

Minutes of the Cabinet

23 January 2025

-: Present :-

Councillor David Thomas (Chairman)

Councillors Billings, Bye, Chris Lewis, Jacqueline Thomas, Tranter and Tyerman

(Also in attendance: Councillors Amil (virtual), Cowell (virtual), Douglas-Dunbar, Foster, Johns, Law (virtual), Barbara Lewis (virtual), Long, Spacagna and Tolchard (virtual))

80. Minutes

The Minutes of the meeting of the Cabinet held on 9 January 2025 were confirmed as a correct record and signed by the Chairman.

81. Disclosure of Interests

No interests were declared.

82. Matters for Consideration

The Cabinet considered the following matters, full details of which (including the Cabinet's decisions and recommendations to Council) are set out in the Record of Decisions appended to these Minutes.

83. Outcomes on the Proposal for a Locality Model for Special Educational Needs in Torbay: Improving Support for Special Educational Needs and Disability (SEND)

84. Torbay Food Strategy

85. Torbay and Devon Safeguarding Adult Partnership (TDSAP) Annual Report 2023/2024

86. Torbay Council Annual Pay Policy Statement and Review of Pensions Discretions

87. Appointment of Member Champions

Chairman/woman

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Record of Decisions

Outcomes on the Proposal for a Locality Model for Special Educational Needs in Torbay: Improving Support for Special Educational Needs and Disability (SEND)

Decision Taker

Cabinet on 23 January 2025.

Decision

1. that the 'blueprint' for a "Torbay Locality Model" be approved as the framework for a pilot for those parties wanting to be a part of the same;
2. that the Director of Children Services, in consultation with the Cabinet Member for Children's Services, be given delegated authority to develop the scope and operating procedures of the pilot with interested parties, schools and clusters in order for the pilot model to run between June and December 2025, and the outcomes of the pilot be presented to Cabinet in early 2026;
3. that the Director of Children Services be instructed to continue to work with other schools not in the pilot, to grow confidence and coproduce a Locality system which they can support;
4. that the Head of Legal Services be instructed to undertake all necessary arrangements to extend the lease held by People's Parkfield to include a lease of the MySpace building at Parkfield, with the requirement that Mayfield Sixth Form is provided with a sub-lease;
5. that the Director of Children Services be instructed to co-produce a Service Level Agreement with People's Parkfield and Mayfield Sixth Form, which ensures that Mayfield Sixth Form can be a long-term tenant on the site (ensuring financial sustainability for the building), whilst key groups in the community such as Electively Home Educated families, Youth Services, care experienced and cared for children and other disadvantaged young people, can be provided for in this newly run community model;
6. that Torbay Education Limited ceases to trade as an arm's length company of Torbay Council, as the staff delivering Medical Tuition Services transition to a new delivery model in line with the outcomes of the consultation; and
7. that the Chief Executive be given delegated authority to oversee the practical arrangements, to bring about the cessation of Torbay Education Limited as an arm's length company of the Council.

Reason for the Decision

A Torbay locality model would enable better use of the expertise in the system by developing a way to allow families, colleagues in health, education and social care to work together. This would in turn ensure a full focus on better outcomes for children and young people which would directly affect the future local workforce and prosperity of Torbay residents.

Furthermore, by enabling the school and Special Educational Needs and Disabilities (SEND) system to develop into a community-based approach, Torbay would be reducing the need for families and their children to wait to receive a statutory Education, Health and Care Plan

(EHCP) or a medical diagnosis before any support or specialist provision could be offered. This would enable early intervention to be at the forefront of support for the young residents of Torbay. Helping all children and young people to thrive at school, be valued, visible, and supported to feel that they are included in their local communities, and are better prepared for a happy, healthy, and productive adulthood.

Implementation

This decision will come into force and may be implemented on 5 February 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

In 2021, a joint inspection between Ofsted and the Care Quality Commission (CQC) found that Torbay's SEND systems worked in silos and did not promote collaboration easily. In addition, they found that parents felt they had to 'fight' for support through an Education, Health and Care Plan (EHCP) and wait for a specialist assessment or diagnosis. Since 2021, a huge amount of improvement work had been taking place, however the impact had been more limited than the Council had wanted for Torbay's children and their families.

Following a full Needs Analysis and Review of the SEND provision within Torbay, alongside the increasing demand for specialist education support, it was proposed to implement a locality model across the area, in order to bring services together to support the children and young people of Torbay in their local community to build inclusive Ordinarily Available Provision, reducing the requirement for an EHCP to receive support and therefore reduce the wait that families were experiencing in receiving the support that their children needed to thrive. Following the consultation rather than proceeding to implement a locality model as a final model it was proposed to pilot it with a range of interested parties who wished to be a part of the same, with the outcome of the pilot to be presented to Cabinet in early 2026.

Through the pilot this model would see whole communities coming together to support children and young people within their local area. Torbay's SEND provision would become needs-led, focusing on the needs of children and young people within each local area, and allowing local stakeholders to make decisions on how the children and young people's needs could best be met.

At the meeting oral representations in support of the proposals were received from Evie Semmens and Stuart Heron. Councillor Bye proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously, as set out above.

Alternative Options considered and rejected at the time of the decision

Option 1: The current system and processes could remain the same within the Torbay with no changes. This option was discounted as there were a number of disadvantages, mainly being that children and young people would continue to experience long waits for the support required, families distrust in the education and SEND system would continue to grow and the pressures on the budgets would continue to increase. This would also pose a high risk in any forthcoming Ofsted Inspection (currently overdue), as Torbay Council would not be taking action to address systemic failures blocking impact for children and young people with SEND.

Option 2: A pilot project to be co-developed and run between September and December 2025,

with ongoing work to engage secondary schools and 'grow' this Locality approach. This model aligned with the Labour Government's aspirations to enhance the inclusivity and provision within mainstream schools and to focus on children and young people receiving the right support, in the right place, at the right time, in their own local communities.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

Published

28 January 2025

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

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Record of Decisions

Torbay Food Strategy

Decision Taker

Cabinet on 23 January 2025.

Decision

- 1) That the Food Strategy for Torbay for 2025 – 2030 be endorsed; and
- 2) That the Director of Public Health and the Partnerships and Inclusion Manager be instructed to develop a food action plan for Torbay Council to deliver against the aims of the Strategy and present it to the Cabinet for approval within three months.

Reason for the Decision

Adoption of a five-year Food Strategy for Torbay would help to ensure a strategic and focused approach to promoting positive change within our food system locally and would support the future resilience of communities.

Implementation

This decision will come into force and may be implemented on 5 February 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Since 2023, the Torbay Food Partnership had been hosted by Local Motion, Torbay, which was facilitated by Torbay Communities. This had been a positive, neutral space for collaboration, connecting different departments and sectors to amplify work already underway and think creatively about the future.

In 2024, the Torbay Food Partnership took its next development step and became a member of the Sustainable Food Places (SFP) network – a national partnership programme led by the Soil Association, Food Matters, and Sustain: the alliance for better food and farming.

The Torbay Food Partnership had developed a Food Strategy for Torbay which aimed to set out the blueprint for the approach to sustainable food systems change in Torbay. The Strategy set out a vision for the Torbay food system which could be used for the purposes of engagement, awareness, and influence across all aspects of the community.

At the meeting Councillor Tranter proposed and Councillor Tyerman seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

To not progress with a food strategy. This was not deemed to be a sustainable or suitable option. The scale and complexity of challenges within our local and national food system were significant, and therefore they would require a more strategic, joined-up approach to address them in any meaningful way. Many interventions needed were not within our gift locally, but

those which were, would require longer to implement.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

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Record of Decisions

Torbay and Devon Safeguarding Adult Partnership (TDSAP) Annual Report 2023/2024

Decision Taker

Cabinet on 23 January 2025.

Decision

That the contents of the Torbay and Devon Safeguarding Adult Partnership Annual Report 2023/2024 (as set out in appendix 1 to the submitted report) and the requirement for the Torbay and Devon Safeguarding Adult Partnership to publish the Annual report be noted.

Reason for the Decision

It is a statutory requirement of the Care Act 2014, for each Safeguarding Adults Board to produce and publish an Annual Report and given the importance of the work of the Safeguarding Adults Board political oversight was sought.

Implementation

This decision will come into force and may be implemented on 5 February 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Safeguarding Adult Annual Report sets out the purpose, structure, scope of membership, key data summaries and summarises the current strategic priorities of the Torbay and Devon Safeguarding Adult Partnership.

At the meeting Councillor Tranter proposed and Councillor David Thomas seconded a motion that was unanimously agreed by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

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Record of Decisions

Annual Pay Policy and Pension Discretions (LGPS)

Decision Taker

Cabinet on 23 January 2025.

Decision

That Council be recommended that:

1. the Torbay Council Annual Pay Policy Statement 2025/26 as set out in Appendix 1 to the submitted report be approved for publication, subject to the release and inclusion of the Local Government Pension Scheme (LGPS) employee contribution rates and bandings; and
2. the Employers Pensions Discretions as set out in Appendix 2 to the submitted report be approved for publication.

Reason for the Decision

To meet the statutory requirements to review these reports and policies.

Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 6 February 2025.

Information

The submitted report set out the Council's Annual Pay Policy Statement, as required under Section 38 (1) of the Localism Act 2011. It was noted that the pay policy statement drew together the Council's overarching policies on pay and conditions and would be published on the Council's Website. The report also set out the annual review of pensions discretions as required by the Local Government Pension Scheme Regulations.

At the meeting Councillor Jackie Thomas proposed and Councillor Billings seconded a motion that was agreed unanimously by the Cabinet, as set out above

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

Yes

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

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Record of Decisions

Appointment of Member Champions

Decision Taker

Cabinet on 23 January 2025.

Decision

1. that Cabinet give thanks to Councillor Tranter for the work she has undertaken to date, to champion the Council's work in respect of the Armed Forces;
2. that Councillor Spacagna be appointed as the Armed Forces Champion until May 2027; and
3. that Councillor Johns be appointed as the Domestic Abuse and Sexual Violence Member Champion until May 2027.

Reason for the Decision

To change the Member appointed as the Member Champion for Armed Forces for the remainder of the current four-year term of office and respond to the request of the Overview and Scrutiny Board to appoint a Domestic Abuse and Sexual Violence Member Champion.

Implementation

This decision will come into force and may be implemented on 5 February 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Member champions are Elected Members who act as an advocate or spokesperson for a specific area of the Council's business. The main responsibility of each Member Champion is to encourage communication and positive action over the issue they represent.

At the meeting, Councillor David Thomas proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

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