



# Understanding Special Educational Needs (SEN) in the Early Years

RANi Need to Know Guides | SEND in Early years and young person Advisory sheet 2

*Updated: April 2025*

*A Guide for Parent, Carers and Early Practitioners*

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## What Does ‘Special Educational Needs’ (SEN) Mean?

In the **early years**, *Special Educational Needs* (SEN) refers to children from **birth to five years old** who have **additional or different needs** to other children the same age, and who require **special educational provision** to help them learn and develop.

Under **Section 20 of the Children and Families Act 2014**, a child has SEN if they:

- Have a **learning difficulty or disability**, and
- Need **special educational provision** (SEP)—meaning support that is additional to or different from what is typically provided in early years settings.

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## What Is a Learning Difficulty or Disability?

A learning difficulty or disability means a child:

- Has **significantly greater difficulty learning** than most children of the same age, or
- Has a **disability** which prevents or hinders them from accessing education or using facilities generally provided for other children.

This includes children who may:

- Have a **diagnosed condition**, such as autism, Down syndrome, cerebral palsy, sensory impairments, or a genetic disorder.
- Have **delayed development** in one or more areas—such as speech and language, physical development, attention, or social interaction.
- Show behaviours or differences that indicate a possible unmet need, even if not formally diagnosed.

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## What Is Special Educational Provision?

**Special educational provision (SEP)** in the early years is any support that:

- Goes **beyond what is typically available** to all children in a nursery, pre-school, or childminder setting.
- Is **specifically tailored** to help a child access learning and meet developmental milestones.

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It might include:

- Individual speech and language therapy input
  - A tailored routine or sensory-friendly space
  - 1:1 adult support
  - Use of sign language, visual timetables, or communication aids
  - Adapting the curriculum or environment
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## Legal Rights and Duties

Children with SEN in the early years are protected by several laws:

### 1. Children and Families Act 2014

- Establishes legal definitions of SEN and duties on local authorities and early years providers.
- Gives parents the right to request an **Education, Health and Care (EHC) needs assessment** for their child, from birth.

### 2. SEND Code of Practice (2015)

- Offers statutory guidance on identifying and supporting SEN from 0–25 years.
- Emphasises **early identification and intervention**.
- Outlines expectations for high-quality SEN support in early years settings.

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### 3. Equality Act 2010

- Protects disabled children from discrimination.
  - Requires early years settings to make **reasonable adjustments** so disabled children can access and participate equally.
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## Types of SEN in the Early Years

The four broad areas of SEN identified in the SEND Code of Practice apply to early years too:

Area of Need	Examples
1. <b>Communication and Interaction</b>	Speech delay, language disorders, autism
2. <b>Cognition and Learning</b>	Global developmental delay, Down syndrome, learning difficulties
3. <b>Social, Emotional and Mental Health (SEMH)</b>	Attachment difficulties, anxiety, emotional regulation issues
4. <b>Sensory and/or Physical Needs</b>	Visual or hearing impairment, motor coordination issues, complex medical needs

Note: Many young children will have needs across more than one area.

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# Identifying SEN in Early Years

SEN can be identified at different stages:

- **Before birth or at birth** (e.g. known genetic conditions, prematurity)
- **In the first months or years of life** (e.g. developmental delays or health issues)
- **Through early years provision** (nurseries, health visitors, GPs, or early years staff noticing differences in development)

**Signs to look out for:**

- Not meeting developmental milestones (e.g. sitting, walking, talking)
- Trouble interacting with others or playing alongside peers
- Not responding to sounds, voices, or visual stimuli
- Difficulty focusing, following routines, or settling

Early identification is vital to ensure support is in place as soon as possible.

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## What Should Early Years Settings Do?

Early years providers have a legal duty to:

- Use the **graduated approach**: assess, plan, do, review
- Work in partnership with parents and carers
- Involve other professionals where appropriate (e.g. speech and language therapists)

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- Designate a **SENCO** (Special Educational Needs Coordinator)
- Provide **SEN Support**—individualised help that may include extra teaching, support staff, or specialist resources

They must also **make reasonable adjustments** for disabled children under the Equality Act.

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## What Can Parents or Carers Do?

- Talk to your child's **key worker or SENCO** if you have concerns
  - Keep a record of your child's development and any challenges
  - Ask for regular meetings and updates about your child's progress
  - If needed, request an **EHC needs assessment** from your local authority (you can do this directly—you don't need the setting's permission)
  - Access support from local **SENDIASS**, charities, or parent forums
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## Summary

In the early years, recognising and supporting **Special Educational Needs (SEN)** early is key to helping children thrive.

Children may have SEN if they need additional or different support to access learning or development. Early years settings must provide high-quality, inclusive support and work closely with families and professionals to meet these needs.

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## Support and Resources

You can get further support from:

- **RANi** – Help with advice, support and impartial information
- **Local Offer** - Help with advice, support and impartial information
- **Early Years SEN support funding** from the local authority
- **Specialist teachers or therapists**
- Support from **health visitors**, GPs, or community paediatricians
- **Portage services** (home-based learning support for children with complex needs)
- **Local Early Years Inclusion Panels**
- **SENDIASS** – Local impartial information and advice service for parents and young people [www.iasmanchester.org](http://www.iasmanchester.org)
- **IPSEA** – Independent Provider of Special Education Advice: [www.ipsea.org.uk](http://www.ipsea.org.uk)
- **Contact** – A national charity supporting families with disabled children: [www.contact.org.uk](http://www.contact.org.uk)

If you'd like help preparing your request or understanding your appeal options, RANi can provide guidance and templates.

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### Remember:

Always keep a copy of all correspondence you send, along with proof of postage or delivery. If you send documents by post, we recommend using a **signed-for** service. If sending by email, request a **read receipt** if possible.

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## Get in Touch

If you need more information or have a question, we're here to help.

Email us: [info@rani.org.uk](mailto:info@rani.org.uk)

Please include:

- Your name
- Your child's name
- Your child's date of birth
- Your query

Or, if you prefer, you can fill out our online **contact form** and we'll get back to you as soon as possible.

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