

Funding of children with SEN in maintained nursery schools		
Report being considered by:	Schools' Forum on 5 December 2022	
Report Author:	Jane Seymour	
Item for:	decision	By All Forum Members

1. Purpose of the Report

1.1 This purpose of this report is to propose an alternative method of funding children with SEND in the Local Authority's maintained nursery schools, Victoria Park Nursery and Hungerford Nursery.

2. Recommendation

2.1 To agree to the proposed method of funding children with SEND at Victoria Park and Hungerford Nursery Schools

Will the recommendation require the matter to be referred to the Council or the Executive for final determination?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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3. Introduction / Background

3.1 Victoria Park and Hungerford Nursery Schools are the only two maintained nursery schools in West Berkshire.

3.2 Both nursery schools have developed over time a positive reputation for meeting the needs of children with SEND and have consequently attracted a high number of children with additional needs. 27% of children on roll at Victoria Park Nursery have SEND and 28% of children at Hungerford Nursery have SEND. The data shows that these numbers are increasing, a trend which is likely to continue.

3.3 The nursery schools are also increasingly being asked by parents to retain children with complex SEND for an additional year in to reception, due to concerns that they are not yet ready for primary school. This has proved beneficial in these cases, but places an additional financial burden on the nursery schools.

3.4 Nursery schools, unlike primary and secondary schools, do not receive a delegated SEN budget. They can request Education, Health and Care assessments for children, but in many cases the child will have moved on to their next setting before the EHCP is finalised, due to the time taken for the nursery to gather evidence of the need for an EHCP and the 20 week EHCP timescale.

3.5 In order to access funding for children with SEND who do not have an EHCP, the nursery schools have to apply to the Local Authority's SEN Panel for Early Years

SEND funding. This process requires completion of forms and gathering of evidence, much like the EHC process, and is time consuming and bureaucratic for the schools and the Local Authority, as it is necessary to make a separate application for every individual child who requires additional resources, in the absence of a delegated SEND budget. Having to make applications for funding for each child also means delays in providing support.

3.6 In addition to the bureaucratic burden of having to apply for funding for each individual child with SEND, the volatility of the nursery schools' funding for SEND means that it is difficult for them to retain trained and experienced support staff.

4. Supporting Information

4.1 Historic data shows that the funding allocated to the maintained nursery schools as Early Years SEND Funding or for EHCPs has remained fairly stable over the last 3 years.

4.2 It is therefore proposed that a sum of money is allocated to each nursery school for the 2023-24 financial year, as a notional SEND budget, based primarily on historical funding. This would provide the nursery schools with a fixed SEND budget for the financial year.

4.3 The advantages of this approach would be:

- reduced bureaucracy for the nursery schools and the Local Authority
- the ability to provide support in a timely way for children with SEND, without having to wait for applications to be written and SEN Panel decisions to be made
- enhanced progress and better outcomes for children, as a result of receiving support in a more timely way
- better preparation for children to move on to their next setting
- the schools would have a secure budget and would be able to plan their staffing on this basis and be better able to retain high quality staff

5. Options for consideration

5.1 Retain the current system of funding children with SEND in nursery schools, with its associated disadvantages

5.2 Move to the proposed system of funding children with SEND in maintained nursery schools, from 2023-24.

5.3 Identify an alternative means of allocating a delegated SEN budget to the nursery schools, other than historic allocations. However, it is more difficult to apply a formulaic approach to delegated funding for nurseries due to the lack of data to use as proxy measures.

6. Proposals

6.1 It is proposed that the maintained nursery schools are funded for SEND in 2023-24 in line with the proposal set out above.

7. Conclusion

7.1 The proposed funding method would reduce bureaucracy for the nursery schools, allow support to be accessed by children who require it in a more timely way, thus maximising their development and progress, and enable the schools to plan their SEND provision and retain skilled and experienced staff.

8. Consultation and Engagement

8.1 Maria Morgan, Headteacher, Victoria Park Nursery, Suzanne Taylor, Headteacher, Hungerford Nursery, Nicola Ponton, Principal SEN Manager, Lisa Potts, Accountancy.

9. Appendices

Appendix A – EIA

Appendix A

Equality Impact Assessment (EqIA) - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (section 149 of the Equality Act 2010), which states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.*
 - (3) Compliance with the duties in this section may involve treating some persons more favourably than others.*

The following list of questions may help to establish whether the decision is relevant to equality (the relevance of a decision to equality depends not just on the number of those affected, but on the significance of the impact on them):

- Does the decision affect service users, employees or the wider community?
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?

- Does the decision relate to any equality objectives that have been set by the Council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Schools' Forum to make:	Revise the method of funding children with SEND in maintained nursery schools
Name of Service/Directorate:	Education
Name of assessor:	Jane Seymour
Date of assessment:	4.11.22

Is this a ?		Is this policy, strategy, function or service ... ?	
Policy	Yes <input type="checkbox"/> No <input type="checkbox"/>	New or proposed	Yes <input type="checkbox"/> No <input type="checkbox"/>
Strategy	Yes <input type="checkbox"/> No <input type="checkbox"/>	Already exists and is being reviewed	Yes <input type="checkbox"/> xNo <input type="checkbox"/>
Function	Yes <input type="checkbox"/> x No <input type="checkbox"/>	Is changing	Yes <input type="checkbox"/> No <input type="checkbox"/>
Service	Yes <input type="checkbox"/> No <input type="checkbox"/>		

(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To deliver additional funding to maintained nursery schools in a more efficient way
Objectives:	
Outcomes:	Children will receive additional support in a more timely way and from high quality staff which will enhance their development and progress
Benefits:	

(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?			
<i>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation)</i>			
Group Affected	Potential Positive Impacts	Potential Negative Impacts	Evidence
Age			
Disability	Children will receive additional	None	

	support in a more timely way and from high quality staff which will enhance their development and progress		
Gender Reassignment			
Marriage and Civil Partnership			
Pregnancy and Maternity			
Race			
Religion or Belief			
Sex			
Sexual Orientation			
Further Comments:			

(3) Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a EqIA 2.
 If an EqIA 2 is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the EqIA guidance and template – <http://intranet/index.aspx?articleid=32255>.

(4) Identify next steps as appropriate:	
EqIA Stage 2 required	Yes <input type="checkbox"/> No <input type="checkbox"/>
Owner of EqIA Stage Two:	
Timescale for EqIA Stage Two:	

Name: Jane Seymour

Date: 4.11.22

Please now forward this completed form to Pamela Voss, Equality and Diversity Officer (pamela.voss@westberks.gov.uk), for publication on the WBC website