a child statutorily adopted by either or both of the spouses/civil partners; a child of the family (a legal term meaning any other child who is being brought up in the household of the husband/wife/civil partners at their expense or was so being brought up immediately before the spouses/civil partners were estranged, separated by legal order, divorced or the civil partnership was dissolved or before the death of the husband, wife or civil partner). A child is deemed to be below the age of majority (18 years). If over that age, a son or daughter must be 24 years or under, unmarried or not in a civil partnership and in receipt of full-time education at a school, college or university (studying for a first degree only) or be out of full-time education for up to one year between secondary education and further education. The age limits do not apply to a son or daughter who is physically or mentally incapable of contributing to their own support.

2. For the purposes of this JSP, where the term Service Child is used, it is defined as a child of at least one parent/carer who is a regular serving member of the Armed Forces.

3. These definitions apply throughout this JSP unless indicated to the contrary.

Scope

4. This policy applies to all Children and Young People, as defined in JSP 752, of Service personnel and entitled Civilians. Separate Defence policy on the training and education of Under 18 Service personnel is laid out in primary policy JSP 822: Defence Direction and Guidance for Training and Education.

Departmental Responsibilities

5. **General.** Departmental responsibility for Service children and young people varies by location:

a. **In Overseas Locations.** Where MOD personnel are based in overseas locations MOD acts in lieu of a local authority and delivers **so far as is reasonably practicable** statutory or near-statutory services following English legislation.

b. **Within the UK.** Within the four Home Countries of the UK, where statutory responsibility remains with local authorities and equivalents, MOD seeks to ensure that Service children and young people receive their full entitlement to statutory services and support and suffer no disadvantage because of their Service status. This is also the underpinning principle of the Armed Forces Covenant.

6. **Responsibilities of the Secretary of State for Defence.** Responsibility for determination of policy on the education of Service children and the children of UK-based

civilians serving overseas lies with the Secretary of State for Defence¹. In practice the Secretary of State delegates his ownership responsibilities to the tri-Service lead for Service children and young people issues: currently the Commander of the Army's Home Command.

MOD Policy and Plans Context

7. **The MOD Directorate Children & Young People (DCYP).** DCYP was established under a 2-Star Director Children & Young People (Dir CYP) in 2010 to provide a single MOD focus for all issues related to Service children and young people working to the Tri-Service Lead for Service children and young people. In overseas areas where MOD acts in lieu of a local authority, DCYP fills a similar role to a local authority Children's Services Department and delivers (or ensures/assures the delivery of) key children's services (Safeguarding, Education, Health, Social Care etc), so far as is reasonably practicable. Within the UK, DCYP (working closely with the MOD Armed Forces Covenant Team) engages with and holds to account those elements of Other Government Departments and the Devolved Administrations that have statutory responsibilities for Service children and young people.

8. **The Defence CYP Plan.** The Defence Children and Young People Plan is derived from the direction provided within the Defence People Plan and identifies key priorities for action based upon a robust, evidence-based audit of current performance and future needs related to Service children and young people. The Defence Children and Young People Plan contains specific direction related to the education of Service children.

9. **The Defence Children & Young People Board.** The Defence Children and Young People Board provides the leadership, vision and strategic direction to ensure that all Service children and young people have the opportunity to achieve the best possible outcomes. The Defence Children and Young People Board authorises the Defence Children and Young People Plan for use, and holds to account those with defined responsibilities for delivery within it, including those related to the education of Service children.

MOD Delivery Framework

10. **DCYP Delivery Responsibilities.** As well as its policy and plans responsibilities articulated above, DCYP also has responsibility for certain delivery functions linked to the education of Service children. Within DCYP the two main delivery elements are:

a. **MOD Schools.** In overseas locations where the number and age profile of Service children justify it, and where there is no equivalent/appropriate local provision, MOD will provide dedicated schools. The role of MOD Schools is to provide an educational service to meet the needs of dependant Service children, including the children of MOD UK-based civilians and sponsored organisations serving outside the UK which, as far as possible, conforms in type, scope and standard to that required by the Education Acts in England (and considers developments in the education systems of the Devolved Administrations).

b. **The Children's Education Advisory Service (CEAS).** CEAS contains, or has access to, a wide range of educational expertise to provide information, advice and support related to the education of Service children. This information, advice and

¹ QR(Army) 1975 (Amdt 34) - Ch 5, Page 5M-2.

support is available to Service families and eligible MOD civilians, the MOD chain of command at all levels, schools and local authorities, other Government Departments and the Devolved Administrations.

Full details, including the CEAS casework proforma and contact details for DCYP and its functional areas (including MOD Schools and CEAS) are available within DCYP's home page on www.gov.uk.

School Transport

11. **UK.** The use of MOD transport for School Transport in the UK is not generally permitted except under the conditions granted within JSP 752.

12. **Overseas.** Funding and arrangements for Transport should seek to mirror, where reasonably practicable, the principles laid out in Department for Education statutory guidance for the maintained education sector and ensure that a child's education is not disadvantaged. Personnel are to follow direction and guidance for School Transport contained in JSP 800 (Vol 5).

2 Education of Service Children in the UK

Education in the UK

1. In the UK, responsibility for the making of education law and guidance has been devolved to the Scottish Parliament, the Northern Ireland Assembly and the Welsh Assembly. In England, legislative responsibility for education continues to lie solely with Parliament at Westminster enacted through the Department for Education (DfE). Consequently, there is no UK system and four separate national systems exist, each having its own structure and curricula. Care should be taken with terminology as the meaning of a term in one system may have a different meaning elsewhere. Education policy in each area is subject to change.
2. Each administration details its policies and provision on the sites below:
 - a. for England on DfE's GOV.UK.
 - b. for Scotland on GOV.Scot.
 - c. for Wales on GOV.Wales.
 - d. for Northern Ireland on Department of Education's NI.GOV.UK.

Special Educational Needs and Disability (SEND)

3. Legislation and guidance in relation to children and young people with SEND differs across the UK, with each England and the Devolved Administration applying their own system for assessment and provision. These differences can present challenges for Service pupils moving within the UK and to/from overseas, in that the process of re/assessment may delay delivery of support. Detailed guidance for each Devolved Administration is accessed through their respective GOV.UK sites.
4. In England, local authorities can be asked to raise an Education, Health and Care Plan (EHCP) for children and young people up to the age of 25 who need support in addition to that provided through SEN support. EHCPs identify educational, health and social needs and set out the additional support to meet those needs. On posting overseas, a child's EHC plan lapses and it is likely that a new plan will need to be generated on return to England.
5. MOD schools overseas uses the Service Children's Assessment of Need (SCAN) to assess a child's needs – whilst this process is analogous to an EHCP, it is important to understand that the SCAN does not guarantee access to the same level of support that may be available in the UK.
6. Service parents who are in receipt of the Continuity of Education Allowance (CEA) may apply for the SEN Addition (SENA), to assist with costs of additional assistance. CEA SENA is detailed in JSP 752.
7. Parents in receipt of CEA, who are serving overseas and whose children with SEND are registered in a UK boarding school may be entitled to one additional funded flight per year, details of this are in JSP 800. CEAS can provide advice and guidance to parents who need to arrange for an escort to accompany a child with SEND travelling overseas for key school holiday periods.

Continuity of Education Allowance

8. JSP 752, Tri-Service Regulations for Expenses and Allowances, has primacy on matters relating to eligibility for and operation of the Continuity of Education Allowance (CEA) and related travel entitlements.

9. Prospective CEA claimants are to contact CEAS before submitting an initial application in order to receive their unique reference number.

Retention of Service Family Accommodation for Education Purposes

10. Service personnel will need to follow primary direction on the retention of Service Family Accommodation in the UK, detailed in JSP 464: Tri-Service Accommodation Regulations.

11. The retention of Service Family Accommodation on educational grounds may be supported on a discretionary basis and primarily for:

- a. children who are reaching critical public examination periods (GCSE, A/S level, A level and/or other nationally recognised, full time higher and further education courses up to and including 1st Degree level and recognised equivalent courses in Scotland).
- b. children who are undergoing statutory assessment of their special educational needs (for up to two terms or until the end of the school year).

12. Further consideration may be given to:

- a. children who would experience exceptional educational turbulence in one year if the family moved; for example, a child was due to change schools from primary to secondary in September, but family were posted in May, therefore a family move in May would require a new primary school for less than one term before changing schools in September.
- b. children with special educational needs in receipt of significant or complex support which would be difficult to replicate in a new location and/or which had an insufficient review.
- c. children who need to be housed in a specific area ahead of posting due to an exam course starting or those who require access to specialist educational provision unavailable elsewhere in the Service Family Accommodation area.
- d. children whose parents submit professional evidence that to move schools at the time required by the new assignment would cause the children significant educational/social/emotional disadvantage.

13. CEAS can support families in their application to retain Service Family Accommodation on educational grounds in some circumstances. When applying for retention for education purposes, Service personnel are to contact CEAS and provide evidence of the educational grounds for retention as detailed below:

- a. a letter from the school supporting the reasons for this.

- b. copy of the CEAS permission form which allows CEAS to liaise with other agencies cited/involved in the retention request.
- c. a letter from the parent, explaining the reasons for application, including:
 - (1) the names and dates of birth of all the children in the family and whether they live in the retained accommodation.
 - (2) full service and unit details (name, rank and service number, unit contact details).
 - (3) full postal home address including contact details such as telephone numbers and email addresses.
 - (4) full educational reasons for the request including specific dates of exams/assessment etc.

14. CEAS will consider each case and where there is robust evidence and provide an Education Impact Statement which Service personnel should include in their application. This Impact Statement does not commit the Defence Infrastructure Organisation to approving retention.

3 Early Education and Childcare in the UK

Difference across the UK

1. The models of free early education and childcare across the UK differ by country. Eligibility and provision are detailed:

- a. for England on the DfE's GOV.UK site.
- b. for Scotland on the GOV.Scot site.
- c. for Wales on the GOV.Wales site.
- d. for Northern Ireland on the Department of Education's NI.GOV.UK site.

2. Detailed guidance on how to access childcare provision in England is accessed at the childcare choices site on GOV.UK (www.childcarechoices.gov.uk).

Provision of Childcare on the Defence Estate

Direction and guidance for childcare on the Defence Estate is under construction and will be published separately as a DIN.

4 Education Overseas – MOD School Locations

Overseas Supportability

1. As in the UK, parents are responsible for the education of their children; it is strongly recommended that Service parents research education provision overseas in their prospective assignment location.
2. **It is recognised that whilst parents will need to follow their Service Assignment/Posting process, applications to a MOD school overseas will need to be made as part of the MOD Assessment of Supportability. The MOD Assessment of Supportability policy is also to be applied during a posting where a family's needs change, for example where emerging SEND is identified. Detailed direction on this is laid out in JSP 770.**
3. Parents of children with protected characteristics should be aware that the Equality Act is not enforceable in all overseas States. In locations where this is the case, MOD may not be able to support a child with protected characteristics. It is therefore, crucial that parents seek advice from HQ DCYP (MOD Schools) at the earliest opportunity.
4. **Retention of Service Family Accommodation.** Service personnel overseas will need to follow JSP 464 for direction and guidance on the retention of Service Family Accommodation on the grounds of Education.

Education Supportability

5. Parents are advised to find out about the MOD school education available to their children in the overseas assignment location by accessing the MOD schools pages on the DCYP GOV.UK website. Parents will find it useful to contact the MOD schools in the assignment location at the earliest opportunity to discuss their child(ren)'s needs

MOD School Application

6. On notification of an overseas assignment all parents are to apply directly to the head teacher of a MOD school using the MOD Schools Admissions Pack which is accessed on DCYP's GOV.UK site.
7. DCYP follows admission procedures laid out in its Admissions Policy Directive which mirrors, where reasonably practicable, statutory requirements in England.

Education Provision

8. MOD schools provide education to Service children in designated overseas locations, and for designated stages of schooling – full details are accessed on DCYP's GOV.UK site. MOD schools do not deliver all phases of education in every overseas location; therefore, a mix of MOD and local school provision may be used to ensure that accompanying children have access to education whilst overseas.
9. MOD schools overseas follow the English education system where reasonably practicable, with Service children following the English National Curriculum and taking key

stage tests and public examinations as in England. MOD schools are registered with the DfE and inspected by Her Majesty's Inspectorate, Ofsted. Inspection reports can be accessed through the Ofsted website.

Special Educational Needs and Disability (SEND)

10. Whilst MOD schools can support a range of SEND; complex specialist needs cannot always be met within the school or the overseas location. **It is therefore critical that parents declare their child's SEND as early as possible through the MOD's Assessment of Supportability Overseas process and provide relevant information in their application to their MOD school.**

11. Entitled and non-entitled fee-paying parents will need to provide relevant information on all special and/or additional needs their children have at the time of application, to inform decisions on supportability.

12. Schools work in partnership with parents and partner agencies to support Service children with SEND; providing direct parental advice and guidance and facilitating specialist support (including Speech and Language Assessment and Therapy) where reasonably practicable. Where a MOD school can support a child's needs, a graduated response will be initiated using the Service Children's Assessment of Need (SCAN) process. Whilst the SCAN is analogous to an EHCP, it is important to understand that it does not guarantee access to the same level of support that may be available in England. Further details of the SCAN process are accessed at DCYP's GOV.UK site.

Entitlement to Funded Education

13. The following categories of children are entitled to education in MOD schools free of cost to parents/carers, provided that their presence in the relevant overseas Command area is recognised officially:

- a. Children of serving UK Armed Forces personnel.
- b. Children of UK Armed Forces personnel on loan or secondment to Commonwealth or foreign governments, unless there is a contract of service between the parent/carer and the government concerned which covers the provision of children's education. Such contracts may provide for the cost of children's education to be borne by the government concerned or by the parent/carer (any case in which liability is not clear should be referred to HQ DCYP for a decision).
- c. Children of UK-based Civil Servants and employees of MOD and its Agencies.
- d. Children of staff of other UK government departments who are recruited for overseas service and based in the UK, if the department concerned has approved the attendance of the children in MOD schools and has agreed to meet the fees which are determined and published annually by MOD schools.
- e. Children of parents/carers serving on exchange with British Forces where reciprocal arrangements exist. (When in doubt, the advice of HQ DCYP should be sought.)
- f. Children of parents/carers who have non-fee-paying status under any International School Memorandum of Understanding.

14. A child continues to be entitled to a place in a MOD school during periods when the Service parent is temporarily assigned to another location (for example, for all operational tours, exercise, training or active service), provided that:

- a. the Service parent continues to serve, or be employed, on the establishment of the overseas Command; or
- b. the family retains official dependant status in the overseas command.

15. The parent/carer of a child who is entitled to a place in a MOD school, and who is also entitled by virtue of nationality to a free place at a host nation school, may seek admission to a host nation school in preference to the local MOD school. Responsibility for all educational expenses, including transport to/from the host nation school, lies with the parent/carer and may not be reclaimed.

16. A child of a foreign-born spouse who returns to their country of origin when the Service parent is assigned on an unaccompanied tour overseas, or for genuine compassionate reasons, may attend a MOD school in the country of origin for the duration of the Service parent's unaccompanied tour, subject to the agreement of, and any conditions imposed by, MOD or HQ DCYP. An application for a place at a MOD school in the country of origin must be submitted to HQ DCYP for approval before the child is enrolled.

17. Application for admission to a MOD school must be endorsed by the employing Unit and is made by the parent/carer to the head teacher of the school. The parent/carer must complete the Admission Form accessed on DCYP's GOV.UK site.

Entitled Fee-Payers

18. There are two categories of entitled fee-payers:

- a. **Category A.** Children of UK-based employees of the Service institutions and welfare organisations listed under a Status of Forces Agreement. Children in this category must not be ordinarily resident in the country where the MOD school is located.
- b. **Category B.** Children of US Forces personnel whose admission to a MOD School is approved by Department of Defence Dependents Schools (DODDS) are admitted to a MOD school on a 'space available' basis in accordance with DfE guidance on school capacity and maximum class sizes.

19. Fees for entitled fee-payers are determined and published annually by HQ DCYP (MOD Schools).

20. Application for the admission of an entitled fee-payer to a MOD school should be made by the parent/carer to the head teacher of the school using the process directed in the MOD Schools Admission pack which is accessed on DCYP's GOV.UK site. The head teacher must be satisfied that a vacancy exists in order that the admission can be approved.

21. Fees for entitled fee-paying pupils are payable upon admission to secure a place, and before the first day of each term thereafter. No refund of fees will be made for pupils leaving school early after completing public examinations or for pupils who are temporarily or permanently excluded from the school due to misconduct; those who do leave during

the term will be liable for fees up until the end of the current half term. An appropriate refund of fees may be made if a school is closed because of the exigencies of the Service, or in other exceptional circumstances, at the discretion of the Director DCYP.

22. Entitled fee-payers who provide income generation for MOD are required to arrange their own insurance.

Non-Entitled Fee-Payers

23. For the purpose of this policy, non-entitled fee-payers are defined as children of parents who do not fall into any of the categories listed as entitled or entitled fee-payers.

24. Where there is spare capacity at a MOD school, non-entitled students may be admitted on a fee-paying basis, subject to the conditions below:

- a. Spare capacity exists through the entire required stage of education. Where there is doubt concerning spare capacity, the head teacher should seek advice from HQ DCYP. Spare capacity is dependent upon the school's physical capacity, the official staffing level and on the head teacher being satisfied that a child can access provision throughout the required stage of education.
- b. The education provided for entitled pupils must not be adversely affected by the admission of non-entitled pupils.
- c. Applications are made by the parent/carer to the head teacher of the school using the MOD schools admissions process accessed on DCYP's GOV.UK site. Parents will need to note:
 - (1) special and/or additional needs that children have will need to be declared.
 - (2) children will need to have sufficient command of the English language, both written and spoken, to benefit from the teaching provided without the need for additional language support.
- d. The application will follow the admissions criteria in the order shown below:
 - (1) exceptional medical or welfare reasons, supported by relevant written evidence or recommendation.
 - (2) elder sibling(s) already attending the school, who are likely to be there when the child in respect of whom the application is made enters the school.
 - (3) position on waiting list determined by date of application.
 - (4) any other local criteria applicable to an individual school, if approved by the School Governance Committee and HQ MOD Schools.
- e. Once admitted to a MOD school, a non-entitled pupil will not be denied a place at that school at a later date due to a reduction in spare capacity.
- f. Fee rates for non-entitled pupils are determined annually by HQ DCYP and fees are payable upon admission, prior to the start of the half term in that term. Pupils leaving during the term will be liable for the fees up until the end of the current half term. No refund will be made for pupils leaving school early after completing public

examinations or for pupils who are temporarily or permanently excluded from the school due to misconduct. An appropriate refund of fees may be made if a school is closed because of the exigencies of the Service or in other exceptional circumstances at the discretion of the Chief Education Officer MOD Schools.

g. Service medical centres will only provide emergency treatment for non-entitled pupils and will raise bills against the parents for such treatment. Parents/carers of non-entitled pupils should ensure that their children have insurance cover for medical expenses arising due to illness or accident.

h. Parents/carers are to make their own arrangements for the transport of their children to and from school and ensure that they have insurance to cover school visits including residentials.

i. Parents/carers of all non-entitled pupils will need to undergo appropriate security clearances to gain access to a MOD school and therefore must ensure that the family has appropriate security clearance from the local Command/Commander before a school place can be finalised. Advice on local arrangements should be sought from the head teacher prior to application. The headteacher's decision on admission is final.

Placement Out of Chronological Year Group

25. It is the policy of DCYP that children attending MOD schools are automatically placed with their chronological year group unless there are exceptional circumstances (for example, long term illness or significant SEND).

26. Parents (guardians/carers) sometimes make a request for a child to be placed in a year group above or below the child's chronological year group. Whilst due consideration is given to these requests, the principle underpinning any decision on placement out of chronological year group is that it is in the best interests of the child's immediate and long-term needs. Parents are responsible for the final decision to take up an agreed placement and their decision must be fully informed by child-specific evidence.

27. There is no guarantee that a placement out of chronological year group within a MOD school will be continued on return to the UK state sector. It is therefore crucial that all factors in requests for placement out of chronological year are considered and in particular:

a. whilst a child's birth date in late summer is not automatic grounds to agree to a request, premature birth dates in August should not be discounted as a factor.

b. the social age of a child is incompatible with those in the chronological year group.

28. Children transferring from a non-MOD school are to be placed in their chronological year group and appropriate support provided to address any gaps in education.

29. Due to the potential long-term implications of placement out of chronological year group, decisions are undertaken by the Assistant Head SEND Services and the Chief Education Officer MOD Schools. **It is important to note that DCYP, as admissions authority for MOD Schools, is the sole decision-making body and while other organisations can and do provide advice they have no authority over MOD school placements and DCYP's decision is final.**

30. Requests must be made in writing through the head teacher to the Assistant Head SEND Services and are to include all available supporting evidence (for example, advice/recommendations from health care providers and other involved agencies).
31. Where placement out of chronological year group is considered beneficial for a child transferring between a MOD school and a UK school, parents are to contact the head teacher of the receiving UK school to discuss their child's needs.
32. At the request of their parent/carer, a child may remain in a Foundation Stage 1 setting up to the end of the term in which they attain the age of five years, notwithstanding the entitlement to full-time schooling from the beginning of the same school year. However, on admission to school, the child will be placed in their chronological year group.
33. All placements out of chronological year group in a MOD school will be periodically reviewed.

Parental Preference

34. Children of entitled parents/carers will normally attend the designated MOD school in their Service Family Accommodation area. Parents/carers may, as they do in the UK, express a preference for a place at an alternative MOD school, however, places other than at the designated school may only be allocated if there is spare capacity at the preferred school.
35. Parents/carers may also express a preference for a place at a MOD schools FS1 setting other than the setting or settings maintained by the school which usually serves their Service Family Accommodation area.
36. Admission criteria will not consider: the child's academic ability, aptitude, race, religion, or gender; or the rank/grade of the child's parent(s). Exceptionally, where application is made on the basis of the need to study a minority subject not available in other MOD secondary schools, the child's ability or aptitude in that subject may be considered.
37. Parental preference applications should be made in writing to the head teacher of the preferred school, who will consult with the head teacher of the school to which the pupil would normally attend. The agreement of both head teachers is required to allow a parental preference to proceed. Parents/carers who have been refused a place other than at the designated school may appeal against the decision. Appeals should be submitted in writing to the head teacher of the preferred school.
38. Parents of children who are admitted under the parental preference scheme will be responsible for transport to and from the school.

Retention of Children in MOD Schools

39. The onus is on parents/carers to try to minimise disruption to their child's education caused by assignments. Children attending MOD schools overseas will, normally, move with their families on posting and continue their education at the new location. Families anticipating a posting during a period where their child is due to undertake a public examination should seek advice on the options available to them.

40. There is no entitlement to retention for:
- a. children attending a MOD first, primary or middle school.
 - b. children of MOD employees who accept voluntary early severance.
41. Retention will be allowed for all children of entitled personnel who die whilst serving overseas. The retention period will mirror the time that the family is permitted to retain Service Family Accommodation in theatre.
42. Service personnel will need to apply to their local Command/Commander for an extension of dependency status to enable a child to be retained for a limited and defined period. Where an application is made on educational grounds it must be supported by HQ DCYP (MOD Schools) and all information provided by parents is to be certified by the head teacher.
43. It is important to understand that an extension of dependency status does not confer any new entitlements. The extension of dependency status for a pupil does not confer entitlement on parents to any form of status or right of occupancy in Service Family Accommodation for any period other than stated in single Service regulations. However, parents of retained pupils may apply, through their local command/commander, for retention of the Service Family Accommodation under the terms of JSP 464.
44. Whilst all relevant factors are considered when deciding on whether a child can continue to hold entitled status, the following conditions must be met:
- a. The parent must be leaving the overseas location due either to assignment, compulsory redundancy, or retirement at the conclusion of their service career. Exceptionally (for example, a posting at short notice), and at the discretion of the Chief Education Officer, HQ DCYP may support retention if the parent's official service in the Command ends earlier than planned.
 - b. The child must have started the second term of a course that leads to a recognised public examination/qualification before the date on which the parent's official service in the overseas command ends. For this purpose, the start of the term is defined as the date that the school opens for that term.
45. A retained pupil will normally be a civilian subject to Service Discipline for the purposes of the Armed Forces Act 2006 and will be required to comply with any applicable standing orders.
46. The parent is responsible for ensuring that the child's passport is valid until the end of the retention period and for any necessary visas and/or residence permits required.
47. The child must remain in the school for the duration of the retention period.
48. Should the relevant military authority decide, for whatever reason, that the child should not be allowed to remain in location, the parent and guardian will be informed and will be responsible for arranging for the child to re-join his/her parents. Return passage for the child to the UK will be at public expense.
49. **Guardianship.** Where the parental proposal involves a child remaining with a guardian it is the parent's responsibility to nominate the guardian and implement guardianship arrangements (for example, ensuring sufficient funding). Guardianship

arrangements are considered a private fostering arrangement and as such, nominated private foster carers must be assessed by British Forces Social Work Service as suitable, prior to the application for retention. MOD does not accept responsibility for any occurrence involving the death or injury of the child other than that arising from the negligence of MOD, its servants or agents. In this context, the guardian appointed by the parent will not be regarded as a servant or agent of MOD. If, for any reason, the guardian is unable to fulfil his/her obligations, the parent must be able to return to the child's school within twenty-four hours of notification from the guardian or head teacher and must provide a written undertaking to this effect. The Service parent may be entitled to claim CEA (Guardians) in accordance with the relevant policy in JSP 752.

Elective Home Education

50. Elective home education is described by the Department for Education² as the parental choice to provide education for their child at home instead of school. By electing to educate at home, parents must ensure that a child of compulsory school age receives an 'efficient and suitable' education. An education that is 'efficient and suitable' can be defined through case law, as education which achieves that 'which it sets out to achieve and equips a child for life within the community in which he is a member'³.

51. Parents also need to bear in mind that they may be in a host-nation location where home schooling is not permitted or is subject to constraints which do not apply in England. Parents need to ensure that any decision to provide education for their child at home instead of school is consistent with local laws.

52. Parents who elect to educate in the home may not be able to access appropriate and/or sufficient support overseas and this may present risks to the delivery of efficient and suitable education. These risks may be significantly increased where a child has SEND, in particular where specific care and education provision is not accessible in the location.

53. Where there are reasonable grounds to believe that the needs of the child are not/cannot be met and that this places the child's welfare at risk, the local Overseas Command/Commander/Head of Establishment will comply with their duty to safeguard and promote the welfare of the child. This may lead to a decision that a child is not supportable overseas.

54. Parents whose children are currently in mainstream UK education are strongly advised to discuss their plans for home education with their current head teacher at the earliest opportunity. Parents of children who are not currently in mainstream UK education are advised to discuss their plans with an educational professional (for example, the local authority Education Officer). Parents may also seek guidance from DCYP (CEAS).

55. Prior to a Posting. Service parents will need to follow direction laid out in JSP 770 for the completion of a self-assessment of needs and include their intention to home educate. Commands will follow the MOD Assessment of Supportability process directed in JSP 770.

56. During a Posting. Because home education presents a change to the status of a child's supportability, the MOD Assessment of Supportability Overseas will need to be

² Department for Education, Statutory Guidance, GOV.UK (April 2019).

³ Mr Justice Woolf in the case of R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust, *The Times* (12 April 1985).

used to enable the Overseas Command/Commander/Head of Establishment to assess whether a child is supportable. Where parents elect to deliver home education overseas the following will apply.

- a. The parent is to:
 - (1) inform their local Command/Commander/Head of Establishment of their intent to electively home educate.
 - (2) take on full responsibility for all costs of education including transport, additional educational support and/or reasonable adjustments.
 - (3) take on full responsibility for delivering efficient and suitable education and safeguarding of their child(ren).
 - (4) provide notice to their school so that their child can be removed from the admissions register.
- b. Parents who elect to home-educate will not be able to access MOD education resources for the period of home education.
- c. Work experience is not a statutory requirement. Children educated at home have no entitlement to participate in work experience.
- d. Where specific concerns are raised and/or where it appears that a child's welfare/safeguarding is at risk, the local Overseas Command/Commander/Head of Establishment **must** follow the Safeguarding Procedures set out in JSP 834.
- e. All personnel who encounter families choosing to home educate **must** follow the Safeguarding Procedures set out in JSP 834 should they have any concerns about a child.
- f. Intervention from DCYP personnel will only be by agreement with parents unless there are concerns about provider suitability or child protection.
- g. Where re-entry to a MOD school is being considered, parents will need to complete a new MOD Assessment of Supportability/MOD Civilian equivalent, a MOD school application and provide a record of their child's education progress and attainment to the head teacher of the prospective MOD school.
- h. Where entry to a non-MOD school is being considered, parents will need to complete a new MOD Assessment of Supportability/MOD Civilian equivalent.

57. **MOD Civilians.** Entitled MOD Civilians are to follow MOD Civilian Transfers Overseas policy.

5 Education Overseas – Non-MOD Schools

Overseas Supportability

1. As in the UK, parents are responsible for the education of their children; it is strongly recommended that Service parents research education provision overseas in their prospective assignment location; engage with CEAS at the earliest opportunity and with their overseas Command.
2. **It is recognised that whilst parents will need to follow their Service Assignment/Posting process, applications to International/local schools overseas will need to be made as part of the MOD Assessment of Supportability. The MOD Assessment of Supportability policy is also to be applied during a posting where a family's needs change, for example where emerging SEND is identified. Detailed direction on this is laid out in JSP 770.**
3. Parents of children with protected characteristics should be aware that the Equality Act is not enforceable in all overseas locations. In locations where this is the case, MOD may not be able to support a child with protected characteristics. It is therefore, crucial that parents seek advice from HQ DCYP (CEAS) at the earliest opportunity.
4. Parents are directed to submit a parental declaration form for all accompanying children and a Pupil Information Profile for school age children to CEAS at the earliest opportunity following an assignment order and should consult with CEAS at the earliest opportunity to discuss options for educational provision. Parental declaration forms and Pupil Information Profile forms are accessed on DCYP's GOV.UK site.

Education Provision

5. **General Principles.** In overseas locations without MOD schools (or without MOD schools catering for the required stage of education) local education provision may be accessed where it delivers efficient and suitable education. In English-speaking locations overseas⁴ personnel are to make use of state provision. In non-English-speaking locations (or English-speaking locations without suitable state provision) personnel may make use of private education provision. In some overseas locations there may be no efficient and suitable education provision, state or private.
6. **Limitations of Local Education Provision.** It is unlikely that overseas schools will follow the English National Curriculum and some subjects, including those that are compulsory under the English National Curriculum, may not be available. The syllabus, teaching approach or coverage may also be very different. In addition, National Curriculum assessments and tests may not be offered. There may also be variation in the ages that children start formal education. In some locations, this may not be until aged 6 or 7. Where schools overseas work towards different examinations and qualifications, parents should be prepared to consider the option of their children attending a boarding school in the UK. **The potential difficulties for a student about to commence, or in the middle of, an examination course transferring back to the UK from the education system of another country, cannot be overstated.** Consequently, boarding (either in UK state or

⁴ Currently specified as the USA, Canada, Australia and New Zealand.

independent boarding schools) is recommended for children who would otherwise be returning to the British system in the 4 years prior to national examinations.

7. Assessing Suitability of Local Education Provision. Where and when appropriate, DCYP undertake and maintain Education Suitability Reviews (ESRs) for overseas locations without MOD schools, to allow individuals and the chain of command to make informed decisions on education provision for accompanying children. ESRs may be accessed via the DCYP GOV.UK pages.

8. Provision in English-Speaking Locations. In English-speaking locations overseas⁵ personnel are to make use of state provision where suitable. If DCYP have formally assessed that there is no suitable state provision, parents may access private education and claim the full cost of fees and other admissible expenses (following direction laid out in JSP 752 and local procedures). If local State provision has been assessed as suitable, but parents consider that there is a compelling case for alternative provision, they are to submit casework providing robust evidence via their chain-of-command, using the CEAS casework proforma available on DCYP's GOV.UK site.

9. Provision in Non-English-Speaking Locations. In Non-English-speaking locations, overseas, parents may access private education. The full cost of fees and other admissible expenses are refundable. Service parents are to follow local payment procedures.

Special Educational Needs and Disability (SEND)

10. It is important to understand that admissions arrangements to schools in a non-MOD school location are determined locally and some international schools may not be able to support children with SEND. Critically, the support pathways that a child accesses in their UK school may not be transferrable to the overseas context.

11. Education, Health and Care Plans (EHCP) only apply in England and are not transferrable to the overseas context.

12. It is therefore essential that parents submit a Parental Declaration for all children (0-18) with SEND, together with the Pupil Information Profile for school age children, at the earliest opportunity to the CEAS team within DCYP and liaise with the school in the overseas location.

13. On request the Command Primary Health provider will contribute to the assessment of children with identified/developmental concerns. Following assessment, advice will be provided regarding the level of support and care required by the child, from a health perspective, and the degree and likelihood that the individual child's needs are supportable within Command.

14. On returning to the UK it is important that parents liaise with their child's allocated school to ensure that their child's needs are understood, and appropriate pathways can be put in place.

⁵ Currently specified as the USA, Canada, Australia and New Zealand.

Entitlement to Refund of Fees and Expenses

15. In overseas locations not serviced by MOD schools, the local Command funds all educational provision, including costs of required and authorised learning support (for SEND and Speech and Language Assessment and Therapy). HQ DCYP advises Commands/Commanders and budget holders on whether the request is appropriate and commensurate with statutory education services, but cannot provide assurance on individual educational establishments.

16. Education fees and expenses from the September following the child's fourth birthday are eligible for refund. Fees for education representing that of reception year in England will be allowable only if the child is attending the equivalent of a school reception/Foundation Stage 2 or year 1 class. The refund of any fees and expenses will normally cease at the end of the academic year in which the child reaches the age of eighteen. In exceptional circumstances (e.g. serious illness) where the child's education has been so disrupted that they could not successfully complete their course by that time, then the fees and expenses may be refunded up until the end of the academic year in which the child's nineteenth birthday falls. For fees and expenses to be refunded, any course of prolonged schooling must have started before the eighteenth birthday.

17. Eligible children who attend a nursery/Foundation Stage 1 class are entitled to access Overseas Nursery Allowance until compulsory English school age (5 years old) is reached. Direction on this allowance is laid out in 2017DIN01-167: Regulations Governing the Payment of Overseas Nursery Allowance.

18. The value of any scholarship awarded to Service children attending civilian schools overseas must be declared, so that the sums involved can be offset against fees.

Refunding Expenses

19. It is important to note that this section follows the principles contained in policy for expenses and allowances, JSP 752. Items that are provided free of cost to parents in the State maintained education sector in England are normally admissible for refund. In small stations/isolated status sites where parents have chosen to make use of local, free educational provision, claims for additional expenses remain admissible. The following are normally admissible for refund:

- a. **School Fees.** This includes normal tuition fees (including non-refundable registration and enrolment fees) and any other compulsory charges, such as insurance or school medical fees. Fees for extra tuition will be reimbursed only when that extra tuition is necessary and would normally be a free entitlement.
- b. **SEND (including Speech and Language Assessment and Therapy).** Where SEND support is included within the school fees they are admissible for refund. Where the MOD Assessment of Supportability Overseas identifies that local SEND provision meets the needs of a child and local Commands/Commanders have agreed to fund such provision, fees may be admissible for refund.
- c. **Field Study Trips / Residential Educational Courses.** The cost of field study and residential educational courses, but not the board and lodging charges, will be refunded if it is required as part of a syllabus for a prescribed public examination; Activities relating to the Community Action Service element of the International

Baccalaureate do sometimes attract a charge. A full breakdown of options and charges must be provided to the budget holder before any claims can be authorised.

d. **Language Tuition Fees.** Financial assistance for children who attend non-English speaking schools overseas is available. Such assistance will be given only if the tuition is considered essential and must not exceed 130 hours in total. It will normally be limited to a maximum of five hours' tuition per week, and for a maximum period of six months. Tuition may take place up to three months prior to the take up of the post overseas, but this must be paid initially by the claimant and claimed once in post. Applications for the refund of fees, accompanied by a statement of the circumstances, should be forwarded to CEAS for approval.

e. **Books and Stationery.** The refund of the cost of essential books and stationery (for example, text books, art materials) as required by the school authorities and that would be normally provided free of charge in England's State maintained sector, is admissible. Such claims are subject to audit, and refunds should be made only on production of suitable receipts.

f. **Technology.** Where electronic devices are provided on a staged payment or deposit basis, costs cannot be reclaimed if the device becomes the property of the claimant/child at any time during the posting. It is important therefore that devices are handed in once the child has completed the stage of education for which the device is required. Commands may find it useful to maintain a loan pool for this type of device.

g. **Universal Infant Free School Meals.** These can only be claimed for children overseas in the equivalent of Reception, Year 1 and Year 2 (aged 5 to 7). Detailed guidance is accessed on DCYP's GOV.UK site (DIN 2018DIN01-017).

h. **Transport.** Official transport should be used wherever possible. When no Service provision can be made, the refund will be confined to the cheapest method appropriate to the area and the circumstances. Where the use of a private car is authorised, the appropriate lower rate of mileage allowance may be claimed for 2 x return journeys to and from school daily. Supplements for additional passengers are not payable. If the school provides transport, the cost may be reimbursed up to the equivalent of motor mileage allowance.

20. **Inadmissible Expenses.** The following are not admissible for refund:

- a. all items of clothing, including sportswear.
- b. the cost of meals from the equivalent of Year 3 (England) except where these are included in fees.
- c. charges for extracurricular activities, e.g. societies, clubs and school camps, which are not part of the regular and supporting school curriculum and which are normally paid for by the parent in the UK.

Claim Procedures

21. Authority for the refund of educational expenses by the local command is provided by DCYP. Applications must be submitted through the Commanding Officer or Head of Establishment to CEAS using the appropriate form (DCYP Form 001) accessed through the DCYP site on GOV.UK.

22. Personnel taking up appointments within the North Atlantic Treaty Organisation or Military Staff of the European Union in continental Europe and Turkey are supported for education purposes by European Joint Support Unit (EJSU). Payment of admissible fees, where appropriate, will be undertaken directly by the EJSU. Parents are reminded, however, that they may still be liable for any inadmissible fees and expenses.

Casework

23. Although comprehensive, this JSP cannot provide direction on every possible scenario/requirement. Individuals seeking outcomes not specifically authorised within this JSP are to submit casework to CEAS using the CEAS Casework Proforma, via their chain of command. Appropriate recommendations will then be made to the chain of command and/or relevant budgetary authority, to enable the relevant decision maker to come to an informed decision. The Casework Proforma is accessed at DCYP's GOV.UK site.

Retention of Children in School

24. There is no automatic entitlement to retention in a non-MOD school. Each local or international school overseas will have its own policy on retention and where there is a need for a child to be retained in school, parents will need to liaise with the head teacher of the school and with their Local Commands.

Elective Home Education

25. Elective home education is described by the Department for Education⁶ as the parental choice to provide education for their child at home instead of school. By electing to educate at home, parents must ensure that a child of compulsory school age receives 'efficient and suitable' education for their children. An education that is 'efficient and suitable' can be defined through case law, as education which achieves that 'which it sets out to achieve and equips a child for life within the community in which he is a member'⁷.

26. Parents also need to bear in mind that they may be in a location where home schooling is not permitted or is subject to constraints which do not apply in England. Parents need to ensure that any decision to provide education for their child at home instead of school is consistent with local laws.

27. Parents who elect to educate in the home may not be able to access appropriate and/or sufficient support overseas and this may present risks to the delivery of efficient and suitable education. These risks may be heightened where a child has SEND, in particular where specific care and education provision is not accessible in the location.

28. Where there are reasonable grounds to believe that the needs of the child are not/cannot be met and that this places the child's welfare at risk, the local Overseas Command/Commander/Head of Establishment will comply with their duty to safeguard and promote the welfare of the child.

29. Parents whose children are currently in mainstream UK education are strongly advised to discuss their plans for home education with their current head teacher at the earliest opportunity. Parents of children who are not currently in mainstream UK education

⁶ Department for Education, Statutory Guidance, GOV.UK (April 2019).

⁷ Mr Justice Woolf in the case of R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust, *The Times* (12 April 1985).

are advised to discuss their plans with an educational professional (for example, the local authority Education Officer). Parents may also seek guidance from DCYP (CEAS).

30. **Prior to a Posting.** Service parents will need to follow direction laid out in JSP 770 for the completion of a self-assessment of needs and include their intention to home educate. Commands will follow the MOD Assessment of Supportability process directed in JSP 770.

31. **During a Posting.** Because home education presents a change to the status of a child's supportability, the MOD Assessment of Supportability Overseas will need to be used to enable the Overseas Command/Commander/Head of Establishment to assess whether a child is supportable. Where parents elect to deliver home education overseas the following will apply.

- a. The parent is to:
 - (1) inform their local Command/Commander/Head of Establishment of their intent to electively home educate.
 - (2) take on full responsibility for all costs of education including transport, additional educational support and/or reasonable adjustments.
 - (3) take on full responsibility for delivering efficient and suitable education and safeguarding of their child(ren).
 - (4) provide notice to their school so that their child can be removed from the admissions register.
- b. Parents who elect to home educate will not be able access MOD education resources for the period of home education.
- c. Work experience is not a statutory requirement. Children educated at home have no entitlement to participate in work experience.
- d. Where specific concerns are raised and/or where it appears that a child's welfare/safeguarding is at risk, the local Overseas Command/Commander **must** follow the Safeguarding Procedures set out in JSP 834.
- e. All personnel who encounter families choosing to home educate **must** follow the Safeguarding Procedures set out in JSP 834 should they have any concerns about a child.
- f. Intervention from DCYP personnel will only be by agreement with parents unless there are concerns about provider suitability or child protection.
- g. Where re-entry to a local/international school is being considered, parents will need to complete a new MOD Assessment of Supportability/MOD Civilian equivalent.
- h. Where entry to a MOD school in a new location is being considered, parents will need to complete a new MOD Assessment of Supportability/MOD Civilian equivalent alongside their application to the school.

32. **MOD Civilians.** Entitled MOD Civilians will need to follow MOD Civilian Transfers Overseas policy.

6 Early Education and Childcare Overseas

General

1. The current overseas context does not guarantee full or automatic access to 0-5 early years/childcare in every location. Responsibility therefore lies with the overseas Commands/Commanders, working in partnership with the relevant posting/manning authorities, to ensure that families with young children below 5 are fully aware of the 0-5 offer in their locality including the location and opening times of settings, access and eligibility, and priority criteria that may be applied.
2. Overseas Commands/Commanders are responsible for designating appropriate locations for accompanying children, informed by DCYP advice on whether there is efficient and suitable provision available in the local area for some or all stages of education. **The use of unregulated provision is strongly discouraged.**
3. Where a MOD school/setting is available, parents will normally make use of this provision. Formal requests for alternative provision will be assessed by Commands/Commanders against appropriate risk-based criteria: safeguarding, qualified staff; ratios of qualified staff; school capacity and Safety and Fire regulatory compliance. Whilst Commands/Commanders will be cognisant of parental choice they retain the right to veto this on the basis of safeguarding concerns and/or value for money (including transport costs).
4. **Universal Infant Free School Meals.** Eligible Service children overseas can access Universal Infant Free School Meals (UIFSM). Detailed guidance is accessed on DCYP's GOV.UK site (DIN 2018DIN01-017).
5. **Special Educational Needs and Disability (SEND).** MOD recognises that early identification of and support for children with SEND is crucial to providing teachers, practitioners and parents with appropriate information and guidance to support their child(ren). DCYP works in partnership with parents and partner agencies to support Service children with SEND; providing direct parental advice and guidance and facilitating specialist support where reasonably practicable. Detailed guidance is accessed on DCYP's GOV.UK site.

Entitlements and Allowances

6. **Overseas Nursery Allowance.** In locations where parents are not able to access MOD provision, they may make use of the Overseas Nursery Allowance to fund early years education/childcare for eligible children. Detailed guidance is accessed on DCYP's GOV.UK site (DIN 2017DIN01-167).
7. **Tax-Free Childcare.** Eligible dual-working parents may make use of Tax-Free Childcare overseas where it is supported by Her Majesty's Revenue and Customs. Tax-Free Childcare for Service parents overseas can only be accessed in a registered setting. Detailed guidance is accessed on DCYP's GOV.UK site (DIN 2018DIN01-011 for Service personnel and 2017DIN01-101 for MOD Civilians).

8. **The Armed Forces Childcare Voucher Scheme.** This scheme closed to new applicants in Oct 2018. Service Parents who are enrolled in the scheme may continue to access it until they leave MOD or until the scheme is closed. Full details are accessed on DCYP’s GOV.UK site (DIN 2017DIN01-092 for Service Personnel and 2008DIN01-176 for MOD Civilians)

9. **Free Early Years Education/Childcare.**

a. **Free 15 Hours Childcare.** MOD will mirror, where reasonably practicable, the entitlement to free early years education. This entitlement to free early education for eligible children is intended to cover 15 hours a week of free, high quality, flexible childcare.

b. **Extended Free Childcare.** This additional 15 hours’ free provision is accessible to families where both parents are working (or the sole parent is working in a lone parent family).

The entitlement to 15 and up to 30 hours of free early years education cannot be claimed when using childminders or nannies. Detailed guidance is accessed on DCYP’s GOV.UK site (DIN 2017DIN01-122).

MOD Schools/Settings

10. **Provision.** Where early years/childcare provision is delivered within a MOD school/setting it will be provided where reasonably practicable and within school capacity. A blended provision of early years education and childcare is delivered in a number of 0-3 MOD schools/ settings, following the Early Years Foundation Stage framework (statutory in England/Wales). Provision will be regulated in accordance with Department for Education statutory requirements and supported through the Early Years Operation Group; whose responsibilities are to ensure the effective implementation of the Early Years Framework for Service children overseas. Detailed information is accessed on DCYP’s GOV.UK site.

11. **Free Early Years Education.** MOD schools will deliver, where reasonably practicable, the entitlement to free early years education for eligible children. Entitlement is based on a 3-term school year beginning on or following the dates laid out in Table 1.

A child born in the period:	Will become eligible for a free place:
1 Apr to 31 Aug	1 st Sep following child’s 3 rd birthday (Autumn school term)
1 Sept to 31 Dec	1 st Jan following child’s 3 rd birthday (Spring school term)
1 Jan to 31 Mar	1 st Apr following child’s 3 rd birthday (Summer school term)

Table 1 - Free Early Years Education Entitlement

12. **Extended Free Early Years Education.** In overseas locations where MOD-provided settings have sufficient capacity, the additional 15 hours’ entitlement will be provided through those settings, free of charge.

13. **Extended Day Care.** Extended Day Care enables Service parents to access childcare provision beyond that which is provided under the 15 hours’ universal entitlement

in locations where provision is available. This provision is chargeable and may be purchased in MOD schools.

14. **Early Years Admissions.** Children are admitted termly to Foundation Stage settings as below:

- a. A child is eligible for admission from the beginning of the term following their third birthday. For this purpose, terms are defined as beginning on 1 September, 1 January and 1 April regardless of actual term dates. Thus, a child who has their third birthday on 1 September is not eligible for admission to a Foundation Stage 1 setting until the following January.
- b. Children are admitted annually to Foundation Stage 2 classes. A child is eligible for admission from the beginning of the school year following their fourth birthday. For this purpose, the school year is defined as beginning on 1 September regardless of actual term dates. All MOD schools will admit children from four years of age to Foundation Stage 2 classes. On first admission to a Foundation Stage 2 class in a MOD primary or first school, children will normally attend on a part-time basis for a period not exceeding four weeks. Each school is required to have its own policy, approved by the School Governance Committee, regarding the period of initial part-time attendance.

15. **Oversubscription.** Where MOD schools/settings are oversubscribed and are required to prioritise access to early years/childcare (for example, to remain within statutory school capacity levels and meet short notice surges in overseas postings), the following oversubscription criteria will be used, in the order shown, for:

- a. children who are vulnerable, including looked-after children.
- b. children of a lone working parent employed by Defence – Armed Forces personnel and UK-based civilians posted overseas or specially recruited for overseas service.
- c. children of dual working parents employed by Defence – both parents are Armed Forces personnel or UK-based civilians posted overseas or specially recruited for overseas service.
- d. children of deployed Service parents (one or both parents are posted on deployment).
- e. children who are bereaved or where the Service parent is injured / long-term sick.

16. Where a case arises, which does not meet any of these conditions it will be considered on a case-by-case basis taking advice from relevant partner agencies, the relevant Command and HQ DCYP. Parents will need to submit case work to HQ DCYP (MOD Schools).

Childminders

17. Childminders can offer a flexible provision for children of mixed age groups in a home environment. Mirroring statutory requirements in England, all childminders who care for children from 0-5 years overseas will need to be registered and regulated in accordance with Department for Education policy.

18. Commands/Commanders will need to assess the requirement for additional childcare provision and will maintain a register of childminders in their overseas location, making these available to parents as required.