

Proposed changes to the Special Educational Needs and Disability (SEND) Early Years SEN Inclusion Fund

The Local Authority is proposing to make a number of changes to the way in which it operates and funds support for children with Special Educational Needs in the Early Years.

We are seeking views about the proposed changes from parents and carers, early years and childcare providers, schools and other interested stakeholders.

Please use the comment sections below if you would like to feedback about the changes proposed and submit them to SENDandInclusion@telford.gov.uk by March 21st 2018.

Please indicate the following:

I am a child or young person

I am a parent

I work in an early years educational setting (please specify if early years provider or primary school)

I work for the Local Authority (please specify your service area/team and job role)

Other (please specify your role)
(Please tick)

Consultation brief

Telford and Wrekin Local authority is consulting with early years and childcare providers, parents and carers, special educational needs and disability (SEND) specialists, schools and other interested stakeholders on changes to its Early Years Special Educational Needs Inclusion Fund across Telford. The LA is seeking views on some proposed changes to existing inclusion fund structures.

The consultation period will run from 13th February to 21st March 2018.

National context

Early Education and Childcare Statutory Guidance for Local Authorities places a requirement on local authorities to establish an Early Years SEN Inclusion Fund to support 3 and 4 year olds with emerging SEND. The purpose of the fund is to further assist providers to implement strategies to support children's learning and development.

National guidance also states local authorities should target the fund at children with "lower level or emerging SEND."

By law, all providers must have arrangements in place to support children with SEN and/or disabilities (SEND). These arrangements should include a clear approach to identifying and responding to SEND. Where a setting identifies a child with SEND they must work in partnership with parents and carers to implement any support that the child needs. Most children with additional or special educational needs and/or disabilities will not require special resources or enhanced staffing to be successfully integrated into settings; indeed most settings meet the additional needs of their children very well. However, some children with more complex needs may benefit from enhanced provision or additional resources for a period of time.

In addition to Early Years SEN Inclusion Fund, settings are also able to claim the Disability Access Fund for any 3 and 4 year olds who are in receipt of Disability Living Allowance. This is paid to a nominated provider as an annual payment of £615 per child.

It is a statutory requirement for the local authority to allocate the Disability Access Fund and therefore this sits outside this consultation.

Requirement to consult

- Statutory guidance requires consultation with early years providers, parents and carers, SEN specialists and other stakeholders on changes to its Early Years SEN Inclusion Fund.
- Under Local Offer legislation, following consultation, we will publish details on how we are using our Early Years SEN Inclusion Fund. These details will include the eligibility criteria, the planned value of the fund at the start of the year and the process for allocating funds to providers.

Local context and rationale

This consultation seeks views on introducing a clear model of allocating Early Years SEND Inclusion Funding to providers to support children with SEND in their settings. Telford & Wrekin already provide financial inclusion support to some providers through the Early Years Inclusion Panel. This consultation proposes that the Inclusion fund will support children in Private, Voluntary, Independent and maintained nursery provisions. Supporting children in reception classes through an EY Inclusion Fund will cease.

This consultation seeks views on how children eligible for 30 hours childcare and their providers are supported by Early Years SEN Inclusion Fund. Consistent local consensus amongst providers, professionals and parents and carers is important.

Local authorities are guided to focus their Early Years SEN Inclusion Fund on lower level or emerging SEND. This consultation also considers how children with more complex needs could be supported through Early Years SEND Inclusion Funding, particularly in relation to accessing their 30 hours childcare, where applicable. Telford and Wrekin currently use the Early Years Inclusion Panel to allocate additional funding for children accessing 'Talking Twos' funding. National guidance states that 2 year olds are not eligible for the SEND Inclusion fund. To support continued early support for children with SEND in Telford and Wrekin it is proposed that SEND funding provision will continue to be available for these children and administered in line with the Early Years SEND Inclusion Fund.

Proposal 1 – To introduce a clear model for allocating and reviewing the Early Years Special Educational Needs Inclusion Fund across Telford and Wrekin

- Telford and Wrekin have funds to support settings in their inclusion of children with SEND. Clear criteria will be developed in line with the graduated approach, whereby early years settings will be expected to demonstrate provision as part of the ‘assess, plan, do and review cycle’ prior to considering an application for inclusion funding. Where the need for additional funding is clearly evidenced and criteria met, early years providers will be able to apply for Early Years SEND Inclusion Funding to support children with emerging SEND or for those with complex needs.
- The Early Years Inclusion Panel would meet on a half termly basis (6 per year) to consider applications submitted alongside supporting evidence. Criteria will include involvement of outside agencies included the Early Years Teachers/SENCo and or Consultants and or Portage.
- Telford and Wrekin are proposing that once granted a child would receive Early Years SEND Inclusion Funding for a maximum of a year, rather than the current termly agreement. Where the child remains in an early years provider, should funding for a further year be necessary, a review will be required. When a child moves into a reception class however funding will automatically stop (– see proposal 2). If a child requires longer term support and at a higher level than the Inclusion Fund can provide, providers would be supported in making an application for statutory assessment (Education, Health, Care Needs Assessment).
- **We propose to implement this change from April 2018. Children currently in receipt of funding will be moved automatically onto the new system.**

Comments on proposal 1

Proposal 2 – To offer support from the Early Years Inclusion Fund to Early Years Settings and preschool classes only. Early years Inclusion Fund would finish at the end of the preschool year.

- Currently funds are allocated to settings/schools up until the end of the term where the child turns 5 years of age. However early education and childcare statutory guidance places a requirement on local authorities to establish an Early Years SEND Inclusion Fund to support 3 and 4 year olds with emerging SEND.
- We propose therefore to amend the existing early years SEND funding arrangements for children moving into school whereby it will cease when a child starts school in the reception year. The impact of this change on supporting a child’s needs will be mitigated against funding available to schools through their notional SEND budget and the Inclusive School Forum http://www.telfordsend.org.uk/localofferservices/info/1/home/68/inclusive_school_forum_guidance_and_procedure.
- Where a child does not attend school until the term after they turn 5 (compulsory school age) and continues to attend an alternative early years provider, funding from the Early Years Inclusion Funding is likely to continue given that the alternative funding sources (listed above) are not available to those settings.
- **We propose to introduce this change from September 2018.**

Comments on proposal 2

Proposal 3 – To introduce a banded funding mechanism that offers appropriate allocations of support, with final decisions supported by a multi-disciplinary decision panel.

- Currently funds from the Early Years Inclusion Panel are allocated as hours. The proposed change will allocate funding based on ‘bands’ with attached funding. This is in line with other funding systems for SEND including the allocation of funding for those with an EHC plan.
- Telford and Wrekin proposes that applications for Early Years SEND Inclusion Fund will be considered by a decision making panel made up of representatives with specialisms in early years and/or SEND from across education and health.
- Applications would be considered against a ‘banded’ model which would match applications to the most appropriate band of funding allocation.
- Proposed bands represent increasing levels of funding from A to C, with band C being the highest.
- It is expected that most funding allocations would be for bands A or B, which are set at a level to effectively support children with emerging SEND or are at SEND support level. Only very small numbers of applications, where complex cognitive and/or medical needs are evident, are likely to fall into bands C.
- Increasing practitioner skills and confidence is key to ensuring that intervention strategies are effective. Where applications do not appear to meet criteria support from our Early Advisory Teachers/SENCO’s and/or Consultants may be offered. This support could take the form of advice and guidance and/or practical practitioner support and/or modelling.
- The Early Years Inclusion Panel would meet on a half termly basis (6 per year). Evidence submitted would assist the panel in allocating the most appropriate band of support. Types of evidence that may be submitted may include those illustrated in Table C.
- In order to ensure funding is used appropriately Early Years Advisory teacher/SENCOs and/or Consultants and/or Portage will work alongside settings to review progress of children. Where appropriate, settings will be supported to request statutory assessment (Education, Health and Care Needs Assessment, EHCNA) as appropriate.
- **We propose to implement this change from April 2018. Children currently in receipt of funding will be moved automatically onto the new system.**

Comments on proposal 3

Proposal 4 – Proposed funding allocations

i. Overall budget

The Local Authority proposes to increase the overall budget for SEND funding that can be accessed via the Early Years Inclusion Fund from £75K (current) to £90K (proposed). This has been determined based on current demand from existing funding requests, knowledge of regional allocations through networks, ongoing support, advisory activity and proposed changes to the ‘offer’ delivered by the Early Years Inclusion Mentors (see associated proposal 7) . The SEND team (Early Years) believes that the proposed level of budget is appropriate and sufficient to support early years meet their duties under the SEND Code of Practice 2015.

ii. Suggested allocations for the EY Inclusion Fund to support 3 and 4 year olds

Proposed allocations are based on estimated needs and will be subject to review through local evaluation and consulted at School’s Forum. It should also be noted that significant changes may be needed following feedback from consultation, so respondents should view all allocations below as indicative only.

Statutory Guidance asks local authorities to focus their inclusion funding on ‘emerging SEND’. This proposal would see the majority of funding allocated towards emerging SEND and for children at SEND support level within bands A and B. However it also allocates a proportion of funding to support very small numbers of children whose needs are more complex and may require additional support (see Table A below).

- **We propose to implement this change from April 2018.**

Table A – Estimated SEN INCLUSION FUND for 2, 3 and 4 year olds in PVI/Maintained nursery provision

Band	Criteria	Proposed funding levels
A	Emerging or lower level SEND i.e. A child who is not achieving expected stages of development and who is unable to access a provision safely without support and/or adult direction.	For eligible children attending a PVI/Maintained nursery provision: <ul style="list-style-type: none"> • £1000 per child per year
B	Enhanced SEND Support Personalised curriculum needed to accelerate progress. External SEND services involved e.g. CDC/Portage	For eligible children attending a PVI/Maintained nursery provision: <ul style="list-style-type: none"> • £2000 per child per year
C	Complex SEND Support Ongoing support from a range of external SEN Services	For eligible children attending a PVI/Maintained nursery provision: <ul style="list-style-type: none"> • £3000 per child per year

Comments on proposal 4

Proposal 5 – A local response to managing the ‘30 hours’ extended childcare entitlement

From September 2017 a percentage of parents in Telford and Wrekin will be entitled to access up to 30 hours of childcare per week for eligible 3 and 4 year olds.

The 30 hours childcare initiative is made up of two distinct elements of early education funding. The term after any child turns 3 years old, they become entitled to 15 hours of early education funding. This is known as the ‘universal’ entitlement which continues until the child reaches statutory school age. This is the child’s entitlement and is intended to support their early education, learning and development. The child cannot ‘lose’ eligibility and continues to access this entitlement up until they enter their Reception year. The second 15 hours (or ‘extended’ hours) is a new childcare initiative intended to support working parents of some 3 and 4 year old children. This initiative makes up the second part of the ‘30 hours’. Eligibility for the extended hours is based upon parental income and working status. If an eligible child’s parents working status or income changes, after a short grace period, a child can lose eligibility for the extended hours.

The government has not increased any allocation of central funding specifically for SEND or under ‘30 hours’. Our priority is to ensure that the child’s universal entitlement is fully supported for all children with SEN, regardless of their parent’s working status, whilst also offering some options to allocate funding for the extended 15 hours in some circumstances.

It should be noted that government funding to local authorities has seen no increase arising from the national implementation of 30 hours and solutions must be managed at a local level. If we ‘stretch’ the central Early Years SEN Inclusion Fund to take account of increased hours accessed under 30 hours, this would effectively decrease the overall amount available to support the universal hours which is the child’s entitlement.

As Early Years SEN Inclusion Fund is intended ‘to support low level and emerging SEND’ that meets a child’s educational needs, learning and development, we support equal opportunity for all children. Therefore we propose that Early Years SEND Inclusion Fund be allocated against the universal 15 hours entitlement only, but set at a level sufficient to support a child regardless of how many hours they actually attend. This approach would also ensure that a child could not ‘lose’ inclusion funding based on parental circumstances and enable early years providers to plan consistent and appropriate support over time. It would be for providers, working in partnership with parents and carers, to decide upon how additional Early Years SEN Inclusion Fund is used to support the child’s learning and development.

- **We propose to implement this change from April 2018.**

Comments on proposal 5

Associated Proposal 6 – Changes to the ‘offer’ provided by the Early Years Teachers/SENCOs to schools

- Whilst the following proposal is not directly linked to changes to the Early Years SEN Inclusion Fund we are also seeking to change the ‘offer’ provided by the Early Years Teachers/SENCOs to schools.
- Currently Early Years Teachers/SENCOs provide a core offer (i.e. free at the point of delivery) to all Telford and Wrekin early year’s settings and schools up until the end of the term where a child turns 5 years of age.
- We seek to amend this arrangement and stop the Early Years Teachers/SENCOs core offer for children when they move into school. The impact of this change on supporting a child’s needs will be mitigated against the availability of other specialist teams that schools are able to commission (i.e. the Learning Support Advisory Team/Educational Psychology). In addition there are plans to develop a traded service offer from the Early Years Teachers/SENCOs that schools would be able to purchase.
- The core offer will continue for early year’s settings given that the opportunity to commission specialist SEND teams are reduced as they do not have an allocation of notional SEN funding (which is available to schools).
- **We propose to implement this change from September 2018.**

Comments on associated proposal 6



Associated Proposal 7 – Changes to the ‘offer’ provided by the Early Years Inclusion Mentors to EY settings and schools.

- Whilst the following proposal is not directly linked to changes to the Early Years SEN Inclusion Fund we are also seeking to change the ‘offer’ provided by the Early Years Inclusion Mentors to EY settings and schools.
- Currently Early Years Inclusion Mentors provide a core offer (i.e. free at the point of delivery) to all Telford and Wrekin early year’s settings and schools up until the end of the term where a child turns 5 years of age, which is allocated via the current Early Years Inclusion Panel.
- We seek to amend this arrangement and stop the Early Years Inclusion Mentors core offer for *all settings* and instead operate a traded model whereby an Early Year setting or school can directly commission support from that team. The impact of this change on supporting a child’s needs will be mitigated against the proposed increase in funding (see proposal 2) available from the Early Years Inclusion Fund which, when allocated, Early Years settings can then use to purchase Early Years Inclusion Mentor support. Separate funding arrangements exist for schools, including their SEN notional fund and the Inclusive School Forum (see proposal 2), for them to purchase Early Years Inclusion Mentors to support a child up until the end of term where they turn 5.
- **We propose to implement this change from September 2018.**

Comments on associated proposal 7

Summary

The SEND Team for Early Years has considered a range of options for the Early Years SEND Inclusion Fund. High quality, inclusive practice is essential in the early years. We believe that the proposals set out in this consultation will support early years providers to secure good progress in children’s learning and development within the constraint of resources available. These proposals promote early intervention and ensure settings can access timely and appropriate funding to support their valuable work with young children in their care. The proposed funding mechanisms would encourage settings to regularly review their strategies, in partnership with parents and carers to meet the needs of children.

We believe that the proposals contained within this consultation offer a fair, equitable and sustainable approach to inclusion funding under the new 30 hours entitlement and will support all providers to ensure inclusive practice across Telford and Wrekin.

Table B – Current and Proposed changes – a summary

	Current T&W	Proposed T&W
Arrangements for supporting EY SEND	Early Years Inclusion Panel (EYIP)	Early Years SEND Inclusion Fund (EYSENDIF)
Age range	2, 3, 4 and 5 year olds (ending the term after the child reaches their 5 th birthday)	2, 3, 4 year olds (5 year olds of non-compulsory school age attending non-school early years setting)
Settings	Available to PVI settings, maintained nursery classes and reception classes in all schools	Available to PVI settings and maintained nursery classes
Application	Half termly application	Half termly application
Allocation	Funding will begin the half term following the panel date	Funding will begin the half term following the panel date
Reviews	Funding reviewed termly	Funding reviewed annually
Amount	Shown in ‘hours’	Shown in bands – funding allocations proportionate to complexity and/or need.
Frequency	Termly payment	Annual payment
Focus	Paid per child	Paid per child
Early Years Teachers/SENCOs	Core offer open to EY settings and schools for children up until the end of term after they turn 5.	Core offer available to EY settings only for children up until the end of term after they turn 5.
Early Years Inclusion Mentor	Core offer open to EY settings and schools for children up until the end of term after they turn 5.	Traded offer open to EY settings and schools for children up until the end of term after they turn 5.

Table C - Types of evidence that may support banding decisions (examples)

<p>Progress What is needed to support wellbeing and secure progress in learning and development</p>	<p>Specialist assessments or diagnosis Consideration of impact on learning and development and/or therapies required</p>	<p>Curriculum Level of differentiated curriculum needed to support a child</p>	<p>Professional advice and support Eg. assessments and/or support from SEN professionals, eg. Portage, Child Development Team, EYAT etc</p>
<p>Pathways Progression through SEN pathways and/or statutory assessment</p>	<p>Programmes Time required to deliver interventions or recommended programmes</p>	<p>Setting support Level of setting-based support and/or increased interventions</p>	<p>Professional reports Time to implement professional recommendations or advice</p>
<p>Context Capacity of setting, Ratios, patterns of attendance etc.</p>	<p>Setting based assessments Developmental assessments made by key persons in partnership with parents or carers.</p>	<p>Risk assessment Consideration of specific medical or health risks</p>	<p>Transition Consideration of changes following transition</p>

Thank you for participating in this consultation. Please return your completed form by 5pm Wednesday 21st March 2018 to: SENDandInclusion@telford.gov.uk

Local Offer
for Special Educational Needs and Disability

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