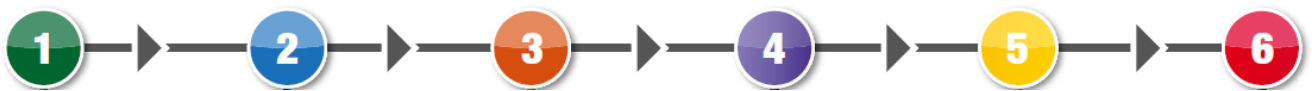


Guidance for Early Years Settings

This Guidance relates to step 1 and 2 of the Assessment and EHC Planning Pathway



How to use this guide

This information guide has been developed to provide information to early years settings on the Waltham Forest Education, Health and Care (EHC) Pathway Steps 1 (SEND Support) and Step 2 (My Referral). It will be updated periodically to reflect learning through working with, early years settings, families and professionals.

The guide can also be downloaded from the following web links:

www.walthamforest.gov.uk

<https://thehub.walthamforest.gov.uk>

www.klikin.eu/page/view/cat/20769

We aim to increase the number of resources available as we learn and develop our practice in co-production with local families, children/young people and professionals working in education, health and social care.





Introduction

The Children and Families Act 2014 contains new special educational needs and disability legislation and a new SEN and Disability Code of Practice. This is statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities.

The Code of Practice gives guidance on duties, policies and procedures relating to part 3 of the Children and Families Act 2014 and associated regulations.

Changes from the Code of Practice 2001

The main changes from the SEN Code of Practice 2001 reflect the changes introduced by the Children and Families Act 2014. These are:

- The Code of Practice (2014) covers the 0-25 age range for those still in education and includes guidance relating to disabled children and young people as well as those with SEN
- There is a clearer focus on the participation of children and young people and parents in decision-making at individual and strategic levels
- There is a stronger focus on high aspirations and on improving outcomes for children and young people
- It includes guidance on the joint planning and commissioning of services to ensure close co-operation between education, health and social care
- It includes guidance on publishing a Local Offer of support for children and young people with SEN or disabilities
- There is new guidance for education and training settings on taking a graduated approach to identifying and supporting pupils and students with SEN (to replace School Action and School Action Plus)
- For children and young people with more complex needs a co-ordinated assessment process and the new 0-25 Education, Health and Care plan (EHC) replace statements and Learning Difficulty Assessments (LDAs) for young people over the age of 16.
- There is a greater focus on support that enables those with SEN and disabilities to succeed in their education and make a successful transition to adulthood
- Information is provided on relevant duties under the Equality Act 2010
- Information is provided on relevant provisions of the Mental Capacity Act 2005

Principles

A range of parents and professionals from education, health and social care have worked in co-production to develop the Education, Health and Care Pathway.

Underpinning the pathway are the 10 key principles of Early Support which are:



1. **Valued uniqueness** – The uniqueness of children, young people and families is provided for
2. **Planning partnerships** – An integrated assessment, planning and review process in partnership with children, young people and families
3. **Key Working** – Service delivery is holistic, co-ordinated, seamless and supported by key working principles
4. **Birth to Adulthood** – Continuity of care is maintained through different stages of a child's development
5. **Learning and Development** – Children and young people's learning and development is monitored and promoted
6. **Informed Choices** – Children, young people and their families are able to make informed choices
7. **Ordinary Lives** – Wherever possible children, young people and their families can live 'ordinary lives'
8. **Participation** – Children, young people and their families are involved in shaping, developing and evaluating the services they use.
9. **Working Together** – Multi-agency working practices and systems are integrated
10. **Workforce Development** – Children, young people and families can be confident the people working with them have appropriate training, skills, knowledge and experience

A Shared Vision

We developed a shared vision with parents, young people and professionals across education, health and care which is below:

“Children and young people with special educational needs and or disabilities and their families will be included in everything in the local community, will get the right support for health, will have friends, relationships and be part of the community. They will be supported to reach their educational potential and achieve their goals in life. They will move into adulthood with jobs or opportunities to contribute. They will have choice and control over their support and their future lives.”

The Local Offer

The Local Offer brings together helpful information for children and young people with special educational needs and or disabilities (SEND) and their families. The aim is for it to be the area’s shop front in relation to support for children and young people with SEND and for it to be located in one easily searchable website. The Local Offer is available through smart phones and tablets as well as via the internet so that it is easily accessible.

The Local Offer covers public services that are available within:

- Education: e.g. nurseries, playgroups, schools and colleges as well as support services like educational psychologists, early years and early intervention workers
- Health: e.g. GPs, paediatricians, school nurses and therapists
- Social care: e.g. respite services and children’s disability services.

It also enables families to find out what support and services are available in the voluntary and private sector, for example from charities and disability groups, nurseries, youth clubs etc. Leisure time is something we all value and the Local Offer aims to highlight opportunities for children and young people who have additional needs to engage in a broad range of activities, from activities organised for children with specific needs, to evening clubs running during the week, to specific events offered during the school holidays.

The Local Offer is not just a directory. Its aim is to help families find the service that they are looking for or to sign post them to somebody who can provide additional information or answer questions.

It’s also a resource that local individuals, groups or organisations can draw on in the work that they do in supporting children, young people and their families, by highlighting other resources, services or guidance that may be accessed.

Most importantly the Local Offer is intended for families and should be shaped by families.

It will enable families to give feedback on specific services or provision that they have accessed.

The Local Offer is one year in progress and it will continue to develop over time.

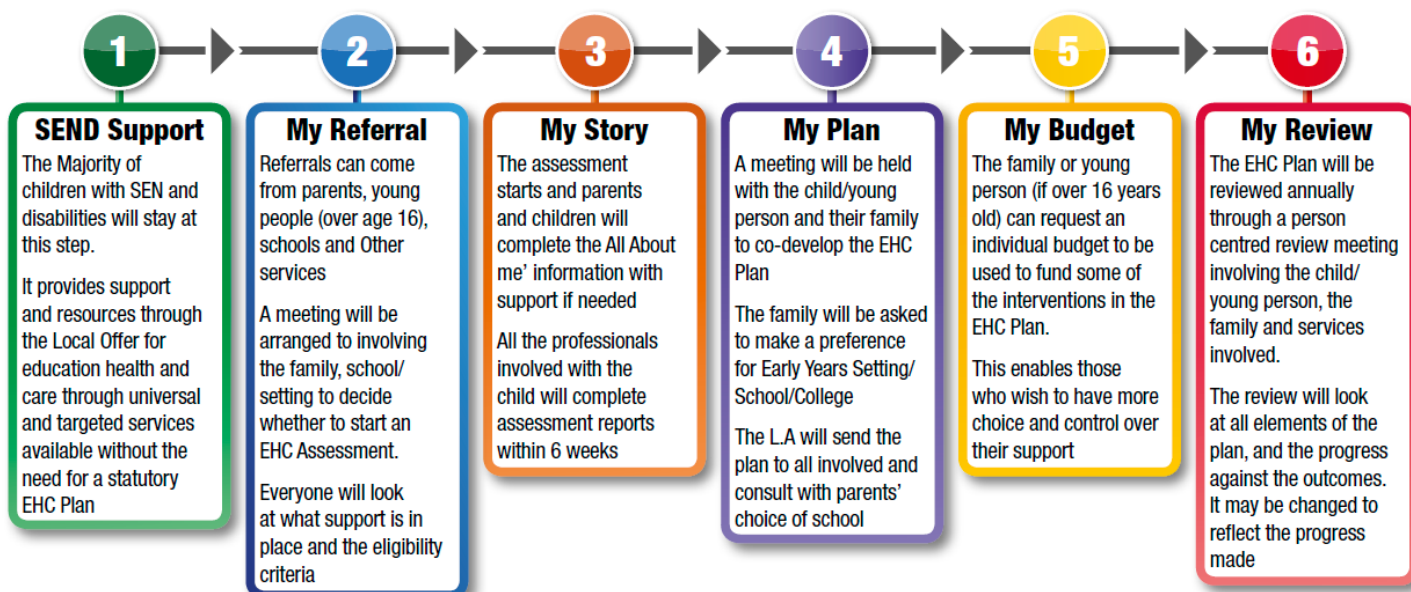
To access the Local Offer please use the following link:

Education, Health and Care Plan Pathway

There are 6 steps on the Education, Health and Care plan pathway which can be accessed by the child/young person and family. Waltham Forest pathway follows a person centred approach so that the child/young person is at the centre of the process and their views and wishes are considered throughout.

The Local Offer includes universal, targeted and specialist services available in education, health and social care from 0-25 years. A child only progresses to the step of a referral if their needs cannot be met within universal and targeted services. All settings and schools have a range of support and resources to meet the needs of the majority of children who have special, educational needs and disabilities. The Local Offer also includes additional resources available to schools and early years settings to top up their existing resources to ensure that children with more complex and significant needs can quickly access the support they need without the necessity of a statutory education, health and care assessment.

The pathway has 6 steps which include: SEND support, my referral, my story (assessment), my plan, my budget and my review.



Special educational provision in early years settings

First Quality Teaching and Learning

Early years practitioners are responsible and accountable for the progress and development of the pupils in their setting, including where children access support from specialist staff.

High quality teaching, learning and differentiation, is the first step in responding to children's needs. Additional intervention and support cannot compensate for a lack of good quality teaching and learning. Early years settings should regularly and carefully review the quality of teaching for all pupils, including those at risk of developmental delay. This includes reviewing and, where necessary, improving practitioners' understanding of strategies to identify and support vulnerable children and improve their knowledge of SEN areas most frequently encountered.

In deciding whether to provide additional support, the practitioners and SENCO should consider all of the information gathered from within the setting about the child's progress, alongside national data and expectations of progress. This should include high quality and accurate formative assessment, using effective tools and early assessment materials. For higher levels of need, settings should have arrangements in place to draw on more specialised assessments from external agencies and professionals for example Area SENCO or Educational Psychologist.

Using this process the practitioner and the SENCO will have a clearer view of children who may be experiencing greater difficulties with their learning which could be long term special educational needs.

Good Practice Model (Wave Model)

1. The effective inclusion of all children in high quality learning and teaching through play. This should be the starting point for any setting reviewing their provision.
2. Small - group interventions are aimed at children who can be expected to 'catch up' with their peers as a result of the intervention. Wave 2 interventions are not primarily special educational needs (SEN) interventions.
3. Individual specific targeted support for children identified as requiring support that is additional to and different from the differentiated EYFS curriculum e.g. small group speech therapy support, or an individual learning programme

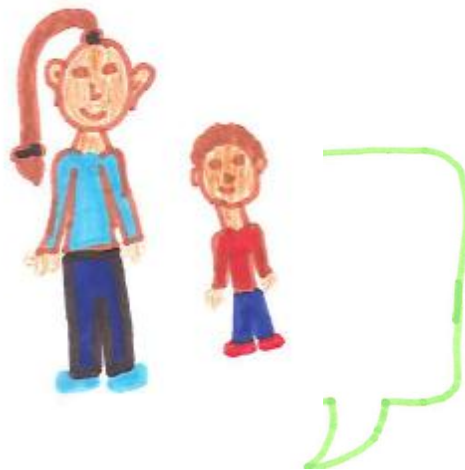
Definition of Special Educational Needs (SEN)

A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for them.

A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- has a significantly greater difficulty in learning than the majority of others of the same age, or
- has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions

For a child under compulsory school age has special educational needs if he or she is likely to fall within the above definition when they reach compulsory school age (Section 20 Children and Families Act 2014)



SEND Support for children in Early Years Settings

All Early Years settings must identify children who have special educational needs and/or disabilities (SEND). They should take action to remove barriers to learning and put effective special educational provision in place using the graduated approach.

They must work in co-production with parents and follow a 4 stage approach as shown below:

1. **Assess** – Settings should assess the needs of the child to establish what the barriers are to their learning and development. This could include the involvement of external agencies e.g. the Educational Psychologist or Speech and Language Therapist. Settings will complete an Early Help Assessment (EHA).
2. **Plan** – Settings should plan with relevant external professionals, child and family the support that is required to meet their special educational needs or disability. This should take the form of a plan including the outcomes, interventions and provision.
3. **Do** – Settings should put in place the agreed support/interventions required
4. **Review** – Settings should review the support/interventions three times per year and this should involve both the child/young person and the parent/carers.



Suggested Practice

Assess

Settings look at the progress of all children through progress meetings and identify the additional needs. Any children identified as needing external agencies should have a Early Help Assessment (EHA) completed with the family

Plan

Match interventions to meet the needs of child groups to develop a whole setting provision map.
Match staff skills to intervention groups

Do

Develop a support plan which will include a One page Profile and Provision Map for your Wave 2 and Wave 3 interventions (Suggested models are available on the web pages)

Review

Review 3 times per year with the child and the parents and if possible the professionals involved

Settings need to follow the graduated approach and use the available resources in the Local Offer that are both universal and targeted across education, health and social care needs. This allows a holistic support plan to be implemented to best meet the needs of the child/young person

SEN Funding in Maintained Early Years Settings and Private and Voluntary and Independent (PVI) Early Years Child Care Providers

- Early Years PVI Settings can access support from their Area SENCO, Early Years Educational Psychologist and Early Years Improvement Consultant
- Maintained settings should access support from the School/Nursery SENCO, Educational Psychologist and Early Years Improvement Consultant.

For additional funding, settings need to refer to the Free Early Education Entitlement (FEEE) Guidance. The flowchart on page 11 explains the process.

Additional Funding Pathway for Children aged 2- 4 Years

Parent/Setting Identify SEND Child to referrer
E.g: Area SENCO, SEND Home Visitor or SENCO.
Information gathered about the child's needs.

Refer to Early Years Specialist EP's who will assess and present to the SEND Multi-Agency Panel

If not already referred-Complete a Specialist Children's Service Referral Form (NHS) or Early Help Assessment (EHA)

SEND Multi-Agency PANEL
Early Years Senior EP/Early Years Manager/SEN Team Manager discuss at panel and agree whether child meets criteria for a SEN high or medium funding and if a high funded place which setting is appropriate and parent's views. SEND Multi-Agency Panel communicates the outcome to the FEEE Finance Officer for action.

High funded place – Specialist placement suggested. Referrer contacts parent to discuss EHC Referral and possible emergency specialist placement if the parent wants the place **SEN Team** consults with appropriate special school requesting a EHC assessment place.

When child starts the SEN Team begin the statutory assessment EHC process. The school return the funding slip to earlyeducation.freegrant@walthamforest.gov.uk

High & Medium funded places Mainstream - proforma confirming the decision to fund a SEND place will be sent to the FEEE Team-earlyeducation.freegrant@walthamforest.gov.uk

FEEE Finance Officer sends parent/carer and setting (if applicable) a confirmation letter advising them of their eligibility, payment band and unique reference number –to present to setting

Child is offered a place at the parent's chosen setting and the setting includes their name and unique reference number on the headcount return.

Payment continues until the child transfers to Reception or no longer needs additional funding.

Prior to the child starting in reception the School can request additional funding through the L.A's additional funding guidance or discuss with the SEN Team whether it is appropriate to hold a referral meeting to consider an EHC assessment.

*All funding for early years comes from the Early Years High Needs Block (EY-HND).

This is provided for children aged 2 until they start Reception

There are elements to funding pupils with additional and special educational needs:

Element 1

Age weighted pupil unit (AWPU) is determined by the total number of pupils in the setting in each age group. These numbers are multiplied by authority-wide standard rates (pupil units) to come up with an overall allocation for each setting. One important thing to note is that AWPU funding is allocated in advance for a full financial year (April to March for maintained schools and September to July for Academies) and is based on the pupil census numbers taken in October. It is then adjusted in year.

Age weighted pupil unit AWPU covers the basic costs of educating a child in a setting i.e. an early year's practitioner delivering teaching, premises' costs, and any equipment requirements.

Element 2

Element 2 is provided to schools for children of statutory school age it is £6000. For Early Years settings Element 2 is funding through the Free Early Education Entitlement (FEEE). It is for educational hours only and does not cover day care. The entitlement covers 15 hours.

Element 3

This is the funding that comes with a statement or EHC Plan in order for the setting to put in place appropriate support to meet pupils with more complex special educational needs. It is for educational hours only and does not cover day care.

The Benefits of Creating a Provision Map

On an individual level they provide clear evidence of what intervention the child receives in order to achieve the outcomes that have been identified.

What is included in a provision map?

The provision map should only include provision which is 'additional to' and 'different from' what is available for all children. It should only include the provision, which is planned for and linked to children with additional learning needs. An Early Years Practitioners salary comes from the AWPU.

For example, you would include:

- Small group support to develop particular skills.
- But, you would not include story time sessions, which are open to all children.

Costing the Provision map

The process of costing a provision can be quite complex and it is essential to remember that this is an 'accountability' exercise not an 'accounting' exercise! Costs are calculated using 'average' Early Years Practitioner hourly costs including on costs.

Settings should ensure that they cost the allocation amongst children with special educational needs. Record all 'general' provision which cannot be 'tracked' to individual children but which benefits all children with additional needs. Items, which might be included, are administrative support time, professional development activities and educational psychology time.

Calculation

Below is a 6 step calculation example:

6 step calculation

1. Start with the annual salary of the staff member which should be mid-scale point and not above e.g. £20006
2. Divide the annual salary by 38 to obtain the weekly cost
3. Divide by 5 to get the daily cost
4. Divide by 6 to obtain the hourly rate, if the intervention is for 30 minutes you can work out the cost by dividing by 2 etc.
5. Divide by the number of pupils in the group this will give you the cost per pupil per day
6. Multiply by the number of times the intervention takes place e.g. twice a week

Illustrative example EY Practitioner term time group of 6

£20,006 staff cost ÷ by 38 weeks = £526.03 weekly cost
 £526.3 ÷ 5 days = £105.26 per day cost
 £105.26 ÷ 6 hours = £17.54 per hour
 £17.50 ÷ 6 pupils in group = £2.92 per child

Example of a child's support map in nursery (Actual costs)

Outcome	Intervention (solution)	Staff/pupil ratio	Staff	Weekly Duration	Weekly cost	Annual cost
By the end of EYFS I will have an awareness of familiar adults and I will interact with them in a chosen activity for 10 minutes	Intensive interactive sessions	1:1	Key Worker	1 hour (10 minutes x 6 per week)	£12.00	£456
By the end of the EYFS I will be able to manage my feelings and reduce my challenging behaviour in group sessions	Small group sessions to develop my awareness of adults and peers with motivating toys	1:3	Key Worker	2 hours (30 minutes x 4 per week)	£8.00	£304
Total						£760

Reviewing the provision

The SEN support plan including the provision map should be reviewed 3 times per year with the family to look at how the interventions are supporting the child towards meeting the outcomes.

My Referral

Most children identified as having special educational needs or disabilities will have their needs met within the SEN support available in all settings. Schools/Settings can make a referral for an Education, Health and Care Assessment if they have identified a pupil as having significant and complex needs that cannot be supported through the support already available and the additional funding available through FEEE.

Settings should contact the SEN Team for advice when considering making a referral so that a discussion can take place around how realistic the request is and to go through the evidence required and the eligibility criteria.

In considering whether an EHC needs assessment is necessary, the local authority should consider whether there is evidence that despite the setting having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child, they have not made expected progress. To inform their decision the local authority will need to take into account a wide range of evidence, and should pay particular attention to:

Evidence Required

1. evidence of the child's developmental milestones and rate of progress (progress through setting data)
2. information about the nature, extent and context of the child or young person's SEN (including the EHA and any assessments from external professionals)
3. evidence of the action already being taken by the early years provider to meet the child's SEN (Provision map)
4. evidence that where progress has been made, it has only been as the result of additional intervention and support that is over and above what is usually provided
5. evidence of the child or young person's physical, emotional and social development and health needs, drawing on relevant evidence from clinicians and other health professionals and what has been done to meet these by other agencies.

9:14 Code of Practice

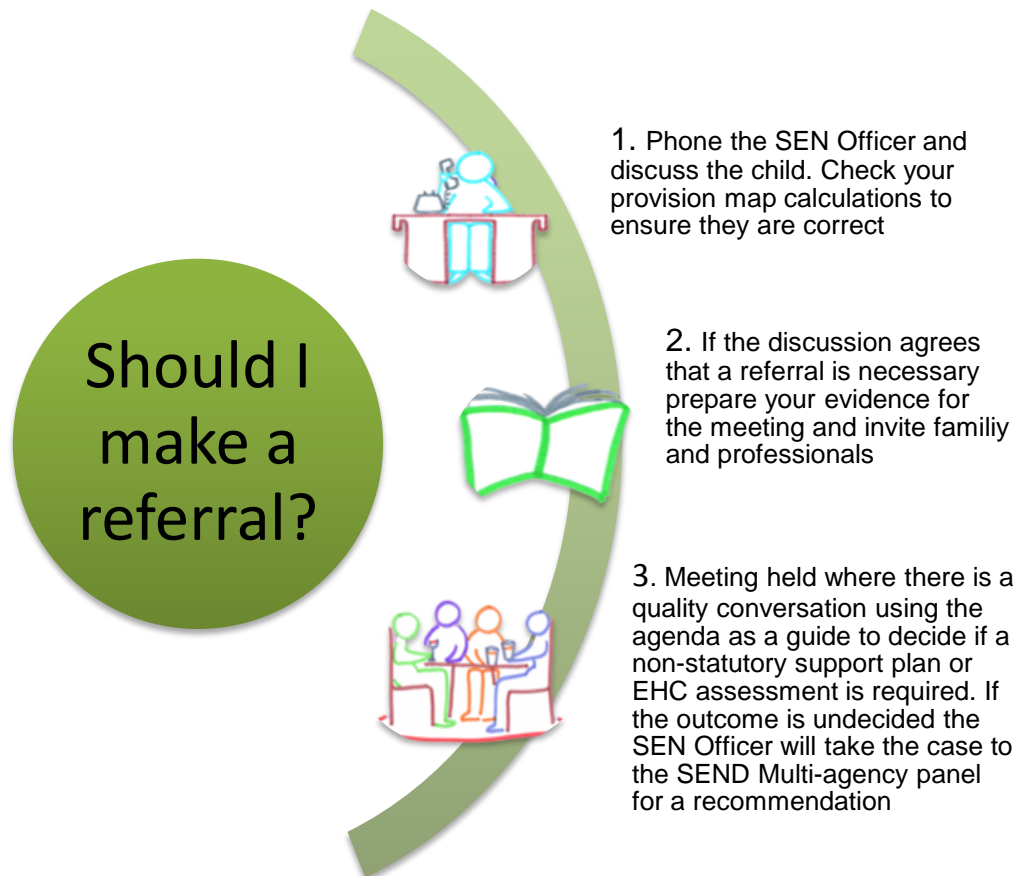
Making a Referral

Referrals can also come from:

- parents
- professionals.

The same evidence is required as above whoever makes the referral.

Referral Meeting Model



Referral Meeting

If a referral is considered the next step is to hold a person centred meeting. The SSetting SENCO will facilitate the meeting and they must include the family as an equal partner. The meeting will look at what's working for the pupil, how much progress towards the outcomes has been made, what's not working for the pupil and what support is in place. A discussion will take place on and how effective the interventions and support have been is in meeting the pupil's needs.

A representative from the Local Authority will be invited to attend the meeting and they should have already had a discussion with the SENCO prior to the meeting date.

Meeting agenda

1. Introductions
2. What we appreciate about the pupil (share one page profile)
3. What's working and not working for the pupil
4. What matters to the pupil and what is important for the pupil
5. What support is in place and what is needed in the future – everyone to discuss evidence
6. Eligibility Criteria
7. Consideration to assess or provide support through Local Offer
8. Statutory plan or non-statutory plan required

Eligibility Criteria

The child:

1. Has severe and/or complex long-term needs that affect their everyday life.
2. Requires provision and resources that are not normally available in early years/school/college setting.
3. Requires intensive help and support from more than one agency (e.g. Health/Education/Care or Health/Education, Education/Care)
4. Despite high levels of support is making limited or no progress
5. Evidence of a graduated response; i.e. appropriate interventions, support and resources available through the Local Offer have already been put in place and the expected progress has not been made.

*All of the above need to be considered.

Additional Education Funding through the Local Offer

Waltham Forest recognises that not all pupils' will have their needs met financially within Early Years Support but will not meet the criteria for an Education, Health and Care Plan. It has reserved a budget for Early Years settings to request incremental amounts of funding to meet the needs of children through the Local Offer of support. This support can be provided much quicker than through an EHC assessment (20 weeks). For cases where incremental support is provided this will be included in a person centred non-statutory plan called either 'My Early Years SEND Support Plan'.

Making a decision

If it is clear at the referral meeting that the child's needs are severe and complex, the support required will be regarded as high needs with the child clearly meeting the eligibility criteria, the L.A Officer will complete an eligibility form and they can give formal agreement to commence a statutory education, health and care assessment. The assessment will be started following the meeting without delay.

If it is not clear and additional funding is required e.g. through the Local Offer, the L.A Officer will take the outcomes of the meeting and recommendations to the multi-agency SEND Panel to make a final decision.

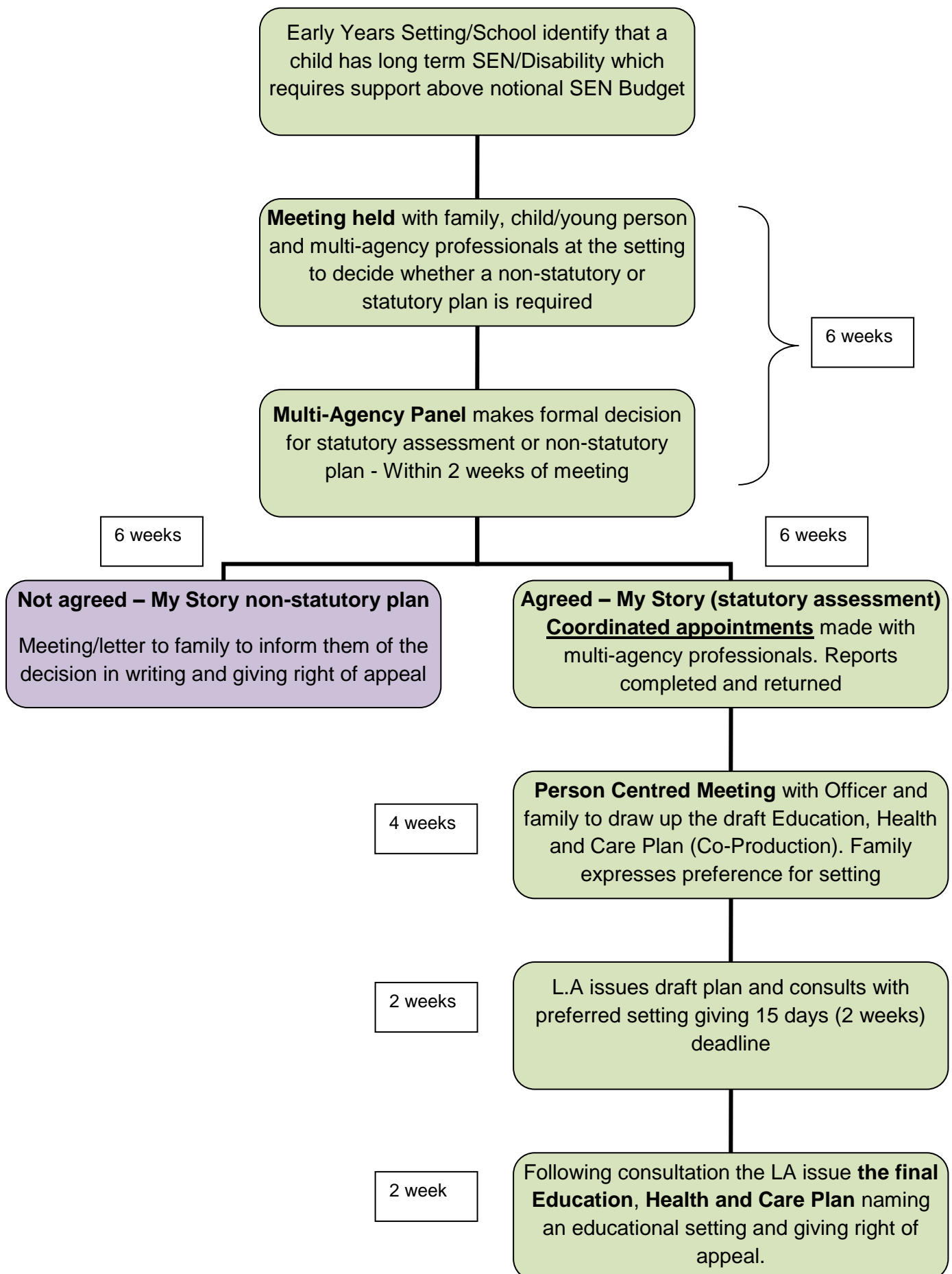
The outcomes and recommendations should be recorded in the decision section of the eligibility form.

In cases where there is differences of opinion the case can be referred to the multi-agency panel for a decision and parents will be advised of the decision, reasons for the decision and the right to appeal to the SEN and Disability Tribunal

Differences between a Non Statutory and Statutory Plan

Person Centred Non-Statutory SEND Support Plan for	Statutory EHC Plan for gs
<p>A support plan that identifies the pupil's needs, sets outcomes and provides school based support to achieve the outcomes involving outside agencies e.g. health and or social care.</p> <p>Support is within £6000 (Element 2) or in some cases additional support can be provided from L.A resources in increments of £500 (1a) up to (4d) £8000 for identified interventions or equipment.</p> <p>It could include some social care short breaks support</p>	<p>A plan that identifies pupils with complex needs across education, health and care.</p> <p>It sets out the outcomes and interventions to meet the outcomes in Education, Health and Care.</p> <p>It provides support in addition to school/settings based interventions e.g. n +</p> <ul style="list-style-type: none"> o E £8500 o F £15,550 o G £18,260 <p>It provides social care support through local services e.g. respite or an individual budget. It can provide health care support</p>

Waltham Forest Coordinated Person Centred EHC Planning Assessment Planning Process



Pathway Roles and Responsibilities

Child/Young Person and parent/carers	<p>Requesting help and support through the Local Offer and education, health and care services</p> <p>Requesting an education, health and care assessment</p>
SEND Multi-Agency Panel	<p>Considering children with complex needs who require an Education, Health and Care Assessment.</p> <p>Making decisions about referrals for an EHC Assessment according to the eligibility criteria</p> <p>Ensuring that multi-agency staff are engaged in the process</p> <p>Determining resources</p> <p>Supporting the Local Offer</p> <p>Providing information to commissioners in Education, Health and Care to support the commissioning of services to meet the needs of local families</p> <p>Promoting good partnership working across agencies for children with an EHC Plan 0-25</p> <p>Contributing to the Joint Strategic Needs Assessment (JSNA)</p> <p>Working in partnership with NHS Commissioners in the Clinical Commissioning Group (CCG) and NHS England</p> <p>Working with NHS Providers to ensure they understand the pathway</p>
Early Years Area SENCO	<p>Supports Early Years PVI settings to comply with statutory SEN responsibilities at Early Years SEN Support</p> <p>Working closely with Early Years SENCO's, Educational Psychologists and other external specialists to support meeting the needs of children identified as having complex needs</p> <p>Provides training to settings on SEN responsibilities</p>
Assessment and Reviews Officer	<p>Coordinating the EHC assessment process and supporting families through the assessment</p> <p>Writing to education, health and care professionals to gather information as part of the EHC assessment</p> <p>Helping families complete 'All about me' reports</p> <p>Ensuring the smooth running of the process</p>
SEN Officer	<p>Attending multi-agency referral meetings in schools/settings to consider the need for an Education, Health and Care Assessment</p> <p>Presenting cases to the Multi-Agency Panel</p> <p>Working closely with the family and professionals to draw up the Education Health and Care Plan</p> <p>Liaising with schools and securing placement for children and young people with an EHC Plan</p> <p>Liaising with multi-agency professionals</p> <p>Liaising with the family around access to a personal budget for those with an EHC Plan</p> <p>Attending person centred reviews and converting statements to EHC Plans</p> <p>Preparing cases and attending the first tier tribunal</p>
Early Years SEND Home Visitor	<p>Attending multi-agency meetings for Early Years children to consider the need for an Education, Health and Care Assessment</p> <p>Presenting cases to the SEND Multi-Agency Panel</p>

	Providing emotional support Signposting families to services Providing advice for the assessment Working closely with the family and professionals to support the drawing up of the Education Health and Care Plan Liaising with multi-agency professionals
Social Worker	Attending multi-agency meetings Liaising with the family, young person and multi-agency professionals Providing assessment reports Contributing towards person centred reviews

Local resolution arrangements

In cases where there is disagreement and parents/carers lodge an appeal to the SEN and Disability Tribunal the Local Authority has commissioned a local disagreement resolution service. This service can be accessed through the Waltham Forest SEN Information Advice and Guidance Support Service SENDIASS

In addition to the local service we have commissioned the KIDS London Mediation service.

Information and advice for parents

Waltham Forest has a range of services to provide information, support and advice to parents.

Waltham Forest Parent Forum



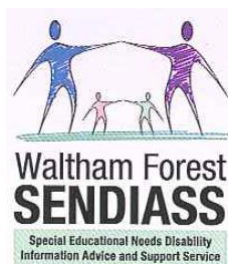
Website: www.walthamforestparentforum.com

Address: 92 Leyton Green Road, Leyton E10 6DA

Email: walthamforestparentforum@live.co.uk

Telephone: 07528 433640 / 07794 298496

Waltham Forest Educational Needs and Disabilities Information, Advice and Support Service



Website: www.walthamforest.gov.uk

Address: Parkside Children's Centre
82 Peel Close
Chingford
London E4 6XQ

Email: <mailto:wf.sendiass@walthamforest.gov.uk>

Telephone: 020 8496 5230

Free phone: 0800 587 2521

Resources

Resources are available on the following websites:

Waltham Forest Assessment and EHC Planning Pathway Wiki website:

www.klikin.eu/page/view/cat/20769

Waltham Forest Council website:

www.walthamforest.gov.uk

The Schools Hub website:

thehub@walthamforest.gov.uk

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