



Early Years Inclusion Fund, Inclusion Fund or EHCP

What is the inclusion fund and what is the difference between inclusion funding and EHCPs?

Derbyshire Local Authority must make additional funding available.

SEND Code of Practice - Paragraph 5.59

Local Authorities must ensure that all providers delivering funded early education places meet the needs of children with SEN and disabled children. In order to do this local authorities should make sure funding arrangements for early education reflect the need to provide suitable support for these children

SEND code of Practice – Paragraph 6.99

...the authority where the child or young person lives, should provide additional top-up funding where the cost of the special educational provision required to meet the needs of an individual pupil exceeds the nationally prescribed threshold.

In Derbyshire inclusion funding can be applied for by early year settings and schools either through the **Early Years SEN Inclusion Fund** or the **Inclusion Fund**. This does not affect the legal rights of parents to request an **Education Health Care Needs Assessment (EHCNA)** if they think their child's needs should be met through an **Education Health and Care Plan (EHCP)** or the duties of the local authority to conduct this assessment.

Additional funding is decided by an inclusion panel.

The panels are there to look at requests from Derbyshire early year settings or Derbyshire schools to access additional funding to support the inclusion of children and young people with additional needs. The

panels may also signpost settings to other services who could offer additional advice and support.

Information about the **Early Years Inclusion fund** can be found on [the Local Offer website](#).

Information about the **Inclusion Fund** can be found on [the Local Offer website](#).

EHCP: A legal plan to put in place support and funding for children and young people aged 0-25 who have SEN to ‘provide the best possible outcomes across education, health and social care’ across a range of educational provision including maintained, non- maintained, some independent schools, and colleges. Information can be found on the [Local Offer website](#).

What can inclusion funding and EHCP’s provide and for whom.	Early Years SEN inclusion fund	Inclusion Fund	EHCP
For children in a maintained or non-maintained setting from two years until starting reception	✓	x	✓
For children and young people from 0 up to the age of 25 who remain in some forms of education or training	x	x	✓
Stays with child if moves school within Derbyshire.	✓	✓	✓
Parents, carers, child and/or young person involved in process.	✓	✓	✓
Suitable for a child whose needs may be short term.	✓	✓	x
Can be applied for by school / setting with the agreement of parents.	✓	✓	✓

What can inclusion funding and EHCP's provide and for whom.	Early Years SEN inclusion fund	Inclusion Fund	EHCP
Can be applied for by parents with or without the agreement and support of school or setting.	X	X	✓
Funds should be available straight away after initial request has been agreed.	✓	✓	X
Can be removed, changed or provision reduced without parents having the right to an independent appeal.	✓	✓	X
Is a legally binding contract between the child/young person, parent/carers, local authority, and school.	X	X	✓
Legal rights transfer to other authorities if no longer living in Derbyshire.	X	X	✓
Has a structured statutory review at least annually?	X	X	✓
Is a detailed and specific description of the child or young person's Education, Health and Social Care needs made after a thorough assessment involving Education, Health and social care which takes 20 weeks.	X	X	✓
Can be used to obtain a personal budget.	X	X	✓
Once in place the school and LA have a legal duty to make the provision identified.	X	X	✓
Can be used to request a special school placement.	X	X	✓

[Special Educational Needs and disability Code of Practice: 0-25 years](#)

Who can I contact if I need further help or advice?

Parent / Carer Advice line

01629 533668

**Staffed Monday – Friday 9.30am -
3.00pm**

Email: ias.service@derbyshire.gov.uk

**Leave a message and all calls and
emails will be returned as soon as
possible.**

Other factsheets can be found on our website.

**[Derbyshire Information Advice and Support Service for Special
Educational Needs and Disabilities website.](#)**

Email: IAS.Service@derbyshire.gov.uk

Or use our **[online contact form.](#)**

**If you, or someone you know, would like a copy of this information
sheet in large print, an audio version or in languages other than
English, please contact us.**