

Name of meeting: 25th February 2020

Date:

Title of report: Early Education and Childcare Special Education Needs & Disabilities (SEND) Inclusion Funding Policy

Purpose of report: To approve the SEND Inclusion Funding Policy (SENDIF)

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	YES
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Yes 31 st October 2019
The Decision - Is it eligible for call in by Scrutiny?	YES
Date signed off by Strategic Director & name	Mel Meggs – 27 th January 2020
Is it also signed off by the Service Director - Finance, IT and Transactional Services?	Eamonn Croston 17 th February 2020
Is it also signed off by the Service Director - Legal Governance and Commissioning?	Julie Muscroft (John Chapman) 17 th February 2020
Cabinet member portfolio	Give name of Portfolio Holder Cllr Carole Pattison – Learning and Aspiration

Electoral wards affected: All

Ward councillors consulted: N/A

Public or private: PUBLIC

Has GDPR been considered? Yes

1. Summary

Funding for support for children with SEND attending early years settings was one of the areas subject to a public consultation in September/October 2017 which related to changes to support and transport for disabled children, adults and older people. The consultation considered whether inclusion support for children with SEND in early years settings provided by the Access Fund should be restricted by linking it with only statutory hours for childcare. The consultation responses were overwhelmingly against this proposal with concerns cited across a number of key themes including:

- Lack of fairness and equity
- Negative impact upon child development and progress
- Reduced opportunity for children with SEND to be fully included in childcare settings, reduced access to childcare provision
- Added costs later on if not investing at the earliest stage
- Negative impact upon parent/carer ability to take up work
- Parent/carer wellbeing and financial stability as a result of decrease in hours worked or additional costs if working beyond statutory childcare hours.

Further information on the consultation findings can be found in the full consultation report www.kirklees.gov.uk/SupportTransportDisability.

The results of this consultation and subsequent proposals were discussed at Cabinet on January 23rd, 2018 and rather than restricting the funding to statutory hours only, the decision made was to invest in early years specialist outreach support as part of the early help offer and that work commence to determine the investment strategy for capacity building in the Access Fund.

As a consequence of the scoping exercise and subsequent funding decisions made in relation to increasing capacity within the Early Years Special Education Needs (SEN) team, the policy relating to early years SEND funding for inclusion needs to be considered.

The SENDIF Policy has been produced with statutory guidance in mind including 'Early education and childcare – statutory guidance for local authorities' (June 2018) and 'Early years entitlements; local authority funding of providers – operational guidance' (2019-20).

2. Information required to take a decision

2.1 Background

Following the decision taken by Cabinet in January 2018, additional budget requirements for the Early Years SEN team moving forwards were scoped in line with the new requirements for all local authorities to have a SEND Inclusion Fund for all 3&4 year olds with special educational needs who are accessing their free early entitlement. The free early entitlement for 3&4 year olds is 15 hours per week over 38 weeks per year with up to an additional 15 hours per week for parents/carers who are working or in training.

The SEND Inclusion Fund (**SENDIF**) is to support early years providers in meeting the needs and supporting the inclusion of individual children with SEN and/or a disability. SENDIF is for emerging and lower level needs whereas those children with complex SEND are funded through an Education, Health and Care Plan. As with other elements of early years funding, SENDIF applies to children taking up their free early entitlement in any local authority. In Kirklees, SENDIF is also available for those 2 year olds who meet certain criteria which mean they are eligible for a free early entitlement of 15 hours per week.

Given Cabinet's decision in January 2018, Kirklees Council continue to have an enhanced non-statutory offer (**SENDIF+**) for Kirklees parents/carers who are working. This reflects Kirklees Council's continued commitment to ensuring that Kirklees children have the best start in life through promoting early support and making sure that Kirklees working parents and carers of young children with SEND are not disadvantaged in relation to incurring additional costs or experiencing difficulties with locating a setting for their child. This means that SENDIF+ can be requested for 0-2s where parents/carers are working as well as 3&4 years olds where work commitment exceed the 30 hour free entitlement.

The development of the SEND Inclusion Funding Policy has been determined with reference to ensuring compliance with statutory guidance and is underpinned by the Council's commitment to early support.

The policy sets out the parameters around access to SENDIF and SENDIF+ and provides clarity to early years providers and parents/carers.

3. Implications for the Council

3.1 Working with People

The policy allows parents and carers of children with SEND to access employment on the same basis as any other parent/carer. It guards against disability discrimination in that it ensures there are no barriers to children with SEND taking up their early education offer. The SEND Inclusion Funding Policy supports parents and carers in becoming financially independent and to have the same opportunities to access work which in itself, has a positive impact upon mental health and well and being.

3.2 Working with Partners

SENDIF and SENDIF+ funding enables partners delivering the free early entitlement and childcare beyond this to ensure that children with SEND are included in mainstream early years settings. This supports providers in meeting their responsibilities in relation to statutory government guidance.

3.3 Place Based Working

The SENDIF policy sets out the parameters and process within which early years settings can apply for inclusion funding for young children with SEND. This enables settings to plan provision in accordance with parent/carers needs in relation to childcare.

3.4 Climate Change and Air Quality

The policy enables support to be available within all local mainstream early years settings meaning that parent and carer can access local provision which reduces the need for any unnecessary travel.

3.5 Improving outcomes for children

Investing in early years by ensuring access to additional support to promote learning and inclusion will have clear benefits to outcomes for children promoting the best start in life.

3.6 Other (e.g. Legal/Financial or Human Resources)

The budget for SENDIF, including DSG contributions, and excluding EY SEN team staffing, over the last few years, was as follows:

	2016/17	2017/18	2018/19	2019/20
	£	£	£	£
Council budget	401,200	2,850	428,700	723,700
DSG - High Needs	50,000	50,000	50,000	50,000
DSG -Early Years (3 & 4 year olds)	0	50,000	50,000	50,000
DSG - Early Years (2 year olds)	125,000	125,000	125,000	0
	<u>576,200</u>	<u>227,850</u>	<u>653,700</u>	<u>823,700</u>

Historically the council budget has been around £400k, this was taken out in 17/18 and reinstated in 18/19.

19/20 saw an increase of £295k in the council budget, this being the SENDIF's share of the overall £420k investment put in for this year for EYSEN Support.

The SENDIF fund for 2019/20 is overspent by approximately £400K. The overspend has been increasing year on year as a result of an increase in volumes of requests along with increasing levels of complexity of need along with the extension of the free early entitlement for working parents from 15 to 30 hours.

In light of the additional pressures placed on the fund as a consequence of the requirement to extend it to include support for those 3&4 year olds who are taking up their free early entitlement in school-based nurseries, this over spend is highly likely to increase over the next financial year. However, the Early Years SEN team have been recently strengthened by an increase in capacity which will extend the service offer and enable a firm focus to be placed upon upskilling the workforce across all early years providers and this, alongside the delivery of the new national training programme for Early Years SENCOs, should reduce demand on SENDIF moving forwards and mitigate the risks of costs increasing. Whilst it is difficult to predict what the increase in overspend is likely to be without knowing the impact of the increasing numbers netted off against the mitigating factors, expenditure will be monitored throughout the year and any significant increases will be highlighted.

4. **Consultees and their opinions**

This Policy has been approved by Children's Services SLT.

5. **Next steps**

Following approval by Cabinet the Policy will come into effect in April 2020.

6. **Officer recommendations and reasons**

The SEND Inclusion Funding Policy provides an opportunity to both action the outcomes of the Access Fund element of the consultation on proposed changes to support for disabled children, adults and older people in 2017 and subsequent decision taken by Cabinet on January 23rd, 2018, to continue to provide inclusion

funding for children with SEND attending settings beyond the free statutory entitlement where parents/carers are working.

7. **Cabinet portfolio holder's recommendations**

That the Special Educational Needs and Disability Inclusion Fund (SENDIF) Policy be approved as a reflection of the Council's commitment to supporting children to have the best start in life and supporting parents and carers of children with SEND by reducing barriers to access employment.

8. **Contact officer**

Jayne Whitton - Principal Educational Psychologist

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9. **Background Papers and History of Decisions**

Kirklees Early Years Special Educational Needs & Disability Inclusion Fund (SENDIF) and Early Years SEND Childcare offer 0-4 (SENDIF+) Policy and Guidance for all Mainstream Early Years Providers (Appended)

Key Decision Notice (Appended)

SLT Children's – 17/12/19 Approved

Portfolio Holder Briefing - Approved

10. **Service Director responsible**

Jo-Anne Sanders – Service Director – Learning & Early Support