

SEN Funding Consultation November 2024

Evidence base for reference

CONTEXT

Under the Children and Families Act 2014 councils in England must support children, young people, and families, with Special Educational Needs and/or Disabilities (SEND). Ofsted and the Care Quality Commission (CQC) jointly inspect how well this is done in each area. The 2019 Kent joint inspection identified nine areas of weakness in the local area's effectiveness in implementing disability and SEN reforms. One of these nine areas found Kent had "a variable quality of provision and commitment to inclusion in schools, and a lack of willingness of some schools to accommodate children and young people with SEND."

Every LA has a duty to make placements for children for whom an Education, Health and Care Plan (EHCP) is maintained, having due regard to parental preference, and ensuring the provision of suitable education that is an efficient use of resources (Children & Families Act, 2014: Section 3). Suitable education is provided through teaching and learning that is matched to children's needs and supports them in preparing for adulthood. The provision of education in a special school is an efficient use of resources and suitable for children and young people with severe and complex needs who need an adapted curriculum that is different from that which can be provided in a mainstream school with ordinarily available resources, described in Kent within the mainstream core standards.

KCC was issued with an Improvement Notice (IN) on 31 March 2023, as an Ofsted and CQC re-visit in 2022 had assessed the local area had failed to make sufficient progress against all nine areas of weakness. This required KCC to produce an Accelerated Progress Plan (APP) to deliver appropriate and sustainable improvements.

A Countywide Approach to Inclusive Education (CATIE) Strategy 2023-28 was approved following KCC's Children, Young People and Education (CYPE) Cabinet Committee in May 2023. The strategy supports the inclusion of all children and young people in Kent schools and education settings. CATIE sets out the actions we will take under four key principles:

- Priority One: Supporting a school led system to deliver the highest quality core inclusive education,
- Priority Two: Providing additional intervention and support with engagement and integration,
- Priority Three: Inclusive Education is part of a broader, holistic, and joined-up offer of support, and
- Priority Four: Ensuring smooth transition between education phases.

The activities detailed in this consultation address some key factors that were identified in Kent's inspections and APP, and in August 2024 the Minister for Children and Families lifted Kent's IN. MP Janet Daby wrote, "I have noted that strengthened capacity and strong governance arrangements, alongside renewed commitment from senior leaders and improved partnership working across the local area has increased the pace of change over the last 16 months. I have therefore taken the decision to lift the IN **on the understanding that the provision of SEND services remains a priority for all in the local area.** KCC has delivered against the expectations set out in the IN to improve services for children and young people with SEND, and my decision is a reflection of the hard work undertaken by the local area to improve services."

SPECIAL SCHOOL REVIEW

Previously KCC developed state-funded special schools over time and subsequently had expanded and extended state-funded special school provision both within special school sites and in mainstream schools through the provision of satellites. This had been in response to levels of

demand and, at times, was approached in an ad hoc way for children with specific need types in specific locations. The last special school review took place in 2001, followed by a review of special school funding in 2010. Since then, there has been a change in legislation with the introduction of the Children and Families Act 2014, bringing about the introduction of statutory duties for Education, Health and Care needs assessment of children's special educational needs.

To fulfil its duty in planning sufficient provision for children and young people with SEN, KCC aims to ensure that all children and young people with SEN are educated in suitable and appropriate settings. KCC's aim is that, as far as possible, state funded special school provision is available for children and young people with severe and complex special educational needs, that is within or near their local community. This approach seeks to improve outcomes and promote independence in adulthood. The special school review focussed on developing recommendations which aim:

- To propose options for the future that foster collaboration towards building a more equitable, efficient and effective educational landscape for all children in Kent.
- To identify opportunities for strategic system change to improve SEN provision, enhance educational outcomes, and promote inclusivity for children and young people with SEN in their local communities.
- To inform the planning of special school places over the medium to long term for children with SEN for whom KCC maintains an EHCP in which a special school need is identified, and a placement is named.
- To inform the designation and admission guidance for special schools so that there is clarity about the type of provision as well as equity of access for children and young people with SEND.
- To inform the principles of funding to ensure a financially sustainable approach to funding state funded special schools, with funding matched to the level of adaptation and resources needed to provide suitable education for the children placed by KCC.

The review established an understanding of the status quo and identified a number of issues that have contributed to the challenges that the SEND system in Kent, as a whole, faced. Some key findings/issues from the review were:

- Kent should meet duties to plan sufficiency of school places, including for children with SEND. By commissioning special school places, setting out the designation and admission guidance so there is coherent and equitable access to special school.
- Kent has an over-reliance on placement of children with SEND in the special school sector. State-funded special schools are at capacity and consequently placements have been made in private schools. This is not an efficient use of resources, is not financially sustainable and prevents KCC from planning effectively to provide SEN provision.
- Current special school designations and admission guidance has led to an inconsistent and inequitable approach to the placement of children and young people in special schools.
- The combined effect of issues relating to the lack of medium to long-term planning for special school placement of children and young people has led to some children being unable to access a special school which is in or nearby to their local community
- There is not a consistent understanding of the provision made by special schools and there are inconsistencies in the provision that special schools provide. This affects the capacity of KCC officers to confidently communicate with parents and carers about the provision that has been planned for young people with SEND and/or to make decisions about the provision of effective education that is an efficient use of resource.
- Parents and carers of children and young people with SEND have said that they do not always know what provision is available for their children.
- Special school headteachers have told KCC that officers are not always informed regarding the available resources and/or approach to teaching and learning that are applied in special schools.
- KCC officers have said that some special schools with the same designation and admission criteria sometimes provide inconsistent responses to consultations regarding the provision of suitable education.

- Some special schools provide bespoke education for those with the most complex needs, while others request a change of placements for students.
- There have been no substantive changes to the special school funding system since it was reviewed in 2010. Special school funding rates are based on the different SEN need types of the children attending the school and vary depending on the size of the school. There is an increase in requests from special schools for exceptional pupil need funding where the current need type of the child does not reflect the level of support required, and subsequently the rate paid to the school. This in part is due to the significant delay in children receiving the appropriate diagnosis from Health services to provide the suitable evidence to update the primary need type through the SEN annual review process. Growing financial pressure within special schools has also been highlighted with most schools forecasting overspends and a handful of maintained special schools also reporting an overall deficit as part of their three-year budget planning (additional support has been provided to these schools to support future financial sustainability and recovery).

Priorities for development were identified to address the issues found through the course of the review. A public consultation ran from 19 June 2024 to 14 August 2024 and has now closed. The consultation focused on proposed changes to the designations and admission guidance for certain special schools in Kent and a proposed new school to school support model in Kent. Consultees were also asked to provide feedback on KCC's expectation statement for how special school places should be planned (which is consistent with the requirements of the Children and Families Act 2014). The consultation results and KCC's formal response will be presented to CYPE Cabinet Committee on 21st November 2024.

REVIEW OF SPECIALIST RESOURCE PROVISIONS (SRP)

SRPs are established in mainstream primary and secondary schools that can be either LA maintained schools or schools that are part of an academy trust. In Kent there are 76 SRPs which are provided across 66 schools, of which 41 are primary schools and 25 are secondary schools. Currently SRPs in Kent have the following designations (it is important to note that a school can provide more than one SRP and have multiple designations):

- Autistic Spectrum Condition (ASC)
- Speech, Language and Communication Needs (SLCN)
- Hearing Impairment (HI)
- Visual Impairment (VI)
- Physical Disability (PD)
- Cognition and Learning (C&L)
- Profound, Severe and Complex Needs (PSCN)
- Specific Learning Difficulties (SpLD)

A review of Kent's standard SRP contract and service level agreement (SLA)² was carried out from January 2023 through to April 2023. The aim was to strengthen the governance arrangements and to ensure consistency between the two documents. The updated contracts and SLAs were issued to all SRP holding schools from September 2023 through to December 2023, pending the Authority's decision to enter into these. The updated contracts/SLAs cover the period up to 30 August 2026. CYPE Cabinet Committee and the Cabinet Member for Education and Skills approved the use of the updated documents following the 16 January 2024 meeting.

The ongoing costs for SRPs under the contracts and SLAs are for the provision of places. There is an annual commissioning process whereby the number of places per SRP are agreed by the school and KCC. The number of places that are commissioned can vary across the provisions and for the county as a whole each year. The total cost of commissioned places may also change each year due to new SRPs being established or where additional places above the commissioned number are spot purchased resulting in an overall increase in places. SRP places are funded in

accordance with the relevant guidance from the DfE (for example [High Needs Funding Arrangements 24/25](#)) which are subject to change. KCC produce annual [School Budget Guidance](#) each financial year which sets out how SRP places are funded by KCC.

The total cost of an SRP place is broken down into three elements (1,2 & 3), these are defined in the current [KCC School Budget Guidance 24/25](#):

- Element 1 (E1): This is also known as 'Core Education Funding' and is calculated within the mainstream funding formula. The school receives this funding as part of their standard mainstream school budget regardless of whether the pupil accesses an SRP place or not. Where an SRP place is vacant at the time of the annual school census, KCC will provide the school with the equivalent per pupil funding.
- Element 2 (E2): This is also known as 'Additional Support Funding' and is paid to the school for the number of agreed commissioned places for the academic year. This element is valued at £6,000 per place, as per DfE guidance.
- Element 3 (E3): This is also known as 'Top-up funding' and is the type that relates to SRPs, this is only paid for pupils who are on roll at the SRP. This funding will follow the pupil and is paid monthly (in arrears).

The value of E3 varies annually and is consulted on with the SFF and agreed through a key decision by the Cabinet Member for Education & Skills in December/January of the preceding year. The estimated value of the current number of commissioned SRP places over the 3-year contract/SLA period is £78.6m. The estimated value of the three-year contract/SLA is subject to variation due to the annual commissioning cycle, element 3 uplift and the establishment of any new SRPs (resulting in more places becoming available, or closure where SRPs are no longer required). The cost of SRPs is fully funded from the ring-fenced DfE grant known as the DSG HNB.

Following the implementation of the new contracts/SLAs for SRPs additional recommendations were made that would continue with Kent's review of SRPs. These recommendations and how they have progressed are detailed below.

- To carry out a financial survey for SRP holding schools to establish how much it costs to run an SRP.
 - A financial survey for SRP holding schools was carried out, the findings from this survey were inconclusive. The proposal therefore was that the funding mechanism for SRPs should be considered alongside the wider funding changes being made across the HNB, to ensure continuity and correlation of funding and resources available to children educated within a mainstream school, within an SRP or a special school. Kent currently spends approximately £22m per annum of revenue funding on Specialist Resource Placements.
- Review the provision available for primary SRPs, to ensure there is equity across the districts.
- Explore the expansion of secondary SRPs.
 - Kent is currently reviewing secondary school SRP provision to ensure there are clear and equitable pathways between primary and secondary school SRPs, progress can be reported at a later date.
- Place planning and commissioning to move to the Admissions team and the Assistant Directors for Education.
 - This move has happened, and Area conversations are being held in the autumn 2024 school term.
- To carry out a data accuracy and checking exercise (which will then take place regularly) to ensure high data quality, and to identify and understand patterns/trends to inform planning.

- This activity is currently underway and will be reported on at a later date.
- To develop reporting templates for schools to support data checking and financial regulation.
- Establish a transparent reporting mechanism between KCC, schools and parents/carers in relation to SRPs in the form of an annual strategic report.
 - This is currently underway and will be reported on at a later date
- Further exploration to be carried out regarding the feasibility of commissioning and providing post-16 SRP places.
 - This activity is currently underway will be reported on at a later date.
- Further exploration regarding the feasibility of SRPs with highly specialist designations of HI, VI and PD.
 - This activity is currently underway and will be reported on at a later date.
- A District Decision Protocol should be developed to underpin the process regarding future decisions to establish any new provision in Kent (including SRPs). The process must be strategic, data driven (particularly by the SEND Sufficiency Plan) and led by KCC. At any point when the need to establish any new provision is identified KCC will consult directly with the relevant area and/or district with clear parameters of what is required.
 - This activity is currently underway and will be reported on at a later date.

COMMUNITIES OF SCHOOLS

The Locality Model creates new structures for Kent SEN services and support to be accessed and delivered in a new way, which makes better use of local education, SEN expertise and resource (both financial and non-financial). Structures that are designed to increase the inclusion of children and young people with SEN in mainstream schools, so they can be educated with, and are able to access the same opportunities to education as their peers wherever possible.

In developing the proposal for a Locality Model, KCC engaged with various stakeholders. Between August 2022 and October 2023, KCC engaged with stakeholders via:

- Headteacher briefings and workshops
- School Funding Forum meetings
- High Needs Subgroup meetings
- Local Inclusion Forum Teams (LIFT) Executive meetings
- CATIE Steering Group meetings
- Specialist Teaching and Learning Service (STLS) workshops
- Meetings with Kent Parents and Carers Together (PACT), and
- District meetings with schools.

The process for developing the Locality Model was iterative, professionals involved in developing and defining our options consisted of KCC staff from education, finance, and SEN directorates, alongside leaders of education from KCC mainstream primary and secondary schools (selective and non-selective), single and multi-Academy Trusts, special schools, and free schools.

The principles of the Locality Model (shown below) were agreed with stakeholders in April 2023 and following democratic process in August 2024.

Overarching principles:

- Positive outcomes for children and young people
- Equity vs 'who shouts loudest'
- Incentivises schools to work together
- Improves capacity of schools/settings to meet needs
- Supports greater consistency in the quality of the mainstream offer
- Avoids unnecessary bureaucracy
- Financially sustainable

Principles for mainstream community working:

- Commitment to meeting needs in the area and achieving best possible pupil outcomes
- Prioritising the greatest need (vs advocating for own school)
- Willingness to support and challenge (and be supported/challenged!)
- Recognition of the impact of contextual factors not just levels of pupil need
- Active participation even when you don't have immediate need for support
- Effective use of all available budgets (delegated, devolved, community)
- Commitment to reducing reliance on additional resources wherever possible (so that these can be reallocated)
- Recognition of the need to respond to contingencies as they arise (and ensuring capacity available for this)
- Willingness to share good practice with/learn from other communities
- Commitment to equity/positive outcomes across the county as a whole

The Locality Model requires KCC, schools, the National Health Service (NHS), and other SEN service providers to work together more effectively to secure improvements. It aims to increase local knowledge, improve decision-making through greater collaborations, and improve the timely identification of resources required to support children and young people with SEN, and addresses needs identified under three of CATIE's priorities:

- Priority One: Supporting a school led system to deliver the highest quality core inclusive education,
- Priority Two: Providing additional intervention and support with engagement and integration, and
- Priority Three: Inclusive Education is part of a broader, holistic, and joined-up offer of support.

Proposals for the Locality Model were published for public consultation between 29 November 2023 and 24 January 2024. The consultation related to provision for children and young people of statutory school age (aged 5-16-year-olds) in mainstream primary and secondary schools, and for children attending sixth form in state funded schools.

As a result from the consultation responses, key improvement work is already underway on the development of a Continuum of Need and Provision. This will provide guidance for the levels of support and type of provision children and young people need to ensure equity in provision and decision-making. The majority of LAs have clear published thresholds and currently KCC does not have one definitive, agreed, document. We have accelerated this work which is described more fully in the section on the Continuum of Need and Provision.

Through the delivery of the "This is Me" project KCC is working with schools and health partners across Maidstone, using the suggested Communities of schools to explore utilising structures already in place at a local level (also a feature raised in the consultation responses).

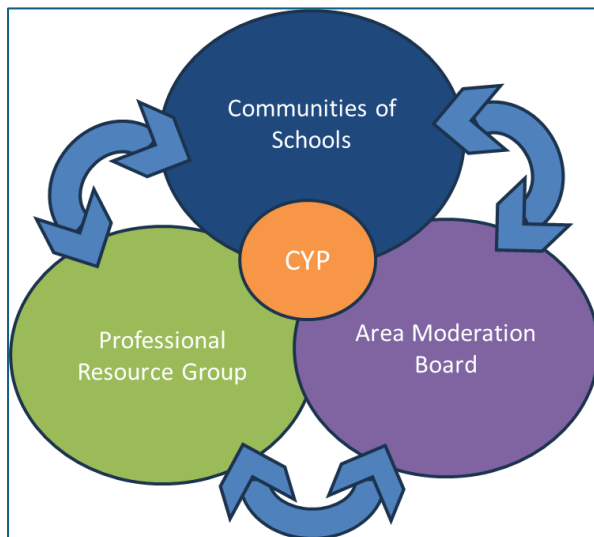
Since the consultation KCC has developed the first drafts of operating procedures, meeting terms of reference, proposed schedules, and roles and responsibilities for Communities of schools. We tested the drafts with Inclusion Champions (school leaders) in September 2024 and will further develop them in January 2025 with Community Chairs when recruited.

KCC recognises the importance of an agreed language across the county and also communicating consistently in a clear and understandable way to all relevant parties. As a result, the terms of 'predictable' and 'exceptional' needs are no longer being used. Kent has worked to provide a framework for consistent decisions to be made, making these decisions for children and young people more reliable and transparent. This led to the development of the Kent Continuum of Need

and Provision, linking with the SRP and Special School reviews, working collaboratively across these three projects is creating solid foundations for SEN support in Kent.

The call for more local specialist places is being supported within other areas of KCC's work, the Kent Sufficiency plan and explorations for increasing SRP places in the SRP review. Bids have been made to the DfE as part of the Safety Valve process and KCC were awarded two new special schools, one for Dartford/Swanley with 250 places and one for the coastal Herne Bay/Whitstable areas with 120 places. In addition to these places a new 120 place Special School and a 60-place special school satellite will also be opening on the Isle of Sheppey. The Sufficiency Plan identified inconsistent pathways from primary SLCN SRPs to secondary SLCN SRPs in 7 of Kent's 12 districts. We also have some SRPs which have been over-commissioned and are therefore looking for solutions. This may include designation changed or an increase in commissioned places to meet areas of need that are more prevalent. Area workshops and localised discussions with stakeholders will be taking place to identify further options for delivery.

Communities of schools have been agreed and they will have access to resources from the Professional Resource Group (previously called the Team around the Cluster) and overseen by Area Moderation Boards.



The Communities of schools were formed by first geographically mapping all Kent schools to the NHS Primary Care Network (PCN) boundaries. To sub-divide schools further, Lower super output areas (LSOAs) were then mapped in Kent, and final school groupings were formed from these and using the following criteria:

- A minimum of 8 and maximum of 14 mainstream schools per Community
- A Community should have at least 1 secondary school³
- If schools are removed from their 'home' PCN it should be due to their geographical proximity to another community group and/or the requirement to have 8-14 schools or both phases of education represented

This mapping exercise created 53 Community groups of mainstream schools in Kent. Nursery schools, Pupil Referral Units (PRUs) and Special schools are also mapped to a Community, but they are not required to attend the Community meetings as standing members. Where possible they include both primary and secondary schools to ensure they have a clear role in supporting transition arrangements for pupils. This will be achieved through a greater focus on SEN cross-phase collaborative planning within and between Communities. Schools will have greater knowledge of levels of need and interventions that have been effective at earlier education stages, with the aim of ensuring all children who can be educated in a mainstream setting are enabled and supported to do so. These schools will provide support to the mainstream sector via the Professional Resources Group.

The virtual Professional Resource Group will be developed over the coming months (previously called the 'Team around the Cluster'), they will provide the professional support and resources needed, to support a greater proportion of children and young people with SEN accessing a high-quality, inclusive education, within a mainstream setting in their geographical area (where this is appropriate to their needs). The group will consist of, and this is not an exhaustive list, School Nursing services, KCC Integrated Children's Services, Kent PRU and Attendance service, Kent SEND teams, STLS, special schools and SRPs.

CONTINUUM OF NEED AND PROVISION

The activities (outlined already, and again later on) in this report relating to the Communities of schools and Special School Review, detail the need for a 'specialist continuum' that would span all provisions to ensure clarity and consistency for the entire SEN system. This continuum would provide professionals with the guidance on levels of need and provision required to support learners with SEN, and also to inform descriptors that would support and inform a coherent funding model for the whole system.

With the removal of the use of the terms 'Predictable' and 'Exceptional' needs, questionnaires were sent to all mainstream and SRPs, STLS, Educational Psychology and SEN colleagues to guide how Kent should progress. Also, data collected in the special schools' review was analysed, with separate meetings held with Special Schools, to create a continuum for SEN that reflects Kent needs, with agreed terminology, in collaboration with mainstream, special schools and SRPs via a series of engagement events.

Over summer 2024 area-based workshops were conducted with schools and other key partners to further develop the continuum of need and provision which will inform Community working and the financial model Kent adopts. The engagement across the County was phenomenal, with more than 400 people attending the 4 individual area workshops and the additional 2 'mop-up' workshops.

The continuum is being modelled using research supported by the Education Endowment Foundation, the document does not intend to list all types of needs and provision but provides a starting point to understanding the breadth of needs that fall within SEND.

SPECIAL EDUCATIONAL NEEDS IN MAINSTREAM SCHOOLS

Plotting overlapping needs for pupils with SEND

The terms used within SEND are not universally agreed, either within legislation or by the individuals with those needs. However, the following terms and categorisations come largely from the SEND Code of Practice (2015) and are therefore a useful guide. This document is not an attempt to list all types of need, merely to provide a starting point to understanding the breadth of needs that fall within SEND.

Cognition and learning

This area includes moderate learning difficulties (MLD), severe learning difficulties (SLD), profound and multiple learning difficulties (PMLD) and specific learning difficulties (SpLD).

PMLD is when a person has a severe learning disability and other disabilities that significantly affect their ability to communicate and be independent. Someone with PMLD may have difficulties seeing, hearing, speaking and moving. They may have complex health and social care needs due to these or other conditions.

SpLDs include: dyslexia (difficulties with reading and spelling), dyscalculia (difficulties with number and calculation), and dyspraxia* (or 'developmental coordination disorder' - difficulties with motor planning). People with one or more SpLDs may have a 'spiky profile' of attainment, with areas of strength and areas of need.

Sensory and/or physical needs

This area includes sensory impairments, such as visual impairment (VI), hearing impairment (HI) and multi-sensory impairment, as well as physical conditions such as cerebral palsy. These children will usually access support from a specific local team, which may be a combination of education and health services.

These children do not necessarily have difficulties with their cognitive functioning, which may be average or above average.

Communication and interaction

This area includes speech, language and communication needs (SLCN), such as Developmental Language Disorder (DLD). A learner with SLCN may have difficulties with speech production, with understanding language, with using language to express themselves or with a combination of all three. It also includes difficulties with the social use of language.

Children with a diagnosis of Autistic Spectrum Condition, including Asperger's Syndrome**, will have needs in this area.

Children who find communication and interaction challenging may or may not also have difficulties with cognitive functioning.

Social, emotional and mental health

Challenging behaviours are displayed for many reasons, which may be indicative of underlying mental health difficulties (such as anxiety or depression) or emotional issues (such as attachment needs). Some children have conditions such as ADHD (Attention Deficit Hyperactivity Disorder) or ADD*** (Attention Deficit Disorder), which may affect their behaviours in school.

It is crucial to look for the underlying causes of any behaviour and/or emotional state, and aim to support these, rather than just dealing with the presenting behaviour.

For some children with SEMH needs, the nature of these difficulties will affect their successful access to the curriculum, either temporarily or in the long term.

All written feedback from the workshops was collated and analysed and used to inform the next stages of work to take forward the Continuum of Need and Provision. In general, the feedback from the workshops identified that there was "agreement with the principles"; a belief that this would be a "better way forward"; that people felt "optimistic" and "reassured" by what was shared and discussed, and that it represented an "exciting proposal".

The feedback received in the workshops was really helpful to shape the next steps and an expanded draft of the document was created as a result which has been shared at Communities of schools' meetings in early September and at various reference group meetings with school representatives. There will now be specific working groups for the following key aspects of the model to review and add the detail that is needed:

- Accessibility Strategy
- Infant Schools
- Grammar Schools
- Mainstream+ offer: AP (including PRUs) and SRPs
- SEMH
- Health and Social Care

A frequently asked question (FAQ) document is being compiled and periodically updated, this will be found on the [KELSI Locality webpage](#), and is attached as Appendix One. An updated version of the Continuum of Need and Provision will be shared ahead of finalising the model for use in schools from Spring 2025.

EARLY YEARS REVIEW

The Council has a statutory duty to ensure equal access for all children and young people to a sufficient, sustained market of high quality free early education and/or childcare provisions. In Kent, in 2022 (and remains so currently), early education and childcare is delivered through a diverse market, including a local authority-maintained nursery, state funded mainstream schools and academies with nursery units, Private Voluntary and Independent (PVI) nurseries, and childminders who operate as individual businesses and are therefore subject to market forces.

From an education perspective, most Early Years (EY) services are provided by The Education People (TEP). TEP is KCC's traded company (LATCo) that also provides school improvement teams, supported employment and other educational services as part of its core contract, managed within CYPE. Support services are also provided by the Council itself and Kent's special schools, as illustrated below.



Following a comprehensive review of EY education in Kent, undertaken at the request of Director of Education and SEND, and a full public consultation these services will evolve to form a revised model of support to EY settings in Kent that supports a more clearly defined Graduated Response of support for settings.

The Graduated Response refers to the implementation of strategies and interventions at a Universal, Targeted and Specialist level in a mainstream setting. Each level of strategy must be implemented, and the outcomes assessed through a “plan, do, review” cycle. Implementation of a Graduated Response with limited success must be evidenced to access Special Education Needs Inclusion Funding (SENIF).

The provision of SENIF is itself a statutory funding scheme. All LAs are required to have SENIF and must fund it themselves from the EY funding block of the DSG, the HNB of the DSG or a mixture of both. In Kent, SENIF is currently funded through the HNB. SENIF funding can be requested:

- for a child attending a Kent setting, a registered Kent childminder, or registered Kent Out of Hours provider and SENIF criteria is met (see below)
- for a maximum of 30 hours per week pro rata on attendance and eligibility for the Free Early Education Entitlement (FEEE)
- when the child is in receipt of FEEE for three- and four-year-olds in line with the Headcount dates.

Full reports regarding the review are available via the following link: [Agenda for Children's, Young People and Education Cabinet Committee on Tuesday, 16th January, 2024, 10.00 am](#) (Agenda Item 12, p.265 – 276)

The following key issues with the current arrangements were identified in the review and it was agreed future commissioning intentions would seek to address these:

A lack of inclusive culture

- Although there were examples of good inclusive practice in EY, this was not universal and the ability of settings to be inclusive was restricted by staff turnover, lack of knowledge and confidence in supporting children with SEN, lack of adequate funding and even restrictions with physical space. Consequently, children with SEN may struggle to find childcare places.

- The sector felt that they were not considered equal to their school age counterparts. KCC need to create a positive culture of recognition of the role of EY workforce, including childminders, as educators, on a par with their school counterparts.

A disjointed system

- KCC has a duty of ensuring there is sufficient SEN provision for all phases of education. It was unclear to what extent that a comparable process was in place for EY. Specifically, it was unclear how the current sufficiency planning considers SEN in EY planning and how this intelligence was used to influence planning for areas where there were deficits.
- SENIF funding does not continue with the child into Year R, although this is still considered EY provision. This meant that there was often a gap between SENIF funding and HNF for the child in Year R, impacting on the support received in school for the same child.

Too much bureaucracy

- KCC invests significant levels of funding in services and interventions to support EY settings in Kent, specifically in relation to promoting inclusive practice. Activity data clearly demonstrated increasing demand for these services, but with minimal evidence of impact beyond anecdotal feedback.
- The system is too bureaucratic, families must tell their stories more than once and providers must complete multiple processes to access support and funding.
- For example, the Graduated Response required to access SENIF has at least three different application processes which require significant and often duplicated information. The process of application coupled with waiting time for the required resources can result in up to six months before support is in place.
- Specialist Nursery Intervention is a valued service experiencing increases in demand, but some stakeholders described the referral process as 'patchy', 'number crunching' and 'an admin decision'.
- Access to support might be time limited, delayed and create an expectation for a specialist rather than mainstream pathway.
- Settings do not have capacity to build capacity, skills and confidence through structured training, focus needs to be on flexible, independent learning such as Dingley's Promise and mentoring or role modelling of strategies and interventions by professional resources i.e. more 'boots on the ground'.

A public consultation was undertaken between 11 March and 5 May 2024, lasting for eight weeks. The proposals presented in the consultation outlined five overarching recommendations and described how a revised model of Universal, Targeted and Specialist support could work in the future to create the improvements required to address the review findings. In addressing these issues, the revised model would improve outcomes for young children by increasing the capacity of professionals to undertake more direct work with children, upskill and build confidence with EY educators in relation to SEND and reshape resources, pathways and processes to enable earlier identification of need.

The consultation received 237 responses. 51% of these were from professionals responsible for or employed to work in an EY education setting (including nurseries and childminders) with children aged 0-5 and their parents and families in Kent. Of this group, most respondents were nursery owners/managers or nursery Special Educational Needs Co-ordinators (SENCOs). The consultation identified recommendations about how EY education in Kent should be provided in the future and key changes to the existing model of Universal, Targeted and Specialist support for EY settings, alongside a revised process to apply for SENIF, that would collectively address issues identified within the review. Having considered feedback from the consultation, the revised model of Universal, Targeted and Specialist support to be implemented is outlined below.

At a Universal level, the Early Years and Childcare Service (EYCS) will move to a Link Worker model, providing universal support and removing the need for settings to self-refer to the service.

Removing the need for self-referrals will enable the service to work more proactively with all settings across the county to embed universal strategies and practice, laying the foundation for that cultural shift to occur. Removing the requirement for self-referral will enable the service to provide a truly universal offer, rather than being SEND focused and will support earlier identification of need. More consistent implementation of universal strategies will benefit all vulnerable children, not only those with SEND.

The current model does not have dedicated support for targeted interventions as part of its graduated response. The revised model will see SENIF Practitioners moving into this space and focusing on delivering targeted support within settings for individual children. This will address the gap and create a more structured pathway of support, preventing children escalating from universal to specialist support where unnecessary. SENIF Practitioners work in settings alongside EY educators to role model and demonstrate strategies, building their confidence and understanding of supporting children with SEND.

Within the revised model, Specialist Nursery Intervention will continue to work with individual children and will provide support directly to children in their mainstream settings without the need for the child to attend a special school setting, as is (predominantly) the current model. This will remove the need for additional transitions for some of our most vulnerable children (an issue associated with the current model identified within the review). This approach will remove the requirement for children to wait, sometimes up to two terms, for a place to be available in the special school setting and enable children to receive support required sooner. Similar to the SENIF practitioners, this approach will enable Specialist Nursery Intervention staff to work alongside EY educators to role model and demonstrate strategies that support children who need specialist interventions, upskilling those educators and building their confidence in supporting children with SEND in a mainstream setting.

Sitting alongside the revised model will be a core offer of training available to settings and childminders that has been designed with input from settings themselves. This will address issues identified within the review related to the training currently available. For example, EY settings being unclear where to source training from, which training to prioritise within a limited budget and challenges associated with staff accessing training at the time and in the format provided. Training will address this key issue identified within the review and support the shift towards a more inclusive culture.

Revised process for SENIF

The process to apply for SENIF will change and will be streamlined to remove much of the bureaucracy within the current process. Those applying for funding will still have to demonstrate they implemented a graduated response of universal, targeted and specialist support and additional resource (SENIF) is required to meet the needs of individual children, but settings will be able to provide this themselves without relying on evidence provided by other professionals. For example, children will no longer need to be open to the Specialist Teaching and Learning Service to receive SENIF and Specialist teachers from this service will no longer be required to provide evidence as part of the SENIF application process.

This revised approach will involve the use of a single application process through which the required evidence can be submitted and allow the use of existing iterative plans and documents. These changes will mean SENIF can be accessed more quickly and efficiently for those who need it, recognise the professionalism, skills and knowledge of early educators and build capacity within the system for professionals to spend more time working directly with children by reducing the requirement for them to provide evidence.

The above change means settings who are more confident and experienced may be less reliant on the support available through the revised model of universal, targeted and specialist support,

further freeing up capacity. For those settings less confident, this support will be available to them and training in the revised process will be provided as part of the core training offer.

Overall, the implementation of the revised model will reduce bureaucratic processes, improve the universal offer of support for all children and create clearer pathways for children, ensuring earlier identification of need and access to the right support.

EY funding is not in scope of this consultation and will continue to be funded as per the outcomes of the EY review.