

Section 4: First concerns and early identification

This section of the toolkit is about how settings should respond to initial concerns about a child's progress and how to identify special educational needs.

This is important because an early response to a concern and early identification and intervention are key to helping children to reach their potential.

Early responsiveness

High quality teaching is the foundation for children's learning and development and is the starting point for any additional or different provision for children with SEN, see *Section 2: Statutory requirements*. The *Statutory Framework for Early Years Foundation Stage* and the *SEN and disability code of practice: 0-25 years* emphasise the importance of:

- the responsiveness of early years settings to any cause for concern; and
- the setting's approach to identifying and responding to special educational needs.

...throughout the early years, if a child's progress in any prime area gives cause for concern, practitioners must discuss this with the child's parents and/or carers and agree how to support the child. Practitioners must consider whether a child may have a special educational need or disability which requires specialist support. They should link with, and help families to access, relevant services from other agencies as appropriate.

DfE (2014) *Statutory Framework for Early Years Foundation Stage*, para 1.6

Providers **must** have arrangements to support children with SEN or disabilities. These arrangements should include a clear approach to identifying and responding to SEN. The benefits of early identification are widely recognised - identifying need at the earliest point, and then making effective provision, improves long term outcomes for children.

DfE and DH (2015) *SEN and disability code of practice: 0-25 years*, para 5.4

The *SEN and disability code of practice* is clear that the setting's approach to assessing SEN should be firmly based in the setting's overall approach to monitoring the progress and development of all children.

First concerns, a holistic approach

Where a child appears to be behind expected levels or where a child's progress gives cause for concern, practitioners should consider all the information about the child's learning and development (*SEN and disability code of practice*). All the information should be brought together and considered with the child's parents/carers. This should include information about:

- the child's learning and development, within and beyond the setting;
- practitioner observations, formal checks, any more detailed assessment, any specialist advice;
- progress in the prime areas: communication and language, physical development, social and emotional development.

In the next paragraphs, we consider the range of information available to settings:

Information from parents

Key principles underpinning the SEN reforms are the importance of taking into account the wishes, views and feelings of parents and of promoting their participation in decision-making. Parents have a wealth of knowledge about their children not only in their home environment but in a variety of other situations. In some cases it is parents who may first voice a concern about their child's learning or development. The child's key person is likely to be parents' first port of call. Parents' concerns should be gathered together with the other information and considered with parents.

All those who work with young children should be alert to emerging difficulties and respond early. In particular, parents know their children best and it is important that all practitioners listen and understand when parents express concerns about their child's development. They should also listen to and address any concerns raised by children themselves.

DfE and DH (2015) *SEN and disability code of practice: 0-25 years*, para 5.5

Discussions with parents can give practitioners insights into a child's personality, feelings or interests outside the setting. There may be changes in a child's life which parents may not have mentioned, perhaps because they did not feel that they were important or because they are very personal, for example: illness or bereavement in the family; parents separating; a change of carer or child-minder; living in temporary or unsuitable accommodation; the child's disturbed sleeping pattern; or a new baby. Any such changes may affect a child's behaviour, progress or development and need to be taken into account in planning support.

The voice of the child

A key principle underpinning the SEN reforms is the importance of taking into account the wishes, views and feelings of children themselves. Children may express their wishes, views and feelings for themselves in a range of ways and practitioners can support interactions and dialogue with children by using visual prompts and photos to get them to show you what they like doing and what they find difficult. Practitioners can also understand children's views by observing the choices they make: what they like to do and what they avoid.

Observations within the setting

General observations are a purposeful part of everyday practice and it may be these that will initially alert practitioners to a delay in a particular area. Equally important are young children's attitude, disposition and engagement with learning, which need to be observed so that they can be taken into account in planning.

Themed observations: observation is a powerful tool for gathering information about a young child. A themed observation focuses on one particular aspect of a child's learning or development. The observation needs to be carefully planned; a particular game or activity may need to be 'set up' in advance; the practitioner needs to be undisturbed for up to twenty minutes; the support of other staff is essential; and it may be necessary to rearrange staff or enlist extra help, for example from the SENCO. Following the observation, it is important to analyse and reflect on the information. The views and observations of other members of staff are helpful as significant points can then be discussed together.

EYFS Outcomes and tracking

The EYFS expects that all early years settings monitor the progress and development of all children. Every setting will record this in different ways and an increasing number are using the latest technology to do so. For children age three to four years of age practitioners will assess their learning and development across all seven areas of learning, although much of the focus remains on the three prime areas. A key consideration in determining whether or not a child has SEN is whether they are making expected process.

In assessing progress of children in the early years, practitioners can use the non-statutory *Early Years Outcomes* guidance as a tool to assess the extent to which a young child is developing at expected levels for their age.

DfE and DH (2015) *SEN and disability code of practice: 0-25 years*, para 5.21

The progress check at age two

When a child is aged between two and three, early years practitioners must review progress and provide parents with a short written summary of their child's development, focusing in particular on the prime areas: communication and language, physical development, social and emotional development. There is no prescribed format for the check. The *Know How* guide provides a set of principles and useful guidance for practitioners carrying out the check¹.

Generally a child's key person drafts a summary of the child's stage of development in the three prime areas. The summary must highlight areas where:

- good progress is being made;
- some additional support might be needed;
- there is a concern that a child may have a developmental delay (which may indicate SEN or disability).

If there are significant concerns (or identified SEN or disability) practitioners should develop a targeted plan to support the child, involving other professionals such as, for example, the setting's SENCO or the Area SENCO. The progress check summary must describe the activities and strategies the provider intends to adopt to address any issues or concerns.

Health and development review at age two

The health and development review at age two is part of the Healthy Child Programme². Health visitors gather information on a child's health and development, allowing them to identify any developmental delay and any particular support from which they think the child/family might benefit.

The progress check and the health and development review should inform each other and support integrated working. This will allow health and education professionals to identify strengths as well as any developmental delay and provide support from which the child/family might benefit. Providers must have the consent of parents and/or carers to share information directly with other relevant professionals.

DfE (2014) *Statutory Framework for Early Years Foundation Stage*, para 2.5

¹<https://www.gov.uk/government/publications/a-know-how-guide-the-eyfs-progress-check-at-age-two>

²<https://www.gov.uk/government/publications/healthy-child-programme-pregnancy-and-the-first-5-years-of-life>

From September 2015 it is proposed to introduce an integrated review that will cover the development areas in the Healthy Child Programme two-year health and development review and the EYFS two-year progress check³. There are anticipated benefits in terms of improving early identification and providing parents with more consistent messages.

Bringing it all together

All the information should be brought together alongside parents' observations and considered with parents.

DfE and DH (2015) *SEN and disability code of practice: 0-25 years*, para 5.28

This discussion would normally be between the practitioner, usually the key person, and the parents, with the support of the setting SENCO, the Area SENCO, or other professional, as appropriate. The discussion considers whether the child has a special educational need or whether there are other explanations for the concerns expressed or the delay observed. The *SEN and disability code of practice* encourages the consideration of a number of factors:

A delay in learning and development in the early years may or may not indicate that a child has SEN, that is, that they have a learning difficulty or disability that calls for special educational provision. Equally, difficult or withdrawn behaviour does not necessarily mean that a child has SEN. However, where there are concerns, there should be an assessment to determine whether there are any causal factors such as an underlying learning or communication difficulty. If it is thought housing, family or other domestic circumstances may be contributing to the presenting behaviour, a multi-agency approach, supported by the use of approaches such as the Early Help Assessment, should be adopted.

DfE and DH (2015) *SEN and disability code of practice: 0-25 years*, para 5.29

The discussion may highlight the need for more specialist expertise to identify the nature of the child's needs; specialist teachers, educational psychologists or health, social services or other agencies may need to be involved. Where they are not already working with the setting, they may be identified through the local offer, see *Section 6: The role of the early years SENCO*; and *Section 8: Working with other professionals and other sources of information and support*.

Deciding whether a child has SEN

The key questions that need to be decided are:

- Does the child have a learning difficulty, that is, a significantly greater difficulty in learning than their peers? A key consideration, but not the sole consideration in this, is whether the child is making expected progress; or
- Does the child have a disability that prevents or hinders them from making use of the facilities in the setting? and
- Does the learning difficulty or disability call for special educational provision, that is, provision that is additional to or different from the provision normally made available?

Where a setting identifies a child as having SEN, they must work in partnership with parents to establish the support the child needs. Where a setting makes special educational provision for a child with SEN they should inform the parents and a maintained nursery school must inform the parents. All settings should adopt a graduated approach with four

³ <http://www.foundationyears.org.uk/2014/11/guidance-for-practioners-on-the-integrated-review/>

stages of action: assess, plan, do, review, see *Section 5: SEN Support in the early years – A Graduated Approach*.

In all cases, early identification and intervention can significantly reduce the need for more costly interventions at a later stage.

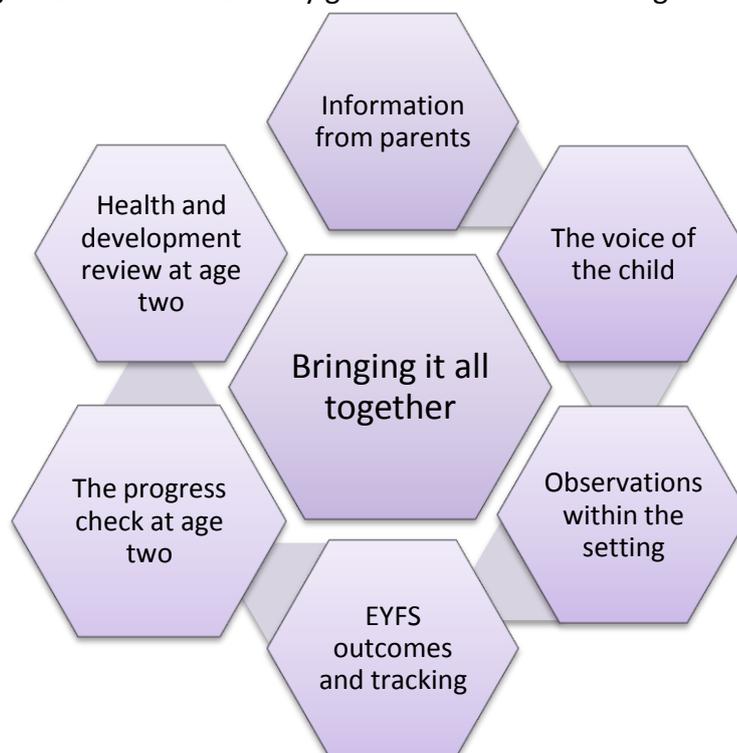
SEN and disability code of practice, para 5.31

Medical needs: the EYFS requires all providers to promote the health of children attending the setting; and providers must have and implement a policy and procedures for administering medicines. Children with a range of medical needs may also count as disabled and providers will also be subject to the requirements of the Equality Act, see *Section 1: Statutory requirements*. Where a child is covered by the SEN and the disability legislation, reasonable adjustments and access arrangements should be considered as part of SEN planning and review.

Note: difficulties related solely to learning English as an additional language are not SEN.

Early identification: a review

Settings might review how well they gather information through the following routes:



Consider:

- How well does the setting gather information through the different routes?
- How well does the setting bring the information together and analyse it?
- How well does the setting manage conversations with parents and the decision-making process?