

# Torbay SEND Peer Challenge

Feedback from the peer challenge team

Peer Challenge 19<sup>th</sup> to 21<sup>st</sup> November 2024

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## The peer challenge team

- **Lead Peer-** Chris Munday Executive Director Children and Families  
London Borough of Barnet
- **Education Peer -** Paul Wagstaff Director of Education Luton Borough  
Council
- **Local Authority SEND Peer -** Mary Jarrett Head of Integrated SEND  
London Borough of Haringey Council
- **Health Peer -** Gill Tyler Designated Clinical Officer for SEND Cheshire  
and Merseyside Integrated Care Board.
- **Parent/Carer Peer -** Kirsten Peebles Independent Lived Experience  
Consultant.
- **Peer Challenge Manager-** Cliff James LGA Associate
- **LGA Case Review Peers -** Tracey Newcomb and Helen Gulvin LGA  
Associates



# The purpose of peer challenge

- Provides councils and partners with an external view on the effectiveness of the strategic response and the quality of practice.
- Conducted in an open and honest manner that jointly identifies strengths & areas for consideration.
- Provides feedback based on a brief engagement with the Council and partners.

# The process of peer challenge

- Peers reviewed a range of detailed performance information and strategic documents to ensure we were familiar with the local area SEND partnership, the challenges it is facing and its plans for the future.
- Reviewed 16 EHCPs and associated documents.
- The peer team gathered information and views from more than 42 meetings and visits to schools and a range of other provision across the local area.
- We spoke to parents/carers and young people and more than 100 council and health staff, council members and external stakeholders.
- This peer challenge has been in depth, and we have devoted a total of 240 hours whilst we were on site in Torbay.

# Scope and Key Lines of Enquiry of Torbay SEND Peer Challenge.

- Leadership and Governance of SEND across the local area.
- Statutory EHCP processes including identification, assessment and meeting needs of children and young people with special educational needs and /or disability.
- Sufficiency of provision to meet needs of children and young people with SEND.
- Lived Experience/Impact with a focus on children and young people with SEND and EHC plans to prepare them for adulthood and have their outcomes improved.

# Scope and Key Lines of Enquiry of Torbay SEND Peer Challenge.

- How local area partners work together to coproduce with children and young people and their families to drive outcomes and improve the SEND system.
- Resilience of the Parent Carer Forum “ Family Voice Torbay”

## Your data

- 42% rise in EHCPs between 2017-22 and continued rise in requests to assess
- Only 2 of 5 non-selective secondary schools are Ofsted Good or better with nearly 47% of Torbay resident secondary school students attending provision that is currently less than good
- Suspensions are rising rapidly with only Norfolk suspending a greater proportion at primary;
- 75% of all exclusions are children with SEND (88% in primary schools)
- Those excluded struggle to find mainstream places due to resistance from schools to accept pupils through Fair Access
- Alternative Provision for children excluded is beyond capacity
- EHE numbers have risen rapidly since 2019 and continue to rise at a rate of circa 8.3 per week

## Your data

- Of those EHE families who responded to a survey on reasons for EHE, 61% indicated a failure to meet SEND needs and to prevent mental health issue;
- The number of EHE equates to a loss of £2.5mill to school budgets;
- School absence including part-time timetables is high with absence due to illness being the highest of all local authorities in primary and the second highest in secondary
- Children receiving education other than at school (EOTAS) include 39 on EHCPs, 28 of whom are of statutory school age
- 682 children and young people are currently waiting for an initial assessment for their mental health needs.
- We have been told of waiting times of two year for speech and language therapy and three years for neurodevelopmental assessments.



# Overall messages and observations

- Torbay SEND Partnership needs greater aspirations and ambitions for its children with additional needs.
- The leadership and commitment from the DCS and some other council officers is acknowledged and identified across the partnership.
- There is enthusiasm and commitment across the local area to improve services and we identified areas of good practice .
- There are some good examples of co-production with young people but parents/carers is underdeveloped.
- Torbay Council recognises that the pace of change across the partnership since the 2021 Ofsted/CQC Inspection has been too slow.
- Although there has been lots of activity this has not had sufficient impact, or made the necessary improvements.

# Overall messages and observations

- Health waiting lists and delays for assessment are and remain stubbornly high and plans to address this are weak. This has a profound impact on outcomes for children.
- There is low confidence and trust in the local area Special Educational Needs and Disability partnership.
- The service offer across the local area is underdeveloped for children and young people with Special Educational Needs and Disabilities and their families leading to an overreliance on statutory processes.
- School partners have expressed serious concerns about the proposed Locality Model and their involvement in its development.

# What you have said to us

My caseworker is helpful and will always respond and point me in the right direction

Health waiting lists are a real problem to access a diagnosis and treatment.

- Listen to what parents are saying and act.

It's traumatic coming into contact with services.

We are not included even though we see the child every day

My child needs an Education, Health and Care Plan to be able to access the right support.

# Leadership and Governance of SEND across the local area.

## Strengths

- DCS is highly respected and passionate about improving outcomes for children and young people.
- There has been a sea change in the range and quality of data available to support decision making.
- The approach to quality assurance is robust but not yet fully embedded.
- The focused activity on developing the quality of EHCPs is bearing fruit.
- Early years provision is innovative and highly valued by parents and carers.
- The child centred approach from Heads of Service ( SEND and Vulnerable Children) in the council is recognised by partners.

# Leadership and Governance of SEND across the local area.

## Strengths

- SENCO Forums are effective and valued
- Early Years support for Autism and Communication and Advisory Teacher are well regarded.
- Early Years Inclusion Funding is accessible and well used.
- Special Schools' outreach is highly valued.
- The ICB has restructured to create a Women, Children and Young People Directorate to support change.

# Leadership and Governance of SEND across the local area.

## Areas for development

- These issues are long-standing, and stubborn to resolve.
- Engagement with school leaders to support strategic developments.
- Leadership of school improvement and holding schools to account for outcomes and provision for children with SEND and vulnerabilities is lacking.
- Education and SEND strategies require development to support a shared understanding of inclusion across the local area partnership.
- There is a weak implementation of the Graduated Approach with a lack of evidence of early interventions for school aged and older children.
- Lack of specialist advisory support for teaching and learning in schools for children with autism, speech and language, SEMH and complex needs.

# Leadership and Governance

## Areas for development

- Lack of educational psychology core offer to all schools.
- There is a learned expectation of having an Education, Health and Care Plan, rather than needs being met at an earlier level through ordinarily available provision.
- Inclusion and ordinarily available services are not embedded in all mainstream schools and needs further development.
- Parents and carers lack trust in how the local area partnership is meeting the needs of their children and young people.
- Implementation of the Peacock Governance Review recommendations is not embedded.

# Leadership and Governance of SEND across the local area.

## Areas for development

- There is a lack understanding why Elective Home Education has increased and some people interviewed believe it may be linked to schools not making reasonable adjustments.
- Addressing the significant growth of children and young people with SEMH needs.
- Limited visibility in schools of leadership and operational support from health partners for children with SEND.
- Joint commissioning arrangements are significantly underdeveloped.



# **Statutory EHCP processes including identification, assessment and meeting needs of children and young people with SEND.**

## **Strengths**

- Statutory functions have been enhanced and have improved the quality of EHC assessments and plans.
- SEND caseworkers are highly valued by parents/carers and SENCOs.
- EHCPs and Annual Reviews are being quality assured and audited .
- Education Psychology Service is well respected and valued.
- The local area has a Designated Clinical Officer and Designated Social Care Officer in place.

# **Statutory EHCP processes including identification, assessment and meeting needs of children and young people with SEND.**

## **Areas for development**

- Timeliness of EHC assessments and annual reviews needs to be improved to ensure children's needs are met through appropriate provision.
- Early intervention for children and young people at risk of statutory SEND processes needs enhancing across schools.
- Compliance with the Code of Practice and learning from caselaw e.g. Devon ruling and use of Section G is not understood and embedded.
- EHCNA and annual reviews are not fully informed because children are waiting too long for mental health, neurodevelopmental and speech and language assessments.

# Sufficiency of provision to meet needs of children and young people with SEND.

## Strengths

- Committed and passionate practitioners across all sectors who want to make a difference.
- The early years and 0 to 19 offer based in Family Hubs is effective and well regarded .
- Special schools and alternative provision is valued by many children, young people and their families.
- Social Care have access to capital budget to support foster carers to look after children with complex needs.
- There are some innovative and supportive voluntary sector providers that are making a real difference to the lived experience of parents and carers.

# Sufficiency of provision to meet needs of children and young people with SEND.

## Areas for development

- Your data shows the current range of specialist provision and spend is not meeting children's special educational needs in Torbay
- There is a high level of spend on spot purchasing independent alternative provision which would benefit from review.
- With the right advice and support, a much higher proportion of children and young people could have their needs met within mainstream education.
- Once a child is placed in specialist provision, they tend to remain in that provision with no reintegration into, or partnership with, mainstream provision.

# Sufficiency of provision to meet needs of children and young people with SEND.

## Areas for development

- Analysis of data is not used or shared strategically by senior leaders (Council, schools and Integrated Care Board) to determine best use of resources including early intervention.
- The full emotional health and wellbeing support offer is limited and not understood. Children are waiting too long to get help.
- The speech and language service commission is not meeting or preventing an escalation of need.
- The Local Offer is not easily accessible, and families struggle to identify local providers to help meet their needs.
- We have been told that short breaks provision is not sufficient to meet need. Parents struggle to use personal budgets due to lack of available providers.

# **Lived Experience/Impact with a focus on children and young people with SEND and EHC plans to prepare them for adulthood and have their outcomes improved.**

## **Strengths**

- Mayfield School sixth form is greatly valued.
- South Devon College are outstanding for its SEND provision and have a variety of preparing for adulthood pathways.
- Social Care and EHCP Transitions Panel meets regularly and tracks young people.
- Innovative examples of post 19 provision e.g. Sound Communities.

# **Lived Experience/Impact with a focus on children and young people with SEND and EHC plans to prepare them for adulthood and have their outcomes improved.**

## **Areas for Development**

- Too many young people are NEET.
- Post 16 offer appears limited and needs further development especially for young people with SEMH.
- Too many young people directly apply themselves for EHCPs indicating a lack of appropriate provision and timely support to meet their needs.
- There are limited opportunities for supported internships. The SEND partnership is not providing opportunities for supported internships themselves.

# **How local area partners work together to co-produce with children and young people and their families to drive outcomes and improve the SEND system.**

## **Strengths**

- Youth Participation Worker in post.
- Youth forum involved in developing videos and recruiting staff.
- CAMHS safety plans are co-written with young people.
- Graduated Response documents were co-produced with families and schools.



# **How local area partners work together to co-produce with children and young people and their families to drive outcomes and improve the SEND system.**

## **Areas for development**

- Evidence of good quality co-production is hard to find, and we found no evidence of an agreed framework in which this takes place in practice.
- Little evidence that parents/carers are consciously considered.
- Parents are not systematically engaged when developing new processes, systems and services e.g. audit, decision making panels.



# **Resilience of the Parent Carer Forum- Family Voice Torbay**

## **Areas for Development**

- We have been unable to engage with the Parent Carer Forum at a strategic level to provide evidence for this KLOE.
- Parents outside of the Parent Carer Forum have told Peers that they wish to engage with the local SEND partnership to enhance their strategic voice, influence and improve services.



# Recommendations

1. The local area partnership needs a fundamental reset to facilitate greater communication and engagement with families, school leaders and other critical stakeholders focused on improving outcomes for children.
2. There needs to be significantly enhanced strategic education leadership in the Council to deliver the recommended reset and drive improvement.
3. The Councils systems leadership role in education must be strengthened to improve outcomes and accountability.
4. Develop and implement a shared outcomes framework for children and young people which drives cultural change and purposeful activity across the partnership and demonstrates the **shared** vision; based on a **shared** understanding of data.

## Recommendations

5. Sustainable investment to tackle waiting times for health services for children and young people in Torbay must be prioritised by the Integrated Care Board.
6. Joint Commissioning between the Council and Integrated Care Board has been the focus of multiple recommendations from respective inspectorates however little progress has been made. The partnership needs to get a grip on this and resolve within clear timescales.
7. The Council needs to assure itself that it is compliant with the Code of Practice and relevant caselaw around its statutory processes.
8. To reduce the future demands on the Designated Schools Grant the Council needs to ensure, with Schools Forum, sufficient resource is focused on sustainable early intervention and prevention e.g., investing in Advisory Teachers for autism, SEMH and inclusion.

# Recommendations

9. The partnership needs to understand and tackle the high numbers of children who are out of school for a variety of reasons and the impact on their outcomes e.g. school absence/exclusions/suspensions/elective home education/educated other than at school and emotionally based school avoidance.
10. Torbay needs to invest time and energy and follow best practice to develop its approach to genuine co-production with a wider range of parents and parent groups e.g. adopting the '4 Cornerstones of Co-production' to build trust.
11. The proposals and practical implications for the Locality Model need to be urgently reviewed prior to decision making following feedback from school partners.

## Next Steps

- Chance to reflect on our findings and recommendations.
- Use this presentation to share as helpful, and for feedback to contributors to this Peer Challenge.
- Draft report issues to Torbay SEND Partnership within 4 weeks.
- Final version agreed and issued.
- Barbara Peacock Local Government Association - Special Educational Needs and Disability Improvement Advisor available for further discussions and support