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Meeting of Executive Members and Children's  
Services Advisory Panel

**16 October 2006**

Report of the Director of Learning, Culture and Children's Services

## **Early Years Special Educational Needs Funding Arrangements**

### **Summary**

1. This report asks members to consider the funding arrangements for children with Statements of special educational needs (SEN) and to make decisions about the range of provision available.

### **Background**

2. Funding to support the inclusion of individual children with a Statement of special educational needs in the foundation stage is currently focused on the specialist provision that the Local Authority has developed at Hob Moor Oaks Special School and in the Enhanced Resources at St Paul's Nursery and Burton Green Nursery. This range of provision has worked well and has met the needs of very young children with diverse range of disabilities. However, in recent years there has been an increase in a number of children with special educational needs who attend early educational settings, such as playgroups, day nurseries, private and maintained nurseries. Extensive training has been provided and the quality of provision available has developed well, in line with a policy of inclusion.
3. Some parents of children with a Statement are now asking the Local Authority to formally name one of these settings on their child's Statement and fund the support which may be required. This makes every sense in terms of good inclusive practice but creates difficulties in terms of the current alignment of resources within specialised settings.
4. Specialist provision at St Paul's Nursery continues to be fully occupied but in the last two years there has been a significant shortfall in take up of places at Burton Green. The current delegated funding of £24,000 to Burton Green purchases places for up to 8 children at Early Years Action Plus or with a Statement.
5. This proposal is therefore about realigning resources in response to changing patterns of need and parental preference.

## **Consultation**

6. Consultation has taken place with individual parents about the best way forward in meeting their child's special educational needs in a variety of settings. There has also been consultation with the headteacher and chair of governors at Burton Green Primary School. The consultation has involved staff from Early Years SEN Services and the Early Years and Extended Schools Service. There has been clear support for a change in the current configuration of funding arrangements.

## **Options**

7. Option 1: Close Burton Green Enhanced Nursery Resource at the end of this financial year and use the savings made to create a budget which would be used to support children with Statements of SEN in a much more diverse range of Early Years settings.
8. Option 2: Maintain current configuration.

## **Analysis**

9. Option 1 – enables the Authority to be responsive to parental wishes, backed up by legislation, to have their child with a Statement educated in the setting of their choice. It is in line with a policy of inclusion and would enable the Authority to be more flexible in its use of resources.
10. Option 2 – would allow the Authority to maintain its current configuration of specialist provision but this is no longer seen as an efficient use of resources because of poor take up in recent years. It would also require the Authority to implement a policy of not providing funding into Early Years settings which almost certainly would not be sustainable in the light of a challenge to the SEN and Disability Tribunal.

## **Corporate Priorities**

11. Giving disabled children access to local nursery provision will enable them to integrate more fully with their peers and therefore contribute to 'improving the life chances of a disadvantaged group of children and families in the city'.

## **Implications**

### **Financial**

12. Funding for the early years unit at Burton Green School is delegated to the school from the Dedicated Schools Grant (DSG) funded Individual Schools Budget (ISB) via the Local Management of Schools (LMS) funding formula. In 2006/07 a total of £24,092 has been delegated to fund 8 part time places.
13. If the unit were to close then this funding will remain within the ISB in 2007/08 and be available to redistribute across all schools. The funding can only be

redirected to the council's central SEN budgets and held above the central expenditure limit set by the DfES if the Schools Forum approves the transfer. In this case the support from the school for the changes being proposed will be helpful and should enable the Schools Forum to agree to the transfer of resources. If the Schools Forum does not agree to the transfer then savings equivalent to the £24k will need to be found within other centrally held DSG funded budgets in 2007/08.

### **Human Resources (HR)**

14. A non-teaching member of the support staff employed by Burton Green Nursery may be at risk of redundancy unless they can be redeployed to another post. In this event the school will have to ensure that the School's Redundancy Procedures are followed for all the staff that may be affected by this proposal. Part of this process includes formal consultation periods. As schools redundancy payments are funded centrally, the budget holder should also be notified of any potential redundancy. The teacher in charge of the nursery would have 3 years pay protection paid from the returned budget.

### **Equalities**

15. There are no equality implications.

### **Legal**

16. There are no legal implications.

### **Crime and Disorder**

17. There are no crime and disorder implications.

### **Information Technology (IT)**

18. There are no IT implications.

### **Property**

19. There are no property implications.

### **Risk Management**

20. If a decision is made not to realign budgets, there are some risks to the Authority's reputation in terms of not using the current resources efficiently and in taking unsustainable cases to the SEN Tribunal.

### **Recommendations**

21. Members are asked to consider the above options.
22. Option 1 is recommended as it is in line with the more efficient use of resources and enables the Authority to respond positively to changing patterns of need and demand.

23. Subject to agreeing to option 1, the Executive Member is recommended to ask officers to seek approval from the Schools Forum for the transfer of £24k from the ISB to the Central SEN budget in 2007/08, as an exception to the DfES central expenditure limits.

### Contact Details

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**Chief Officer Responsible for Report:**

Patrick Scott  
Director of Learning, Culture and Children's Services

**Report Approved**  *tick* **Date** *Insert Date*

Patrick Scott  
Director of Learning, Culture and Children's Services

**Report Approved**  *tick* **Date** *Insert Date*

**Specialist Implications Officer(s)** *List information for all*

Financial implications

HR Implications

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**Wards Affected:** *Clifton*

**All**  *tick*

**For further information please contact the author of the report**