

Essex County Council

Funding arrangements for children with Special Educational Needs and Disabilities (SEND) in the early years in Essex

Operational guidance

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Contents

Part 1: Introduction and context	2
Who should read this document?.....	2
The purpose and scope of this document	2
Oversight and review arrangements	3
The national context: Arrangements for SEND funding that are set nationally	3
Funding provided to local areas for children and young people with SEN.....	3
How SEND funding for providers is arranged nationally	3
SEND funding in early years settings: The national context	4
Part 2: Local arrangements within Essex for allocating additional top-up funding for children with SEND in early years settings.....	5
Arrangements for supporting children with SEND in early years settings in Essex.....	5
Governing principles	5
Core funding for early years providers in Essex (elements 1 and 2).....	5
Stages of support	5
Universal support: Expectations of how children with SEND will be supported in all early years settings in Essex	6
Additional needs and SEND support: Support available for early years settings to meet the needs of children with SEN	7
The two levels of SEND top-up funding in Essex.....	7
The Essex early years banding framework.....	8
Eligibility for SENIF in Essex.....	9
Guidance on how to use the banding descriptors when requesting top-up funding.....	10
Guidance on using the banding descriptors for children with needs in specific areas	11
Part 3: How to request support for children with SEND in early years settings.....	13
How and by whom decisions are made about access to early years top-up funding	13
The process for requesting additional support and top-up funding for children with SEND in early years settings	13
Oversight of SEND funding and reporting.....	13
Who to contact for further information	14

Part 1: Introduction and context

Who should read this document?

This document sets out, in one place, an explanation of all SEND top-up funding arrangements for children with SEND in early years settings in Essex.¹ It has been designed to be read and used by early years practitioners, including childminders, but also as a reference point for other professionals, partners and families.

The purpose and scope of this document

Many aspects of the way funding for children and young people with SEND is arranged is set nationally – specifically, the quantum of funding that is given to local areas through the Dedicated Schools Grant, and the basic building blocks of funding at the level of individual providers. Where local areas have discretion is in how they allocate funding from the Dedicated Schools Grant (from the high needs block and, in the case of early years, the early years block) in the form of top-ups for individual children and young people. This document sets out the local arrangements within Essex for top-up funding for children with SEND in early years settings.

The SEND top-up funding arrangements in Essex were developed through co-productive working that took place between the summer term 2021 and throughout the 2021/22 academic year. The work was led by a dedicated SEND funding Review Working Group, made up of representatives of early years settings, mainstream and special schools, post-16 colleges, Essex Family Forum, Essex County Council SEND and Early Years services and clinical commissioning groups. It was formally agreed by Schools Forum and Essex County Council in Spring 2022.

This work aimed to create a set of funding arrangements that were, as well as being fair, transparent and effective, also “universal”, in the sense of having a common set of principles and practices for arranging top-up funding across all phases and sectors. Those principles and approach are set out in the [Allocation of top-up funding for children and young people with SEN: Operational guidance](#). Alongside this guidance for children and young people of all ages, from birth to 25, with SEN, we have also developed this document, which sets out in more detail the arrangements for SEND top-up funding for children in early years settings. There are two main reasons for why we have developed a dedicated, early-years-specific version of the operational guidance on SEND top-up funding, to be read alongside the main, all-age / all-phase operational guidance.

1. Nationally, there are different requirements for how SEND top-up funding should be organised in the early years. Specifically, local authorities (LAs) are required to establish a “SEND Inclusion Fund” to provide top-up funding for ‘lower level or emerging SEN’.² This means that top-up funding is paid to early years at a slightly earlier stage and for lower-level needs than it would be for schools and colleges. In Essex this is via SEN Inclusion Funding (SENIF)
2. Practically, it can be more difficult for early years settings to collect evidence about the SEND of very young children in order to differentiate those needs into multiple levels. This means that the tools that are used to determine levels of needs and how they may relate to top-up funding need to be adapted so that they are appropriate for use in early years settings.

This document has been designed to act as a single source of information about SEND top-up funding (and other aspects of SEND support) in the early years sector in Essex. For further context about the wider SEND top-up funding arrangements across all phases and sectors of the Essex education system, this document should be read alongside the all-age operational guidance – [Allocation of top-up funding for children and young people with SEN: Operational guidance](#).

¹ All references to early years settings in this document includes childminders.

² See the operational guidance produced by the DfE – <https://www.gov.uk/government/publications/early-years-funding-2022-to-2023/early-years-entitlements-local-authority-funding-of-providers-operational-guide-2022-to-2023>.

Oversight and review arrangements

This document was drafted in the summer term 2022, formally agreed in March 2023 and revised in July 2024. SEND top-up funding arrangements will be kept under regular review following the launch of these new arrangements. This operational guidance will be reviewed annually, and this version includes updates to reflect the Department for Education (DfE) Childcare Reforms Expansion. Responsibility for review will sit with the Council's SEND Strategy & Innovation Team and the Early Years Sufficiency & Sustainability Team.

The national context: Arrangements for SEND funding that are set nationally

Funding provided to local areas for children and young people with SEN

Local areas receive an allocation of funding for supporting children with “high needs” through the high needs block of the Dedicated Schools Grant (DSG), which is provided to LAs by the Education and Skills Funding Agency (ESFA). The DSG is intended to meet the educational costs for early years, primary and secondary education, as well as the additional costs of support for children requiring alternative provision (AP), and children and young people with high needs SEND from early years to post-16 (including those aged post-19 who have an Education, Health and Care Plan, or EHCP). The use of the DSG is governed by conditions of grant and the School and Early Years Finance Regulations, which are updated regularly. Conditions of the grant can be found [here](#)

How SEND funding for providers is arranged nationally

In relation to SEND funding, it can be common to hear talk about “element 1”, “element 2” and “element 3”. Broadly speaking, while there are differences in national funding arrangements for different phases and settings, the aim of the national SEND funding system is to ensure that there is a degree of equivalence between arrangements in different phases and settings. The three elements, set out in the graphic below, provide a way of illustrating that equivalence.

Put simply, elements 1 and 2 relate to funds that are held within the “core” delegated budgets of educational settings – funding received by mainstream settings through a funding formula, and equivalent place-led funding received by specialist settings and for high needs learners in post-16 settings for commissioned places. For early years settings in Essex this is the Funded Early Education Entitlement (FEEE) payments. Element 3 is the top-up funding, paid by LAs from the high needs block, to cover the additional costs of support, over and above elements 1 and 2, for individual children and young people. For early years settings in Essex this is the Special Educational Needs Inclusion Funding (SENIF).

For ease of reference and to inform understanding of the national system, below, we have included a brief summary of the national arrangements for SEND funding in each of these sectors. This sets in context the aspects of the SEND funding system, notably top-up funding, that can be determined locally.

Figure 1: An overview of the national SEND funding arrangements for each type of state-funded education setting

Education setting	Funds held within the delegated budgets of education settings		Funds allocated by LAs for individual young people
National framework	Element 1	Element 2	Element 3
Early years setting	Early Years National Funding Formula (including deprivation supplement) (FEEE in Essex)		SEN Inclusion Fund Top-up funding
Mainstream schools	Schools National Funding Formula (basic entitlement)	Notional SEN Budget (school-level)	Top-up funding
Units / resourced provisions		£6k per commissioned place	Top-up funding
Special schools	£10k per commissioned place		Top-up funding
Further education	Post-16 National Funding Formula	Formula funding (SENK) £6k per high-needs learner	Top-up funding

NB The above does not necessarily reflect every potential source of funding – Pupil Premium, lump sum, DAF.
NB There is a different approach to funding independent providers, who negotiate fees with the commissioning LA.

SEND funding in early years settings: The national context

In the early years, settings receive elements 1 and 2 as “core funding” in their delegated budgets via the FEEE payments, and then receive additional SENIF top-up funding for individual children with emerging or more complex SEN.

- **Element 1:** Early years settings receive the equivalent of element 1 through the early years national funding formula, via FEEE payments, which is paid to LAs and passed on to providers through the universal base rate. This provides an hourly rate of funding for eligible 1-year-olds, eligible 2-year-olds and for 3- and 4-year-olds accessing the universal entitlement and additional hours.
- **Element 2:** Early years settings receive additional funding for 3- and 4-year-olds through a funding supplement, in addition to the base rate, based on deprivation, via the Income Deprivation Affecting Children Index (IDACI) payments. (In addition, early years providers may also receive funding for 3- and 4-year-olds with additional needs through the Early Years Pupil Premium (EYPP), paid for each relevant funded hour, and/or the Disability Access Fund (DAF), paid at the relevant rate per eligible child per year.)
- **Element 3:** Element 3 – or “top-up” – funding is additional funding to meet the assessed needs of children with more complex SEN.

Nationally, there are two ways in which element 3, or “top-up” funding, should be provided to early years settings. Top-up funding is paid the setting where the child is on roll and moves with the child when they leave the setting.

1. **SEND Inclusion Funding** – LAs are required to have a SEND Inclusion Fund (SENIF) for any pre-school aged child taking up the funded entitlement who have ‘lower level or emerging SEN’. LAs can fund SENIF from the early years block and/or the high needs block.
2. **Top-up funding for children with EHCPs** – where children have more long-term, severe and profound needs, their needs may require LAs to undertake an education, health and care needs assessment (EHCNA) and make an education, health and care plan (EHCP), setting out the special educational provision the child requires. Children with EHCPs are likely to have needs that will require additional top-up funding.

Part 2: Local arrangements within Essex for allocating additional top-up funding for children with SEND in early years settings

Arrangements for supporting children with SEND in early years settings in Essex

Governing principles

Our vision for children and young people with special educational needs and disability (SEND) is the same as our vision for all children. Regardless of age, stage, unique characteristics or circumstances, our children and young people will have an education that provides –

- a positive experience of early learning;
- a sense of belonging, value and worth;
- aspirational outcomes;
- the right support at the right time;
- information and opportunities to enable informed decision making, choice and control;
- successful, planned transition at any point of movement, between phases or settings; and
- thoughtful and thorough preparation for their future progression to a fulfilling adult life.

Our vision is for a SEND system that identifies and assesses need at an early stage and that provides appropriate and impactful support without a high dependence on statutory services. We would like our children, young people and families to have confidence in the type, quality and amount of support received and see year-on-year impact of the support in the child's life.

Ensuring that decision-making, planning and support for children and young people with SEND in Essex is the individual and collective responsibility of all professionals, managers and leaders across education, health and care services.

Core funding for early years providers in Essex (elements 1 and 2)

ECC uses the Early Years national Funding Formula (EYNFF) to set the FEEE rates that will be paid for eligible one-year olds, two-year-olds, three and four year olds accessing their funding entitlement. This is shared with early years providers, along with the funding levels for the deprivation supplement (IDACI) Early Years Pupil Premium (EYPP) and the Disability Access funding (DAF)

The annual Essex Funded Early Education Entitlement (FEEE) for One-, Two-, Three- and Four-Year-Olds Contract and linked Provider Handbook set out the criteria for offering the FEEE and arrangements on how childcare providers, based in Essex, can claim the FEEE and associated funding for all eligible children.³

Stages of support

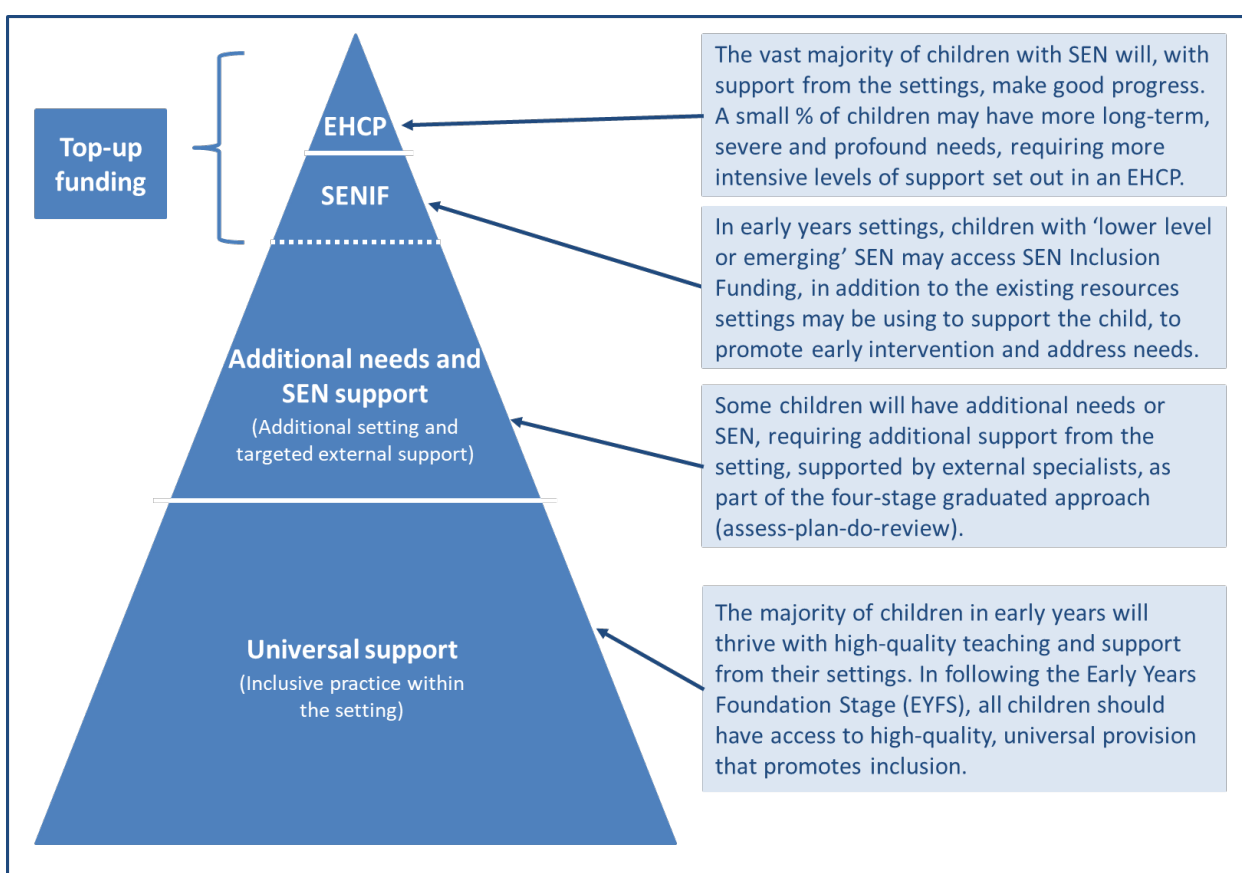
The majority of children in early years will thrive with high-quality teaching and support from their settings. A small proportion of children may have additional needs or SEN. Within this group, the majority of pre-school children with SEND will be supported through practices delivered and resources provided within the early years setting that they attend, as part of settings' core universal offer of high-quality teaching and universal, inclusive support under the Early Years Foundation Stage (EYFS). A small proportion of pre-school children may have additional needs or SEN. Within this cohort of children with SEN, the majority will have their needs met through a combination of the settings' own adaptations and interventions – as part of their graduated response – and additional advice and support from specialist external services (health practitioners, social care or early help services, specialist teaching services). Only a small

³ See [here](#) for more information.

minority of children with SEND will require “top-up” funding, in addition to the resources ordinarily available in early years settings, to have their needs met.

Sometimes, a lack of or slow progress can become a cause for concern about a child’s development. A delay in learning, or difficult or withdrawn presenting behaviour, may not, of themselves, indicate that a child has SEND that calls for special educational provision to be made. The quality of teaching and learning should always be considered as a possible reason for unexpected slow progress and widening gaps in progress and attainment. Early years settings should also consider other factors that may be causing difficulties in the child’s development, such as –

- disability (settings are required to make reasonable adjustments under disability equality legislation; disability alone does not constitute SEN);
- attendance and punctuality;
- health and wellbeing, including circumstances in the child’s domestic situation (where a multi-agency assessment, such as through early help, may be appropriate); or
- speaking English as an additional language.



Universal support: Expectations of how children with SEND will be supported in all early years settings in Essex

The Early Years Foundation Stage (EYFS 2021) is a fully inclusive statutory framework with overarching principles that focus on the unique Child and the understanding that all children develop and learn at different rates. Most children, including those with SEN, will make good progress but some children will need extra support that is “additional to or different from” the high-quality practice that is provided for all children.

To support early years setting to meet the needs of children with emerging SEND needs, ECC has put together guidance as to what should be ordinarily available to children in their early years setting.

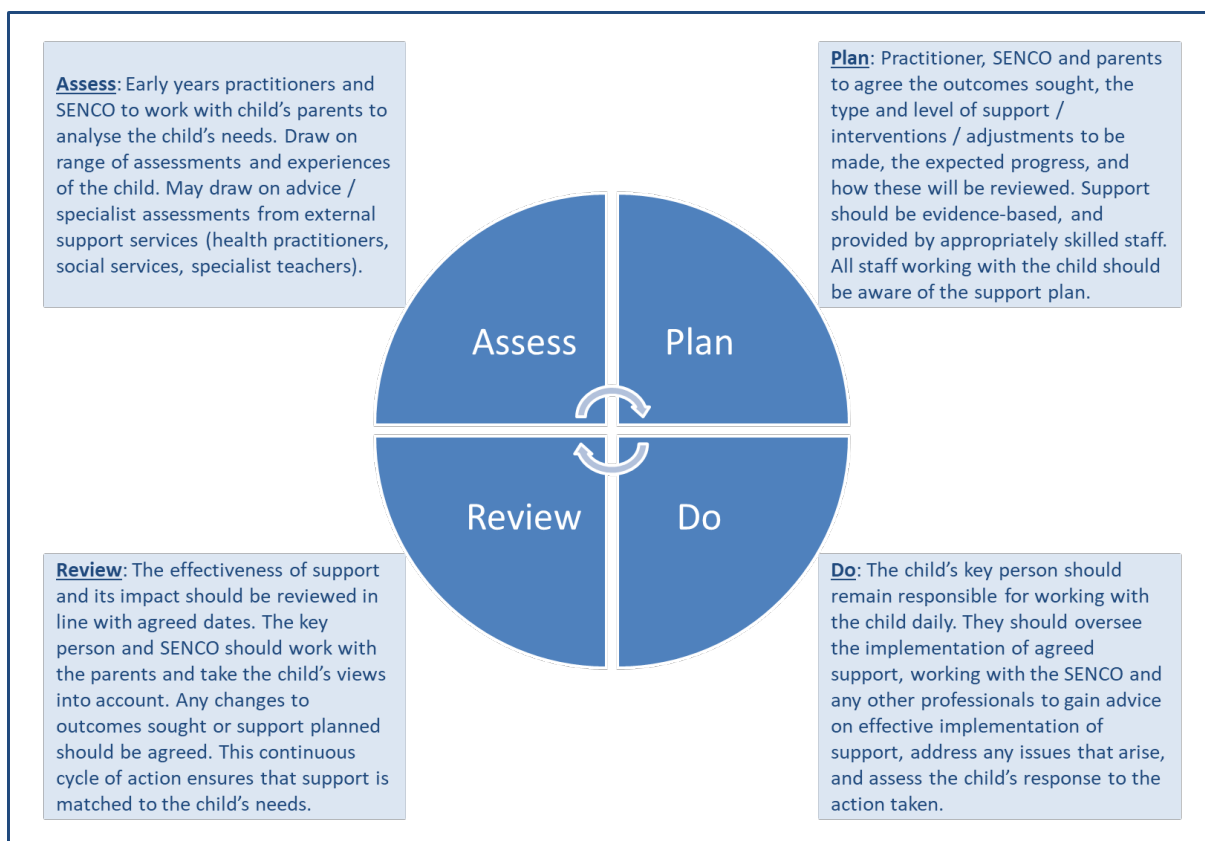
The Essex Early Years Ordinarily Available (OA) guidance sets out a common set of expectations about the provision and practice that is expected in all Early Years settings for all children with SEN.

It is what a parent or family can expect to be “normally” or “ordinarily” available to their child without the need for involving specialist support.

This has been put together in a toolkit that was launched in September 2023 and covers Communication and Interaction, Cognition and Learning, Social, Emotional and Mental Health and Physical and Sensory categories set out in the SEND Code of Practice: 0 to 25 years (2015).

More information on the support available can be found [here](#).

Chapter 5 of the SEND Code of Practice: 0 to 25 years (2015) details how early years settings should identify and support children with SEN. It emphasises the importance of early identification of potential SEND and, where SEND are identified, the importance for putting place special educational provision to meet the child’s needs swiftly. The Code of Practice details a four-stage, graduated response to providing support to children with SEN. The four stages are set out below. The parents / carers of the child should be involved, and their views and those of the child sought, at every stage.



Additional needs and SEND support: Support available for early years settings to meet the needs of children with SEN

The local authority SEND teams provide advice, guidance and training to early years settings about the provision of high-quality support for all children and young people, as well as managing the statutory SEND processes across Essex. Every early years’ setting has a ‘link’ Inclusion Partner (IP) and ‘link’ Educational Psychologist (EP) from whom they can access advice, guidance, training and support on issues relating to SEND. More information can be found on the Essex Schools Info Link website which can be found at [Essex Schools Infolink SEND](#) and the Essex Early Years and Childcare Provider pages which can be found at [Early Years and Childcare \(essex.gov.uk\)](#)

The two types of SEND top-up funding in Essex

In line with the national system, there will be two routes for accessing additional top-up funding for children with SEND in early years settings. (In Essex, this means that what was previously SEND Premium Funding and Early Years

Inclusion Funding have been brought together into a single funding stream, which will be called SEND Inclusion Funding (SENIF).

1. **SEND Inclusion Funding** – additional top-up funding for children with ‘lower level or emerging SEN’ to promote early intervention, overcome barriers to their learning and development, and ensure children with SEND achieve their best outcomes.
2. **Top-up funding for children with EHCPs** – where children have been identified with more long-term, severe and profound needs, their needs may require LAs to undertake an education, health and care needs assessment (EHCNA) and make an education, health and care plan (EHCP), setting out the special educational provision the child requires. Children with EHCPs are likely to have needs that will also require additional top-up funding.

While there are potentially two separate routes for accessing top-up funding, the methodology for determining the allocation of top-up funding will be the same. Specifically, levels of top-up funding will be allocated based on levels of need. This will be done using a banding framework, that contains descriptors of levels of need. This is to ensure that practitioners can “speak the same language” when talking about levels of need. When using the banding framework, each request for funding will be considered individually and on its own merits. In so doing, the banding framework provides a common framework that ensures we have a fair and equitable way of making decisions about similar levels of need in a consistent manner.

The Essex early years banding framework

The Essex early years banding framework has been designed to align with the all-age banding descriptors contained in the SEND top-up funding operational guidance for all phases and sectors ([Allocation of top-up funding for children and young people with SEN: Operational guidance](#)). The descriptors of need are based on those in the all-age banding descriptors but have been adjusted in three ways.

1. **Language** – language specific to pre-school-age children has been used in the early years banding descriptors. As with the all-age banding descriptors, the early years version of the descriptors is based around descriptions of need and is organised according to the four categories of need in the SEND Code of Practice. When considering a child’s development and areas of need, early years practitioners may find that the table below shows how the four categories of need in the SEND Code of Practice relate to the three prime areas in the EYFS, as well as the characteristics of effective teaching and learning.

The four categories of need in the SEND Code of Practice	EYFS
Cognition and learning	Characteristics of Effective Teaching and Learning
Communication and interaction	Communication and Language (prime area)
Social, emotional and/or mental health needs	Personal, Social and Emotional Development (prime area)
Sensory and/or physical needs	Physical Development (prime area)

2. **Three top-up bands** – the early years banding descriptors have been grouped into three top-up bands (Low, Medium and High), as opposed to five bands for school- and college-age young people. This is because it can be difficult to build up the evidence to differentiate the needs of very young children into the finer gradations that lend themselves to having five top-up bands. The “Universal support” and “Additional needs and SEND support” bands cover the needs that early years settings would be expected to meet from within their existing, setting-based resources.

3. **The level at which top-up funding begins** – within the national funding system, reflecting the size and capacity of early years settings, SEND Inclusion Funding is designed to provide access to top-up funding for lower-level and emerging SEND, that would be met from ordinarily-available provision in mainstream schools and colleges. This means that the “Low” band for top-up funding is set slightly lower than the first band of top-up funding for school- and college-age children (High needs top-up Band C). This is not to say that all pre-school children with identified SEND will require top-up funding – as the banding graphic below makes clear, early years settings will be expected to meet the majority of additional needs and SEND from within their existing resources.

The graphic below shows how the early years bands align with (although do not automatically correspond to) the bands for mainstream schools, colleges and special schools.

Early years	Universal support	Add. needs and SEN support	Top-up Band “Low”	Top-up Band “Medium”	Top-up Band “High”		
Mainstream schools and colleges	Universal support (Band A)	SEN support (Band B)	High needs top-up Band C	High needs top-up Band D	High needs top-up Band E	High needs top-up Band F	High needs top-up Band G
Special schools and units	Place funding		High needs top-up Band C	High needs top-up Band D	High needs top-up Band E	High needs top-up Band F	High needs top-up Band G

- Early Years band “Low” covers the parallel descriptions of need to school and college Band C (the first band attracting high needs top-up funding), but also covers some of the descriptions of need that schools and colleges would be expected to meet within SEND support – reflecting the role of SEND Inclusion Funding.
- Early years band “Medium” covers the parallel descriptions of need to school and college Bands D and E.
- Early years band “High” covers the parallel descriptions of need to school and college Bands F and G.

It is important to note, however, that alignment between the early years and all-age descriptors is not the same as automatic entitlement to levels of top-up funding. A child in an early years setting on the “Low” band would not automatically receive high needs top-up Band C when they reach school-age. This is because the needs of very young children can change, and because we would expect the use of top-up funding in the early years to have helped to overcome some children’s barriers to learning by the time that they reach school. Similarly, children in the early years on the “Medium” band would not automatically be entitled to high needs top-up Band D or E – this would depend on their needs, progress and transition to school. We would expect that only a proportion of children on the “Low” and “Medium” bands would require top-up funding at school.

Eligibility for SENIF in Essex

Prior to the implementation of SENIF from September 2024, Essex allocated early years top up funding in circumstances that met and exceeded national statutory requirements, and this detail is set out below.

- In line with statutory requirements, settings could apply for early years top up funding for children aged 3 and 4, in receipt of the funded entitlement, up to 30 hours of support, the limit of the funded entitlement hours. Settings can apply for early years top up funding to support children whose needs reflect the descriptors of the Low, Medium or High bands.
- Settings could also apply for support for 2-year-olds who were taking up funded entitlement hours and who have needs that reflect the descriptors for the Medium and High bands.

Following consultation and discussion with early years sector leaders, it was agreed in Essex to move to provide SENIF in line with the entitlement to funded early education hours . Essex will provide additional “top-up” funding for

children with SEND taking up the funded early education offer up to the limit of the funded early education hours. . This will include the roll out of the new funded entitlements to children from the term after they turn 9 months old. The Early Years Resource Panel will consider funding all hours of attendance for children meeting the mid and high banding descriptors criteria in exceptional circumstances.

Each case will be considered on its own individual merits by the Early Years Resource Panel.

Guidance on how to use the banding descriptors when requesting top-up funding

All children and young people are continuously assessed by practitioners in early years settings.

Decisions about banding are to be made based on the written evidence of the assessed needs of the child or young person. Evidence drawn from a range of sources, including education, health and care services will be used to establish the type and severity of need of the child or young person. While decisions about application for and the allocation of top-up funding will be based on evidence of need, it is not the case that a child must have a formal diagnosis in order to access top-up funding.

Each case is to be considered individually and on the available evidence about the child or young person. It is recommended that the following four steps are taken when considering the banding for a child or young person.

1. **Draw together the available evidence and reports about a young person's needs** – using the banding framework does not require settings, schools or colleges to prepare any new evidence. Instead, practitioners should use existing written evidence of need. This may include observations, assessments, reports from external specialists. There is an expectation that early years settings will have put in place cycles of support through the graduated response (One Planning) – evidence gathered as part of the assess-plan-do-review should form part of the evidence base when using the banding framework.
2. **Match the evidence of need to the banding descriptors for each type of need** – for each area of need a child or young person has, the task is to find the best match to the relevant descriptors. For example, if a child has cognition and learning needs, the task is to find the best possible match between the evidence of the child's needs and the descriptors in the Low, Medium and High bands. This will require the use of professional judgement about the available evidence and which band represents the best match to that child's or young person's needs.
 - a. Each banding level includes several descriptors of need. Descriptors in each band work as a "pen picture" of a specific level of need. The needs of a child / young person do not need to meet all the individual descriptors at each banding level. Instead, a "best fit" approach should be used – in other words, seeking to find the banding level where the descriptors best match the evidence of the needs of the child or young person. Please note that the descriptors of need at each banding level are not listed in order of importance.
 - b. Some words that describe needs appear in more than one band. As such, words need to be considered in the context of the whole paragraph, rather than in isolation, as this will help to match the evidence of severity of a specific indicator of need. Equally, the profile of some young people and the evidence of their needs will require colleagues to read the banding descriptors for two, closely connected categories of needs together – for example, for very young children it can be difficult to determine whether their primary need is cognition and learning, speech, language and communication, or a hearing / visual impairment. In these cases, it will be important to consider carefully the descriptors for each of these categories of need. As stated above, the descriptors describe needs, not the requirement to have a formal diagnosis to access top-up funding at a specific level.
3. **Double-check the banding you have selected in each area of need by cross-referencing against the band immediately below and immediately above** – for example, if you have matched the evidence of a child's needs to the "Medium" band for cognition and learning, double-check that this is the "best fit" by checking against the "Low" and "High" band for that category.

- 4. Identify the area of need that has the most significant impact on the learning of the child or young person** – this will usually be the area where the child or young person has the highest level of need. This should be the area used to determine the final band for the child or young person. For example, if a child has needs that match the descriptors for the “Medium” band for cognition and learning, and the “Low” band for communication and interaction and hearing impairment, the cognition and learning would be the area with the most significant impact on the learning of the child and they would be allocated the “Medium” band.

The final decision about bands to be allocated will be taken by Essex County Council, in line with their statutory responsibilities for children and young people with EHCPs, and their financial responsibilities for the use of high needs block resources and the efficient use of public resources. Decisions will be made in line with Essex County Council’s SEND scheme of delegation. Other professionals may be involved in moderating and advising on these decisions about top-up funding to ensure equity, fairness, and transparency.

Guidance on using the banding descriptors for children with needs in specific areas

Cognition and learning

Some children may have ‘global delay’ or are working across most of the EYFS at age-bands well below their chronological age, suggesting that they have wide ranging learning difficulties and needs. In such cases the cognition and learning section of the banding descriptors should be considered first. It is essential the evidence submitted as part of the funding request triangulates with specialist reports. For some children with active or recent health visitor involvement, a completed and plotted Ages & Stages Questionnaire (ASQ) may be available. This gives standardised information based on parental views and can be useful in helping to profile a child’s development and needs across many areas.

As the EYFS does not have a specific section related to ‘cognition’, early years settings should be able to gather evidence from a range of learning experiences in which the child has had to solve problems of one kind or another, or use basic concepts to sort, match and classify. The child’s play skills, mathematical knowledge and skills, how they explore the environment, and their understanding of the world are all relevant. Many cognitive skills develop as language skills develop and are facilitated by them; others, such as completing inset jigsaw puzzles, do not depend so much on language.

Physical skills, sensory needs, medical needs

The banding framework contains separate descriptors for physical needs, hearing impairment and visual impairment. (Please note that descriptors relating to sensory processing difficulties can be found under ‘Communication’.)

The descriptors of physical needs relate closely to the EYFS prime area but with the emphasis on mobility and, to a lesser extent, personal care needs. Evidence of a child’s needs in this area might include reports from a physiotherapist or occupational therapist.

Children with severe sensory loss may have significant access and/or educational and learning needs as well as having complex medical or access needs requiring very high levels of intervention and support. It is important to use the descriptors for these types of need alongside the descriptors for cognition and learning and physical / medical needs.

Settings are normally expected to make reasonable adjustments for children experiencing health and medical needs which do not impact in a significant way on learning and development. Advice should be sought from the Essex Child and Family Wellbeing Service Family Hub and / or relevant specialist agency if there are concerns about how to meet such needs. A healthcare plan may be necessary or already in place. Children with medical or physical health needs that impact on their learning and development must have a One Plan at SEND Support that appropriately reflects these needs.

Templates to support the development of healthcare plans can be found [here](#).

Social, emotional and mental health needs

This section of the banding framework aligns with the EYFS prime area for personal, social & emotional development, but with an added 'mental health' dimension, which may be more familiar to practitioners working with older children and young people. Early years practitioners may be more comfortable with the term 'emotional wellbeing'.

We know that some babies and young children do experience severe emotional trauma which in turn can lead to difficulties forming positive attachments with significant adults and a wide range of social and emotional needs, together with challenging behaviour. Some of these children may be known to early help or children's services.

The descriptors listed under this area of social, emotional and mental health have been designed to consider:

- the level of behaviours displayed particularly in relation to age and context;
- the frequency of incidents;
- the severity and intensity of incidents;
- the impact on learning and progress, and on others in the setting;
- progress over time against appropriate and relevant targets.

Below are some of the sources of evidence practitioners should draw on when using the social, emotional and mental health section of the banding framework:

- EYFS information relating to the child's progress in the prime area of making relationships, self-confidence and self-awareness, and managing feelings and behaviour;
- information about any structured observations of behaviour carried out in the setting, either by setting staff or outside agencies, and any targeted outcomes agreed (e.g., behaviour logs, frequency charts);
- a completed risk assessment where safety of the child, or others, is a concern;
- any specialist reports from external therapists and practitioners; and
- (with consent) details from any early help or social care assessments or plans.

Communication

There are two sets of descriptors under 'communication' in the banding framework.

1. The language descriptors link closely with the EYFS prime area of communication and language, and the development of listening & attention, understanding and speaking.
2. The social descriptors are closely linked to those within the EYFS personal, social and emotional development prime area and are most appropriate for those children experiencing significant social communication difficulties and who may have, or be on the path towards a diagnosis of, autism.

Many young children experience delays in the development of communication and language skills, and those with mild delays should normally have their needs met within the setting through the graduated response of SEND Support, without requiring additional funding. Requests for additional top-up funding can be made for children with moderate to significant / severe communication delays or language disorder. In these cases, it is strongly recommended that evidence of assessment and intervention from a Speech & Language Therapist is provided.

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Part 3: How to request support for children with SEND in early years settings

How and by whom decisions are made about access to early years top-up funding

Decisions about access to top-up funding for early years children in Essex are taken by either –

- a. The Early Years Resource Panel for decisions about access to SEND Inclusion Funding, which was launched from September 2024 to support the transition to the new early years SEND top-up funding arrangements described in this document; and
- b. the Quadrant Resourcing Panel for children with EHCPs.

More detail on this can be found [here](#).

The process for requesting additional support and top-up funding for children with SEND in early years settings

From July 2024, a new single on-line application form for requesting top-up funding was launched. More information on how to apply can be found [here](#)

Some children with highly complex special educational needs and/or disabilities (e.g., physical/medical needs) will require support as soon as they start at an early years setting. The child's needs are so significant that they are likely to require immediate support, aid or adaptations over and above that normally available through the graduated approach at SEND Support. We would expect the setting to have gathered evidence for the One Planning through those initial conversations with parents / carers and settling the child into the setting as well as any specialist reports, health care plan (if applicable) and relevant assessments.

Oversight of SEND funding and reporting

There will be regular reporting on the use of top-up funding, including in the early years sector, to key leadership and partnership fora concerned with the SEND system in Essex. These include but are not limited to –

- the Essex SEND Partnership Board;
- Schools Forum (and any sub-groups concerned with early years, SEND and high needs funding);
- SEND and LA senior leadership team meetings;
- elected members; and
- phase association and network meetings (e.g., Early Years Network meetings).

The aims of these reporting and oversight routines are to –

- keep early years top-up funding arrangements under review; and
- ensure that decisions about access to top-up funding for early years children with SEND are being made consistently and equitably, in line with the principles set out in this document.

Who to contact for further information

For further information about early years top-up funding arrangements, how to use the banding descriptors, how to make a request, or how Panel decisions are made, please email the Essex Early Years Resource Panel mailbox at ey.resourcepanel@essex.gov.uk

Further information can be found [here](#) on the Early Years Provider webpage.