

Our Recommendations: A Call to Action



Workforce Development

- Content for the new EYE course will ensure all newly qualified educators have the practical knowledge and confidence to include children with SEND in mainstream settings.
- Mandatory induction training for early years educators, covering the knowledge they need to support the inclusion of children with SEND.
- Access to ongoing refresher training to maintain high quality inclusive practice throughout early years educators' careers.

Funding for Inclusion

- Unlink Disability Access Funding from the Disability Living Allowance to allow funding to be accessed earlier and more easily for those who need it.
- Simplify Special Educational Needs Inclusion Funding processes, ensuring they cover a child's whole entitlement (including under 2's), to increase access to early education and allow settings to provide the right support at the right time.
- Ring fence High Needs Block funding for children with high needs in the early years, to ensure that needs can be met effectively in settings and that specialist resource can be brought in at the earliest time, to have the greatest possible impact.

Sufficiency of Places

- Include meaningful data on SEND sufficiency in Child Sufficiency Assessments, enabling local authorities to understand the gaps and plan effective early years provision for all children.
- Local authorities must actively engage with parents to understand if settings are turning children with SEND away.
- Train Ofsted inspectors to prioritise inclusion in their judgements, making settings aware that this is a key factor in gaining a positive inspection outcome.



Manifesto for Early Years Inclusion

It is widely agreed that every child should be given the best start in life, regardless of their needs or background. The earliest years have the greatest impact on life outcomes, and so we need to have a system that effectively supports the needs of a wide range of children with SEND, allowing them to thrive in education and reach their full potential.

The key issues in our current system are that:

- Funding to support children with SEND is difficult to access, is not given in a timely manner and is often not sufficient to enable settings to support children fully.
- Skills and knowledge of early educators in inclusive practice is lacking, and as such there is a lack of confidence in supporting children with SEND in an inclusive environment.
- Families are losing faith in the education system at the earliest point because they are either having bad experiences in settings, or being turned away completely.
- Settings are overwhelmed with rising numbers of children with SEND and there are insufficient places across the country something that will only worsen when the new entitlements are introduced.

If we introduce the recommendations in this paper, we would expect to see:

- A more confident and knowledgeable workforce with reduced levels of workplace stress
- Responsive funding that meets needs quickly and effectively, and takes financial pressure off settings
- Clear local authority knowledge of sufficiency that allows for effective place planning and provision
- A rise in parent confidence as the number of settings turning away children with SEND falls
- Ofsted inspections actively support and recognise high quality inclusive practice

Ultimately, this will lead to more children with SEND being able to access their early years entitlements alongside their peers, and we will be able to avoid a further erosion of the opportunities for children with SEND to get the best start in their educational journey.

In October 2023, we undertook national research to understand whether the patterns that have been emerging in the sector are continuing, and the numbers make sobering reading. When you consider our key findings, please take this as a call to arms, and a reason to look closely at how we support children with SEND in the early years. We have an opportunity now to address these issues before they get significantly worse and cause more stress and difficulty to children, their families and the early years workforce. We hope that this can be a starting point for long term improvements, and a more accessible and inclusive education system across the country from the earliest years.



Catherine McLeod MBE, CEO of Dingley's Promise

For the last 25 years, Catherine has worked in the charity sector to ensure equity and inclusion for people with disabilities. She was awarded an MBE in 2011 in recognition of her work with vulnerable children, and today actively lobbies to improve opportunities for children with SEND in the early years.

Current Evidence



- 79% of settings have seen a significant rise in the number of children with SEND. 95% overall have seen a rise in the number of children with SEND.
- One year ago 27% of providers said they had no more spaces for children with SEND. Once the new entitlements come in this will rise to 57%.
- One in five parents reported being turned away from a setting.
 - 85% of local authorities said they currently do not have sufficient provision.
 - 80% of settings felt that the ratio changes will make it harder to support children with SEND.

Context

With numbers of children who have Special Educational Needs and Disabilities (SEND) rising quickly across the country, places for children with SEND in the early years across England are scandalously low. Coram's 2023 annual childcare report found that this year only 18% of local authorities have enough places for children with SEND.

Local authorities are increasingly concerned about their sufficiency, and parents are being turned away from settings. This is leading to a decrease in the trust that parents have in the education system, right at the very beginning of their child's journey. Without parental trust in the system, inclusion simply is not possible. The best start in the early years is critical for an inclusive education system as outlined in the government's SEND and Alternative Provision (AP) plan.

Early Years Alliance research in 2022 showed that 92% of settings stated that they have had to fund the costs of SEND support themselves.

While settings should be business planning for some children with SEND, it is critical that the cost of delivering SEND support is covered by local authority funding so that as numbers of children rise, cost does not become a further barrier to inclusion.

With the changes to the Early Years
Foundation Stage (EYFS) Statutory
Framework in 2021, the gap in the amount of
paperwork between children with SEND and
other children has widened.



Settings tell us that when they have staffing and funding issues, they cannot afford to complete all the extra paperwork or provide the ratios needed. This has become an extra barrier to inclusion as described in the Local Government Association research on nursery closures:

"Every child 3+ should be on a ratio of 1:8 but it's impossible, as the needs we are seeing now around communication and language so many of them cannot function on less than 1:4."

Excessive paperwork for children with SEND contradicts the changes to the EYFS and Ofsted recommendations, yet to unlock necessary funding for supporting children with SEND effectively, the paperwork is a necessity. Children suffer in this situation, with settings increasingly turning them away as reported by the University of East London 2022 research. This was supported by research from the Early Years Alliance, which found that 28% of settings admitted to turning away children with SEND.

This has a devastating impact on families, with 3 in 4 respondents to the Disabled Children's Partnership 2023 research saying they had to give up work to support their child, and Contact's research finding that only 16% of mothers of disabled children work compared to 61% of their peers.

The Joseph Rowntree Foundation found that 'poverty is both a cause and an effect of SEND' – meaning that when our children with SEND are not supported, their families are more likely to be those who are disadvantaged, and that the gap between them and their peers is likely to increase.

This challenging situation is likely to be exacerbated further by the new entitlements, which have historically led to a decrease in available provision for children with SEND. In the Governments Equalities Impact Assessment, which focuses on changes to ratios, there is clear acknowledgment that this is likely to have a negative impact on children with SEND.

The Local Government Association research in 2023 found that 9 in 10 local authorities are worried about the capacity to deliver the new entitlements. Without mitigation this situation is likely to worsen. Settings are already struggling to meet the needs of children on current ratios and are seriously concerned about the impact of fewer staff who will be stretched even thinner, whilst trying to maintain a high standard of care and education.

High quality provision requires sufficient staffing to allow for inclusive working with a range of children, and even on current ratios staff feel stretched by the rising SEND needs in their children. The SEED research found that there is no relationship between mere attendance and language development at age four - the key difference is made when provision is of a high quality.

"Work was an outlet for me as well
as an income source but I had to move my
work to weekends which means I cram 20 hrs
work into 2 days and have no time as a family"
Parent of a child with SEND

It is not enough to have children in settings, we must ensure there are sufficient staff with the right skills and knowledge to deliver a high quality, inclusive early education to every child. Workforce development is critical, especially when supporting children with SEND. While childcare is important to enable families to work, high quality early education has life long impacts on children, and cannot be underestimated as a tool for reducing the gap between children from different backgrounds, and helping all children achieve their potential.

The Minister for Education recognised in the SEND and AP Improvement Plan that 'families feel frustrated by the system and feel they need to battle to access specialist education'.

They go on to state that 'it is time to deliver a more dignified experience for children and young people with SEND and to restore families' confidence in the system'.

We agree with the government that it is critical that we act now to improve access at the earliest, and most impactful stage of the education system. This manifesto builds on the ambition in the Government's plan and makes key practical recommendations that should be considered during the implementation phase. These actions are vital to bring about the improvements needed to give every child the best start and ensure the whole education system is more sustainable and inclusive.

With our overview of the early years sector and experience in supporting children with SEND and their families, we have focused our manifesto on the following three key areas:

- Workforce Development
- Funding for Inclusion
- Sufficiency of Places

Workforce Development

Currently the government are focusing on ensuring there is a qualified Special Educational Needs Co-ordinator (SENCO) in every setting. While this is a positive move, parents and settings tell us that they want every practitioner to have a good base understanding of SEND and inclusion – therefore focusing on the role of the SENCO does not fully address the problem.

The new Early Years Educator (EYE) criteria has changed, and when the changes come into force there will be a section on SEND and inclusion for the first time. While this is a welcome development, for those who are already qualified we must ensure there is high quality training to improve their knowledge in SEND and inclusion. This will enable them to identify and support children with emerging SEND needs in their setting.

Dingley's Promise inclusion courses are currently delivered in over 40 local authorities throughout England. Feedback shows that practitioners who take the courses feel they can support more children with SEND as a result. In our own research, we found that 63% of settings felt that the biggest need to improve inclusion was better training for practitioners. With over 7,000 trainees currently undertaking at least one of our courses it is clear that there is significant demand for this.

Dingley's Promise national research in October 2023 found that 77% of settings saw SEND inclusion training as a priority, but only 53% of settings said that their practitioners had accessed this kind of training.



The Education Select Committee stated in July 2023 that: 'equipping all ECEC (Early Childhood Education and Care) practitioners with the skills to identify and support SEND would help settings better identify and support children with lower level SEND inhouse'. It would help reduce the number of applications for diagnosis or additional support through an Education Health and Care (EHC) plan, or speech and language assessments.

This is why **it is critical to focus on whole settings**. This approach will help to take the pressure off the health system, as well as ensuring better early intervention and support that will benefit children.

Funding for Inclusion

The current funding system for many children with SEND is simply not working. Many settings are having to fund SEND support themselves. With limited resources, some are being forced to decline places for children with SEND.

Settings report that even when they do secure funding, it is often not given for the child's full hours. As a result they do not feel that they are giving the child the level of support they need. We must ensure that settings are not negatively impacted financially for admitting children with SEND, or we will continue to see children and families being turned away.

Disability Access Funding (DAF) is currently linked to children having Disability Living Allowance (DLA). For many families this is a barrier to securing DAF funding. For some it is too early in their journey, and they are not ready to apply for this funding, and for others they are not confident in making the application and need support with the process. As a result, in many areas DAF funding is undersubscribed and not getting to the children and settings that really need it.

Special Educational Needs Inclusion Funding (SENIF) exists in every local authority area and is supposed to fund support for children with emerging needs rather than those with higher needs. There are currently key issues with the delivery of this funding:

 Applications can be time consuming and complicated, meaning settings may decide to fund SEND support themselves rather than suffer the impacts on time and resource when making applications.

- Funding is often given for less hours than the child is entitled to. This can lead to reduced hours.
- Funding is not yet available for the under twos, yet the benefit of early intervention, particularly for children with SEND, is widely known.
- Funding often comes once the child has been in the setting for some time, meaning settings must fund extra costs in the interim. Again, this can have a direct impact on the decision to admit a child.

We believe that increased funding for SEND in the early years is critical to ensure settings are not disadvantaged by working inclusively. Without more funding, the issue of insufficient spaces for children with SEND will worsen as settings try to respond to increased demand due to the new entitlements. Funds need to be ring-fenced in the High Needs Block to fund improved inclusive practice in the early years. This would need no extra investment but would benefit schools by ensuring children coming to them have had the very best early intervention.

The Education Select Committee advised that the application process for SENIF be reviewed, so that it 'is truly reflective of the cost of delivering specialised care for children with SEN'. In addition, the Education Policy Institute recommends that funding 'should be weighted much more heavily towards children for low-income families and children with SEND', showing that messaging around funding is common among key advisory bodies.

Sufficiency of Places

We carried out a review of Child Sufficiency Assessments in early 2023 and were unable to find any that assessed specifically whether there were sufficient places for children with SEND, despite specific duties to secure sufficient places for children with SEND being required in the Childcare Act (2006).

Local authorities currently do not know if they are sufficient or not because there are no standard processes to assess sufficiency for children with SEND. In line with local area equality duties, every setting is required to take every child regardless of level of need. However, in reality settings tend to have limited spaces they feel they can offer and business plan for, and are starting to turn children away. This issue needs to be fully understood locally so local authorities can identify gaps and address them.

Child Sufficiency Assessments must include an analysis of the number of specialist places, and the number of inclusive places available locally for children with SEND. There should also be an estimate of the number of children in the area expected to need Educational Health and Care Plan (EHCP) level support and SEND support. This will help to inform local authorities where sufficiency is an issue.

With a clear understanding of the gaps, local authorities can then actively plan to support settings who have high demand for SEND places. They must create local strategies to meet needs and provide the right mixture of provision, for example the flexible homebased care that childminders provide as well as group settings.



In addition to this, local authorities need to better communicate with local families to understand when they are being turned away from settings and why. With this knowledge they can offer better support to settings to enable them to be more inclusive. This would facilitate more constructive and transparent discussions between settings and local authorities.

We have heard from a number of providers who would welcome more focus on inclusive practice within Ofsted inspections. Currently, some inclusive settings feel demotivated when their inclusive practice is not fully recognised within the inspection criteria. Inspectors need to have a good understanding of effective SEND practice, and evidence of this should be a requirement for an 'outstanding' judgement.

Ofsted themselves recognise 'that effective mainstream education – particularly getting a good foundation early on – is integral to an effective SEND system', making inclusion in the early years absolutely critical.

"If I rang around and asked for spaces it was fine, but if mentioned my child had additional needs I was immediately told they were full" Parent of a child with SEND

Intended Outcomes

If these actions are implemented, we can expect to see parental trust in the system increase, as fewer are turned away and they feel confident that settings can effectively support their children. Family members will be able to return to work, improving their income and the local economy. In turn this will reduce the demand for EHCPs (Education, Health and Care Plans) and special education as there will be more trust in the mainstream. More families of children with SEND will be able to remain in employment, improving household incomes, supporting moves out of poverty and the benefit trap, as well as directly improving the quality of life for children.

Financial pressure on settings will reduce because they will be fully funded to support children with SEND and will not be disadvantaged financially by being inclusive. Cases of families being turned away from settings will drop, and more settings will be able to afford to be inclusive.

More children with SEND will be able to access their early years entitlements, leading to **better life outcomes** for them and reduced costs at primary and secondary education stages due to the success of early interventions. Inclusive settings give all children and their families a solid first experience of inclusion and help **normalise** and shape inclusive and diverse communities and society at large.

Staff will be less stressed at work because they will feel more knowledgeable and confident in supporting a range of children's needs.



They will feel more confident that children are getting the right support when they need it, and therefore discussions with families will be easier – something that causes high levels of stress at present. A reduction in stress will likely improve staff retention.

Local authorities will be better at understanding the supply and demand of spaces for children with SEND in their areas and better able to plan for the future as a result. They will be better at understanding parent views in the early years and more confident in challenging settings that turn families away. Overall, they will have better local area sufficiency for children with SEND in the early years.

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