

From: Sarah Hammond, Corporate Director of Children, Young People and Education

To: Rory Love, Cabinet Member for Education and Skills

Subject: Specialist Nursery Intervention Service Level Agreement Extension

Key decision: 24-00027

Classification: Unrestricted

Past Pathway of report: N/A

Future Pathway of report: Cabinet Member decision

Electoral Division: All

Summary: This report brings forward an element of the Early Years Review, presented to CYPE Cabinet Committee in January 2024, to allow sufficient timescales to phase in potential change for Specialist Nursery Interventions.

Recommendation(s):

The Cabinet Member for Education and Skills, in consultation with the Cabinet Member for Integrated Children's Services, is asked to 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.

1. Introduction

1.1 In November 2022, the Director of Education and SEND requested a comprehensive review of Early Years education in Kent. This was presented to the Children's, Young People and Education Cabinet Committee in January 2024. Following the public consultation, a further report will be presented to the Cabinet Committee in July 2024.

1.2 The scope of the review was to:

- Understand the quality and impact of the early years childcare and education provision in Kent, especially in relation to SEND and inclusive practice.

- Understand the quality and impact of the different elements of that provision, including processes and systems associated with the allocation of funding and resources.
- Understand the total investment from Children, Young People and Education (CYPE) in the provision.
- Understand how it all fits together.
- Provide evidence-based recommendations about future developments of the provision.
- Provide evidence-based recommendations that can be incorporated into a strategy for early years education in Kent.

1.3 This report brings forward a proposal to extend the Service Level Agreements for the Specialist Nursery Intervention for a further year, to allow for the required timescales for the review of a new SLA to include potential changes to be implemented, as determined by the outcome of the Public Consultation.

2. Current provision and context

2.1. Kent County Council (KCC) commissions the Specialist Nursery Intervention from 11 Special Schools across the county through SLAs that expire on 31 August 2024. The service focuses on the identification and assessment of children with SEND.

2.2. The public consultation for Early Years Education in Kent commenced on 11 March 2024 and ends on 5 May 2024. [Early Years Education in Kent – supporting settings to embed inclusive practice | Let's talk Kent](#)

2.3. The consultation is seeking views on five key recommendations identified in response to issues and challenges identified within the Early Years Review.

2.4. It is also seeking views on six proposals related to how a refreshed model of universal, targeted and specialist support could work differently in the future. These proposals aim to address concerns identified within the review relating to levels of bureaucracy within the current system, freeing up capacity within existing resources to provide more direct support to young children in their early years settings and supporting earlier identification of need.

2.5. It includes the following proposal in relation to the Specialist Nursery Intervention:

- The 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 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, and 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.

2.6. Pending the outcome of the public consultation, a one-year extension of the existing SLAs would be required to implement any proposed changes to the current model. It was originally intended that agreement to do this would be sought at the Children, Young People and Education Cabinet Committee in July 2024, alongside recommendations for Key Decisions in relation to the refreshed model. However, headteachers of schools holding the current SLAs have raised concerns in relation to this timeline due to the following factors:

- decisions related to the Specialist Nursery Intervention intake for Term 1 of 2024-2025 academic year would need to take place prior to a decision being made in July.
- a decision to extend the SLAs made in July would not allow sufficient time for their school governing bodies to consider and agree (or not) the SLA prior to the end of term.

2.7. Therefore, agreement to extend the SLAs is being sought now, ahead of a Key Decision related to a future model, which will be presented in July 2024 following the period of public consultation.

3. Commissioning Intentions

3.1. If agreed, the current SLAs would be extended for one year from 1 September 2024 to 31 August 2025.

3.2. If a change to the existing model is agreed, following the public consultation, a new SLA would be developed as part of an implementation plan. A one-year extension would be sufficient to ensure that any changes to existing services are implemented by 1 September 2025.

3.3. Any future activity will be considered within the strategic context of:

- The Council's commitment in discharging its statutory duty for children and young people with SEND.
- The Council's drive for greater inclusion of children with SEND in mainstream settings and schools as outlined in the Countywide Approach to Inclusive Education (CATIE).
- Framing Kent's Future
- Securing Kent's Future
- Delivery of the Safety Valve and the Accelerated Progress Plan (APP).

3.4. These actions will support Framing Kent's Future through:

- 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 is to support the most vulnerable children and families in our county, ensuring our social work practice supports manageable caseloads, reflective learning, joined up

safeguarding and effective corporate parenting arrangements, specifically:
Respond 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.

- 3.5. While both of the above priorities apply directly to schools, it is reasonable to extend the application of these to the earliest years of children's education provided through early years settings and childminders.
- 3.6. 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.

4. Other Considerations

- 4.1. As noted above, the outcomes of the public consultation in relation to the Early Years review will be presented to this Committee in July 2024. The option to seek agreement to extend the existing specialist nursery intervention service levels agreement at the same time 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 SLA until July would impede this process creating uncertainty for children, their families and the nurseries themselves.
 - The governing bodies of schools holding the SLA 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.

5. Financial Implications

- 5.1. Spend on the Specialist Nursery Intervention was £1,829,409 (2022–2023) and £1,908,074 (2023-2024).
- 5.2. It is proposed that a 2% increase is applied for 2024-2025, therefore the cost would increase to £1,946,235.
- 5.3 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.

6. Legal implications

6.1. The current SLAs would be extended using the same terms and conditions that the schools have already agreed to. Legal advice will be sought on any future SLA.

7. Equalities implications

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

8. Governance

8.1. Accountability for statutory functions in relation to Sufficiency and SENIF, Safety Valve and Accelerated Progress Plan sits with Corporate Director for Children, Young People and Education. Responsibility sits with the Director for Education and Special Education Needs.

9. Conclusions

9.1. A detailed review of Early Years education provision in Kent has been undertaken and several proposals related to a refreshed model of universal, targeted and specialist support are currently under public consultation.

9.2. One of these proposals relates to the Specialist Nursery Intervention service. The SLAs for this service end on 31 August 2024.

9.3. A one-year extension of the current SLA is required to implement a future model.

9.4. The extension is being requested ahead of any Key Decision in relation to the future model to ensure that the intake of children into the service for Term 1 of 2024-2025 academic year is not negatively impacted and to enable sufficient time for governing bodies of SLA holding schools to agree to signing the SLA for a further year.

10. Recommendation(s):

10.1 The Cabinet Member for Education and Skills, in consultation with the Cabinet Member for Integrated Children's Services, is asked to 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.

Background Documents

EQIA

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