

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Rory Love, Cabinet Member for Education and Skills

DECISION NO:

24/00061

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: Early Years Review: Implementation of a revised model of Early Years Education in Kent.

Decision:

As Cabinet Member for Education and Skills, and in consultation with the Cabinet Member for Integrated Children's Services, I agree to:

- A) Approve the implementation of a Revised Model of Early Years Education in Kent, including a revised process to apply for Special Education Needs Inclusion Funding (SENIF)
- b) Delegate authority to the Corporate Director for Children, Young People and Education, to take relevant actions, including but not limited to entering into relevant contracts or other legal agreements as required, including Service Level agreements (SLAs), to implement this decision

Reason(s) for Decision:

A detailed review of Early Years education provision in Kent was undertaken. The recommendations from that review outline the requirement to implement a revised model of universal, targeted and specialist support for early years settings, including a revised process for SENIF.

Background

In November 2022, the Director of Education and SEND requested a comprehensive review of Early Years education in Kent. Findings of the review were presented to the Children, Young People and Education Cabinet Committee on 16 January 2024.

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=894&MId=9301&Ver=4>

A public consultation commenced 11 March and ended 5 May 2024. The proposals set out within the consultation aimed to address three areas identified as creating barriers to the greater inclusion of children with Special Education Needs and Disabilities (SEND) in mainstream Early Years settings (including nursery settings and childminders). These were: lack of inclusive culture, disjointed services and bureaucratic processes. A total of 237 responses were received which is considered a good response rate.

Feedback from the review and consultation identified the need to implement a revised model of universal, targeted and specialist support for Early Years settings, including a revised process for SENIF. The key changes to be implemented through the revised delivery model will improve outcomes for young children by increasing the capacity that support professionals have to undertake

more direct work with children and reduce waiting times, to upskill and build confidence with Early Years educators in relation to SEND and to reshape resources, pathways and processes to enable earlier identification of need. The key changes as part of the revised delivery model include:

1. 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.
2. SENIF Practitioners to focus more on delivering targeted support within settings for individual children.
3. Specialist Teachers from the Specialist Teaching and Learning Service will no longer be required to provide evidence of level of need as part of the SENIF process.
4. 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.
5. The process to apply for SENIF will change and move away from settings being reliant on additional evidence provided by professionals.
6. There will be a core offer of training available to settings and childminders to be designed with input from settings themselves.

Securing Kent's Future – Budget Recovery Strategy

The proposal to implement a refreshed model of universal, targeted and specialist support for Early Years settings and a revised process for Special Education Needs Inclusion Funding (SENIF) 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 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 supporting 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

A public consultation was undertaken in relation to these proposals. The consultation commenced 11 March and ended 5 May 2024. 237 responses were received which is considered a good response rate. A detailed analysis of the responses to the consultation was published.

Equalities Assessment

An Equalities Impact Assessment was completed as part of the Early Years public consultation.

Key issues identified from the public consultation are:

- children with English not their primary language need to be able to access services.
- cultural issues meaning parents do not want to acknowledge their children have SEND.
- impact on staff delivering Specialist Nursery Intervention if they need to move to an outreach model.

The following mitigating actions were identified in relation to the above:

- This will be considered within the implementation of the model.
- The move of Early Years and Childcare Service to a link worker model within the revised model will ensure more robust universal practice is embedded within settings meaning children with SEND can be identified earlier and discussions had with parents sooner.
- In relation to the outreach model of SNI, each school will need to consider the individual needs of their staff in relation to implementing this model.

Financial Implications

Current spend on staffing resources and structures within the scope of this review totalling approximately £8.6m are set out below. This is in addition to the SENIF funding of approximately £2.0m paid directly to Early Years providers.

In relation to Specialist Nursery Intervention, the value of a five-year SLA will be a minimum £9,731,175, based on the level of funding awarded for 2024–2025.

Consideration should be given to implementing an annual inflationary increase to the SLA for each of its five years in accordance with the Council's budget planning processes and in line with any inflationary increases made to special school funding.

All spend is funded from the ring-fenced Dedicated Schools Grant provided by the Department of Education and not from wider council funding (i.e. General Fund). Any additional funds required to meet extra costs generated from additional demands (including from the extension of the free entitlement) is expected to be fully funded grant in line with affordability.

Data Protection Impact Assessment

Data protection implications will be considered as part of the implementation of the revised model, specifically in relation to the development of referral pathways and funding applications processes.

Cabinet Committee Recommendations and Other Consultation:

This decision will be considered at the meeting of the Children's, Young People and Education Cabinet Committee on 9 July 2024.

Any Alternatives Considered and Rejected:

For each recommendation and proposal identified within the Public Consultation, the option to not implement the proposal was considered and dismissed.

All proposals and key changes presented for consultation received a majority of agree responses when strongly and tend to agree responses were combined. Additional consideration was given to the proposed revised model for Specialist Nursery Intervention given the small majority of agree responses and the concerns raised. The two main concerns raised in relation to this model were that

specialist nurseries would be closed and some children cannot be supported in mainstream settings. Under the proposal, however, children who require specialist support will be able to access this while in their mainstream settings and those children who require prolonged support in a specialist setting will still be able to access this. Therefore, the recommendation is to proceed with the implementation of the proposed model.

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

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signed

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date