

Briefing paper for the additional criteria for eligible two year olds – October 2019

The Government has decided to extend eligibility for early education entitlement for the most disadvantaged two year old children to three additional groups of children from September 2019.

The new groups of children to be entitled to an early education place are:

1. Children of Zambrano Carers;
2. Children of families with no recourse to public funds with a right to remain in the UK on grounds of private/family life under Article 8 of the European Convention on Human Rights;
3. Children of a subset of failed asylum seekers (supported under section 4 of the Immigration and Asylum Act 1999 – ‘the 1999 Act’).

**1. Zambrano Carers**

In this context, a Zambrano Carer is the primary carer of a British citizen child or dependent adult where requiring the primary carer to leave the UK would force that British citizen to leave the European Economic Area (EEA).

**2. Families granted immigration leave on the basis of Article 8 and subject to a condition that they have no recourse to public funds**

Similarly, the DfE are extending eligibility to children whose families have a right to be in the UK on grounds of private and family life under Article 8 ECHR with no recourse to public funds. These families are entitled to work and so to be eligible for a free place the parents or carers must also meet the low level income requirements of the scheme.

**3. Children of those supported under S4 of the 1999 Act**

Also eligibility is extended to children whose families receive support under section 4 of the 1999 Act because they are temporarily unable to leave the UK and would otherwise be destitute. As such, they satisfy the low income requirements to be eligible for the entitlement.

The Local Authority will be responsible for looking at the evidence required and deciding whether the child is eligible for an early education funded place. Contact Yousaf Yaqoob on 01274 432724 or [Yousaf.yaqoob@bradford.gov.uk](mailto:Yousaf.yaqoob@bradford.gov.uk) if you think a child may be eligible.

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