

Early Years White Paper Consultation Statement

We acknowledge the opportunity for progress in early years education proposed by the Whitepaper and are keen to see more detail in the intended delivery of proposed changes, to ensure that they work for children with SEND and their families, as well as early years settings and local authorities.

Engagement with families is critical, as they are the experts, having already navigated the system and experienced the barriers for families, but this must be done with acknowledgement and understanding of the many pressures already upon them. In our consultation survey to Dingley's Promise families, **64% feel that the current system is not fair for children with SEND** and it is important that we invest in engaging with families of children with SEND more effectively to ensure that their voices are heard.

There is much evidence and best practice already in the system. **It is important to share best practice from local authorities, settings (of all types, including childminders) and parents** around what is working well within the current system and why. This should then be used as best practice to model and roll out further. **Where good practice exists, it should be evaluated and then rolled out more widely to benefit the whole sector.** An example of this would be the Early Years Assessment Guidance created by Dingley's Promise for the DfE in November 2024. The Guidance has had a huge impact where it is being used, but there was no planning for the roll-out and embedding of the guidance, which would benefit the whole sector.

A strong universal offer relies heavily on clear information about expectations of settings, so that they can be held to account by families and by the local authority. For families, a detailed description of what should be on offer to their child gives them a clear understanding of the support their child should receive whilst at their setting, and the ability to hold settings to account if this is not delivered. For settings, it clarifies what they should be doing and also gives them the confidence to push back if they are being asked to do things over and above these expected standards. **The National Inclusion Standards will be key to establishing nation wide expectations, and must replace Ordinarily Available Provision guidance** in all local authorities to avoid confusion.

Individual Support Plans must be used in all early years settings, not just school-based settings, because every child should be entitled to the same level of support regardless of the type of setting they attend. These must be clear and detailed so that families and local authorities can hold settings to account for the delivery of this individualised and tailored support to each child. **There should be a duty for settings to deliver what is in an ISP, rather than only a duty to create them**, so that children are guaranteed the support that they need and families have the power to hold settings to account.

Children in the **specialist layer of support should have the level of support they need from a range of professionals necessary to enable them to thrive.** This should not be dependent on a diagnosis, as their needs in the early years are often still changing rapidly. The broad variety of need in the early years, along with the rapid developmental changes, may mean that **the seven packages of support for children with complex needs are not as relevant or impactful in the early years.** It is critical that there is a **high need funding stream available in the early years for children with complex needs** before they get a diagnosis and/or EHCP so that they can get fast access to the support they need, without pressure on their families and settings to go through the assessment process. **In our survey, 86% of Educators felt that high needs funding in early years should be ringfenced** to ensure those with the most complex needs can be supported quickly and effectively.

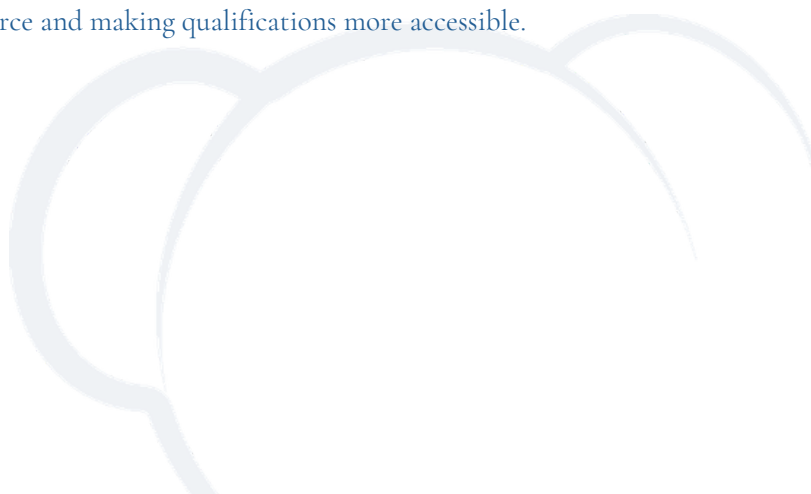
Early years settings are, in general, very conscious of children's wellbeing and the importance of ensuring that basic social and emotional primary needs are met. **Only 29% of our families felt that the early years system effectively supported their child's mental health, and 70% said they were unable to access local mental health support, suggesting mental health needs to be prioritised much more in early years.** The challenges around early diagnosis of mental health needs means that early years settings may be forced to focus more of their attention on other, more evident needs such as speech and language or physical delays rather than mental health.

It is widely welcomed that there will be a SEND professional Inclusion Practitioner to support families in the Family Hubs; however, it is crucial that this role links with and fully understands the existing local systems and support services. **It is also vital that it is heavily focused on early years, where there is an increased risk of needs being unidentified** and children falling through the cracks. This new role will be critical for providing support to families in the early years, and should also be able to open doors with other parts of the system through strong joint working relationships. There must be **careful planning in every local authority area to ensure the role improves coordination rather than confuses or complicates it.**

Around the identification of need, it is **important to know where children are developmentally in the early years**, since they do not legally have to be in an early years provision. **We recommend strengthening the use of section 23 across local authority areas,** so that **health services effectively inform local authorities of children who may have SEND as a standard procedure.** Local authorities can then track those children and where they are not in an early years setting, can ensure they are identified and supported. The early years assessment guidance from the DfE should be used as the first steps in early identification in all settings, and should also be used in two years old checks, applications for support and transitions to school to ensure all professionals are using the same values and language, and families don't have to repeat their stories.

Families are concerned about the knowledge of educators and say **it is critical that inclusion training is for all educators and not just the SENCO.** There is a big difference between strong, needs based, whole setting, anticipatory inclusive practice and diagnosis based, SENCO-led, responsive SEND support. We need everyone in the mainstream to deliver inclusion as a base standard and there is a significant skills gap in enabling this to happen. **It is critical that training recognises the specific interactions between SEND and other intersections - particularly poverty and race.** Families say they are listened to less by professionals if they are from different ethnic backgrounds, have different home languages or live with poverty. This must be challenged and educators must recognise they see behaviours through their own social and cultural lens.

The Whitepaper states the government's intention to roll out inclusion bases within school-based nurseries, some of which will be support bases for children at targeted support level. These should be settings who deliver strong inclusive practice. Concerns about the quality of inclusion in some school-based settings with some of the strongest inclusive practice being highlighting within PVI's. Therefore **it is important that support bases are designed to work in any kind of early years setting, not only school-based nurseries.** Specialist bases are for children who need specialist input and support and are the most likely to need special education in the future, so it may be more logical for those bases to be in school based settings. This will rely on the investment in a variety of professionals, upskilling the workforce and making qualifications more accessible.



Experts at Hand must be prioritised at the early years stage, ensuring quick access to professionals to enable swift diagnosis and response to need. Whilst we are encouraged to see that this service will be as equally available to the early years sector, as it is to schools, we need to ensure that there is a clear system which monitors delivery and ensures schools are not prioritised, as has happened historically. Early years settings have an expectation that EAH will give them faster access to health professionals for assessment processes, and this will be an important part of the offer to reduce barriers to accessing the right support at the earliest stage. In the consultation document on pages 28 and 57 there is description of EAH as being for children who have an ISP. In the current situation (whereby ISPs are only currently being looked at for School Based Nurseries) this is going to be a major issue, as it suggests no PVI settings or childminder will be able to access EAH. This cannot happen and so **it should be a priority to ensure every type of early years setting will have a duty to create ISPs for the children they support.**

The Inclusive Early Years Fund is welcomed as a funding stream to ensure core inclusive practice in early years settings. **We welcome the move to a model that is anticipatory**, whereby funding is given as standard to enable quick support and then evidence of use given later, and this is something we would like to see more commonly in other funding streams for early years SEND. **It will build a more inclusive sector, which recognises that all settings need to be inclusive.** However, this approach currently has a minimum funding floor, which means that small settings and childminders will not be eligible for any funding and instead will receive ‘packages of support’ of which the detail has not yet been confirmed. This is a real concern as many families of children with SEND rely on smaller settings as they are less overwhelming and offer more tailored support for children. **Funding should be more fairly distributed to all providers supporting children with SEND.**

We look forward to feeding into the reform proposals to ensure that the early years remains centred and that children with SEND and their families are at the heart of all decisions made.

For more information about the lobbying work of Dingley’s Promise visit <https://dingley.org.uk/ey-send-inclusion/>

If you would like to discuss our lobbying work, please contact Jo Evans, Head of Communications and Public Affairs jo.evans@dingley.org.uk

