

# KENT COUNTY COUNCIL –RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Rory Love, Cabinet Member for Education and Skills

**DECISION NO:**

24/00027

For publication *[Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]*

**Key decision:** YES

**Subject Matter / Title of Decision - Specialist Nursery Intervention Service Level Agreement Extension****Decision:**

As Cabinet Member for Education and Skills, I agree to:

A) Extend the existing Service Level Agreements for Specialist Nursery Intervention for one year from 1 September 2024 to 31 August 2025

B) Delegate decisions and necessary actions, including the award and the implementation of the extensions, to the Corporate Director for Children, Young People and Education, or other Officer as instructed by the Corporate Director for Children, Young People and Education, in consultation with the Cabinet Member.

**Reason(s) for Decision:**

- Decision required because total value will exceed £1m and impact all districts of the Local Authority.

**Background**

This decision brings forward an element of the Early Years Review, presented to CYPE Cabinet Committee in January 2024, specifically the decision to extend the existing Specialist Nursery Intervention Service Level Agreements for one year.

The Specialist Nursery Intervention focuses on the identification and assessment of young children, aged five years and below, with Special Education Needs and Disabilities (SEND). Children attend the specialist nursery setting on average for nine hours a week for two terms, whilst also attending their existing mainstream setting. This equates to three, three-hour sessions a week (or average nine hours in total per week). This can be extended if required. There are three intakes a year. If children are referred and accepted, they will typically have to wait until the start of the next term to attend.

A refreshed model of universal, targeted and specialist support for Early Years education in Kent has been subject to a public consultation that closes on 5 May 2024. One of the proposals outlined in the consultation is that the Specialist Nursery Intervention will continue to work with individual children but 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 support children to develop skills within their mainstream setting and build confidence within that setting to support them. Specialist nursery places will still be available for children to go to who need specialist support for a prolonged time, however the process for agreeing these placements will change and will be

determined by a multi-agency team who work with and understand the needs of the child.

The current Specialist Nursery Intervention Service Level Agreements (SLA) expire 31 August 2024. An extension of the existing SLAs for one academic year (from 1 September 2024 to 31 August 2025) is required to ensure continuity of support and minimise disruption to children, their families and the settings that support them while any potential change to the model, determined by the outcomes of the public consultation, can be implemented for 1 September 2025.

### **Securing Kent's Future – Budget Recovery Strategy**

The proposal to implement a refreshed model of Specialist Nursery Intervention will support Framing Kent's Future Priorities 1 and 4 as outlined below:

**Priority 1:** Levelling Up Kent and our commitment to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families, specifically: maintain improvement support services for all Kent schools, including maintained schools and academies, to maintain Kent's high-quality education system.

**Priority 4:** New Models of Care and Support and our commitment to support the most vulnerable children and families in our county, specifically by responding to national policy changes on SEND provision, work with SEND families to rapidly improve the service provided to SEND children and work with mainstream schools so more can accept and meet the needs of children with SEND, increasing choice and proximity of school places.

While both above priorities only reference schools directly, it is reasonable to extend the application of these principles to the earliest years of children's education provided through early years settings and childminders.

These actions will support Securing Kent's Future by:

- Supporting Objective 1 in bringing the 2023-2024 budget back into balance through cost avoidance achieved by supporting more children in mainstream schools from the outset of their statutory education and avoiding the use of non-maintained independent special school placements.
- Further transforming the operating model of the Council (Objective 4) by making processes less time-consuming and bureaucratic we can free up our resource to focus on working directly with children and the providers that support them. A greater focus on understanding and demonstrating impact will enable more effective decision making about how and where to focus the use of resources.

### **Consultation**

The proposal to implement a refreshed model of Specialist Nursery Intervention is out for public consultation as part of the Early Years Education in Kent consultation. This consultation closed 5 May 2024.

The proposal to extend the existing SLAs in order to enable to implementation of any agreed new model is not subject to public consultation.

### **Equalities Assessment**

An Equalities Impact Assessment has been completed as part of the Early Years public consultation. This will be updated following the completion of the public consultation.

### **Financial Implications**

Spend on the Specialist Nursery Intervention was £1,829,409 (2022 – 2023) and £1,908,074 (2023 - 2024).

It is proposed that a 2% increase is applied for 2024-2025, therefore the cost would increase to £1,946,235.

This is funded from the High Needs Block of Dedicated Schools Grant provided by the Department of Education. Spend is reported within the Schools Delegated Budget key service line presentation of the 2024-2025 Medium Term Financial Plan. This is not a direct cost to the General Fund.

#### **Data Protection Impact Assessment**

Data protection implications will be considered for the development of any new SLAs that are implemented from September 2025 onwards, pending the outcome of formal public consultation.

#### **Cabinet Committee Recommendations and Other Consultation:**

This decision was considered at the meeting of the Children's, Young People and Education Cabinet Committee on 16 May 2024. Following discussion, the recommendations were agreed.

#### **Any Alternatives Considered and Rejected:**

Two further options were considered in relation to the proposal to extend the current SLAs for one academic year.

These were:

- Do not extend the SLAs
- Submit the proposal to extend the SLAs in July 2024 alongside the outcomes of the public consultation.

The option to not extend the SLAs was considered and ruled out for the following reasons:

- negative impact on children and their families of ending the service.
- the need to have a service in place as an interim measure while a refreshed model is implemented, supporting continuity of support for children and their families.
- ending the SLAs a year before a potential new model is implemented would result in loss of staff and the associated skills, knowledge and experience.
- ending the SLAs would mean that if a refreshed model is agreed a new process would need to be undertaken to identify new providers, who would then need to recruit staff and mobilise the new service – creating a delay in implementation of any refreshed model.

The option to submit the proposal to extend the SLAs in July 2024 alongside the outcomes of the public consultation was considered and ruled out. The two primary reasons for this are:

- referrals for a new intake of children into the service for term one of 2024-2025 academic year begin end May 2024. Delaying the decision to extend the SLAs until July would impede this process creating uncertainty for children, their families and the nurseries themselves.
- The governing bodies of schools holding the SLAs will need sufficient time to consider and agree signing the extension. Headteachers of these schools have told us that the time between when a decision taken in July could be implemented and when the school term ends, does not leave enough time for this process to be completed.

**Any interest declared when the decision was taken, and any dispensation granted by the Proper Officer:** None

*Romy Love*

13/06/2024

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signed

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date