

# Additional support for learning in the early years

This factsheet explains:

- how much early learning and childcare your child is entitled to
- types of early learning and childcare provision
- the support you can expect your child to receive.

## How much early learning and childcare is my child entitled to?

Every child aged three and four is entitled to 600 funded hours of early learning and childcare a year<sup>1</sup>. This can be provided in different settings, which we describe in 'Types of early learning and childcare' below.

Your child's funded hours can start in the school term following their third birthday. This means if your child was born between:

- 1 March and 31 August they can start in the autumn term (usually beginning in August)
- 1 September and 31 December they can start in the spring term (usually beginning in January)
- 1 January and 28/29 February they can start in the summer term (usually beginning in April).

Different local authorities will have their own policy on how they provide the funded hours. For example, some local authorities may offer a place from a date closer to your child's third birthday.

Your local authority may also be able to provide more funded hours of early learning and childcare than the minimum. This will depend on your child's needs.

You can check with your local authority what the local arrangements are.

<sup>1</sup>Children and Young People (Scotland) Act 2014

By August 2020, all children aged three and four will be entitled to 1140 hours a year of early learning and childcare. Some local authorities have already started to increase the number of hours available to children.

## Under threes

Some children are entitled to start receiving funded hours of early learning and childcare at age two. This includes children who have, at any time since their second birthday:

- been a 'looked after child' (meaning that the local authority has taken on some legal responsibility for their care and wellbeing)
- been subject to a kinship care order, or
- had a guardian appointed.

Children aged two whose parent or carer receives certain benefits are entitled to 600 hours of early learning and childcare as well. This includes you, if you receive:

- Income Support
- Job Seeker's Allowance (income based)
- Employment Support Allowance (any income related element)
- Incapacity or Severe Disablement Allowance
- State Pension Credit
- Support under Part VI of the Immigration and Asylum Act 1999.

This may also include the following benefits if your income is below a certain threshold<sup>2</sup>:

- Child Tax Credit
- Working Tax Credit
- Universal Credit.

If your child is entitled to funded hours and you want a nursery place for them, contact your local authority. Your child will start nursery from the first term after their second birthday, or the first term after they become entitled to receive funded hours, for example after you start receiving one or more of the benefits listed above.

<sup>2</sup>Find up to date information on eligibility at [www.mygov.scot/childcare-costs-help/funded-early-learning-and-childcare](http://www.mygov.scot/childcare-costs-help/funded-early-learning-and-childcare)

Once your child has become entitled to funded early learning and childcare hours, they stay entitled even if their parent or carer's situation changes and they are no longer receiving one of the benefits above.

These children will also be entitled to the 1140 hours of early learning and childcare from August 2020 (see above).

## Disabled children under three

Children under three who do not fall into the categories above are not entitled to funded hours of early learning and childcare. However, if your child is disabled, they may be entitled to additional support that focuses on their learning.

This is based on an assessment of their individual needs. See the **'Identifying your child's support needs'** section of this factsheet for more information.

## Types of early learning and childcare

Your child can receive their funded hours of early learning and childcare in:

- a nursery school or class run by the local authority (usually held in a mainstream primary school or other local authority property)
- a private nursery run by an individual or company which has a contract to provide early learning and childcare on behalf of the local authority (a 'partnership nursery')
- a playgroup run by volunteers, or a local community group, which has a contract to provide early learning and childcare on behalf of the local authority.

There may also be other centres working in partnership with the local authority providing early learning and childcare, for example:

- a child and family centre, usually run by the social work department
- a children's centre run by the local authority to provide services to help children's health and development
- a nursery class held in a special school providing specialist services to children with additional support needs.

As most people use the word 'nursery' to talk about early learning and childcare settings, we will use 'nursery' in this and our other factsheets to mean all the different types of settings described above.

## Choosing a nursery for your child

In some areas, children are expected to attend their local nursery, while in other areas you can apply to any nursery. If you want a place at a local authority or partnership nursery, put your child's name on the waiting list as soon as they are two years old. In some areas you should apply directly to the nursery you want your child to attend, in others you must apply to the local authority.

Usually, early learning and childcare will be provided in a mainstream nursery. However, in some cases a specialist nursery may be more suitable for a child.

### Placing requests

It is always best to try and work with your local authority to find a suitable nursery place for your child. If you disagree with the local authority's decision about the nursery your child should attend, and your child has additional support needs, you can make a 'placing request'. This is when you ask a local authority for your child to attend:

- a school nursery or partnership nursery in your local authority area
- a school nursery or partnership nursery outside your own local authority
- the nursery of an independent or grant-aided special school in Scotland
- a school nursery in England, Wales, or Northern Ireland, providing wholly or mainly for children with additional support needs.

You should make your placing request to the local authority that runs, or works in partnership with, the nursery that you are requesting a place at. If the nursery is independent or grant-aided, or not in Scotland, you should make your placing request to the local authority where you live.

Placing requests must be made in writing, or in another form that can be kept for future reference. You can usually find placing request forms on the local authority's website. You can contact the local authority to find out if it has placing request application forms you should use, and where you can find them.

Your placing request should include the following information:

- your name and address
- your child's name and age
- the name of their current nursery, if any
- the name of the nursery you have chosen
- the reasons for your choice of nursery.

It is important to include all relevant information to support your request.

You can make a placing request at any time. The local authority must tell you their decision within two months.

If the local authority refuses your request, you have a right to appeal the decision. If your request was to a mainstream nursery, including if it was a partnership nursery, your appeal will go to the local authority's education appeal committee. If your request was for a special nursery, your appeal will go to the Additional Support Needs Tribunal. Find out more in our factsheets on [Education appeal committees](#) and [The Additional Support Needs Tribunal](#).

## Paying for extra early learning and childcare

Some nurseries can provide childcare in addition to the funded hours (sometimes called 'wrap-around care'). You will usually have to pay for this, but you may be able to get help with costs. If so, your child's nursery, local authority or childcare partnership will tell you how to apply.

If you are working, you may be able to claim some of the costs through working tax credit. Some employers also offer employees vouchers to help with childcare costs. Contact your employer to find out more.

## Identifying your child's support needs

### The importance of early identification

It is important to identify any additional support needs your child may have as early as possible. This helps education and other professionals to provide the support your child needs from the start, to help them get the most from their school education.

Once your child is entitled to receive their funded hours of early learning and childcare (or if they are under three and are disabled), your local authority is responsible for identifying whether your child needs help with their learning. If they do, the local authority must provide them with the support they need<sup>2</sup>. They must take account of any information you provide about your child's needs when making decisions about their support.

Looked after children are assumed to have additional support needs, unless they are assessed as not needing extra help at nursery.

### Disabled children under three

Local authorities must assess the needs of children under the age of three who may need additional support because they are disabled. Usually a health professional, for example a health visitor, will refer your child to the local authority for assessment, after discussion with you. You can also ask your local authority to assess your child.

<sup>3</sup>The Education (Additional Support for Learning) (Scotland) Act 2004, as amended

If your child does need extra support, the local authority must then provide it, with your agreement. Your child may get support from an education professional (for example a home visiting teacher), a social worker, or a health professional (for example a speech and language therapist). The support should help your child get the most from their early learning, and school education when the time comes for them to attend.

After assessment, if your local authority decides your child does not have additional support needs, it should write to you saying why.

## Children aged three and over

Local authorities must identify the additional support needs of children whose education they are responsible for. Before school age, this means children who are receiving (or are about to receive) their funded hours of early learning and childcare. If you are paying for your child to go to a private nursery, the local authority is not responsible for identifying their support needs.

Usually a member of staff will notice if your child needs extra help at nursery. Anyone who works with your child may also notice that they are having difficulties with their learning.

You have the right to ask your local authority to find out if your child has additional support needs. You can also request specific assessments of your child's needs. You can do this through the nursery or by contacting your local authority (local authorities are set up differently, so try asking for the Early Years, Inclusion or Additional Support for Learning department). You may want to talk to the nursery staff, health visitor or GP first about this.

If your child goes to a private nursery but will attend a local authority primary school, the local authority may assess them before they move to primary school.

Find out more in our factsheet on [Identifying and assessing your child's needs](#).

## Planning for starting nursery

Some children's additional support needs will be identified before they start nursery. If your local authority is aware of your child's additional support needs, they must start to plan the help your child needs at least six months before they are due to start nursery. This usually involves collecting information about your child's needs from you and the professionals working with your child.

At least three months before your child starts nursery, the local authority must send copies of this information, with your consent, to the nursery and any professionals who will be supporting your child, for example those from health and social work. They must also send you a copy.

The support your child needs should be in place when they start nursery.

## Support your child will receive

The local authority, through your child's nursery, must provide support that meets your child's individual needs. The type and amount of support they get will depend on your child's needs.

If the help your child needs is identified or changes while they are at nursery, the nursery can apply to the local authority for more or different support for your child.

## People who will support your child

When your child is attending nursery, one or more of the following professionals may support them:

- teachers
- nursery nurses
- additional support for learning workers
- educational psychologists
- health professionals including speech and language therapists, occupational therapists, or physiotherapists.

## Named person

You should have one person who acts as a single point of contact to discuss any concerns you have about your child. This person is sometimes called a "named person". The named person can help your child get the support they need and give you advice and information. For children under five, their named person will normally be the health visitor.

If your child's support will need a lot of detailed planning, they may need a written support plan. Find out more in our factsheet on [Planning your child's support](#).

## Children with complex needs

If your child has complex needs that are likely to last for more than a year and they need a high level of support from other agencies as well as education (like social work or health), they may need a co-ordinated support plan (CSP). This sets out how all the agencies will work together to provide support to your child. Find out more in our factsheet on [Co-ordinated support plans](#).



Your child may get help from a pre-school home visiting teaching service. If so, teachers with experience in early childhood development will visit your child at home and help them learn and develop before they go to school. They will also give you advice and support.

## Attendance and exclusion

Your child has a right to the support they need to fully benefit from their nursery education, and this includes the support they need to be able to attend nursery. If your child is struggling to attend nursery for any reason, it is important to discuss with the nursery whether they can provide different or additional support that might help them attend.

Your child must not be offered fewer hours of early learning and childcare than their peers because of their additional support needs. If they need extra help or adjustments to be able to attend nursery for all of their funded hours, the local authority must provide this.

## My child is too unwell to attend nursery

If your child is not well enough to attend nursery in person, the local authority must make alternative arrangements for their education. This duty applies if your child is absent for one long period of time, or if they often miss nursery for shorter periods. It does not apply if your child has a common childhood illness (for example a cold or chicken pox) where they would be likely to return to nursery quickly.

The type and amount of education that the local authority may provide for your child will depend on things like your child's individual needs, how unwell they are, and whether they are at home or in hospital.

If your child is missing nursery due to ill-health, or if they are about to be off for planned treatment, speak to the nursery about what support they can provide. You can also contact the local authority directly to talk about options for your child.

## Can my child be excluded from nursery?

A child can be excluded from a nursery that is managed by a local authority, but it is very rare. If your child is excluded from nursery, your child still has a right to receive the hours of funded early learning and childcare they have missed due to being excluded. You can contact the local authority to ask them to make up the missed hours.

You also have the right to appeal the exclusion if you do not agree with it. Find out more in our factsheet on [Education appeal committees](#).



## Staying in nursery an extra year (deferred year)

If you do not think your child is ready to start primary school at the usual stage, you should discuss this with your child's nursery and local authority. This is usually called a 'deferred year'.

### Children under five

If your child is aged four at the 'school commencement date' (usually a date in mid-August that is set by the local authority), they do not have to start school that year. Whether your local authority will fund an extra year of early learning and childcare for your child depends on when they turn five:

- if your child's fifth birthday is between 1 August and 31 December, the local authority does not have to provide additional early learning and childcare for your child during that school year (although they may do so, if they agree this is in your child's best interests)
- if your child's fifth birthday is between 1 January and 28/29 February of that school year, the local authority must provide early learning and childcare for the year.

Different local authorities have different policies on providing an additional year of early learning and childcare for children who defer entry to primary school. You can contact your local authority to find out about their policy.

### Children aged five or over

If your child is aged five on the 'school commencement date', they would normally be expected to start school on the first day of the new school year. In exceptional circumstances a local authority may agree to fund a further year of early learning and childcare for a child aged five. If you believe that your child would benefit from an extra year of early learning and childcare you should discuss your reasons for this with your local authority.

You must make sure your child is receiving a suitable education from age five onwards. This means that if you decide not to send them to school and the local authority does not agree to fund an extra year at nursery, you must find another way to educate them – for example, home education.

## Moving to primary school

Planning for your child starting school should begin early to make sure:

- they have a place at a school where their support needs can be met
- the support your child will need at primary school is identified and in place ready for when they start
- they have time to prepare for the move.

Under the law<sup>4</sup>, local authorities must:

- gather information and advice about your child's needs from you and the professionals that work with them **no later than 12 months before your child is due to start primary school**
- provide information about your child's needs (with your consent) to the people who will be supporting your child at primary school **no later than six months before they are due to start school**
- send a copy of this information to you.

These duties do not apply to every child with additional support needs. For example, if your child has very short-term support needs, this amount of planning may not be necessary.

Find out more in our factsheet on [Planning for starting school](#).

## Where can I find out more?

**Scottish Family Information Service** [www.scottishfamilies.gov.uk](http://www.scottishfamilies.gov.uk)

The Scottish Family Information Service provides information on early learning and childcare. You can search for nurseries, childminders and playgroups in your area on their website.

**Parentclub** [www.parentclub.scot/elc](http://www.parentclub.scot/elc)

Information from the Scottish Government about early learning and childcare entitlement. Parentclub also has lots of useful advice for parents.

<sup>4</sup>The Additional Support for Learning (Changes in School Education) (Scotland) Regulations 2005



# How Enquire can help

Enquire can help you understand your child's rights to additional support for learning and how to work in partnership with their school or nursery to make sure your child gets the support they need.

Enquire can:

- explain your child's rights to additional support for learning
- listen to any questions and concerns
- advise you on the way forward
- help you find local education and support services.

You can contact our helpline on **0345 123 2303** or [info@enquire.org.uk](mailto:info@enquire.org.uk)  
Access to interpreters is available.

You can also find lots more information about additional support for learning, including our full range of publications, at [www.enquire.org.uk](http://www.enquire.org.uk)

The information on our website is available in over 100 languages and with a range of accessibility tools, such as text-to-speech.

Reach is our website for children and young people. Reach helps pupils to understand their rights to feel supported, included, listened to and involved in decisions at school: [www.reach.scot](http://www.reach.scot)

Enquire is also a partner in the My Rights, My Say service. My Rights, My Say supports children aged 12-15 with additional support needs to exercise their rights to be involved in decisions about their support in school:  
[www.myrightsmysay.scot](http://www.myrightsmysay.scot)

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