

Monday, 12 August 2024

## **CABINET**

A meeting of **Cabinet** will be held on

**Tuesday, 20 August 2024**

commencing at **5.30 pm**

The meeting will be held in the Banking Hall, Castle Circus entrance on the left corner of the Town Hall, Castle Circus, Torquay, TQ1 3DR

### **Members of the Committee**

Councillor David Thomas (Chairman)

Councillor Billings	Councillor Jacqueline Thomas
Councillor Bye	Councillor Tranter
Councillor Chris Lewis	Councillor Tyerman

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**A Healthy, Happy and Prosperous Torbay**

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# CABINET AGENDA

1. **Apologies**  
To receive apologies for absence.
2. **Minutes** (Pages 5 - 40)  
To confirm as a correct record the Minutes of the meeting of the Cabinet held on 11 July 2023.
3. **Disclosure of Interests**
  - (a) To receive declarations of non pecuniary interests in respect of items on this agenda.  
  
**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
  - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda.  
  
**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.  
  
**(Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
4. **Urgent Items**  
To consider any other items the Chairman decides are urgent.
5. **Matters for Consideration**
6. **Hackney Carriage Tariff Increase** (Pages 41 - 74)  
To consider a review of the Taxi Table of Fares (Taxi Tariff), following a request to increase the Hackney Carriage fare tariff in Torbay.
7. **Leasing of Commercial Business units at Lymington Enterprise Centre, Torquay** (Pages 75 - 84)  
To consider a report that sought authorisation to let the 5 new business units at Lymington Road at a market rent and on standard commercial lease terms as and when suitable tenants are identified.

8. **Budget Monitoring 2024/25 - April to June 2024 Revenue and Capital Outturn Forecast** (Pages 85 - 100)  
To consider a report that provides a high-level budget summary of the Council's revenue and capital position for the financial year 2024/25.
9. **Proposal for a Locality Model to Support our Children in Torbay who have additional needs including those with Special Educational Needs. Improving Inclusivity and Support.** (To Follow)  
To consider a report that seeks agreement to consult on the implementation of 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.
10. **Recommissioning and Procurement of 16 plus Supported Accommodation Provision** (Pages 101 - 116)  
To consider a report that seeks delegated authority for the Director of Children's Services to award a contract upon the completion of a satisfactory procurement exercise.
11. **Fostering Annual Report** (Pages 117 - 156)  
To consider the Fostering Annual Report.
12. **Local Authority Designated Officer (LADO) Annual Report 2023 - 2024** (Pages 157 - 182)  
To consider the Local Authority Designated Officer Annual Report.
13. **Independent Reviewing Service (IRO) Annual Report 2023 - 2024** (Pages 183 - 218)  
To consider the annual report of the Independent Reviewing Service.
14. **Establishment of Cabinet Working Parties and Council Local Plan Working Party** (Pages 219 - 228)  
To consider a report that establishes Cabinet Working Parties and makes a recommendation to the Council to establish a Local Plan Working Party.

#### **Live Streaming and Hybrid Arrangements**

To encourage more people to engage in our public meetings the Council is live streaming our Cabinet meetings on our YouTube channel in addition to recording the meetings and publishing the recording on our website. To watch the meeting live please visit <https://www.youtube.com/user/torbaycouncil>.

We are also using hybrid meeting arrangements to enable officers and Councillors who are not members of the Cabinet to either attend the meeting in person or to attend the meeting remotely via Zoom. Anyone attending the meeting remotely must use their raise hand function when they wish to speak and to declare any interests at the appropriate time. If anyone attending the meeting remotely loses connection the meeting will continue and they will have the option to follow the meeting via the YouTube live stream.

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**Minutes of the Cabinet**

**11 July 2024**

**-: Present :-**

Councillor David Thomas (Chairman)

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

(Also in attendance: Councillors Brook, Cowell, Johns (virtual), Barbara Lewis, Long (virtual) and Twelves (virtual))

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**16. Minutes**

The Minutes of the meeting of the Cabinet held on 11 June 2024 were confirmed as a correct record and signed by the Chairman.

**17. 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.

**18. Local Government Association Corporate Peer Challenge**

**19. Nightingale Solar Farm**

**20. Torbay Resident Discount Scheme Launch Approval**

**21. Torbay Youth Justice Plan 2024-25**

**22. Gambling Act 2005 - Draft Licensing Statement of Principles (Gambling Policy) 2025 - 2028**

**23. Draft Homelessness and Rough Sleeping Strategy**

**24. Disposal of development site at Preston Down Road, Paignton**

**25. Torbay Community Wellbeing Contract**

**26. 0-19 Services Procurement**

**27. Re-Procurement of Asset Maintenance "Service Level Agreements" 2024**

**28. Budget Monitoring - Outturn 2023/24**

29. **Review of Council Procurement Policies and Food and Music Festival - Report of the Overview and Scrutiny Board**
30. **Internships - Report of the Children and Young People's Overview and Scrutiny Sub-Board**

Chairman/woman

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## Record of Decisions

### Local Government Association Corporate Peer Challenge

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

1. That the Local Government Association be thanked for undertaking the Corporate Peer Challenge and that the resulting Feedback Report (as set out in Appendix 1) be accepted.
2. That the LGA Corporate Peer Challenge Action Plan (as set out in Appendix 2) be approved.
3. That the Audit Committee be requested to monitor the implementation of the Action Plan.

#### Reason for the Decision

To make available the Local Government's Association Corporate Peer Challenge Feedback Report and to ensure that an action plan was in place to embrace the recommendations of the Local Government Association.

#### Implementation

This decision will come into force and may be implemented on 22 July 2024 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Local Government Association (LGA) offers all councils a Corporate Peer Challenge once every five years. Torbay Council's last full challenge took place in 2015 and due to the pandemic, a shorter Remote Health Check in 2021 was held.

The Challenge was an effective and well-regarded tool for improvement in local government. At the heart of this was a practitioner perspective who take a 'critical friend' approach to understanding where we are and where we can improve. This isn't an inspection, but it is an in-depth challenge. Importantly it provides an opportunity to reflect on how we are doing and receive the benefit of others experience and perspective.

In April 2024, a team of seven peers visited Torbay and met with a range of officers, councillors and external partners/stakeholders. At the end of their review, the team provided feedback and made recommendations. Subsequently a draft Action Plan has also been prepared to respond to the Local Government Association's recommendations, to ensure the Council embraced the learning and feedback from our peers.

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

An alternative option would be to not accept the Local Government Associations Corporate

Peer Challenge Feedback Report and resulting action plan – this was not recommended as implementation of the action plan would enable the Council to continue to improve. Alternative or additional actions could be proposed.

**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**

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Nightingale Solar Farm

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

That Cabinet recommends that Council approves;

1. That the Director of Pride of Place be authorised to proceed with the next stage of the Nightingale Solar Farm project that is to conduct the EPC tender process and negotiation of the Power Purchase Agreement and to then develop a final business case based on revised income and costs.
2. That up to £4,151,000 of prudential borrowing subject to the securing a unit rate per M/Wh that exceeds the loan repayments, covers projected maintenance and other operational costs including anticipated equipment replacement costs and produces an appropriate surplus per annum over the life of the scheme commensurate with levels of risk, be approved.
3. That the Chief Executive, in consultation with the Leader of the Council, Director of Finance and Cabinet Member for Housing and Finance, be given delegated authority to review and agree that the final business case meets the conditions in 2. above, and subject to that agreement is then authorised to agree and finalise the detailed terms and enter into contract with The Health Trust or another user of the electricity.
4. That, subject to the Council entering into contract as per 3. above, the Director of Pride of Place in consultation with the Cabinet Member for Place, Development and Economic Growth be authorised to proceed with the project to deliver a solar farm on Nightingale Park.
5. That, in the event that the Chief Executive should determine that the final business case does not meet the criteria in 2. above, a paper should be brought back to Cabinet and Council to determine the future of the project.
6. That a report be presented to a future Cabinet Meeting after completion of the scheme, as to the potential use of up to 10% of the actual surplus generated to be made available for community use within 1 mile straight line distance of Nightingale Park.

#### Reason for the Decision

Torbay Council's current Energy and Climate Change Strategy for Torbay describes how the Council aims to help minimise the economic, social and environmental costs of climate change in Torbay by demonstrating leadership and providing encouragement in working toward emission reductions and resilience to our changing climate.

The solar farm would allow the end user to buy and use sustainable electricity generated on Torbay Council owned land to power the end users site. The end users site serves residents throughout Torbay and beyond. It would be a positive step, towards meeting the targets set out in the Climate Change Strategy.

## **Implementation**

The recommendations of the Cabinet will be considered at the Council meeting being held on 18 July 2024.

## **Information**

On 24 August 2021 Cabinet approved to increase the budget to £3,100,000 acknowledging the refined cost estimates having identified an organisation as the potential end user. Latest estimated costs indicate an increase to the budget was required. The income (unit price) charged to the end user will increase to cover the increased costs so that the net income exceeds the loan repayment costs.

At the meeting, Councillor Chris Lewis 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 options were:

Option 1:

Build out the planning consented scheme after negotiating the Power Purchase Agreement and receiving Engineering Procurement and Construction and Operation and Maintenance tender responses which confirm that the scheme is viable.

Option 2:

Sell the renewable power direct to the national grid. The wider network has limited capacity. The earliest possible connection may not be until 2028 but this is likely to extend out to 2036 when more capacity within the network is expected. The issue with the wider network is that it needs upgrading to be able to handle significant extra capacity. Such upgrades delay the timeframe for a connection to be made. In addition to the programme delays there are also financial considerations. To connect to the grid will cost at least £420k (Sep 21 estimate – this is likely to be more now). Furthermore, the unit price when feeding into the national grid is likely to be considerably less when compared to a private wire end user scenario.

## **Is this a Key Decision?**

No

## **Does the call-in procedure apply?**

No

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

None

**Published**

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

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## Record of Decisions

### Torbay Resident Discount Scheme Launch Approval

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

1. That the delivery of the Torbay Resident Discount Scheme as outlined in the submitted report be approved for launch in September 2024.
2. That the Director of Pride in Place seeks to keep the operational budget of the scheme within the £200,000 allocated within the Council's 2024/2025 budget, and within any budget set for the scheme in future years.
3. That the Director of Pride in Place in consultation with the Cabinet Member for Pride in Place and Parking, and Director of Finance, be given delegated authority be given to approve future changes to the scheme.
4. That the Director of Pride in Place in consultation with the Cabinet Member for Pride in Place and Parking, and Director of Finance, be given delegated authority to offer residents on low incomes a reduction on the entry cost of the scheme, in the event the Director is not satisfied that the scheme will achieve a neutral or positive impact on financial equality for those on low income solely through the provision of leisure and retail offers intended to target these groups.
5. That the Director of Pride in Place be given delegated authority to award the contract(s) in respect of the services of external suppliers for the printing and posting of promotional materials, and resident cards and permits for use in the scheme.

#### Reason for the Decision

A resident discount scheme facilitated by the Council was expected to:

- Provide local offers that give residents better value for their money and help reduce the cost of living,
- Improve marketing of local businesses and facilities among residents,
- Increase local spending by residents,
- Increase footfall and income for local businesses, leisure and sports, arts and culture venues, and parking.

#### Implementation

This decision will come into force and may be implemented on 22 July 2024 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Resident Discount Scheme would provide residents of Torbay with offers on Council off street parking, discounts on access to public toilets, local leisure and sports facilities, arts and

cultural venues, and local attractions. Raising awareness of local offers was expected to increase footfall in key areas of Torbay, improve participation in cultural activities and complement the physical regeneration of the place.

At the meeting Councillor Billings proposed and Councillor Jackie Thomas 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**

The alternative options, advantages and disadvantages of each option was set out in the submitted report.

**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**

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Torbay Youth Justice Plan 2024-25

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

To approve the Youth Justice Service Plan 2024-25, noting that it has been approved by the Torbay Youth Justice Service Strategic Board, signed by the Chair of the Board and submitted to the National Youth Justice Board.

#### Reason for the Decision

The local authority has a statutory duty to submit its Youth Justice Plan. Failure to do so may result in Youth Justice Board funding being withheld or delayed resulting in a reduced or delayed service as specified within the plan.

#### Implementation

This decision will come into force and may be implemented on 22 July 2024, unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Torbay Council is required by the Crime and Disorder Act 1998 to approve an annual Youth Justice Plan that has been prepared in consultation with its partner agencies, staff and service users. The plan addresses the functions assigned to the youth justice service, and includes how services will prevent offending behaviour and reduce reoffending.

At the meeting, Councillor Bye proposed and Councillor Tranter 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

There were no other options considered as there was a legal requirement to deliver the Youth Justice Service and produce the Youth Justice Plan.

#### 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**

12 July 2024

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Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Statement of Principles (Gambling Policy) 2025-2028

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

That the draft Gambling Statement of Principles 2025 to 2028 (as set out at Appendix 1 to the submitted report), be launched for public consultation.

#### Reason for the Decision

The Licensing Authority has reviewed its current Policy and has prepared a draft 'Statement of Principles 2025-28' which will be formally published on the 12 July 2024 inviting public consultation and comment for a period of six weeks.

#### Implementation

This decision will be implemented immediately.

#### Information

The Gambling Act 2005 requires Torbay Council, under its role as Licensing Authority, to review and publish a 'Statement of Principles' (the Gambling Policy), every three years. The Statement of Principles outlines the procedures that the Licensing Authority intends to follow in discharging its statutory responsibilities under the Act. The current Statement was published on 31 January 2022 and therefore, it must be reviewed, consulted upon and re-published, on or before 30 January 2025.

#### Alternative Options considered and rejected at the time of the decision

There were no other options available, as the review of the Statement of Principles was a statutory requirement under the Gambling Act 2005 and the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 (SI 2006/636).

#### 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

**Published**

12 July 2024

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Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Homelessness and Rough Sleeping Strategy

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

That the public consultation of the draft Torbay Homelessness and Rough Sleeping Strategy 2024-2029, as set out in Appendix 1 to the submitted report, be launched.

#### Reason for the Decision

The Strategy was a legal requirement for the Council and was required to publish a strategy informed by a homeless review of its area, at least every 5 years.

#### Implementation

This decision will be implemented immediately.

#### Information

The Homelessness and Rough Sleeping Strategy was the over-arching strategic document focusing on the activities to address homelessness in Torbay. It sits within the Council's policy framework and provides the context for other plans policies and strategies, such as the Housing Strategy and the Domestic Abuse and Sexual Violence Strategy.

Since the development of the current Strategy, produced before the pandemic, there have been significant changes within the landscape of housing and homelessness. As such the new Strategy reflects the current needs within Torbay and the housing market.

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

There was no other option considered, the Homeless and Rough Sleeping Strategy was a policy framework document and therefore public consultation was required.

#### 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

**Published**

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet



## Record of Decisions

### Disposal of development site at Preston Down Road, Paignton

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

1. That Recommendations 3.1 and 3.2 of the decision made by Cabinet on the 21 March 2023 (Minute 458/03/23 refers) be rescinded and that the following be approved in replacement:

1.1 That the Chief Executive be given delegated authority to determine an effective disposal strategy which enables the sale of the Preston Down Road; with an objective to secure a disposal which will result in delivery of 30% affordable housing and maximise the sales receipt in a timely manner.

1.2 On determination of 1.1 above, the Chief Executive be given delegated authority, in consultation with the Cabinet Member for place Development and Economic Growth, to dispose of Preston Down Road.

1.3 That the surplus received on the capital receipt from Preston Down Road be ringfenced for the delivery of affordable (including social) housing in Torbay, with a minimum of 50% being ringfenced for delivery of affordable (including social) housing in Paignton.

2. Additionally if required:

2.1 No later than 12 months prior to the expiration of the planning consent for the site, the Director of Pride in Place to bring forward a capital proposal to undertake the minimum works necessary to discharge relevant planning conditions, make a technical start on site and make the planning consent extant, in consultation with the Section 151 Officer, and Cabinet Member for Housing & Finance.

#### Reason for the Decision

To secure timely delivery of much needed homes providing housing options for local people that are looking to buy or rent a home in the Paignton area. The revised proposal was also expected to meet the Council's policy in respect of affordable housing delivery.

#### Implementation

This decision will come into force and may be implemented on 22 July 2024 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

At its meeting of 21 March 2023, Cabinet endorsed a proposal to appoint a preferred bidder for the future development of homes on Council-owned land at Preston Down Road, Paignton.

The preferred bidder was a Registered Provider, in conjunction with a private sector development partner who proposed development of the site under a Joint Venture arrangement. A delegation was provided to the Chief Executive to agree relevant terms and

enter into a Development and Sale Agreement with the preferred bidder to facilitate the site's redevelopment based on a policy-compliant tenure split of 30% affordable housing.

During the Cabinet meeting, the recommendation was amended such that the Chief Executive became obligated to dispose of the site only where the purchaser committed to providing 50% affordable housing. To prevent conflict with planning policy (which only requires 30% in this location), this was to be achieved through 'additionality' – meaning the conversion of an additional 20% open market homes to affordable tenures, through the use of Homes England subsidy.

Officers have attempted to enact this delegation since March 2023. In detailed negotiation with the preferred bidder, several issues had been raised, which had an impacted upon the scheme's viability, triggering the need for them to issue an updated reduced financial offer for the site. The issues raised include: current housing market volatility and uncertain sales values; elevated construction costs; the higher than anticipated section 106 contributions required through the planning process; and the fact that a greater level of site abnormalities had been identified, following some technical due diligence.

The cumulative impact of these issues was that they reduce the viability of the project, even for a planning policy compliant 30% affordable housing mix. Subsequently, the preferred bidder has informally indicated that financial impact of a 50% obligation would be considerable and would necessitate a further reduction in value and receipt, accordingly.

After careful consideration, the impact of the reduced sales receipt was too great to continue to require 50% affordable housing to be provided on-site. The issue being that any reduced value generated had a considerable knock-on impact on the Council's ability to invest in other delivery schemes elsewhere (including, for example, the Crossways regeneration scheme in Paignton, Torbay Road and Station Square public realm).

As such, a decision was sought to formally rescind the existing obligation to sell the site only where 50% affordable housing can be secured, and to outline a new strategy for the site's release. This should seek to secure the maximum receipt that the site can reasonably be expected to generate.

At the meeting Councillor Tyerman 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**

The alternative option would be to proceed in line with the former Cabinet decision however this would result in a lower capital receipt which would undermine the Council's capital programme delivery ambitions.

### **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**

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

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## Record of Decisions

### Torbay Community Wellbeing Contract

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

That authority be delegated to the Director of Adult and Community Services in consultation with the Director of Finance and Cabinet Member for Adult and Community Services to award contracts to successful bidders on the Community Wellbeing Contract procurement.

#### Reason for the Decision

An integrated service contract would incorporate an alternative 'front door' for adult social care in Torbay by ensuring where appropriate people's support needs are met by community based and led organisations within Torbay.

#### Implementation

This decision will come into force and may be implemented on 22 July 2024 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Demand for Adult Social care continues to increase. To address the Council's critical need to meet the needs of local people in a community focused way and reduce the demand of individuals for statutory support to maintain their independence, health and wellbeing in the community the Council needs to ensure there are robust mechanisms and support services in place to enable people to connect and engage with community-based support within their own neighbourhoods.

As such procurement was required for a community based integrated Community Wellbeing Service for the provision of:

- A Community Helpline;
- A Community Hub;
- A Community Co-ordination Function; and
- Management of a Community Fund

The contract would be structured as a three-year contract to ensure the Council had stability of provision that would run alongside wider transformation programmes within Adult Social Care in Torbay. The successful provider(s) of the contract would be required to work closely with both the Council and Torbay & South Devon NHS Foundation Trust to ensure it formed part of the wider integrated care arrangements in Torbay.

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

The following alternative options were considered and discounted:

Option 1: carry on with individual separate contracts/ temporary funding grants for each of the functions within scope of this procurement. This option has been discounted as it:

- i. Reduces the positive impact an integrated service offer would have;
- ii. Increases the demand for contract management resources from within the Council
- iii. Reduces the efficiencies a potential provider can achieve through having a larger more integrated offer.
- iv. Reduces the ability of organisations to retain staff and effectively manage an effective service that supports the preventative purpose of this work.

Option 2: cease the provision of a community-based support offer in Torbay. This option was discounted due to:

- i. The need to find ways to effectively support and prevent escalation of need for our citizens. With growing demand for Adult Social Care services there is a requirement to ensure we are meeting our prevention duties under the Care Act (2014) and maximise efficiencies within our system whilst maintaining quality levels of care.
- ii. Pilot work has demonstrated the ability of our Voluntary, Community, Social Enterprise partners in Torbay to effectively provide support to individuals within their own communities in Torbay and improve independence and wellbeing. This effectiveness not only reduces immediate costs but also supports future cost avoidance.

Option 3: shorter duration of contract – for example a 12month only contract. This option was discounted due to:

- i. The need for a secure preventative and ‘front door’ offer for Adult Social Care – this forms part of wider transformation work within Adult Social Care – a longer term more secure provision will ensure that this contract can be embedded and worked into wider system transformation work.
- ii. The market had strongly indicated that shorter term contracts are less attractive and also substantially impact on the ability to efficiently deliver quality services that support the overall objectives. Shorter term contracts increase the risk of a failed procurement – this would have substantial impact on the wider Adult Social Care transformation work programme.

### **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**

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

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## Record of Decisions

### 0-19 Service Procurement

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

1. That the Director of Public Health be given delegated authority to direct award to Torbay and South Devon Foundation Trust the 0-5 services (Health Visitors and Family Hubs) alongside school nurses by following the Health Care Services Provider Selection Regime (('PSR for Health') which is a UK Government set of regulations for procuring health care services).
2. That the Director of Children's Services be given delegated authority:
  - i) to bring young people's substance misuse and return home conversation provisions 'in-house' so those delivering services are under direct control of the Local Authority (through a HR process of TUPE staff into the Local Authority).
  - ii) To re-procure Advocacy and Independent Visitors Services via an open market tender opportunity.

#### Reason for the Decision

The elements of the service that are proposed for a direct award allows the Authority to maintain services that are in broad terms, currently delivering against their contractual aims and objectives and are delivering services effectively to Torbay's residents. Furthermore, it allows for the Authority to build on the developing youth provision locally to give more coherence and resilience to this emerging offer. This in turn will support the development of an offer for a potential future procurement.

#### Implementation

This decision will come into force and may be implemented on 22 July 2024 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Torbay Council, specifically Public Health and Children's Social Care, are responsible for commissioning most of the services that sit within the Healthy Child Programme, also known as 0-19 provision. The current 0-19 Service contract, held by Torbay and South Devon NHS Foundation Trust with Action for Children and The Children's Society - Checkpoint as sub-contracted providers, expired in March 2024 and a further one-year extension has been agreed with the contract holder until 31 March 2025.

Procurement planning for a new service has commenced and recommends that the Local Authority should undertake a 'hybrid' commissioning model for a new set of services by 31 March 2025.

Specifically, this hybrid model includes the enactment of three separate procurement

processes:

1. To direct award to Torbay and South Devon Foundation Trust the 0-5 services (Health Visitors and Family Hubs) alongside school nurses by following the Health Care Services Provider Selection Regime (('PSR for Health') which is a UK Government set of regulations for procuring health care services).
2. To bring young people's substance misuse and return home conversation provisions 'in-house' so those delivering services are under direct control of the Local Authority (through a HR process of TUPE staff into the Local Authority).
3. To re-procure Advocacy and Independent Visitors Services via an open market tender opportunity.

At the meeting, Councillor Tranter proposed and Councillor Bye 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**

The options were:

Option 1 - was to 'do nothing' and continue with the contract 'as is' with no material change to the core contract or the delivery partners until the contract reaches its natural end point in March 2028. Whilst this maintains systems and pathways, it does not give additional scope or capability to reconfigure the services as required.

Option 2: Bring in-house the whole of the current provision. This would give the Authority total control of the services, but some are required under guidance or legislation to be arm's length from the Authority (e.g. advocacy) and equally would place significant burdens on the Authority to oversee a workforce whereby the capacity, skills and competence to do so does not currently exist (such as the NHS nursing workforce in 0-19).

Option 3: undertake an open market procurement for the services. This option would enable a full-service redesign to occur but wouldn't enable those services that could form part of the emerging youth offer to integrate into this offer. Additionally, this would create a significant operational burden on officers (and provider services) to undertake a complex wholesale procurement whereby the drivers for such a process across all services involved were not present.

Option 4: undertake the hybrid model of procurement whereby some services were procured on the market, some were procured via direct award and some were 'in-housed'. This option best addresses the weak spots in the model currently and allows for the integration of appropriate services into a youth model, whilst maintaining provisions where there are no significant material deficits. This route also avoids significant system destabilisation and increased officer and partner organisation workload to procure services unnecessarily. It does however allow services where an open market procurement is in the organisations and young people's best interests, to occur.

### **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**

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

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## Record of Decisions

### Re-Procurement of Asset Maintenance "Service Level Agreements" 2024

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

That the Director of Pride in Place in consultation with the Director of Finance be given delegated authority to grant "Service Level Agreement" contracts to successful bidders on the Service Level Agreements Framework Procurement.

#### Reason for the Decision

The existing service level agreements that provide the wide-ranging services expire on the 31 March 2025. These service level agreements play an essential role in ensuring that the Council fulfils its property related statutory duties and maintains its assets to a reasonable industry standard.

#### Implementation

This decision will come into force and may be implemented on 22 July 2024 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Torbay Council typically employs contractors to maintain its assets under service level agreements. Delegated approval was sought to award multiple contracts over a period of four years. The majority of contracts would be a re-procurement of existing services (total of ten lots), as well as an additional five service lots which were identified as a service need following customer consultations.

At the meeting, Councillor Chris Lewis proposed and Councillor David Thomas 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

The options available were:

**Option 1 – Do nothing:** The option of doing nothing was not a viable option because the Council had a statutory duty to undertake planned maintenance, minor repairs and compliance checks to its properties.

**Option 2 – Extend the current contracts:** The existing contracts cannot be extended due to them already receiving one extension and reaching the end of its extended term on 31 March 2025.

**Option 3 – Utilise a framework:** The option to utilise a framework(s) has specific benefits these are contractors on the framework have already been through a rigorous procurement process.

**Option 4 – Open market procurement:** This option could be run as an open or closed tendering

activity.

**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**

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Budget Monitoring - Outturn 2023/24

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

That Cabinet recommends to Council:

1. That Council notes the revenue outturn position and approves the transfer of the £0.678m end of year surplus as follows:
  - £400k transferred to an earmarked capital reserve to assist with delivery of the Capital Investment Programme.
  - The balance transferred to the Comprehensive Spending Review (CSR) reserve and used to fund one off activities to accelerate the delivery of Operation Brighter Bay
2. That Council approve the addition of the Paignton and Preston coastal defence project, into the Capital Investment Plan at a value of £17.515m, subject to:
  - a) securing the required funding from the Environmental Agency (£9.441m), and
  - b) production of a compliant Full Business Case being discussed and supported at Capital Growth Board and approval from Cabinet (Outline Business Case attached as Appendix 4).
3. That delegated authority be given to the Divisional Director of Economy, Environment and Infrastructure in consultation with the Section 151 officer and Portfolio Holder for Finance and Housing to award the contract of works for the delivery of the Paignton and Preston coastal defence project.
4. Following receipt of £20m grant funding from the round 3 of Levelling Up Funds (LUF3) approval is given for feasibility funding to progress the following projects to the next stage:
  - 4.1 Brixham port infrastructure project. Initial allocation of £75k to be drawn down for feasibility works.
  - 4.2 Paignton tec park project - Initial allocation of £85k to be drawn down for feasibility works.

#### Reason for the Decision

To ensure the Council operates in a prudent manner and works to maintain a balanced budget.

#### Implementation

The recommendation of the Cabinet will be considered at the Council meeting on 18 July 2024.

## Information

The Budget Monitoring Outturn 2023/24 report set out a high-level budget summary of the Council's revenue and capital position for the financial year 2023/24 which commenced on 1 April 2023. The report was based on the budget and final outturn position for the year ended 31 March 2024.

At the meeting, Councillor Tyerman proposed and Councillor David Thomas 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

There were no alternative options considered.

## Is this a Key Decision?

No

## Does the call-in procedure apply?

No

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

None

## Published

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet



## Record of Decisions

### Review of Council Procurement Policies and Food and Music Festival - Report of the Overview and Scrutiny Board

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

That the Cabinet's response to the Review of Council Procurement Policies and Food and Music Festival – Report of the Overview and Scrutiny be approved as published.

#### Reason for the Decision

The Cabinet was required to respond to the findings of the Overview and Scrutiny Board.

#### Implementation

This decision will come into force and may be implemented on 22 July 2024 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Cabinet received the report of the Overview and Scrutiny Board on a review they had undertaken on the Council's procurement policies and food and music festival. In accordance with section D7 of Standing Orders in relation to Overview and Scrutiny as set out in the Constitution, the Cabinet was required to respond to the recommendations of the Overview and Scrutiny Board within two months. Subsequently the Cabinet prepared a response to the recommendations of the Overview and Scrutiny Board which was proposed by Councillor Tyerman and seconded by Councillor Jackie Thomas and 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

#### Published

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Internships - Report of the Children and Young People's Overview and Scrutiny Sub-Board

#### Decision Taker

Cabinet on 11 July 2024.

#### Decision

That the Cabinet's response to the Children and Young People's Overview and Scrutiny Sub Board recommendations in respect of internships be approved as published.

#### Reason for the Decision

The Cabinet was required to respond to the findings of the Children and Young People's Overview and Scrutiny Board.

#### Implementation

This decision will come into force and may be implemented on 22 July 2024 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Cabinet received a report of the Children and Young People's Overview and Scrutiny Sub-Board in respect of internships. In accordance with section D7 of Standing Orders in relation to Overview and Scrutiny as set out in the Constitution, the Cabinet was required to respond to the recommendations of the Children and Young People's Overview and Scrutiny Sub-Board within two months. Subsequently the Cabinet prepared a response to the recommendations of the Children and Young People's Overview and Scrutiny Sub-Board which was proposed by Councillor Bye and seconded by Councillor David Thomas and 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

**Published**

12 July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

**Meeting:** Cabinet

**Date:** 20 August 2024

**Wards affected:** All

**Report Title:** Hackney Carriage Tariff Increase

**Cabinet Member Contact Details:** Councillor Tranter, Cabinet Member for Adult and Community Services, Public Health and Inequalities, Hayley.tranter@torbay.gov.uk

**Director Contact Details:** Joanna Williams, Director of Adults and Community Services, jo.williams@torbay.gov.uk

## 1. Purpose of Report

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- 1.1 For the Cabinet to consider the review of the Taxi Table of Fares (Taxi Tariff), following a request to increase the Hackney Carriage fare tariff in Torbay from the Torbay Licensed Taxi Association (TLTA).
- 1.2 For Cabinet to determine whether to accept the proposal detailed in the following report and send the proposal out for consultation as set out in the prescribed process under section 65 of the Local Government (Miscellaneous Provisions) Act 1976.
- 1.3 Following a review of process and obtaining specialist legal advice, it has been determined that the setting of the Table of Fares (Tariff) is an executive function of the Council. Therefore, this review and any future reviews, are to be considered by Cabinet Members.

## 2. Reason for Proposal and its benefits

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- 2.1 The Local Government (Miscellaneous Provisions) Act 1976, allows the Council to set the maximum level of charges to be levied by all Hackney Carriages operating under its control. The Council does not have powers to set fares for journeys in private hire vehicles.
- 2.2 The Tariff was last reviewed in March 2022 by the Licensing Committee. Prior to this the Tariff had been updated in October 2019.
- 2.3 A letter was received from the TLTA requesting that an increase be considered (Appendix 1). The TLTA have advised that they currently represent 90 licensed drivers from the Hackney Carriage trade.

- 2.4 The Table of Fares (Tariff) should be set to enable sustainable income for drivers, future investment in vehicles and to clearly set rates that minimise the opportunity for overcharging or confusion.

### 3. Recommendation(s) / Proposed Decision

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1. That the Cabinet consider approving one of the following options:
  - i) Option 1: The proposed amendments to the Tariff as set out in the submitted report be approved and the Director of Adults and Community Services be instructed to carry out the public consultation as set out in the prescribed process under section 65 of the Local Government (Miscellaneous Provisions) Act 1976.
  - ii) Option 2: That the proposed amendments to the Tariff as set out in the submitted report be amended and the Director of Adults and Community Services be instructed to carry out the public consultation as set out in the prescribed process under section 65 of the Local Government (Miscellaneous Provisions) Act 1976.
  - iii) Option 3: That the proposed amendments to the Tariff as set out in the submitted report be rejected.

### Appendices

Appendix 1: Letter from TLTA requesting increase.

Appendix 2: Proposed Table of Fares (Tariff)

Appendix 3: Current Table of Fares (Tariff)

Appendix 4: Tariff setting methodology.

Appendix 5: Current Running Costs per Mile Calculations

Appendix 6: Table to show the proposed increase in costs to the travelling public for journeys up to 10 miles.

Appendix 7: AA Motoring Costs 2014

### Background Documents

None

### 1. Introduction

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- 1.1 The common term for Hackney Carriages is 'taxis' and this term is used throughout this report. A customer can flag down a taxi in the street or at taxi ranks without booking unlike private hire vehicles that must always be booked in advance of the journey.
- 1.2 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 (LGMPA76), allows the Council to set the maximum costs and fares that drivers may charge the public for journeys taken in a taxi. The Council does not have powers to set fares for journeys in private hire vehicles. Members should note that drivers may charge a lower fare or offer a discount if they wish and negotiate fares for travel outside of the district boundaries.
- 1.3 Taxi fares are made up of an initial hiring charge (flag fall) and a mileage rate, both of which are expressed in terms of distance and or time. This is because when a hired taxi is stationary or moving at less than 6mph in traffic the meter continues charging by time instead of distance. It can never charge both time and distance at the same time.
- 1.4 The Table of Fares (Tariff) should be set to enable sustainable income for drivers, future investment in vehicles, and to clearly set rates that minimise the opportunity for overcharging or confusion.
- 1.5 The Tariff has to be displayed within all taxis to allow passengers to calculate the approximate cost of their journey. Section 4 of Torbay Council's Hackney Carriage Byelaws requires taximeters to be fitted in every licensed hackney carriage vehicle, which are calibrated and sealed. Once set, all drivers must display the maximum fare on their taximeter. This ensures consistency across all taxis and provides public confidence that the fare they are charged is correct.
- 1.6 In accordance with the statutory procedure set out in Section 65 of the LGMPA76, should Members agree the proposed changes to the Tariff, the Council must then undertake a public consultation prior to making any amendment to the Tariff. A notice must be published in at least one local newspaper circulating in the areas setting out the variation and specifying the period, which cannot be less than 14 days from the date of the first publication of the notice, within which and the manner in which, objections can be made. If no objections to the variation of the Tariff are received, or if all objections are withdrawn, the revised Tariff will come into operation on the date of the expiration of the consultation period. However, if any objections are made and not withdrawn, the Committee will consider the objections and set a further date, not later than two months after the first specified date, on which the tariff shall come into force with or without further modifications.

- 1.7 Since the last review, the consumer price index (CPI), which represents inflation through the change in the cost of living, has remained high. Inflation has fallen significantly since it reached 11.1% in October 2022, which was the highest rate for 40 years. However, the prices aren't falling, they are just rising less quickly. Inflation has remained above the Bank of England's 2% target partly because of high energy and food prices.

The most recent information obtained from the Office of National Statistics ([Consumer price inflation, UK - Office for National Statistics](#)) shows that:

- The CPI rose by 10.5% in the 12 months to December 2022, down from 10.7% in November 2022
- The CPI rose by 4% in the 12 months to December 2023, up from 3.9% in November 2023
- The CPI rose by 3.2% in the 12 months to March 2024, down from 3.4% from February 2024
- On a monthly basis, CPI rose by 0.6% in March 2024, compared to a rise of 0.8% in March 2023.
- The largest increase came from motor fuels, with prices rising this year but falling a year ago.

The price of fuel peaked in June 2022 at 191.1 for Petrol and 198.96 pence per litre of diesel but has reduced to its current price of 149 for petrol and 155.7 for diesel ([UK pump prices over time \(racfoundation.org\)](#)). At the time of the last tariff review, the prices on 21 March 2022 were 167.03 pence per litre for petrol and 178.97 for diesel. Therefore, the price has reduced by 18.03 pence per litre of petrol and 23.27 pence per litre of diesel. Based on a 47-litre tank, this is a saving of £8.60 a tank for petrol and £10.93 for diesel.

- 1.8 The drivers of inflation such as energy, fuel, food and consumer goods along with the impact on the economy from world events such as the Covid-19 pandemic and the world conflicts have continued to hit all business sectors hard, not least the taxi trade. In addition, direct overheads, such as vehicle replacement, servicing and insurance are also significant cost factors for the trade. The general hospitality and evening and night-time economy trade has also not fully recovered since the pandemic due to the cost-of-living crisis and the ongoing impact that the trade will experience financially is uncertain.
- 1.9 To assist for future tariff reviews, Licensing Officers have reviewed a number of different methodologies used throughout the country. A method has been devised that can be used to determine whether any fare increase is necessary and balanced. Any methodology agreed will need to be kept under review and updated as the sources of information change.

The proposed methodology shown in Appendix 4, has been used to provide a transparent process for calculating taxi fares and seeks to measure the true costs of providing taxis and the 'cost per mile' figure necessary to safeguard the sustainability for this valuable public service. The information provided in this document is supported by factual evidence. If statistical data is not available, the calculations are based on reasoned argument. Appendix 5 shows the calculations for the current running costs per mile.



## 2. Options under consideration

- 2.1 The proposed tariff is set out in Appendix 2. The current tariff can be found in Appendix 3.
- 2.2 Using the fee setting methodology shown in Appendix 4 and the calculations shown in Appendix 5, it can be seen that the current cost to operate a taxi in Torbay is calculated at £1.79 per mile. This is the basic cost to run a taxi, it only includes the earnable mileage so does not account for the dead mileage (when travelling to or returning from a fare).
- 2.3 Under the current Tariff 1, the running mile or any extras applied is set at £2.21 per mile. This does not include the initial charge (flag fall), any extras or waiting times. The proposed uplift would see the running mile costs rise to £2.40.
- 2.4 The proposed tariff by the TLTA, takes into account the cost of living and inflation and applies an average uplift to the Tariff 1 of an average of 8% and an average uplift of 7% for Tariff 2.
- 2.5 With the proposed uplifts, the flag fall (initial charge) would rise to the following costs:

	<b>Current</b>	<b>Proposed</b>
Tariff 1	£3.60	£3.90
Tariff 2	£4.00	£4.50

Distance rates will change to:

	<b>Pence per applicable distance</b>
<b>Tariff 1</b>	£0.20
<b>Tariff 2</b>	£0.25

- 2.6 For members ease the table shown in Appendix 6 shows the current cost per part/full mile to the travelling public and the proposed costs should an average 8% uplift be applied to Tariff 1 and an average 7% to Tariff 2. The figures do not take into account waiting time or any extras that maybe charged.

### 2.7 **Extra Charges**

The TLTA have requested an increase to the soiling charge from £50 to £75. The Local Authority has also included the following additional charge:

***Additional £1.50 charge for each uncaged animal except guide, hearing or other assistance dogs***

We have included this charge as we have received a number of complaints that drivers refuse to take animals due to the potential additional cleaning afterwards. Drivers are not required to take animals unless they are guide, hearing or other assistance dogs, however it is hoped that this additional charge will be an incentive for them to do so.

### 3. National and Regional Context

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#### 3.1 National Context

The Private Hire and Taxi Monthly trade magazine publish a league table of all Local Authority Hackney Carriage Tariff 1 Fare Tables [Hackney Taxi Fare Tables \(phtm.co.uk\)](http://HackneyTaxiFareTables.phtm.co.uk) which are updated on a daily basis. Out of the 340 local authorities that regulate taxi fares, as of 23 May 2024, Torbay is currently ranked 103 at £7.51 for 2 miles.

At the proposed £8.10 for 2 miles, Torbay would be 52<sup>nd</sup> with three other local authorities at the same rate, including Plymouth.

#### 3.2 Regional Context

When comparing the proposed uplift to other Devon local authorities it can be seen that Torbay would rise to the highest with Plymouth in the rankings.

Local Authority	Proposed Tariff 1 (2 miles)
Torbay	£8.10
Plymouth City Council	£8.10
Torridge	£8.00
South Hams/West Devon District Council	£7.80
East Devon District Council	£7.68
Exeter City Council	£7.50
North Devon District Council	£7.30
Teignbridge District Council	£7.26
Mid Devon District Council	£6.80
Devon Average	£7.62

### 4. Conclusion

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4.1 A balance needs to be struck between the legitimate right of the trade to a viable and sustainable livelihood and the needs of the travelling public to have a safe and affordable service. The cost-of-living crisis has hit the taxi trade hard most notably through the

escalating vehicle purchase, maintenance and fuel costs. These costs are no longer absorbed through the existing Tariff. If the fares are not increased on a regular basis in line with inflation, then many potential drivers will be discouraged from entering or staying in the trade, leading to a shortage of supply and a decline in the quality of the service.

- 4.2 The proposed Tariff increase is in line with the average CPI over the last two years and cost of living increases with an average overall rise of 8% for Tariff 1 and 7% for Tariff 2.
- 4.3 It is considered that the proposed uplift will assist those taxi drivers licensed through the Council to face the significant cost of living rises and support Torbay's taxi trade to make a viable living, therefore reducing the number of drivers leaving the trade for better remunerated work and encouraging consideration of investment in newer environmentally friendly vehicles.

## 5. Financial Opportunities and Implications

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- 5.1 There are no financial risks to the Council by increasing the taxi tariff.

## 6. Legal Implications

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- 6.1 The Council must ensure they follow the prescribed public consultation has outlined in this report to comply with section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

## 7. Engagement and Consultation

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- 7.1 As outlined above, the Council is required to undertake a public consultation prior to making any amendment to the tariff. If no objections to the variation of the tariff are received, or if all objections are withdrawn, the revised Tariff will come into operation on the date of the expiration of the consultation period. However, if any objections are made and not withdrawn, the matter will return to Committee to consider the objections and set a further date, not later than two months after the first specified date, on which the Tariff shall come into force with or without further modifications.

## 8. Procurement Implications

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- 8.1 There are no procurement implications.

## 9. Protecting our naturally inspiring Bay and tackling Climate Change

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- 9.1 There are no negative carbon footprint or other environmental implications resulting from amending/uplifting the Taxi Tariff. The proposed uplift should encourage members of the trade to invest in cleaner more efficient vehicles.

## 10. Associated Risks

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10.1 There are no significant risks.

## 11. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age  Page 49	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	<p>These proposals are not intended to adversely impact on this client group. However, it is important to note that younger people may be disproportionately impacted as they may rely more on taxis for educational purposes. Older people may also be disproportionately impacted due to their increased reliance on taxis and the door-to-door service they provide. Public transport, including taxis play a crucial role in helping people to stay connected and maintain independence when they are unable to drive, and are therefore of particular significance to older residents aged over 65 and to younger people who may not have access to a car. Aging is linked with reduction in personal car use and are therefore more reliant on taxis especially as it is a door-to-door service. The availability of public transport is also very important to all</p>	<p>There are grants available to support vulnerable groups to access transport. Low income families, children with a special need or medical condition or if a child's school is more than 2 miles away may also be eligible for school transport.</p>	<p>N/A</p>

		adults and parents who do not have a car for work and social activities.		
Carers	At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.	These proposals are not intended to impact on this client group. However carers are more likely to experience deprivation and therefore any rise in costs will have an impact.	Carers may be able to access funding to support transport costs.	N/A
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	<p>These proposals are not intended to adversely impact on this client group. However, they may be disproportionately impacted due to their reliance on taxis and the door-to-door service they provide.</p> <p>The Council have a register of all wheel chair accessible vehicles at <a href="#">Helping disabled passengers - Torbay Council</a></p> <p>All licensed vehicles must also carry assistance dogs.</p>	<p>There may be grants available to support vulnerable groups to access transport.</p> <p>Any discriminatory complaints received are fully investigated.</p>	Licensing Officers and Police Officers
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	These proposals are not intended to impact on this client group. These proposals are not intended to impact on this client group. The Department for Transport (DfT) FS13 report highlights how discrimination is part of daily life for trans people and generates 'behaviours of avoidance', particularly to using public transport. This group tend to use taxis and private hire vehicles instead of other means of public transport and therefore may be	Any discriminatory complaints received are fully investigated	Licensing Officers and Police Officers

		more adversely impacted by any increase in fares.		
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	These proposals are not intended to impact on this client group	Any discriminatory complaints received are fully investigated	Licensing Officers and Police Officers
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	These proposals are not intended to impact on this client group. The DFT FS13 report identified that public transport plays a vital role in supporting social inclusion for many parents with young children and therefore they may be more adversely impacted by any increase in fares.	Any discriminatory complaints received are fully investigated	Licensing Officers and Police Officers
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	These proposals are not intended to impact on this client group, however, the DFT FS13 report identifies that 'people from BAME background are less likely to have access to a private vehicle, be more reliant on public transport to access employment. Furthermore 'for many people from a BAME background having regular, affordable, clean and efficient transport is essential'. There is also evidence that individuals from a minority background are more likely to	Any discriminatory complaints received are fully investigated	Licensing Officers and Police Officers

		experience poverty and therefore any increase in fares will have an impact.		
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	These proposals are not intended to impact on this client group, however the DFT FS13 report identifies that certain groups of people, face an increasing risk of being victims of religious hate crime. For people who have a marked religious identity through clothing there is a heightened risk for harassment or discrimination. It is reported that this is particularly true for women who are already more vulnerable regardless of the way they dress. Therefore, any increase in fares will have an impact.	Any discriminatory complaints received are fully investigated	Licensing Officers and Police Officers
Sex	51.3% of Torbay's population are female and 48.7% are male	<p>These proposals are not intended to impact on this client group, however females are more likely to experience poverty and are more likely to use taxis and other public transport.</p> <p>The DFT FS13 report identifies that 'as women are more likely than men to live on low incomes, work part time and undertake paid work in the home and in the community, such as being carers for dependent relatives, poor quality unreliable and expensive transport has a far bigger impact on the lives of women'. The report also identified that women may not have access to a car during the day as they 'either cannot afford one or the family car is being used by a partner'.</p>	Any discriminatory complaints received are fully investigated	Licensing Officers and Police Officers



		<p>The F13 report also identifies women make greater use of taxi's than men, increasing with age, where women over 70 make double the amount of trips than men.</p> <p>Any increase in fares may encourage more females to risk walking home at night or using unlicensed vehicles.</p>		
Sexual orientation	<p>In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.</p>	<p>These proposals are not intended to impact on this client group. However, the DFT FS13 report identifies that safety and security (and perceptions of them) are key for lesbian, gay and bisexual people and may influence how they choose or prefer to travel. It also says that a 2018 LGBT survey pointed to public transport as the most common place where respondents avoided being open about their sexual orientation and that it may even be avoided altogether. Therefore, they may use taxis more than other forms of transport so may be adversely impacted by any rise.</p>	<p>Any discriminatory complaints received are fully investigated</p>	<p>Licensing Officers and Police Officers</p>
Veterans	<p>In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously serviced in the UK armed forces.</p>	<p>These proposals are not intended to impact on this client group.</p>	<p>Any discriminatory complaints received are fully investigated</p>	<p>Licensing Officers and Police Officers</p>

Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)	The taxi tariff has to be raised to balance the legitimate right of the trade to a viable livelihood and the needs of the travelling public. The cost of living crisis has hit the taxi trade hard most notably through the escalating vehicle purchase, maintenance and fuel costs. These costs are no longer absorbed through the existing tariff.	There is no differential impact. However, as advised above, the people that rely on public transport will be impacted by any rise in costs and they may not be able to take alternative transport.	N/A	N/A
Public Health impacts (Including impacts on the general health of the population of Torbay)	N/A	There is no differential impact. There is a possibility of social isolation if there are barriers in obtaining affordable transport.	N/A	N/A
Human Rights impacts	There are no human rights impact with regards to the taxi tariff.	There is no differential impact.	N/A	N/A
Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	There is no differential impact. However, care experienced children are more likely to have poor education and health outcomes and are more likely to experience poverty and may be more adversely affected by any rise in fares.	N/A	N/A
FS13: Future of Transport - Equalities and access to opportunity - rapid evidence review (publishing.service.gov.uk)				

## 12. Cumulative Council Impact

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None

## 13. Cumulative Community Impacts

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None

## Appendix 1: Letter received from TLTA via email on 2.4.24.

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As Chairman of Torbay Licensed Taxi Association (TLTA) I have been asked to submit a proposal for a Hackney Tariff rate increase on behalf of TLTA members and drivers of the trade.

The members of TLTA are all Hackney Drivers or proprietors and membership makes up over 50% of the Hackney Trade. We have over 100 years' experience in the trade

We have consulted with the Hackney trade and spoke to most of the drivers and the general feedback is they are in favour of around 8% increase factoring in the rate of inflation over the last 2/3 years is around 4-6%.

We are not looking for annual reviews as most felt this was time consuming and would be more cost to operators for the small increases it would bring.

Historically, we have left the yardage untouched as most felt this was already low as research showed us how low we are compared to neighbouring authorities, we have amended the yardage slightly and the tick over.

The Private hire trade has already seen some companies increasing their tariffs again and have now introduced a second, more lucrative tariff, which starts earlier than the hackney carriage tariff. Unfortunately, the Hackney Trade can't do this without going through proper procedure.

The escalating cost of fuel, maintenance/repairs and insurances have had a monumental impact on a driver's financial viability with some drivers even choosing to leave the trade altogether. While the national living wage has increased again, the hackney driver has seen their profits drop.

Our proposal considers many influencing factors, in 2021 the rate of inflation was 7.5% and in December 2021 alone the rate of inflation was 5.9%. House prices and rents have increased dramatically, and the average weekly costs are consistently increasing. We feel that an increase of around 8% may encourage more drivers into the trade and keep the existing drivers in the trade. We have increased Tariff 2 by the largest and are asking it to start earlier, hopefully this will encourage more drivers to work more unsocial hours.

We hope you will look favourably at the proposal and put forward a rise on behalf of the trade at the next Licensing Committee meeting.

If you require any further clarification, please contact me on

██████████

Many Thanks

Raymond Hall

# **HACKNEY CARRIAGE TARIFF INCREASE PROPOSAL**

**FEB 2024**

In preparation of this proposal, we have taken the following influencing factors into account.

1. Consumer Price Index rose by 6.5% in 2022 and 4% in 2023
2. Fuel increasing again, average of £1.50 per litre
3. Second-hand car market up by 25% on average. Consumer demand on that market up by 19%
4. New car market lead time, up to, 12 months.
5. Increasing electronic payments costing up to 3%.
6. Decreasing tips. Mostly due to electronic payments.

The below proposal benefits the trade by increasing the fares by around 8%.

## **TARIFF 1**

### **CURRENT HACKNEY TARIFF**

£3.60 or the first 470 yards (430 metres) or part thereof

£0.17 For each subsequent 135 yards (123 meters) or part thereof

### **PROPOSED INCREASE-**

£3.90 for the first 470 yards (430 metres) or part thereof

£0.20 for each subsequent 145 yards (133 meters) or part thereof.

Waiting time of £0.20 for every 30 seconds.

2-mile journey from £7.51 to £8.10

5-mile journey from £14.14 to £15.30

10-mile journey from £25.19 to £27.50

15-mile journey from £36.24 to £39.70

## TARIFF 2

### CURRENT HACKNEY TARIFF

£4.00 for the first 470 yards (430 metres) or part thereof

£0.22 For each subsequent 135 yards (123 meters) or part thereof

### PROPOSED INCREASE

£4.50 or the first 470 yards (430 metres) or part thereof

£0.25 For each subsequent 145 yards (133 meters) or part thereof.

Waiting time of £0.25 for every 30 seconds.

**It is proposed to have Tariff 2 commence from 9pm until 7am, all day  
Sundays and Bank Holidays**

2-mile journey from £9.06 to £9.75

5-mile journey from £17.64 to £18.75

10-mile journey from £31.94 to £34.00

15-mile journey from £46.24 to £49.25

No changes to the Xmas and NYE £1.00 surcharge between the hours of 7pm on Christmas Eve and 7am on Boxing Day (26/12) and between the hours of 7pm on New Years Eve and 7am on 02<sup>nd</sup> January.

Proposal to have the soiling charge increased from £50 to £75.

## Appendix 2: Proposed tariff

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**Tariff 1** – For all hiring’s commencing between 7am and 9pm from Monday to Saturday inclusive, except those mentioned in Tariff 2.

£3.90 for any distance up to 470 yards (430 meters)

20p for each subsequent 145 yards (133 meters) or part thereof

20p for each completed period of 30 seconds (waiting time)

**Tariff 2** – For all hiring’s commencing between 9pm and 7am on Monday to Saturday inclusive, all day Sundays and Bank Holidays. Also, between 7pm on Christmas Eve until 7am on Boxing Day and between 7pm on New Years Eve until 7am on the 2<sup>nd</sup> January.

£4.50 for any distance up to 470 yards (430 meters)

25p for each subsequent 145 yards (133 metres) or part thereof

25p for each completed period of 30 seconds (waiting time)

### Additional charges –

Each additional passenger in excess of one (accompanied children under the age of 3 are not charged, two children between 3 and 6 to be charged as one)	20p
For each uncaged animal except guide, hearing or other assistance dogs	£1.50
<b>Booking Charge</b> For each hiring where the driver is required to drive to the hirer’s designated pick-up point.	50p
For the fouling of the interior or exterior of a cab.	£75
For each hiring carried out between 7pm on Christmas Eve until 7am on Boxing Day and between 7pm on New Years Eve until 7am on the 2 <sup>nd</sup> January.	£1



## Appendix 3: Current tariff

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**Tariff 1** – For all hiring’s commencing between 7am and 9pm from Monday to Saturday inclusive, except those mentioned in Tariff 2.

£3.60 for any distance up to 470 yards (430 meters)

17p for each subsequent 135 yards (123 meters) or part thereof

17p for each completed period of 44 seconds (waiting time)

**Tariff 2** – For all hiring’s commencing between 9pm and 7am on Monday to Saturday inclusive, all day Sundays and Bank Holidays. Also, between 7pm on Christmas Eve until 7am on Boxing Day and between 7pm on New Years Eve until 7am on the 2<sup>nd</sup> January.

£4.00 for any distance up to 470 yards (430 meters)

22p for each subsequent 135 yards (123 metres) or part thereof

22p for each completed period of 44 seconds (waiting time)

### Additional charges –

Each additional passenger in excess of one (accompanied children under the age of 3 are not charged, two children between 3 and 6 to be charged as one)	20p
<b>Booking Charge</b> For each hiring where the driver is required to drive to the hirer’s designated pick-up point.	50p
For the fouling of the interior or exterior of a cab.	£50.00
For each hiring carried out between 7pm on Christmas Eve until 7am on Boxing Day and between 7pm on New Years Eve until 7am on the 2 <sup>nd</sup> January.	£1.00

## Appendix 4

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### Tariff Setting Methodology

In order to regularly review the maximum taxi fares for Torbay, there should be a fair and robust method for doing so. Licensing Officers have subsequently reviewed the methodologies used by a number of different Local Authorities and the following method has been used to determine whether any fare increase is necessary and balanced.

The proposed methodology has been created to provide a transparent process for calculating taxi fares and seeks to measure the true costs of providing taxis and the 'cost per mile' figure necessary to safeguard the sustainability for this valuable public service. The information provided in this document is supported by factual evidence. If statistical data is not available, the calculations are based on reasoned argument.

The proposed calculation uses the relevant factors shown in the following table:

<b>1</b>	<b>The annual average earnings figure for a full-time employee for Torbay (£)</b>
<b>2</b>	<b>Average of the AA pence per mile total for standing charges and running costs (pence)</b>
<b>3</b>	<b>Vehicle Insurance costs (£)</b>
<b>4</b>	<b>The cost of a council taxi driver badge and vehicle licence, and an allowance for: training, medicals, and DBS checks.</b>
<b>5</b>	<b>Cost of installing and maintaining card terminal per year (does not include the 3% charge as this is not able to be passed onto the customer)</b>
<b>6</b>	<b>The average annual earnable mileage of a licensed Torbay taxi</b>

The relevant factors used in the calculation are explained in more detail below.

#### 1. Annual Average Earnings

The economic cost of running a hackney carriage includes the drivers' earnings and this factor must be taken into account when setting the fare tariff. There is no reliable information on the earnings of taxi drivers, and it is therefore proposed that the government's annual average earnings figure should be used.

The annual average earnings figure for a full-time employee for Torbay is sourced from The Office of National Statistics (ONS) found at:

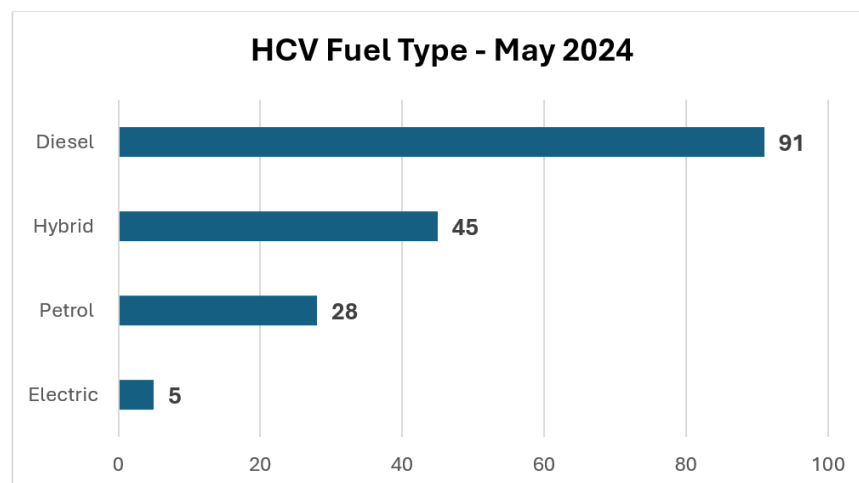
[Earnings and Hours Worked, Work and Residence-Based Travel to Work Area: ASHE Tables 11 and 12 - Office for National Statistics \(ons.gov.uk\)](#)

The filters applied to obtain the information are shown in the table below:

ONS Filters	
Statistics	Mean Average
Geography	Geography-England, South West, Torquay and Paignton
Hours and earnings	Hours and Earnings-Annual Pay Gross
Sex	All
Time	2022 (or most recent available year)
Working Time	All (Full & Part Time)
Workplace or Residence	Both
Average	= £24,480

## 1. Vehicle Costs

We have based the calculations on a diesel vehicle as in May 2024, the majority of vehicles were diesel.



The average costs of running a diesel vehicle are calculated without taking individual or differing business practices into account.

Until 2014, the Automobile Association (AA) provided the most accurate data available for the costs of running a diesel vehicle based upon the fuel type and average mileage of a vehicle. This is a detailed index and consists of costs for road tax, insurance, depreciation, subscriptions, fuel, oil, tyres, servicing, repairs and replacements for a variety of vehicle types and distances travelled. Please refer to Appendix 7.

While the AA currently do not publish recent information of this nature, they do provide a detailed explanation as to how a vehicle proprietor can estimate their vehicle standing which captures the above information and is still considered appropriate to use. Therefore the 2014 data provided by the AA is used to provide an average figure but is adjusted to allow for the percentage inflation rise along with the cost of fuel since the data was obtained.

The formula below takes the average of the total of standing charges and running costs in pence per mile for diesel cars costing between £26,000 and £32,000 on purchase.

<b>AA Vehicle Motoring Costs April 2024</b>		
The AA Motoring Costs 2014 document has been used and adjusted where figures not available.		
Cumulative price increase of 33% June 2014 to June 2023		
<b>Standing Charges Per Year (£)</b>	<b>£26,000 to £36,000</b>	<b>Inflation Adjusted for 2024</b>
VED (Road Tax) Average of £180 & £400	£180.00	X
Insurance	£601.00	X
Cost of Capital	£541.00	X
Depreciation	£3373.00	X
Breakdown Cover	£50.00	X
<b>Standing Charges Only: £</b>	<b>£4,745.00</b>	<b>X</b>
<b>Standing Charges as Pence Per Mile (At 30000 per year)</b>	<b>17.28</b>	<b>X</b>
<b>Running Costs at Pence Per Mile</b>		
Diesel Fuel*	£12.88	X
Tyres	£2.02	X
Service & Labour Costs	£2.24	X
Replacement Parts	£2.99	X
Parking and Tolls	£2.00	X
<b>Running Costs Only</b>	<b>22.14</b>	<b>X</b>
* Nb Fuel for AA based on 137.0 pence per litre. For each penny more or less add or take away 12p (0.09 x 1.33 inflation)		
Fuel at Esso, Teignmouth Road on 22/04/23 154.9 pence per litre		

<b>Total of Standing and Running Costs as Pence Per Mile</b>	<b>39.42</b>	<b>X</b>
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## 2. Vehicle Insurance Costs

All insurance policies are different, and some proprietors/drivers pay more than others depending on individual circumstances. In addition, taxi drivers incur additional insurance premiums for the 'hire and reward' element of driving. The calculation is based on the average premium from a random sample of drivers.

## 4. Costs of maintaining driver and vehicle licence with Torbay Council

This calculation takes in to account the cost of maintaining driver and vehicle licences with additional allowances for DBS checks, medicals and attending appropriate training.

## 5. Earnable mileage figure

Dead mileage is the term used to describe the amount of mileage spent driving without a passenger in the vehicle i.e. non-earnable mileage. HMRC generally consider dead mileage is set at 40% for rural areas whereas 50% is considered suitable for urban areas.

As Torbay is mainly urban, then the earnable mileage and dead mileage should be set at an even 50/50 % split.

We have estimated the average annual mileage figure at around 30000 miles therefore the earnable mileage is set at 15000 miles.

## 6. Calculation Results

Once the data has been obtained it is input into the below equation to provide a figure showing the cost per mile to run a taxi in Torbay.

1	<b>The annual average earnings figure for a full-time employee for Torbay (£)</b>	x
2	<b>Average of the AA pence per mile total for standing charges and running costs (pence)</b>	x
3	<b>Vehicle Insurance costs (£)</b>	x
4	<b>The cost of a council taxi driver badge and vehicle licence, and an allowance for: training, medicals, and DBS checks.</b>	x
5	<b>Cost of installing and maintaining card terminal per year (does not include the 3% charge as this is not able to be passed onto the customer)</b>	x

6	The average annual earnable mileage of a licensed Torbay taxi	x
Cost per mile Calculation $(1+2+3+4+5) \div 6 =$		x

Running Costs per Mile = £ X

### Worked example of Fare setting calculations – Torbay Council

#### Average Earnings

The most up to date data shows that the average salary in Torbay for 2021 is **£24,480 per year**.

The annual average earnings figure for a full-time employee for Torbay is sourced from The Office of National Statistics (ONS) found at:

[Earnings and Hours Worked, Work and Residence-Based Travel to Work Area: ASHE Tables 11 and 12 - Office for National Statistics \(ons.gov.uk\)](#)

The filters applied to obtain the information are shown in the table below:

ONS Filters	
Statistics	Mean Average
Geography	Geography-England, South West, Torquay and Paignton
Hours and earnings	Hours and Earnings-Annual Pay Gross
Sex	All
Time	2022 (or most recent available year)
Working Time	All (Full & Part Time)
Workplace or Residence	Both
Average	= £24,480

#### 1. Cost of Running a Diesel Vehicle

The calculations are based on the cost of a new representative vehicle in the fleet licensed by Torbay Council around £30k, namely:

- Skoda Octavia, 1498 or 1598- [Skoda Octavia Hatchback 1.5 TSI SE 5dr specification and running costs \(fleetnews.co.uk\)](#) – £25, 700
- Toyota Hybrid 1798- [Toyota Corolla Hatchback 1.8 Hybrid Design 5dr CVT specification and running costs \(fleetnews.co.uk\)](#) - £31,900

Current prices have been inputted where this is possible and prices have been adjusted (using the [Inflation calculator | Bank of England](#)) by the cumulative price increase of 33% along with the cost of fuel since the data was obtained.

## AA Vehicle Motoring Costs April 2024

The AA Motoring Costs 2014 document has been used and adjusted where figures not available.

Cumulative price increase of 33% June 2014 to June 2023

Standing Charges Per Year (£)	£26,000 to £36, 000	Inflation Adjusted for 2024
VED (Road Tax) Average of £180 & £400	£180.00	£190 (actual cost)
Insurance	£601.00	£1584 (actual average cost)
Cost of Capital	£541.00	£719.53
Depreciation	£3373.00	£4,486.09
Breakdown Cover	£50.00	£66.50
<b>Standing Charges Only: £</b>	<b>£4,745.00</b>	<b>£7,046.12</b>
<b>Standing Charges as Pence Per Mile (At 30000 per year)</b>	<b>17.28</b>	<b>22.98</b>
<b>Running Costs at Pence Per Mile</b>		
Diesel Fuel*	£12.88	£17.13
Tyres	£2.02	£2.69
Service & Labour Costs	£2.24	£2.98
Replacement Parts	£2.99	£3.98
Parking and Tolls	£2.00	£2.66
<b>Running Costs Only</b>	<b>22.14</b>	<b>29.44</b>
* Nb Fuel for AA based on 137.0 pence per litre. For each penny more or less add or take away 12p (0.09 x 1.33 inflation)		
<b>Fuel at Esso, Teignmouth Road on 22/04/23 154.9 pence per litre</b>	<b>0</b>	<b>2.15</b>
<b>Total of Standing and Running Costs as Pence Per Mile</b>	<b>39.42</b>	<b>54.57</b>

The figure obtained is vehicle running costs of **55 pence per mile**.



## 2. Vehicle Insurance Costs

This figure is set at **£1548** per annum based on an average of a sample of hackney carriage drivers' insurance premiums.

## 3. Costs of maintaining driver and vehicle licence with Torbay Council

For this current year this is set at **£310**.

*(Based on Vehicle renewal of £185 and 1/3<sup>rd</sup> of the 3-year drivers renewal of £270, plus medical, training etc. so rounded to £310)*

## 4. Calculations

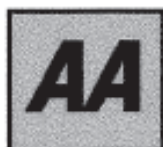
1	The annual average earnings figure for a full-time employee for Torbay (£)	£24,480
2	Average of the AA pence per mile total for standing charges and running costs (pence)	£0.55
3	Vehicle Insurance costs (£)	£1584
4	The cost of a council taxi driver badge and vehicle licence, and an allowance for: training, medicals, and DBS checks.	£310
5	Cost of installing and maintaining card terminal per year (does not include the 3% charge as this is not able to be passed onto the customer)	£500
6	The average annual earnable mileage of a licensed Torbay taxi	15,000
<b>Cost per mile Calculation (1+2+3+4+5) ÷ 6 =</b>		<b>£1.79</b>

**Running Cost Per Mile = £1.79**

## Appendix 6

Torbay		Tariff 1			Tariff 2			
Journey (Miles)	Current	Proposed	% Increase	Difference	Current	Proposed	% Increase	Difference
1	£5.30	£5.70	8%	£0.40	£6.20	£6.75	9%	£0.55
2	£7.51	£8.10	8%	£0.59	£9.06	£9.75	8%	£0.69
3	£9.72	£10.50	8%	£0.78	£11.92	£12.75	7%	£0.83
4	£12.10	£12.90	7%	£0.80	£15.00	£15.75	5%	£0.75
5	£14.31	£15.50	8%	£1.19	£17.86	£18.75	5%	£0.89
6	£16.52	£17.70	7%	£1.18	£20.72	£22.00	6%	£1.28
7	£18.73	£20.10	7%	£1.37	£23.58	£25.00	6%	£1.42
8	£20.94	£22.50	7%	£1.56	£26.44	£28.00	6%	£1.56
9	£23.15	£24.90	8%	£1.75	£29.30	£31.00	6%	£1.70
10	£25.36	£27.50	8%	£2.14	£32.16	£37.00	15%	£4.84
Average % Increase			8%	£1.18			7%	£1.45

## Appendix 7



### Motoring Costs 2014

#### Petrol Cars

See note:	Standing charges per year, £	Purchase price of the car when new:				
		Up to £13 000	£13 000 to £18 000	£18 000 to £25 000	£25 000 to £32 000	Over £32 000
A	VED ( Road Tax)	110	145	180	283	609
B	Insurance	360	409	481	571	762
C	Cost of capital	203	251	355	494	877
D	Depreciation	1190	2156	2611	3672	6974
E	Breakdown cover	50	50	50	50	50
<b>Standing charges only: £</b>		<b>1913</b>	<b>3011</b>	<b>3678</b>	<b>5070</b>	<b>9271</b>
<b>Standing charges as pence per mile</b>						
at 5,000 miles per year		37.78	59.36	<b>72.51</b>	99.93	182.64
at 10,000		19.13	30.11	<b>36.78</b>	50.70	92.71
at 15,000		13.07	20.65	<b>25.21</b>	34.78	63.67
at 20,000		10.16	16.13	<b>19.69</b>	27.18	49.84
at 25,000		8.22	13.08	<b>15.96</b>	22.04	40.43
at 30,000		6.89	10.97	<b>13.39</b>	18.49	33.93
<b>Running costs, pence per mile</b>						
F	Petrol *	10.84	13.12	14.55	16.22	18.04
G	Tyres	1.37	1.57	1.94	2.32	3.35
H	Service labour costs	2.10	2.07	2.09	2.04	2.34
I	Replacement parts	2.24	2.39	2.25	2.73	3.34
J	Parking and tolls	2.00	2.00	2.00	2.00	2.00
<b>Running costs only: p.</b>		<b>18.56</b>	<b>21.14</b>	<b>22.83</b>	<b>25.31</b>	<b>29.06</b>
* NB: Petrol at 129.0 pence per litre						
For each penny more or less,						
add or take away:		0.08	0.10	0.11	0.13	0.14
<b>Total of standing and running costs as pence per mile</b>						
at 5,000 miles per year		56.34	80.51	<b>95.34</b>	125.24	211.70
at 10,000		37.68	51.26	<b>59.60</b>	76.01	121.78
at 15,000		31.63	41.79	<b>48.04</b>	60.09	92.73
at 20,000		28.72	37.28	<b>42.52</b>	52.49	78.91
at 25,000		26.78	34.22	<b>38.79</b>	47.35	69.50
at 30,000		25.45	32.12	<b>36.22</b>	43.80	62.99

Please see the associated notes for more detail. These figures are typical but do not represent all types of vehicle and conditions of use. Once compiled, some of the variables may change at any time.



## Motoring Costs 2014

### Diesel Cars

See note:	Standing charges per year, £	Purchase price of the car when new:				
		Up to £16 000	£16 000 to £22 000	£22 000 to £26 000	£26 000 to £36 000	Over £36 000
A	VED (Road Tax)	30	110	180	180	361
B	Insurance	424	499	511	601	771
C	Cost of capital	245	325	429	541	823
D	Depreciation	1705	2426	2618	3373	5197
E	Breakdown cover	50	50	50	50	50
	<b>Standing charges only: £</b>	<b>2454</b>	<b>3411</b>	<b>3788</b>	<b>4745</b>	<b>7203</b>

#### Standing charges as pence per mile

at 5,000 miles per year	48.40	67.24	74.71	93.55	141.98
at 10,000	24.54	34.11	37.88	47.45	72.03
at 15,000	16.81	23.38	25.95	32.53	49.40
at 20,000	13.12	18.27	20.25	25.41	38.61
at 25,000	10.63	14.81	16.41	20.60	31.31
at 30,000	8.92	12.42	13.76	17.28	26.26

#### Running costs, pence per mile

F	Diesel Fuel *	9.28	10.20	12.65	12.88	16.79
G	Tyres	1.15	1.49	2.06	2.02	2.87
H	Service labour costs	2.10	2.14	2.29	2.24	2.76
I	Replacement parts	2.73	2.43	2.53	2.99	3.44
J	Parking and tolls	2.00	2.00	2.00	2.00	2.00
	<b>Running costs only: p.</b>	<b>17.26</b>	<b>18.25</b>	<b>21.54</b>	<b>22.14</b>	<b>27.85</b>

\* NB Fuel at: 137.0 pence per litre

For each penny more or less,

add or take away:	0.07	0.07	0.09	0.09	0.12
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#### Total of standing and running costs as pence per mile

at 5,000 miles per year	65.66	85.49	96.25	115.69	169.83
at 10,000	41.80	52.36	59.41	69.59	99.88
at 15,000	34.08	41.64	47.49	54.67	77.26
at 20,000	30.39	36.52	41.79	47.55	66.47
at 25,000	27.90	33.06	37.94	42.74	59.16
at 30,000	26.18	30.67	35.30	39.42	54.11

Please see the associated notes for more detail. These figures are typical but do not represent all types of vehicle and conditions of use. Once compiled, some of the variables may change at any time.

# Fuel Price Report

January 2015



The pace of fall in petrol and diesel pump prices accelerated in December as supermarkets took advantage of plunging wholesale prices to compete for customers with cars. However, with oil needing to fall to \$40 a barrel at least but staying in the \$45-\$50 range, £1 a litre predictions look misplaced.

**Unleaded** prices are down 7.4p from 116.3 ppl to 108.9 ppl. **Diesel** prices have fallen 6.1p from 122.2 ppl to 116.1 ppl. The price difference between unleaded and diesel has increased to 7.2 ppl.

**East Anglia** has recorded the highest price for **unleaded** at 109.4 ppl. The **North, Northern Ireland, South West and Yorkshire and Humberside** have recorded the lowest price for **unleaded** at 108.8 ppl. **Scotland** has recorded the highest **diesel** price at 116.9 ppl. **Northern Ireland** has the cheapest **diesel** at 115.7 ppl.

Supermarket prices for **unleaded** have fallen to 107.1 ppl. The gap between supermarket prices and the UK average for **unleaded** has shrunk to 1.8 ppl.

Garages and Supermarkets	Unleaded 95 Octane (pence)		Diesel (pence)		Super Unleaded (pence)		LPG (pence)
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
Northern Ireland	108.8	494.6	115.7	525.98	114.4	520.1	0.0
Scotland	109.2	496.4	116.9	531.44	119.5	543.3	62.4
Wales	109.0	495.5	116.4	529.16	121.2	551.0	61.5
North	108.8	494.6	116.2	528.26	119.7	544.2	62.4
North West	109.1	496.0	116.1	527.80	123.3	560.5	0.0
Yorkshire & Humberside	108.8	494.6	115.9	526.89	125.7	571.4	63.2
West Midlands	109.0	495.5	116.2	528.26	122.8	558.3	67.9
East Midlands	109.0	495.5	115.9	526.89	121.1	550.5	61.6
East Anglia	109.4	497.3	116.5	529.62	116.8	531.0	63.9
South East	108.9	495.1	116.2	528.26	118.4	538.3	61.4
South West	108.8	494.6	116.1	527.80	118.2	537.3	60.3
London	108.9	495.1	116.0	527.35	118.3	537.8	63.9
<b>UK AVERAGE</b>	<b>108.9</b>	<b>495.1</b>	<b>116.1</b>	<b>527.80</b>	<b>119.7</b>	<b>544.2</b>	<b>62.2</b>
Per cent taken as Tax		69.9		66.58		65.1	

Supermarkets	Unleaded 95 Octane		Diesel		Super unleaded		LPG
	Litres	(gallons)	litres	(gallons)	litres	(gallons)	
<b>SUPERMARKET AVERAGE</b>	<b>107.1</b>	<b>486.9</b>	<b>113.9</b>	<b>517.8</b>	<b>112.1</b>	<b>509.6</b>	<b>60.2</b>
Per cent taken as Tax		70.8		67.55		68.4	

The AA Public Affairs Fuel Price Report uses data sourced from Experian Catalist ([www.catalist.com](http://www.catalist.com))  
They are an average of mid-month prices from the respective regions.

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**Meeting:** Cabinet **Date:** 20<sup>th</sup> August 2024

**Wards affected:** Tormohun

**Report Title:** Leasing of Commercial Business units at Lymington Enterprise Centre, Torquay

**When does the decision need to be implemented?** Immediately

**Cabinet Member Contact Details:** Councillor Chris Lewis, Cabinet Member for Place Development & Economic Growth [chris.lewis@torbay.gov.uk](mailto:chris.lewis@torbay.gov.uk)

**Director Contact Details:** Alan Denby, Director of Pride in Place [Alan.denby@torbay.gov.uk](mailto:Alan.denby@torbay.gov.uk)

## 1. Purpose of Report

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- 1.1 To seek authorisation to let the 5 new business units at Lymington Road at a market rent and on standard commercial lease terms as and when suitable tenants are identified.
- 1.2 In the opinion of an RICS surveyor the market rent for each individual unit is in excess of £10,000 p.a. and so in accordance with the Officer Scheme of Delegation, entering into a lease for each unit is a Cabinet decision. It is proposed authority to agree terms for each unit is delegated to the Director of Pride in Place to prevent delays to the letting process and consequently any delays to the income the Council will receive once a unit is let.

## 2. Reason for Proposal and its benefits

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- 2.1 The proposals in this report help us to deliver our vision of a healthy, happy and prosperous Torbay by fully utilising the opportunity of leasing these 5 light industrial units to businesses that are in need of business premises. Benefits include:
  - Increasing employment in the local area.
  - Increasing investment in this district of Torbay.
  - Managing these units on a commercial basis, minimising void periods and encouraging occupancy of businesses will meet the funding criteria.
  - The rental income from these units will service the loan for the Council's financial contribution into the project to redevelop the whole coach station site.

- 2.2 The reasons for the proposal and need for the decision are that the market rent for each unit is in excess of £10,000 p.a. and therefore requires Cabinet approval in accordance with the Council's Officer Scheme of Delegation.

### 3. Recommendation(s) / Proposed Decision

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1. To delegate authority to the Director of Pride in Place, in consultation with the Cabinet Member for Pride in Place and Parking, to agree commercial heads of terms on the first lease granted at each unit at a market rent.

#### **Appendices**

None

#### **Background Documents**

Lymington Road Nov 21 Cabinet Paper - Report Title: Growth Fund investment to deliver five new business units at Lymington Rd coach station



### 1. Introduction

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- 1.1 The Council has recently completed the development of 5 brand new industrial units at Lymington Road, Torquay. The units are now ready for occupation and whilst void will incur holding costs such as utilities, business rates, maintenance and void property inspections. The units are being marketed. Heads of terms for the first unit, Unit 5 has now been agreed, subject to final approval from the Council as landlord. Given the proposed level of rent, Cabinet authority is now being sought to delegate to the Director of Pride in Place approval of the terms of occupation on a commercial basis at a market rent, for Unit 5 and for the remaining four units as and when potential tenants are found.

### 2. Options under consideration

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- 2.1 The Council has constructed these units to increase employment in the area. Previous Cabinet decisions have provided the funding streams used in the project to build these units but did not provide authority to agree and grant terms for occupation by tenants. The units have been designed to meet the demand for business use for light manufacturing, storage and office use and are to be commercially leased. The benefit is also that the Council can best achieve their employment aims, by retaining control of the units and selecting which businesses can use them. Therefore, a freehold disposal has been discounted.
- 2.2 The other option is not to let out these properties on a commercial basis. This will increase the Council's void costs and extend the period before the Council can gain any rental income. This is a significant disadvantage to the Council in terms of lost revenue and void costs and so has been discounted.

### 3. Financial Opportunities and Implications

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- 3.1 There is no further funding required and no negative financial consequences associated with letting the units at a market rent. In the earlier Cabinet Paper of 16<sup>th</sup> November 2021, the financial model assumes that the scheme is 90% let to deal with tenant churn and potential void periods. Furthermore, it also assumes a market level of tenant incentives.

### 4. Legal Implications

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- 4.1 As stated on 16<sup>th</sup> November 2021, the area was to be developed by the Council with the individual units being leased to interested tenants at market value. The leases will be full repairing and insuring leases and will clearly set out all tenant and landlord obligations.

## 5. Engagement and Consultation

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- 5.1 Other than briefings with the Ward Councillors and Portfolio Holder, no further engagement or consultation is planned. This is on the principle of the Council have already engaged during the funding and planning applications for the construction of these units in 2021.

## 6. Procurement Implications

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- 6.1 All services necessary to manage the leases these 5 units will procured in line with the Councils financial regulations and standing orders.

## 7. Protecting our naturally inspiring Bay and tackling Climate Change

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- 7.1 The units have been well insulated to reduce energy consumption. They have solar PV panels contributing to reduced electricity demand for each unit.
- 7.2 The location is convenient for public transport for employees to travel to work. There is an additional covered cycle racks provided adjacent to the Units.
- 7.2 The units have been designed to account for flooding events by having raised floor levels.

## 8. Associated Risks

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- 8.1 Market research tells us there are good levels of demand for business units of this nature. However, if there is insufficient interest from tenants and projected rental levels are not achieved the Council would need to fund the repayments from the revenue budget as loan repayments will still need to be made. The cashflow and development appraisals from 2021 assumed prudent timeframes to have the units let.
- 8.2 To service the Councils loan, the units will need to be let. The previous appraisal in 2021 made prudent assumptions on voids and tenant churn.

## 9. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	<p>Due to the job creation opportunities at these 5 units, it will have a positive impact on people aged 18-64</p>		
Carers	<p>At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.</p>	<p>No differential impact</p>		
Disability	<p>In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.</p>	<p>No differential impact</p>		
Gender reassignment	<p>In the 2021 Census, 0.4% of Torbay's community</p>	<p>No differential impact</p>		

	<p>answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.</p>			
Marriage and civil partnership	<p>Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.</p>	No differential impact		
Pregnancy and maternity	<p>Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.</p>	No differential impact		
Race	<p>In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.</p>	No differential impact		

Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	No differential impact		
Sex	51.3% of Torbay's population are female and 48.7% are male	No differential impact		
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	No differential impact		
Veterans	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously serviced in the UK armed forces.	No differential impact		
<b>Additional considerations</b>				
Socio-economic impacts (Including impacts on child poverty and deprivation)		Leasing these 5 units to businesses will have a positive impact providing employment in the local area.		
Public Health impacts (Including impacts on the general health of		No differential impact		

the population of Torbay)				
Human Rights impacts		No differential impact		
Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	No differential impact		

## 10. Cumulative Council Impact

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10.1 None

## 11. Cumulative Community Impacts

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11.1 None

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**Meeting:** Overview & Scrutiny Board/Cabinet/Council    **Date:** 7/20 August/12 September 2024

**Wards affected:** All Wards

**Report Title:** Budget Monitoring 2024/25 – April to June 2024 Revenue and Capital Outturn Forecast.

**When does the decision need to be implemented?** N/A

**Cabinet Member Contact Details:** Alan Tyerman, Cabinet Member for Finance  
[alan.tyerman@torbay.gov.uk](mailto:alan.tyerman@torbay.gov.uk)

**Supporting Officer Contact Details:** Ian Rowswell, Deputy Director of Finance,  
[ian.rowswell@torbay.gov.uk](mailto:ian.rowswell@torbay.gov.uk),

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## 1. Purpose and Introduction

- 1.1. This report provides a high-level budget summary of the Council's revenue and capital position for the financial year 2024/25, reviewing budgets and considering year-end forecasts. These forecasts are based on the levels of spend and financial information at the end of quarter 1 (up to 30 June 2024).
- 1.2. The Council continues to face external pressures due to the wide-reaching implications of the current economic situation. The levels of cost inflation have reduced significantly but continue to have an impact on Council services. We are also seeing an impact on the levels of income received, with many projections being below the levels budgeted, particularly in areas such as building control and planning. These budget pressures are resulting in a year end forecast for 2024/25 of **£0.526m overspend**.
- 1.3. The Capital Plan was reviewed and updated in 2023/24, with an updated forward looking capital programme included within the 2024/25 budget papers. An updated Capital Investment Plan is shown as Appendix 1 and highlights a revised budget for 2024/25 of £39.115m. Paragraph 7.5 provides a simple reconciliation of movement from the original budget of £19m.

## 2. Recommendations

### Recommendations for Overview and Scrutiny Board

- 2.1. That the Overview & Scrutiny Board notes the Council's forecasted revenue outturn position and mitigating action identified and make any comments and/or recommendations to the Cabinet.

2.2. That the Overview & Scrutiny Board notes the updates to the Capital Investment Plan and the revised budget for 2024/25 and make any comments and/or recommendations to the Cabinet.

**Recommendations for Cabinet/Council**

2.3. That the Cabinet notes the forecasted revenue outturn position and amendments made to the published 2024/25 capital programme.

**3. 2024/25 Budget Summary Position**

3.1. Initial budget monitoring at quarter 1 has identified a number of spending pressures and a total overspend is forecast at year end 2024/25 of £0.526m, broken down between Council Directorates as follows:

<b>Service</b>	<b>Current Budget £m</b>	<b>Projected Outturn £m</b>	<b>Est. Outturn Variance Q1 £m</b>
Adult Services	55.800	55.752	-0.048
Children’s Services	54.433	54.882	0.449
Corporate and Executive Services	13.781	14.130	0.349
Finance	-16.257	-17.057	-0.800
Investment Portfolio	-4.134	-4.134	0
Place	25.058	25.634	0.576
Public Health	10.714	10.714	0
<b>TOTAL</b>	<b>139.395</b>	<b>139.921</b>	<b>0.526</b>

3.2. The projections above include plans to draw down £144k from central contingency to rebase budgets for known spend commitments, which were unavoidable.

3.3. Mitigating spending pressures to reduce this forecast overspend by the end of the year will require robust financial management and control from all services across the Council. Financial Sustainability Plans have been completed by each Director in respect of the following key areas, which are being reviewed regularly.

- Integrated Adult Social Care contract – transformation programme
- Children’s Services – social care placements
- Prevention and relief of Homelessness
- SWISCO contract fee
- Events

- Optimisation of Council Assets
- Legal Services – staffing and agency costs
- Home to School Transport

3.4. The plans for Legal service and Home to School Transport will require particular focus over the rest of the financial year as we are already projecting overspends in these areas. It is anticipated that action against these plans will mitigate pressures and reduce the overspends currently being forecast.

3.5. The Dedicated Schools, and particularly the Higher Needs Block, is not currently shown within the table above. Spend continues to be monitored as part of the safety valve agreement in order to facilitate the future write off of accumulated deficits of over £12m.

#### 4. Service Budgets

4.1. The table below summarises the most material variances (over £100k) currently being forecast at the end of June 2024.

Service	Current Budget £m	Projected Outturn £m	Projected Q1 Outturn Variance £m
Childrens - Staffing/agency costs	20.846	21.314	0.468
Childrens - Home to School Transport	3.892	4.137	0.245
Childrens - Social care placements	23.424	23.037	(0.387)
Corporate – Legal Services	1.693	1.972	0.279
Finance – Investments and borrowing	18.572	17.772	(0.800)
Place – Waste disposal	4.832	5.082	0.250
Place – Development Control and Planning - income	0.269	0.599	0.330
Place – Building Control income	0.127	0.277	0.150
Place – Concessionary Fares	3.746	3.496	(0.250)
Place – Management of Estate	3.326	3.427	0.101
			<b>0.386</b>

*(Note: there are other smaller variances which are not highlighted within this table hence totals will differ from those mentioned above)*

#### **Adult Services (incl. Community and Customer Services)**

4.2. Within Adult Social Care the majority of spend is against a fixed price financial arrangement (contract) for the delivery of services provided by the Integrated Care Organisation (ICO). This agreement was uplifted by £5m in 2023/24, with a further £1.1m

agreed for 24/25. There is currently no significant variance being forecast within this area.

4.3. In previous years we have reported overspends within our Housing Options Service relating to increasing costs for homelessness prevention and the provision of Temporary Accommodation. Although there continues to be considerable demand in this service the total budget was increased by £900k in 24/25 and £10m has been invested in purchasing our own properties to reduced dependency on spot purchase arrangements. No material variances to budget are currently being forecast.

## Children's Services

4.4. An overspend of **£468k** is being forecast due to agency numbers and costs increasing. The cost of agency in 23/24 was £2.304m, and for 24/25 the forecast is £3.159m. The number of agency FTE's at end of June 24 was 31.38, at the end of June 23 it was 23.0. We are seeing significantly increased salary expectations within the agency market and stiff competition from other Councils that are offering increased hourly rates to stabilise their own workforces and it is therefore an area that needs continued focus moving forward

4.5. There is also cost pressure within the Home to School Transport budget as a result of increasing fuel costs for transport providers as well as children and young people needing more bespoke arrangements to get to and from school. An overspend of **£245k** is forecast, but this is a reduction on spend when compared to 23/24 - due to better route planning and maximisation of shared transport where possible. A thorough review of provision is current being undertaken, including a review of single occupancy taxis, use of minibus provision and the promotion of independent travel.

4.6. Offsetting some of these pressures is an underspend currently being forecast across our budgets for children social care placements of **(£387k)**. The placements budget received £2.1m of growth funding at part of the budget setting process, and is currently showing an underspend against this new level of funding. The overall numbers of cared for children are also lower than previous years, but the significant shortage of suitable available placements is driving up costs within the market. The high cost of weekly placements for Residential and Unregulated remain a concern and risk to the budget, hence this area will continue to be monitored closely throughout the year.

4.7. Outside of Local Authority funded activities, the schools' higher needs block in the Dedicated Schools Grant (DSG) remains under financial pressure from continual referrals for assessment for higher needs support for children.

4.8. The Council is part of the Education and Skills Funding Agency (ESFA) and Department for Education (DfE) Safety Valve programme, which supports councils in achieving future financial sustainability in this area. If the council can deliver on its recovery plan and achieve a balanced higher needs budget, all of the historic DSG deficit will be written off, through additional funding by ESFA.

4.9. Torbay Council has already received £7.6m from the ESFA in response to its recovery plan, without which the DSG cumulative deficit would have been £12.756m at the end of

2023/24. For 2024/25 the DSG is forecasting an overspend of £848k at quarter 1, against the forecast deficit within the agreed safety valve plan of £481k. It is of importance to the Council's future budget position that the Council delivers on its recovery plan and robust monitoring arrangements are in place.

### **Corporate Services**

4.10. An overspend of **£0.279m** is currently being forecast within Legal Services, despite an additional £300k being added to the base budget for 2024/25. This is a result of the difficulties the service continues to face in recruiting permanent staff to meet levels of demand. This has meant the service have had to use more expensive agency staff to continue delivering legal support to services across the Council. The council have struggled to compete with the salaries paid by other organisations – both within the private and public sector. The service is now applying additional market factors and this has already made a difference to their ability to recruit and reduce their requirements of agency workers. It should be noted that recruitment of legal professionals in the public sector is a national issue.

### **Finance**

4.11. The Finance budget area includes a wide variety of budgets including finance operations/teams, contingencies, treasury management and central grants such as Public Health and Social Care Grant. We will be reviewing how best to present these areas through the year, prior to 2025/26 budget setting.

4.12. A **£0.8m** positive variance is being forecast, mainly as a result of increased interest rates being applied on council investments. This means the Council is forecast to earn higher levels of interest on its current cash balances than was budgeted. Given the current lower levels of spend on Capital projects, there is also a saving on interest payable by the Council on the amounts borrowed.

4.13. As part of setting the 2024/25 budget a few central contingencies have been held, as in previous years. These are mainly linked to pay/inflation and other risk areas, to be released towards identified cost pressures within services. Within the first quarter these budget virements between services total £144k – but have a net nil impact across the Council.

### **Investment Portfolio**

4.14. The Council's Investment Portfolio is forecast to contribute £4.134m towards Council activity – in line with budget. The investment property reserve is in place and maintained to cover lost rent and holding costs arising from empty units.

## Place

- 4.15. Within the Place directorate an overspend of £0.576m is currently forecast, mainly due to levels of income being lower than budgeted.
- 4.16. An overspend of **£330k** is forecast in relation to shortfalls of income in Development Control - planning applications (£250k) and planning land charges (£80k), where the fees are forecast to be below budgeted levels at year end. In addition, an overspend of **£150k** is forecast within the Building Control service, mainly resulting from reduced levels of fee income. All three of these elements reflect the challenging economic position of the country and the region.
- 4.17. An overspend of **£250k** is currently forecast within the Waste Disposal budget. The budget was reduced in 24/25 in line with 23/24 levels but disposal volumes and associated costs within the first quarter of this year have been significantly higher than last year and the levels estimated.
- 4.18. An underspend of **(£250k)** is forecast against the Concessionary fares budget. The base budget was increased by £200k in 2024/25, but costs linked to the number of users are forecast to be lower than estimated.
- 4.19. An overspend of **£101k** is currently being forecast in relation to management of our Council estate. Despite underspends being forecast across a number of utility and NNDR budgets, various other budgets are projected to overspend including Paignton Library hub non-staffing budget, a shortfall of income from asset disposal and a shortfall in income from Town Hall bookings.
- 4.20. Currently Parking Services is overall forecast to break even, with any shortfall in parking income expected to be offset by enforcement income estimated to be in excess of budget.
- 4.21. SWISCo. are currently reporting a breakeven position for 2024/25 They continue to manage the financial pressures associated with rising prices, particularly fuel and material costs. Due to movements in the international markets, the value of recycled material resales dropped last year resulting in additional budget pressures, but this appears to have improved. The pay award for 2024/25 is likely to be structured in a similar way to previous years and with a fixed amount per full time employee. This has a disproportionately high percentage increase on SWISCo given the lower average salary costs, that is likely to exceed budgeted levels. As in previous years, the Council has agreed to fund the shortfall in the pay award and has held a contingency budget for this.
- 4.22. Work continues to transfer the assets from TDA to Torbay Council. Some trading activity will remain within the 24/25 financial year relating to TDA, with any projected variances reported within Torbay Council's revenue forecast. A specific budget code has been established to capture transitional costs associated with managing the transfer of TDA to Torbay Council.

## **Public Health**

- 4.23. Overall Public Health is reporting a balanced position within its ring-fenced grant. A significant amount of spend relates to the provision of 0-19 services, which is expected to see increased spending pressures in future years, because of inflation.

## **5. Collection Fund**

- 5.1. Collection rates levels in 2024/25 do not have any impact on the 2024/25 financial year and the collection fund equalisation reserve is maintained to manage any impact in the following year. However, current collection rates for the first quarter suggest we are on target to achieve forecast levels. We continue to explore opportunities to increase our overall collection rates, whilst supporting residents and businesses.
- 5.2. Appendix 2 highlights those debts written off over £5k relating to Council Tax, NNDR or Housing Benefit.

## **6. Statement of Accounts – 2021/22 2022/23 and 2023/24**

- 6.1. The audit of Councils' Statement of Accounts by the Government's Statutory deadline has been highlighted previously and is a national issue, partly due to lack of capacity in the market. The audit of Torbay Council's 2021/22 Statement of Accounts has been completed and was signed off at Audit Committee on 24 July 2024.
- 6.2. The government recently consulted on options to resolve the nationwide issue of the high volume of accounts that have not had an audit opinion issued. The consultation proposed a 'backstop' option which would enable auditors to 'sign off' outstanding accounts by 30 September 2024 with minimal, if any, audit work being completed. This change has not yet been implemented due to a change in Government, but it's expected that the 2022/23 accounts for Torbay Council will not receive a full audit.
- 6.3. The ongoing audit of accounts has had an impact on preparation of the 2023/24 accounts and many Councils, including Torbay, were unable to publish their unaudited accounts for public inspection by 31 May 2024. Our 2023/24 draft Statement of Accounts was published in July 2024 and these will receive a full audit from Grant Thornton later this year.

## **7. Capital**

- 7.1. The level of cost inflation on construction contracts remains high and along with supply chain issues continue to have an impact, with costs often exceeding initial business cases and forecasts. The viability of schemes supported by prudential borrowing are further impacted from rises in borrowing rates.

- 7.2. The revenue outturn position in previous years has enabled some reserves to be established to help with these costs and also assist the Council in the re-prioritisation, and ultimate delivery, of the Capital Investment Plan.
- 7.3. The Capital Investment Plan was reviewed and updated in 23/24, with an updated forward looking capital programme included within the 2024/25 budget papers. The refreshed plan estimated a much reduced spend of £35m over the next 3-year capital programme (2024/25-2026/27), with further projects to be moved from feasibility and development to fully approved projects throughout 2024/25, on completion and approval of robust business cases.
- 7.4. The Council set an original annual budget for 2024/25 of £19m. This budget will be updated at each quarter to reflect the latest position within capital projects and the discussions and reviews taking place at the Capital Growth Board (CGB).
- 7.5. The table below highlights a revised budget for 2024/25 of £39.115m and provides a simple reconciliation of movement from the initial budget of £19m. An updated Capital Investment Plan is shown as Appendix 1.

Budget Line/Project	Amount	Comments
Original Budget for 24/25	£18,984,000	As set in February 2024 based on 2023/24 Q3 data.
23/24 adjustments & slippage relating to schools and transport projects	£3,289,000	Relates to the balance of any under or overspend against the 23/24 budget for areas which are funded from specific ring-fenced grant.
Previously agreed inclusion - Paignton & Preston Coastal Defence	£17,047,000	Full scheme approval of £17.515m was approved within the 23/24 outturn report following Outline Business Case (OBC) to progress through procurement and technical design.
Previously agreed inclusion - Paignton Technology Park	£85,000	As per the 23/24 outturn report, initial feasibility funds allocated, primarily funded by the (LUF3) £20m grant received.
Previously agreed inclusion - Brixham Port Infrastructure	£75,000	As per the 23/24 outturn report, initial feasibility funds allocated, primarily funded by the (LUF3) £20m grant received.
Plainmoor & Admiral Swimming Pools	£170,000	Grant funding facilitated by the Council which will be transferred to Swim Torquay on completion of the grant funding agreement.
Revised Budget for 24/25	£39,115,000	



7.6. The table below highlights the projects that have been reviewed by CGB and will be drawing down funding from existing budgets in order to progress through their initial feasibility and design work packages.

Project	Initial Allocation	Project Overview
Tor Hill House (THH) lighting upgrade	£29,000 from £400k reserve.	Replacement of the current lighting within THH with energy efficient LED lights and automatic timing systems. Estimated full scheme budget of £233k from Salix grant funding and Carbon Initiative Funds. The initial fund allocations will support the project through its procurement phase up to Full Business Case (FBC) which will be expected in November 2024.
Brixham Central Carpark & Public realm	£25,000 from £400k reserve	Seeking to enhance the current carpark and introduce an additional 100 spaces and enhance the adjacent public square. £1m received from Levelling Up Fund to facilitate. The initial fund allocations will support the project through its feasibility phase up to PID which will be expected in September 2024.
Paignton Library Decarbonisation	£142,000 from £333k Climate Initiative project funding	Replacement of the boilers at Paignton library which are now end of life, with air source heat pumps. Full scheme estimated at £611,210 which will be funded from £468,747 of secured Salix grant funding and £142,463 of Climate Initiative Funds. The initial fund allocations will support the project through its design and procurement phase up to FBC which will be expected in December 2024.

7.7. The Capital Investment Plan is funded from capital receipts, capital grants and contributions, reserves and revenue budget contributions, and long-term borrowing to ensure a balanced budget over the life of the Plan.

## 8. Risks & Sensitivity

8.1. There are a number of financial risks facing the Council as shown below:

Risk	Impact	Mitigation
Financial sustainability and write off of the DSG Deficit	High	The Council has a recovery plan approved with the Department for Education's Safety Valve programme.

Adult Social Care funding is not sufficient to meet forecast costs	High	A new five-year contract has been agreed from April 2025 and the Director of Adult Social Care is developing a range of intervention activity and savings plans, in collaboration with Health Trust colleagues.
Price increases from high inflation rates continue to have an impact on both revenue and capital costs.	Medium	The 23/24 base budget included a higher than usual allowance for inflationary pressures and contingencies are held for revenue and capital.
The “cost of living” economic impact on the Council’s residents from higher fuel and utility costs is likely to impact on both demand for council services and may result in reduced income from council tax.	Medium	The Council will continue to mitigate where possible the impact on council services and support/signpost residents to support. The council will continue to administer payments under both the Household Support Fund and Council Tax Rebates.
Unable to recruit staff and need to use agency staff.	High	Work continues to identify solutions to these challenges which seem to be on a national scale. Recruitment & retention of Social Work staff and Legal services staff continues to be challenging.
Delivery of financial sustainability plans	High	Plans will be monitored at Directors meetings to assess progress and estimates of future saving levels.
Investment Property Income changes	High	The Investment Board will continue to review future leases and manage any potential break clause implications – maintaining appropriate balances within the Investment Reserve
Temporary Accommodation – increasing demand and cost pressures within the local housing market.	High	Robust monitoring will continue, including assessing the impact from directly procuring and properties to increase the stability of accommodation options available to the Housing Options team

## 9. Appendices

Appendix 1 – Updated Capital Investment Plan at Q1

Appendix 2 - Write offs over £5,000 - EXEMPT

CAPITAL PLAN - QUARTER 1 2024/25

Appendix 2

Project Details				Revised 4-Year Plan				
	Original Budget 2024/25 (@ Q3 23/24) £000	2023/24 Adjs and Slippage b/f £000	2024/25 Qtr 1 Adjustments £000	2024/25 Total Revised Budget	2025/26 £000	2026/27 £000	2027/28 £000	Total for Plan Period £000
<b>Capital Programme Project</b>								
<b>Schools Capital Programme</b>								
Capital Repairs and Maintenance	300	406	0	706	250	200		1,156
Education Review Projects	670	55	0	725	670	660		2,055
High Needs Capital Provision	750	591	0	1,341	750			2,091
Devolved Formula Capital		280	0	280				280
Paignton Academy STEPS Relocation	1,100	70	0	1,170				1,170
Foster Homes Adaptations	83	(2)	0	81	83	82		246
Acorn Centre (Youth Investment Fund)	224	(195)	0	29	0			29

Schools Closed Projects								
Mayfield Expansion		0	0	0				0
Paignton CS Academy Expansion		0	0	0				0
Roselands Primary - additional classroom		0	0	0				0
St Cuthbert Mayne Expansion		428	0	428				428
St Cuthbert Mayne Phase 2		46	0	46				46

Projects under Feasibility and Development								
Crossways, Paignton - Regeneration	250	0	0	250				250
Extra Care Housing (Torre Marine)	20	0	0	20				20
Edginswell Railway Station	0	0	0	0				0
Union Square Acquisition & Development (Town Deal)	312	0	0	312	808			1,120
Strand Land Assembly & (Debenhams) Demolition	20	0	0	20				20
Debenhams Redevelopment		0	0	0				0
Torquay Town Deal - Pavilion	77	0	0	77				77
Torquay Town Deal - Core Area Public Realm	20	0	0	20				20
Torbay Road Paignton (High Streets Funding)	33	0	0	33				33
Station Square (High Streets Funding)	42	0	0	42				42
Victoria Centre (Paignton) Phase 1 (FHSF)	276	0	0	276				276
Victoria Centre (Paignton) Phase 2 (FHSF)	325	0	0	325				325
Diversification (High Streets Funding)		0	0	0				0
Paignton Coastal Defence Scheme	15	0	17,047	17,062				17,062
Paignton Coastal Defence Scheme (High Streets Funding)	534	0	0	inc above				0
Oldway Mansion - phase 1 of Master-Plan	250	0	0	250				250
Paignton Tech Park (Part of LUF £20m)		0	85	85				85
Brixham Port Infrastructure (Part of LUF £20m)		0	75	75				75

Economic Development / Regeneration								
Torquay Strand Public Realm (Town Deal Funding)	1,119	0	0	1,119				1,119
Paignton Picture House (Community Dev Fund)	372	0	0	372				372
Small Projects - UK Shared Prosperity Fund	222	0	0	222				222

<b>Housing Development / Investment</b>								
Disabled Facilities Grants	1,032	0	0	1,032	1,000	1,000		3,032
Enhancement of Development sites	60	0	0	60				60
St Kilda's, Brixham - Affordable Housing Stage 1		0	0	0				0
St Kilda's, Brixham - Affordable Housing Stage 2	2,367	0	0	2,367	2,882			5,249

<b>Environment / Climate Capital Investment</b>								
SWISCO Loan - Vehicle & Equipment Replacement	1,570	0	0	1,570				1,570
Tor Park Road Site Improvements	1,200	0	0	1,200				1,200
Car Park Investment		0	0	0				0
Climate Change Initiatives	333	0	0	333	0			333
Green Waste Bins	264	0	0	264	264			528
Local Electric Vehicle Infrastructure	479	0	0	479	479			958
Changing Places Toilets	90	0	0	90				90
Solar Farm, Brokenbury (EGF)	43	0	0	43				43
Solar Farm, Nightingale Park (EGF)	62	0	0	62				62

<b>Transport Capital Investment</b>								
Transport Highways Structural Maintenance	2,050	277	0	2,327	2,050	2,050		6,427
Transport Integrated Transport Schemes	1,071	803	0	1,874	1,071	1,071		4,016
Transport - Torquay Gateway Road Improvements	14	326	0	340				340
Transport - Western Corridor	200	202	0	402	211			613
Shiphay Lane (Active Travel Fund)	226	(4)	0	222				222
Babbacombe Beach Road	15	4	0	19				19

<b>Coastal Defence / Flood alleviation</b>								
Flood Alleviation - Cockington		0	0	0				0
Flood Alleviation - Monksbridge		0	0	0				0
Flood Alleviation - Torquay		0	0	0				0
Paignton Flood Alleviation		0	0	0				0
Brixham Flood Alleviation		0	0	0				0
Collaton St Mary Flood Alleviation		0	0	0				0

<b>Sports, Leisure and Culture</b>								
Clennon Valley Sport Improvements		0	0	0				0
Haldon & Princess Pier		0	0	0				0
Princess Pier - Structural repair	62	0	0	62				62
Torre Valley North Sports Facilities		0	0	0				0
Armada Park Refurbishment		0	0	0				0
Torre Abbey Gatehouse/SW Wing	422	0	0	422				422
Torre Abbey SE Wing/Courtyard/Tower	175	0	0	175				175
Torre Abbey Renovation - Phase 3		0	0	0				0
Grants to Plainmoor and Admiral Swimming Pools		0	170	170				170

<b>Closed Projects</b>								
The Pines (TCCT)		0	0	0				0
Maidencombe Beach CP (TCCT)		0	0	0				0
Claylands Redevelopment	20	0	0	20				20
Edginswell Business Park Unit 1		0	0	0				0
Edginswell Enabling Works (LEP GBF)		0	0	0				0
Harbour View Hotel Development		0	0	0				0
Temporary Accommodation		0	0	0				0
Lymington Rd Business Centre (LEP GBF/EGF)	180	0	0	180				180
Park Tennis Renovation		0	0	0				0
Torquay Town Dock - Infrastructure Improvements		0	0	0				0
RICC Improvements - Backlog Repairs	35	0	0	35				35

<b>Funding (to be moved to Projects Pending)</b>								
Adult Social Care Grant		0	0	0				0
Affordable Housing		0	0	0				0
Torquay Towns Fund (General)		0	0	0				0
General Capital Contingency		0	0	0				0

<b>Other</b>								
Corporate IT Developments		0	0	0				0

<b>Full Capital Investment Plan Totals</b>	<b>18,984</b>	<b>3,289</b>	<b>17,377</b>	<b>39,115</b>	<b>10,518</b>	<b>5,063</b>	<b>0</b>	<b>54,696</b>
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**Meeting:** Cabinet **Date:** 20<sup>th</sup> August 2024

**Wards affected:** All

**Report Title:** Re-commissioning and Procurement of 16 plus Supported Accommodation Provision

**When does the decision need to be implemented?** Re-commissioning and procurement activity is planned to take place from Spring 2025. The current contracts in place will be due to end from 31<sup>st</sup> March 2026, with new contracts commencing from 1<sup>st</sup> April 2026.

**Cabinet Member Contact Details:** Nick Bye, Cabinet Member for Children's Services,  
Nick.Bye@torbay.gov.uk

**Director/Divisional Director Contact Details:** Nancy Meehan, Director of Children's Services,  
Nancy.Meehan@torbay.gov.uk

## 1. Purpose of Report

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- 1.1 To inform Cabinet of current needs analysis activity that is underway of Torbay's 16 plus Supported Accommodation provisions as a result of the current block and framework contracts entering the extension phase of contracts. This work will result in a detailed options appraisal which will inform commissioning and procurement activity planned to take place from Spring 2025. New contracts are due to commence from 1<sup>st</sup> April 2026. (procurement timeline provided in Appendix 1).
- 1.2 It is requested that once the procurement process is concluded delegated authority is given to the Director of Children's Services to award the contract upon the completion of a satisfactory procurement exercise.

## 2. Reason for Proposal and its benefits

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- 2.1 Torbay Children's Services currently commissions a range of supported accommodation options for young people aged 16 – 25 who are cared for, care experienced or at risk of or experiencing homelessness. In 2020 commissioning and procurement activity successfully awarded block contracts (totalling 60 units across 3 Providers) alongside the development of a 16 plus supported accommodation framework. The framework includes 6 additional Providers from which individual placements can be purchased. Full details of Providers, type

of accommodation and annual costs for financial year 24/25 are detailed in Supporting Information.

- 2.2 The block and framework contracts were awarded on a 3-year initial term with the option of a 2-year extension. These contracts commenced on 1<sup>st</sup> April 2021 and as of 1<sup>st</sup> April 2024 an 18-month extension was agreed. Following the initial stages of the needs analysis process, it has been agreed to utilise the additional 6 months extension period available within the current contracts. By using the full extension options, the current contracts will now end on 31<sup>st</sup> March 2026.
- 2.3 In preparation for the contract end date a thorough needs analysis and options appraisal is currently being finalised, led by Childrens Services Commissioning. This activity will inform future commissioning and procurement activity. This is an essential piece of work to ensure the provision commissioned meets the needs of Torbay's young people.
- 2.4 It allows the Authority to test the market by undertaking an open market procurement where it is felt to be in the best interests of residents and the local authority to test for efficiencies, new models of delivery and innovative practice.
- 2.5 It meets legislative requirements which stipulate that the local authority undertakes a relevant procurement process to award contracts.

### 3. Recommendation(s) / Proposed Decision

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- 3.1 That the Director of Children's Services be given delegated authority to award the contracts for 16 plus supported accommodation provision, following the successful completion of the procurement process and in consultation with the Cabinet Member for Children's Services.

### Appendices

Appendix 1: Provisional Procurement Timeline based on use of additional 6-month contract extensions

### Background Documents

None

## Supporting Information

### 1. Introduction

1.1 Torbay Childrens Social Care currently commissions a range of supported accommodation options for young people aged 16 – 25 who are cared for, care experienced or at risk of or experiencing homelessness. In 2020 commissioning and procurement activity successfully awarded block contracts (totalling 60 units across 3 Providers) alongside the development of a 16 plus supported accommodation framework. The framework includes 6 additional Providers from which individual placements can be purchased.

1.2 Block contract provisions are in place for Torbay’s 16 plus supported accommodation needs, they are separated into the following Lot’s delivered by the named Providers.

Lot	Provider	Units	Overview
Lot 1	Young Devon	16 units	Supported Lodgings for young people aged 16-21 who are cared for children and/or care experienced young people up to 25 if eligible and for homeless young people or young at risk of homelessness aged 16-25.
Lot 2A	Young Devon	6 units (Grosvenor Road)	Multi-occupancy units for cared for children and/or care experienced young people with more complex needs aged 16-17. (Continuing to age 18 under exceptional circumstances).
	Livewest	3 Units	
Lot 2B	LiveWest	20 Units	Multi-occupancy units for cared for children and/or care experienced young people as part of the a stepdown from care and/or step-down from more intensive post sixteen accommodation provision eligible and for homeless young people or young at risk of homelessness aged 16-25.
Lot 3	Westward Housing (Young Parents Service)	12 Units	Supported accommodation for Young Parents who are aged 16 – 24 years. A unit of support is a household, so may include both parents and their children.
Previously Lot 2A/ now 18+ provision via Waiver	Young Devon	3 Units (Millbrook)	Multi-occupancy units for cared for children and/or care experienced young people as part of the a stepdown from care and/or step-down from more intensive post sixteen accommodation provision eligible and for homeless young people or young at risk of homelessness aged 18-25.

1.3 The total annual cost of block contract provisions for the current financial year 2024/2025 is £928,216.64

1.4 A 16 plus supported accommodation framework was introduced from April 2021 as a way of flexibly purchasing one-off placements across a number of Providers. The following Providers have all been awarded contracts as part of the framework:

- Acorn Independence
- CSM Independence
- Halfway Limited

- Just ONE
- Key2 Futures
- Parallel Independence

- 1.5 In addition to the block and framework contract arrangements, individual placements are purchased on a spot- purchase basis where there is deemed a need for a bespoke or individualised placement. Part of the needs analysis activity taking place is reviewing where spot purchase placements have been made with the aim of incorporating some of these placement types within the block or framework arrangements.
- 1.6 Activity to undertake the needs analysis and options appraisal started in February 2024. A task and finish group has been established which includes representation at a senior level across regulated services, early help, operational services, commissioning, housing, quality assurance and procurement.
- 1.7 Central to the needs analysis and procurement activity is participation activity with young people accessing supported accommodation provisions and this is being supported by Children Services Participation Officer. Pre-market engagement activity with Providers has started in June 2024. The institute of Public Care (IPC) model of commissioning has been used to provide a framework for the needs analysis, options appraisal, and procurement activity.
- 1.8 There has been a significant change to the landscape within which Supported Accommodation Providers are now operating with the introduction of Ofsted regulation from 28<sup>th</sup> October 2023. The Supported Accommodation (England) Regulations 2023 (the Regulations) require that any supported accommodation provider accommodating a looked after child or care leaver aged 16 or 17 must be registered with Ofsted. The introduction of Ofsted regulations is a key consideration for the current needs analysis and future commissioning activity.

## 2. Options under consideration

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- 2.1 Needs analysis activity is currently in the process of being finalised and recommendations will be put forward to Senior Management and the Director of Children's Services for approval.
- 2.2 The decision to utilise the full contract extension period has been agreed to ensure time and resource can be allocated to fully exploring all options in scope of this re-commissioning activity. This will ensure any future provision commissioned meets the needs of Torbay's young people.

### 3. Financial Opportunities and Implications

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- 3.1 Funding for the block contract provisions for this financial year (24/25) is £928,216.64. Additional 16 plus placement costs are purchased via both framework and non- framework providers on a spot- purchased basis.
- 3.2 A budget envelope for the commissioning of new services will be developed, taking into consideration opportunities to reduce spot- purchase costs where possible and increase value for money.

### 4. Legal Implications

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- 4.1 There are no anticipated legal implications other than those routinely present when undertaking a procurement process.

### 5. Engagement and Consultation

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- 5.1 Engagement and consultation activities have been central to the needs analysis that is currently being concluded. This includes the following:
  - 5.1.1 Listening circles (focus groups) for young people currently residing in Torbay Supported Accommodation.
  - 5.1.2. Survey for young people currently residing in Torbay Supported Accommodation circulated to all Providers who have young people placed with them and the 16 plus Provider Fourm attendees.
  - 5.1.3. Review of recent survey analysis for cared for and care experienced young people.
  - 5.1.4 Review of young people's feedback from quarterly contract monitoring reports of block contract providers.
  - 5.1.5. Pre- Market engagement event was held on 21<sup>st</sup> June 2024 to start initial engagement with the market and gain feedback from a wide range of Providers working in this area.
- 5.2 Further engagement activities will take place in the lead up to procurement activity, this will also include a participation strategy for young people's involvement in the procurement process.

### 6. Procurement Implications

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- 6.1 Re-commissioning and procurement activity is being led by Commercial Services (Children's Services Commissioning and Senior Procurement and Contracts Officer). The total value of any proposed new contracts (based on current contract values) will be treated as an above threshold tender under the Public Contract Regulations. This means that a full

open market procurement process is deemed to be the best and most appropriate procurement option to meet the requirements of the Authority.

- 6.2 The procurement process will include the evaluation of Social Value as part of the tender and award process.

## 7. Protecting our naturally inspiring Bay and tackling Climate Change

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- 7.1 Any Provider's awarded contracts as part of this procurement process will be required to support our local net Zero and Climate Action targets as far as reasonable possible. This will be included within the scope of the specifications.
- 7.2 A Protecting our naturally inspiring Bay and tackling Climate Change Impact Assessment Tool will be completed as part of ongoing re-commissioning and procurement activity.
- 7.2 Social Value (including Climate change) will be assessed as part of the procurement activity that takes place.

## 8. Associated Risks

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- 8.1 The main risk associated with this decision specifically will be a delay in awarding the contract and therefore a delayed date for the new service to commence.
- 8.2 A significant lead in time has been planned for full re-commissioning and procurement activity to take place to avoid chance of delays impacting the tender process.

## 9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

For the purposes of this decision, there is not anticipated to be any specific positive or negative impact based on the characteristics below. This EIA will be updated as the procurement process continues.

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age  Page 107	18 per cent of Torbay residents are under 18 years old. 55 per cent of Torbay residents are aged between 18 to 64 years old. 27 per cent of Torbay residents are aged 65 and older.	The Provisions commissioned as part of 16 plus supported accommodation have specific age and referral criteria (16 – 25 years old). The full scope of the services included in this re-commissioning activity are currently under-review.  A priority is to develop clear pathways for support for all 16 – 25-year-olds as part of Torbay’s wider Youth Homelessness offer – part of this offer will include the supported accommodation pathway alongside other routes such as Housing Options.	Equality implications will be continuously reviewed through the re-commissioning and procurement process.  Joined up working with Housing Options and wider initiatives regarding youth homelessness for example Homelessness and Rough Sleeping Strategy.	Torbay Council (Children’s Services/ Housing) and any new commissioned Providers.
Carers	At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.	Young people accessing the service may identify as young carers. Providers will be required to tailor support to individual needs of young people and signpost to	Equality implications will be continuously reviewed through the re-commissioning and procurement process.	Torbay Council (Children’s Services/ Housing) and

		appropriate services and support where appropriate.	Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.	any new commissioned Providers.
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	<p>Equality implications will be specified within specification documentation this will include consideration of any young person's disability needs – this includes physical disability, mental health and learning disability.</p> <p>Accessibility of buildings for those with disabilities will be a requirement of the service specifications.</p> <p>Providers will be required to tailor support to individual needs of young people and signpost to appropriate services and support where appropriate.</p>	<p>Equality implications will be continuously reviewed through the re-commissioning and procurement process.</p> <p>Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.</p> <p>Providers will be expected to work alongside external services to refer for support and signpost where appropriate.</p>	Torbay Council (Children's Services/ Housing) and any new commissioned Providers.
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as	Equality implications will be specified within specification documentation this will include consideration of any young person's individual needs.	Equality implications will be continuously reviewed through the re-	Torbay Council (Children's Services/



	<p>their sex registered at birth. This proportion is similar to the Southwest and is lower than England.</p>	<p>Providers will be required to tailor support to individual needs of young people and signpost to appropriate services and support where appropriate.</p>	<p>commissioning and procurement process.</p> <p>Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.</p>	<p>Housing) and any new commissioned Providers.</p>
<p>Marriage and civil partnership</p>	<p>Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.</p>	<p>No immediate impact identified.</p>	<p>n/a</p>	<p>n/a</p>
<p>Pregnancy and maternity</p>	<p>Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.</p>	<p>Equality implications will be specified within specification documentation this will include consideration of any young person's individual needs.</p> <p>Torbay Council currently commission the Torbay Young Parents Service as part of the 16 plus Supported Accommodation offer. This service offers specialist support and accommodation for young parents and providers support based on individual needs. The service has strong alliances with other pregnancy and maternity support within the area.</p>	<p>Equality implications will be continuously reviewed through the re-commissioning and procurement process.</p> <p>Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.</p>	<p>Torbay Council (Children's Services/ Housing) and any new commissioned Providers.</p>
<p>Race</p>	<p>In the 2021 Census, 96.1% of Torbay residents described</p>	<p>The service will support young people who are from a wide range of ethnic</p>	<p>Equality implications will be continuously</p>	<p>Torbay Council</p>

	<p>their ethnicity as white. This is a higher proportion than the Southwest and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.</p>	<p>minority backgrounds including young people who are seeking asylum. There will be a requirement that Providers will deliver support that is tailored to individual needs.</p> <p>For those where English is not the first language there will be an expectation that specific support will be offered including translation services where possible.</p>	<p>reviewed through the re-commissioning and procurement process.</p> <p>Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.</p>	<p>(Children's Services/ Housing) and any new commissioned Providers.</p>
<p>Religion and belief</p>	<p>64.8% of Torbay residents who stated that they have a religion in the 2021 census.</p>	<p>Equality implications will be specified within specification documentation this will include consideration of any young person's individual needs.</p>	<p>Equality implications will be continuously reviewed through the re-commissioning and procurement process.</p> <p>Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.</p>	<p>Torbay Council (Children's Services/ Housing) and any new commissioned Providers.</p>
<p>Sex</p>	<p>51.3% of Torbay's population are female and 48.7% are male</p>	<p>Equality implications will be specified within specification documentation this will include consideration of any young person's individual needs.</p>	<p>Equality implications will be continuously reviewed through the re-commissioning and procurement process.</p>	<p>Torbay Council (Children's Services/ Housing) and any new</p>

			Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.	commissioned Providers.
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	Equality implications will be specified within specification documentation this will include consideration of any young person's individual needs.	Equality implications will be continuously reviewed through the re-commissioning and procurement process.  Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.	Torbay Council (Children's Services/ Housing) and any new commissioned Providers.
Veterans	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously serviced in the UK armed forces.	The service is eligible for those 16 – 25 years old therefore there will not a specific impact based on this characteristic.	n/a	n/a
<b>Additional considerations</b>				

<p>Socio-economic impacts (Including impacts on child poverty and deprivation)</p>		<p>Youth Homelessness and sustainable accommodation options for cared for and care experienced young people is a council priority.</p> <p>The provision of 16 plus supported accommodation is provided as a stepping stone to independent living for young people require additional support in making this step. The support provided prevents risks of homelessness and possible breakdown of tenancies if this option was not available.</p>		
<p>Public Health impacts (Including impacts on the general health of the population of Forbay)</p>		<p>The service delivered via the 'support' aspect of the accommodation provision will include outcomes associated with improvement in the physical, mental and emotional wellbeing of young people accessing support.</p>		
<p>Human Rights impacts</p>		<p>Any provider delivering the service will be expected to take a rights-based approach with promotion of legislation such as (but not limited to):</p> <p>UN Convention on Rights of a Child and Equality Act 2021 The Human Rights Act 1998</p> <p>This includes the right to life, to be free from torture, the right to health, right to privacy, education, and prohibition of discrimination.</p>		

Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	The service will be developed alongside a Child Friendly Torbay framework.		
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## 10. Cumulative Council Impact

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10.1 None.

## 11. Cumulative Community Impacts

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11.1 None.

**Appendix 1: Provisional Procurement Timeline based on use of additional 6-month contract extensions:**

Task	Start Date
Emerging Issues Paper (30 <sup>th</sup> May for DOM 4 June)	30/05/24
Procurement Initiation Document	September 2024
Service User/Young People's Participation events	05/24 and ongoing
Pre-market provider engagement event and consultation	21/06/24 and ongoing
Needs Analysis and recommendations completed	31/07/24
Publish PIN	January 2025
Host Market Engagement	March 2025
Finalise Specifications	April 2025
Finalise Tender Pack (including Stakeholder Review)	May 2025
Publish Tender	June 2025
Tender Deadline	July 2025
Evaluation, moderation and presentations	August to October 2025
Issue Award Notification and Commence Standstill	November 2025
TUPE / Lead in / Mobilisation	November 2025 to March 2026
Contract Commences	1 <sup>st</sup> April 2026

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**Meeting:** Cabinet **Date:** 20<sup>th</sup> August 2024

**Wards affected:** All

**Report Title:** Fostering Annual Report

**When does the decision need to be implemented?** For Information

**Cabinet Member Contact Details:** Cllr Nick Bye, Lead Cabinet Member Childrens Services

**Director Contact Details:** Nancy Meehan, Director of Childrens Services

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## 1. Purpose of Report

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- 1.1 The Fostering Annual Report sets Torbay's vision for the Fostering Service, its core principles, its key aims, main priorities and actions, the role of the Fostering Service and its various functions, the Fostering Service organisational structure, recruitment performance information, an outline of the fostering recruitment and marketing strategy and campaign, improvements in terms of foster carer support and retention, information relating to number of initial enquires received in the period of the 1st April 2023 to the 31st March 2024 and the next steps for the service.

## 2. Reason for Proposal and its benefits

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- 2.1 It is a statutory requirement established by the National Minimum Standards for Fostering for each Local Authority to produce and publish an Annual Report. This Annual Report should be considered in conjunction with the Fostering Service Statement of Purpose, required under the Fostering Services (England) Regulations 2011, which is available on Torbay's fostering microsite.
- 2.2 Torbay's vision is one whereby its people are able to thrive, and our fostering community is an integral part of the service provided to our cared for children. As outlined within Torbay's Corporate Parenting Strategy, we want our cared for and care experienced young people to be safe, happy and healthy, in order that they can reach their full potential, and as corporate parents, we wish to give our cared for and care experienced children and young people the access to all of the opportunities that good parents afford their children. The dedication and commitment of our fostering families plays a critical role in how we are able to achieve this vision.

## 3. Recommendation(s) / Proposed Decision.

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1. That the Cabinet endorses the Fostering Annual Report 2022-23 as set out in Appendix 1 to the submitted report and that it is published in accordance with Council's requirements.

### **Appendices**

Appendix 1: Fostering Services Annual Report 2023/24

### **Background Documents**

None

# Supporting Information

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## 1. Introduction

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- 1.1 The Fostering Annual Report provides an overview of the activity within the fostering assessment and support service in the period of the 1st April 2023 and the 31st March 2024.
- 1.2 It includes an executive summary, a profile of the cared for children being supported by Torbay, a review of the key priorities and actions of the service, the role of the fostering service, an overview of the organisational structure, information relating to the fostering recruitment priorities, an overview of events attended, an overview of developments in relation to fostering, an overview of Special Guardianship support, and key priorities and actions.

## 2. Options under consideration

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- 2.1 N/A – No other options have been considered.

## 3. Financial Opportunities and Implications

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- 3.1 N/A

## 4. Legal Implications

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- 4.1 It is a statutory requirement established by the National Minimum Standards for Fostering for each Local Authority to produce and publish an Annual Report. There are no legal implications as a result of the decision to endorse this Annual Report.

## 5. Engagement and Consultation

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- 5.1 A priority of the Fostering Service has been to enhance and develop the opportunities for participation, engagement and consultation with our fostering families.
- 5.2 Fostering families are encouraged to share their views regularly and in a variety of ways, from attendance at the quarterly Fostering Forums, through quarterly thematic surveys and through direct one to one conversations and communications with the fostering service and senior management.

## 6. Purchasing or Hiring of Goods and/or Services

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- 6.1 N/A

## 7. Tackling Climate Change

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7.1 N/A

## 8. Associated Risks

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8.1 Should this report not be endorsed Torbay will not be compliant with the statutory requirements in line with the National Minimum Standards for Fostering. There will no change in terms of the fundamental function of the service however the report would not be published, and could not be transparently shared with our foster carers which would limit the ability of the service to share learning in respect of patterns and trends, and achieve clarity with our fostering families about the priorities for improvement.

## 9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

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	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	The Fostering Annual Report outlines the strengths, areas to strength and the priorities for the fostering service, in addition to the vision and strategy to enhance the local in house provision of high quality placements for our cared for children		
People with caring Responsibilities	The Fostering Annual Report outlines the strengths, areas to strength and the priorities for the fostering service, in addition to the vision and strategy to enhance the local in house provision of high quality placements for our cared for children		
People with a disability			No differential impact
Women or men			No differential impact

People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			No differential impact
Religion or belief (including lack of belief)			No differential impact
People who are lesbian, gay or bisexual			No differential impact
People who are transgendered			No differential impact
People who are in a marriage or civil partnership			No differential impact
Women who are pregnant / on maternity leave			No differential impact
Socio-economic impacts (Including impact on child poverty issues and deprivation)	The ambition of the Fostering Annual report, particularly in respect of fostering recruitment, is to ensure that any child, no matter their level of need or their socioeconomic status, has access to the highest quality in-house fostering provision where possible.		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	The role of the fostering service is to ensure that all cared for children have access to the highest quality in-house fostering provision where possible; as such, the provision of this service can have a significant, positive impact on the longer term health outcomes for cared for children and care experienced young people. The provision of high quality support		

	to fostering families also impacts positively on their emotional health		
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## 10. Cumulative Council Impact

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10.1 None.

## 11. Cumulative Community Impacts

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11.1 None



As a service, we aim to be:

- F – forward-thinking and focused on the continued professional development of our staff and our carers
- O – open to transparent communication and participation with our fostering families
- S – safe, secure and stable
- T – trustworthy and reliable
- E – encouraging and proactive in respect of our fostering families' education and training
- R – robust in respect of statutory and regulatory compliance
- I – innovative in terms of service organisation and development
- N – nurturing, supportive and caring
- G – guided by best practice

## Contents

1. Executive Summary
2. Profile of cared for children
3. Key Priorities and Actions of the Service in 2023/24
4. The Role of the Fostering Service
5. Organisational Structure
6. Fostering Recruitment Performance
7. Fostering Recruitment and Marketing Strategy and Campaign
8. Events
9. Fostering Support
10. Special Guardianship Support Team
11. Key Priorities and Actions of the Service in 2023/24



## 1. Executive summary

This document is intended to read alongside the revised Torbay Fostering Statement of Purpose 2023-24.

Torbay Council have continued to revise their sufficiency strategy. The aims of the Sufficiency Strategy 2021-24 are summarised below:

### Torbay's Sufficiency Strategy

*Torbay Council's vision is to provide sufficient care in the community and high quality placements for children and young people in its care which meet their needs and offer the necessary support to enable their aspirations to become their reality.*

Torbay aims to:

- Strengthen the delivery of edge of care, early help, early intervention, and prevention services.
- Increase the numbers of in-house foster carers and review our existing bank of carers to develop and match their skills to the needs of our children.
  - Reduce the use of out of local area provision which may disadvantage our children and young people.
  - Increase the number of adopters who can adopt children who are known to be harder to place.
  - Provide young people who are leaving care with a variety of placement choices and support to independence.
  - Provide a robust commissioning framework which is effectively responding to the sufficiency challenges and driving up standards.
  - Improve the overall data capture and data management of cared for children to better inform this strategy and improve accurate responses to sufficiency challenges.
  - Raise our aspirations for educational attainment and other outcomes for cared for children.
  - Continue to build on the strength of the Torbay Corporate Parenting Board.

This report will identify some of the improvements and challenges made in terms of performance, participation, fostering recruitment and the implementation of a restorative model which incorporates our fostering families.

This is a report of the Fostering Service and covers the period of 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024.

This report will address the roles and functions of the Fostering Service and should be read in conjunction with the Fostering Statement of Purpose 2023-24.

Throughout 2023-24, the Fostering Service has continued to ensure that there are a range of placement options for children which offer both high quality and cultural appropriateness.

Please note, for the purpose of this document, the word 'placement' is used throughout. In line with the implementation of the restorative model, it is fully recognized that this word may not be the right choice for individual children; however, each child will wish for the place where they live to be called something different, and home can have powerful connotations for cared for children and young people and therefore 'placement' is used in this instance.

## 2. Profile of cared for children

Torbay were corporate parents, as of the 31<sup>st</sup> March 2024, to 298 cared for children; this overall figure also incorporated fourteen Unaccompanied Asylum Seeking Children (UASC) who Torbay had welcomed either as part of the National Transfer Scheme or through representation as UASC by residents placed at local asylum hotels. The number of cared for children decreased over the year 2023-24 and stood at 298 as of 31<sup>st</sup> March 2024, compared with 314 at the same point the previous year. The decrease was due to a combination of preventative work that reduced the number of children becoming cared for in the year along with a substantial reduction in unaccompanied asylum seeking children (UASC) presenting in Torbay.

There is evidence to suggest that permanency for Torbay's cared for children has continued to improve, with further progress in adoptions and staying put arrangements coupled with SGOs all outperforming statistical neighbours and national averages. There were 11 children adopted throughout the year 2023/24 out of 97 total children who ceased to be cared for, equating to 12%. This compares favourably with the Torbay figure of 4% in 2022/23 and 3% in 2021/22 and demonstrates the strength that Torbay is showing in leading the way across the South West Peninsular with regards to adoption performance. 43 young people ceased to be cared for in the 2023/24 year who were aged 18 or over at that point. 25 of those were in foster placements at the point they ceased to be cared for. Of those 25, 13 remained Staying Put with their foster carers. That is 52% of children in foster care ceasing to be cared for aged 18 or over who Stayed Put.

As of 31<sup>st</sup> March 2024, 77% of children in foster care in Torbay were in in-house provision. Although this is now close to the national average of 76% and substantially higher than last year's figure of 57%, there remain challenges with in-house foster placement sufficiency connected to factors such as the aging profile of long-term foster carers who have retired and the challenges in recruiting new foster carers against a backdrop of a cost of living crisis. 49% of children in foster care were in long-term placements at the end of the year, an increase from 39% in the previous year and this is a reflection of more robust permanency planning and tracking through Permanence Panel. Long-term matching also allows decisions to be made with children and their foster carers around reduced visiting which in turn allows cared for children to experience childhoods that feature less intrusion from the Local Authority.

The number of children placed more than 20 miles away is still significantly above the statistical neighbours and national average. The figure of 34% for 2023/24 is slightly higher than the previous year (31% in 2022/23). There are many reasons a cared for child might be placed out of county and at a distance from the address they lived in at the point of becoming cared for, and significant analysis of our cared for population identifies many of these reasons to be in line with the distinct and bespoke wishes and feelings or best interests. For example, 3% of those children are placed for adoption, and 16% placed with family or friends in the locality of their address; similarly, in line with their wishes and feelings, 5% of this cohort are Unaccompanied Asylum Seeking Children (UASC) who have expressly asked to be placed in more urban areas. Those children and young people who require specialist settings, such as secure or residential provision, are all placed more than twenty miles away from the address they lived in at the point of becoming cared for also.

Torbay continue to recognise the increased vulnerability of children placed at a distance from Torbay, and this is reflected in the Out of County Placement Protocol which advises of the specific role of the social worker, Team Manager and senior leadership team in supporting these cared

for children and tracking and monitoring their placements, as well as particular expectations in terms of placement and care planning. This Protocol is updated on a quarterly basis.

Torbay continues to focus on expanding the range of foster placement options available to our children. This understanding of the needs of our cared for children is used continuously to inform and enhance our fostering recruitment strategy and planning which continues to be focused on expanding the in-house placement options available to:

- Cared for children between the ages of 13-17.
- Cared for children who require placements alongside their siblings.
- Cared for children with additional or complex needs.
- Cared for children who are transitioning from residential settings into fostering families. -
- Unaccompanied Asylum Seeking Children (UASC).

As outlined in previous Annual Reports, it remains imperative that placement sufficiency, and in particular the development of our in-house fostering provision, remains a key strategic priority and the work with the regional fostering hub and the implementation of the Mockingbird project are just two examples of how this work will develop over 2024-25. There is a continued need for a collective view that our cared for children have a right and a need for high quality, safe placements in their local area.

**Cared for children on 31st March 2024 by placement type:**

Placements at 31st March 2024		Number	%
Foster placement with relative or friend	Inside local authority	23	8%
	Outside local authority	16	5%
Placement with other foster carer:	Inside local authority	109	37%
	Outside local authority	76	26%
Secure unit		0	0%
Homes and hostels (residential care, K2 code)		16	5%

Placements at 31st March 2024	Number	%
Hostels and other supportive residential placements (H5 code)	15	5%
Residential schools	0	0%
Other residential settings (codes R1, R2, R3, R5)	1	0%
Placed for adoption (including placed with former foster carer)	5	2%
Placed with own parents	24	8%
In lodgings, residential employment or living independently	0	0%
Other placements (Z1) (DfE guidance suggests use for unregulated foster care only)	13	4%

The national picture is as follows:

	2021/22	2022/23
Foster care (U codes)	70%	54%
Placed for adoption (A codes)	3%	3%
Placed with own parents (code P1)	7%	9%
Children's homes (code K2)	16%	21%
Hostels / Semi-independent living accommodation not subject to Children's Homes regulations (code H5)		
Secure units (code K1)		
Residential schools (code S1)	-	-
Other residential (adult residential care homes, NHS provision, family centres, mother and baby units, YOIs or prison - R codes)	1%	4%
Independent living (code P2)	2%	5%
Other (mostly unregulated foster placements with family / friends, code Z1)	2%	4%

**NOTE:** The national data groups several codes together (K2 children's homes, H5 supported living and K1 secure units), so comparisons are not straightforward, but in general the national and local pictures are similar.

### 3. Key Priorities and Actions of the Service in 2023/24

The key priorities and actions of the service in 2023/24 have been:

- Continuing to identify and enhance ways to capture the voice of our fostering families and use this feedback to improve and enhance fostering assessment and services. ***This action is ongoing and forms a foundational aspect of the Regulated Service Plan.***
- Expanding and developing the Corporate Parenting Offer for fostering families, cared for children, care experienced young people, parent/carers and Special Guardians throughout the year. ***Ongoing.***
- Reviewing the training provided to foster carers on a regular basis. ***Ongoing.***
- Running high quality and varied support groups, both internally to provide foster carers with therapeutic and emotional support. ***Ongoing.***
- Providing bespoke and individualized plans of support, to enhance placement stability, inclusive of out of hours support from the Building Futures Together team and intensive support programmes which last up to sixteen weeks, when needed to stabilise the placement. ***Ongoing.***
- Reviewing the Fostering Recruitment Strategy. ***Achieved.***
- Home for Good finalised their contract after three years of commissioning by Torbay Council. Home for Good is a national Christian fostering and adoption focused charity working to inspire Christians to foster or adopt and equipping the church communities to support those who are caring for vulnerable children. Home for Good works with local authorities to develop and strengthen connections with local churches around foster carer recruitment and retention so they can best meet their obligations as corporate parents to the children in their care. Home for Good made 1 referral in 2023/24 which progressed to assessment. In 2023-24, one family was identified through the charity and subsequently approved through Panel. ***Achieved.***
- Enhancing the impact of our Quarterly Fostering Forums, to ensure that they provide a direct platform for collaboration on our model and implementation of services and provide an open portal of discussion relating to current live issues/events between our carers, social workers, managers, the Virtual School and the Head of Service. The Participation team also regularly attend Foster Carer Support Groups and meet with our Cared for Council. This also supports the development of our collaborative working response, with our carers, thereby embedding the restorative and co-produced approach to our improvements. ***Achieved.***

- Torbay Council received Fostering Friendly accreditation from the Fostering Network in May 2023. We launched this during our Fostering and Social Worker Celebration Event on all social media channels and the Council website. We continue to actively promote this to local business groups and the plan is to roll this out more widely in the Torbay community. **Achieved.**
- Celebrating the commitment and achievements of our fostering families through the Letters of Thanks scheme, the Children’s Celebration event and our fostering communications. **Ongoing.**
- Audits focused on the bridging to adoption process and the voice of foster carers were undertaken, with the learning feeding into service improvement. **Achieved.**
- Considering and implementing the new reforms of Stable Homes, Built on Love. The principle of kinship care has featured heavily in developing enhanced training for our connected carers with our foster carers. We are also committed to the Mockingbird approach of foster care which will develop supportive networks and a stronger sense of community for our children and young people in Torbay and also for their foster carers and connected carers. **Ongoing.**
- Family Hubs have been launched and are now part of each of the three towns which make up Torbay. This means that there is community support that is accessible in each area, including universal support for fostering and kinship families. The support offered by the Special Guardianship team through the Hubs will continue to be promoted as a priority in Torbay. **Ongoing.**

### Mockingbird

Torbay Council has partnered with the Fostering Network to deliver the Mockingbird Family Model. This is an innovative extended family model that aims to improve the stability of fostering placements for our cared for children/young people and strengthen the overall relationships between carers, children/young people, fostering services and birth families. Our goal is especially to ensure that sibling attachments and relationships are supported to thrive.

Mockingbird is an alternative way of providing foster care. It involves 6-10 foster carers becoming part of a group with other foster carers who are part of a wider constellation of satellite foster homes. The satellite homes in turn are supported by a central hub home, which provides advice and support to all the satellite homes.

The hub home and the satellite homes are supported by the fostering service which provides a worker to take on a liaison role across the whole Constellation.

The hub home provides children and their carers with support including sleepovers where appropriate and shared social activities on a 1 x monthly basis for all members of the constellation.

Torbay also plans to use the Mockingbird model as part of our foster care recruitment promotion for the future. We currently have a project lead who is working closely with the Fostering Network, with our immediate colleagues from within Torbay's fostering service and with several other key colleagues who are actively involved in ensuring we are driving our ambition of the successful implementation of Mockingbird within Torbay. It is hoped that 2 young people from our cared for council will be part of driving the project to ensure the voice of children/young people is clearly heard in our overall implementation.

The aim of the Mockingbird family model is to improve placement stability for children who are looked after, prioritise sibling connection, promote active child protection, support permanence and improve the support provided to foster carers, so that foster carers feel more supported, valued and less isolated.

The model fits with Torbay's approach of putting families at the centre of finding solutions and solving problems using restorative approaches. From a number of evaluations carried out, including by the UK Government, the positive impacts of the Mockingbird project, includes:- Reduced placement breakdown, Improved placement stability, Improved sibling contact, Improved experience of peer support, Improved experience of birth family contact, Improved levels of carer recruitment / retention, Improved process / experience of respite care, Improved skills, confidence and role satisfaction for foster carers, Building a network of strong / authentic relationships able to replicate support of extended family.

Extensive planning is currently underway in order to ensure that we are in a position to successfully launch our first Mockingbird constellation in Torbay by March 2025.



## 4. The Role of the Fostering Service

The Fostering Service continues to develop and improve practice to meet the needs of cared for children in Torbay in line with the requirements of National Minimum Standards 2011 and Fostering Regulations. Torbay Fostering Service aim a range of fostering placements which meet the needs of our cared for children: Whilst there are universal standards within our fostering offering of care there are individual specialisms/focuses that carers can offer to our children:

### Emergency Fostering Placements

- These are carers who can offer a fostering family home at short notice, and for short period of time at point of need in an emergency.

### Short Term Fostering Placements

- These are carers who are able to offer a fostering family home on a short term basis; this could be for anything up to two years, for children who are cared for subject to proceedings and who need a safe and secure home whilst decisions are made about their care. These carers may then be involved in bridging to adoption, support to reunification, transition to other family care arrangements, transition to a longer term fostering placement or bridging to independence.

### Long Term/Permanent Placements

- These are carers who can offer a fostering family home to children whose plan is one of long-term fostering, and when final decisions have been made that a child cannot return home to the care of their parent/s or previous caregiver. These long-term placements offer security and stability for children for their minority and often into their adulthood. These carers make a long-term commitment to a child, and are often matched as a long term permanent placement for the child following a year in placement, through the Permanence Panel supported by an up to date assessment and recommendation of the child's allocated social worker.

### Respite Placements /Stay Overs

- These are carers who are able to offer a fostering family home to children, who are often in a long-term matched placement, as part of their plan of stability and permanence within that placement, to provide appropriate support to long term carers. At times, these placements may be use as a short-term measure, and as part of the bridging process to alternative placements for a child at point of need.

## **Parent and Child Placements**

- Torbay currently offer limited parent and child placements however we have identified several carers who have an interest in offering this type of placement and are actively looking to support progression of this interest by supporting focused training opportunities and a development programme to move this forward and expand are service offer and expertise within our fostering families. Currently we are meeting this need of our service through specialist placement agencies that offer this level of expertise. These are carers with specific training who can offer placement to parent/s and child/ren. These may be young parents, under the age of sixteen, or parents of any age, who require intensive support, guidance, and modelling to developing their parenting capacity in a safe environment.

## **Placements for Unaccompanied Asylum Seekers**

- These are carers who are able to offer a fostering family home to unaccompanied asylum seeking children and young people, to enable them to adjust fully to being in a new country, and provide a nurturing safe base from which these young people can begin to recover from their experiences and forge a life for themselves in their new surroundings and communities.

## **Sibling placements**

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- These are carers who are able to offer a fostering family home to sibling groups, not only in respect of providing accommodation, which is suitably sized for the sibling group, but carers who are suitably skilled to manage the presenting needs of each child within a sibling group of two or more children.

## **Resilience placements**

- Resilience foster carers are carers who can offer a fostering family home to support young people aged 10-18 years who currently live in residential care and/or who may have particularly complex needs, or young people who may be in the youth justice system. For those who have the knowledge, skills and experience to care for a child with these needs, it's a unique fostering opportunity where carers provide long term, family-based placements, with the intention of fostering one young person and supporting them into adult life. We are developing our capacity in this area of care through our fostering recruitment strategy to assess suitably skilled potential carers through this route, in addition to exploring opportunity of training and development from our existing cohort of carers to expand on their current offer.

## **Staying Put Placements**

- These are carers who can offer a home to those care experienced young people aged eighteen and above who they have previously fostered.

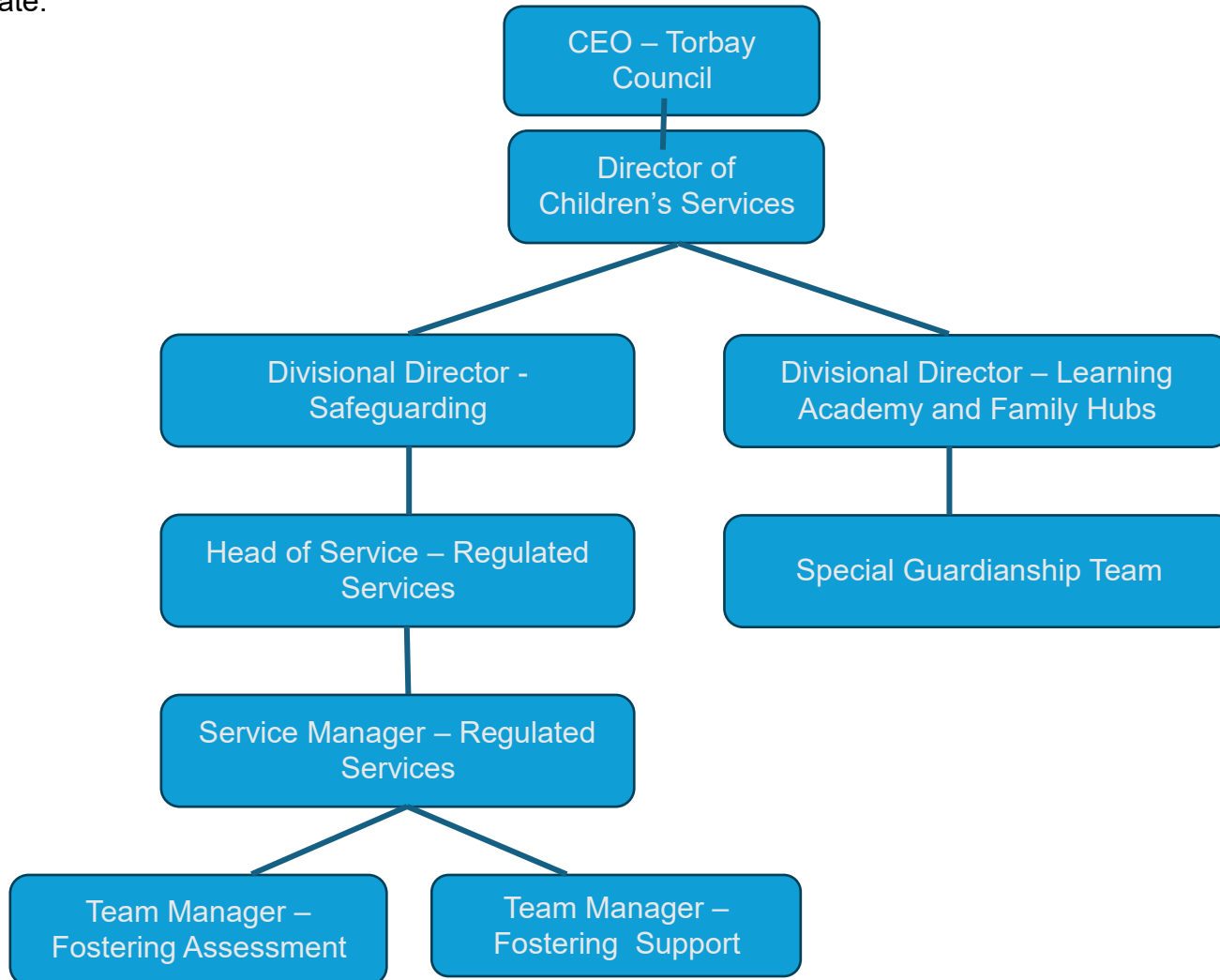
All our foster carers are supervised and supported by social workers within the fostering service and this also includes our Connected Carers who are afforded opportunities to engage in training and support alongside other foster carers to ensure their support. The overall aim of the Fostering Service is to provide a range of high quality, safe and aspirational foster care placements that meet the array of needs of Torbay cared for children.

**Torbay Fostering Service’s objectives for service provision are:**

- We want cared for children to live in an environment which is warm, stable and consistent to meet their needs.
- We want cared for children to have access to fostering homes which provide a safe, secure and nurturing base from which they grow into confident and happy young people who have aspirations for their future.
- We want cared for children to feel supported to achieve the best possible outcomes, not only in the short term but in the medium to long term too.
- We want cared for children to feel fully involved in their planning.
- We want cared for children to feel like they have a voice in the development of services designed to support them.
- We want social workers to understand the value of the fostering role and how their actions and practice can support the delivery of highquality fostering services.
- We want to provide social workers with the relevant training and development opportunities to help them to under this.
- We want to provide fostering families with high quality and individualised training and development opportunities.
- We want to provide support of our fostering families which is personalised and inclusive of appropriate support for out of hours response.
- We want to continue to recruit fostering families who have a wide range of skills and experience, who can offer homes to a wider range of cared for children, including sibling groups, older children or those children who may have additional needs.
- We want to continue to recruit fostering families from a diverse background who can offer a range of homes for cared for children, thereby enhancing the quality of the matching process.
- We want to be a service which demonstrates its core values of equality and the value of diversity through its operational actions as well as its strategic review of practice, policy, training and development.
- We want to be a service which is compliant with the statutory, regulatory and legislative framework under which we work within daily.
- We want to be a service which recognises learning opportunities and ensures that service delivery is robustly monitored, reviewed and developed.
- We want to develop a team approach, which centres on the child and their needs, and which ensures that all involved in supporting a child are focused on the achievement of best practice.

## 5. Organisational Structure

Torbay Fostering Service is based at Children's Services, Tor Hill House in Torquay, and sits under Regulated Services. The Fostering Service consists of two teams: Fostering Assessment and Fostering Support. The governance structure is as follows, with the service sitting within the Safeguarding directorate:



Day-to day management and development of services is overseen by the two Team Managers, who are both social work qualified managers with experience in social work with children and families. Both Team Managers oversee a team of staff, inclusive of fostering assessment social workers, fostering supervising social workers, Community Care Workers, business support officers and a Recruitment and Events Co-Ordinator to support the delivery of service. Operational delivery is overseen by the Head of Service for Regulated Services, supported by the Divisional Director of Safeguarding.

Our Fostering Assessment Team focuses on recruitment activity, assessments of prospective foster carers and support for prospective fostering families going through the Panel approval process. They also deliver the pre-approval 'Skills to Foster' training programme offered to adult applicants and a specially created workshop for their children to attend to support the development of skills through the assessment process.

The Recruitment and Events Co-Ordinator role is an officer who works closely with the Fostering Assessment Team Manager, Communications team and other professionals to understand our local demographic and support them to view the potential skills people may have for fostering, thereby contributing to the development of a wider range of fostering families and skillsets.

Our Fostering Support team focuses on the support and supervision offered to approved foster carers, support through the Annual Review process, ongoing or updating assessments and investigations, participation and feedback work, training and development and the implementation of support groups and other celebratory and collective opportunities for our cared for children and their fostering families.

Torbay has its own Fostering Panel that meets regularly to make recommendations for the approval of foster carer candidates as well as to receive reviews of approval. The panel also consider other matters that are brought to them by the social work team. The panel is independent and has a chair and co-chair to sit alongside members to enable the function of the panel. In addition to the panel membership, our Placements Auditor sits on the panel to provide a Quality Assurance lens to our preparations, reports and presentation are to the highest standard. The panel is supported by a panel advisor who provides expert advice to the panel on arising matter.

Torbay Children's Services also has its own Learning Academy and works with a number of Universities to offer social work placements for students as well as offering a robust and supportive programme for Newly Qualified Social Workers employed by Torbay, some of whom may work within the Fostering Service and contribute to the service offer to our families.

All the Managers and Supervising or Assessing Social Workers hold social work qualifications and are registered with the Social Work England.

All staff working at Torbay have access to a wide range of continued professional development and training opportunities which are coordinated and promoted by our Learning Academy.

**The social work staff establishment on 31<sup>st</sup> March 2024 comprised of:**

- Two permanent Team Managers
- Two permanent Assistant Team Managers
- Three full time social workers (Fostering Support)
- Four part time social workers (Fostering support)
- Four assessing social workers full-time (Fostering Assessment)
- Two part time Social workers (Fostering Assessment)
- One Community Care Worker providing services across the fostering service.
- One Recruitment, Retention and Events Co-Ordinator
- One Fostering Panel Chair and one vice chair
- Fostering Panel members
- Fostering Panel Advisor (this role is undertaken by the two team managers).

## 6. Fostering Recruitment Performance

During 2023/2024 the fostering service received a total of 65 initial enquiries, and as a result of these enquiries 4 mainstream fostering households were approved. This is a reduction of 50% compared to last year.

Years	Number of enquiries	Approvals	Conversion
2014- 2015	118	29	24%
2015- 2016	65	10	15%
2016- 2017	42	3	7%
2017 - 2018	86	10	12%
2018 - 2019	45	4	9%
2019 - 2020	51	2	4%
2020 - 2021	111	20	18%
2021 – 2022	99	9	9%
2022 – 2023	111	8	7%
<b>2023 - 2024</b>	<b>65</b>	<b>4</b>	<b>6%</b>

The conversion of enquiries to approval during 2023/24 has decreased by 1% from 7% in 2022/2023 to 6%.

As a baseline expectation, the Fostering Service aim to increase the net number of fostering households by a minimum of ten per year. As of the 31st March 2024, Torbay supported 80 mainstream fostering families and approved only four families in the 2023-24 financial year. There were a total of 9 families that left fostering due to personal circumstances including retirement. Therefore, the current mainstream net total number of fostering families decreased by five in Torbay in 2023-24, with significant under-performance in the area of recruitment against our local target.

There are a number of factors which have impacted upon this performance. Factors such as the cost of living and individual financial considerations continue to be cited by both prospective and current fostering families as influencing factors when making the decision to begin to or continue to foster. Nationally, sufficiency and recruitment continues to be a challenge and a number of government led initiatives, aligned to the ambition of Stable Homes Built on Love, are being implemented to address this. Despite increasing event activity by up to 36% in terms of attendance at events and fostering drop-in sessions, only 65 initial enquiries were received in 2023-25; typically, only one in ten initial enquiries will convert into approvals, and therefore the lower generation of enquiries has had a direct impact on the number of fostering families who have been recruited in this financial year.

Eleven applicants progressed from the point of Initial Enquiry to the stage whereby they were allocated a social worker and the form F assessment had begun, however they subsequently withdrew or were withdrawn. This is a lower number than the previous year with the breakdown as below:

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Withdrawn in Assessment	0
Management Decision	3
Due to family circumstances	5
Due to health concerns	2
No contact	1
Went to IFA	0
Total:	11

There were a total of 34 prospective applicants who withdrew having made an initial enquiry. The majority of this number comprises of applicants who did not contact us again or who did not respond to our attempts to contact them. There were four prospective applicants who withdrew after a positive Initial Visit. One couple decided to remain with their IFA, and the remaining applicants were unavailable.

There were a total of 12 Initial Visits which had a negative outcome, with the majority of these not having enough relevant experience or transferable skills to foster. When this is the case, we support with opportunities to gain experience with children, including opportunities within Torbay's Enabling



Service and at South Devon College. We also offer opportunities to link in with current Torbay foster carer mentors, who can share experiences with them and give them first hand testimony. We also signpost to free on-line courses to gain valuable insight into the lives of children who have experienced trauma. Other factors included lack of physical space that could not be resolved, and single carers who upon further investigation did not have the capacity to care for another child alongside their own.

The fostering service is however also responsible for the assessment and supported of connected kinship carers and prospective Special Guardians. The proportion ceasing to be cared for due to a Special Guardianship Order being granted in 2023-24 was in line with the national figure, at 14% compared to 13% nationally. The majority of SGOs made in 2023/24 made were to connected people (17 out of 24), however there were still six children who had Special Guardianship Orders made to previous foster carers who were not family or friends. Overall, this demonstrates a positive picture for cared for children in terms of permanency within a forever family during childhood.

In the year 2023/24, the fostering assessment team undertook a total of 73 Connected Carer and Special Guardianship assessments to explore the viability of permanence through Kinship Care. This is a significant increase from the previous year which saw 40 such assessments completed. As of the 31<sup>st</sup> March 2024, 16 Cared for children were living with Connected carers under Regulation 24 arrangements on a temporary basis pending the outcome of approval at fostering panel and with permanence plans for a Special Guardianship arrangement.

**Numbers of Foster Carers (as at 31<sup>st</sup> March 2024):**

As of 31<sup>st</sup> March 2024, the total number of approved fostering households was 80 which is comprised as follows:

<b>Total Beds</b>	150
<b>Current Placements</b>	102 (inclusive of 14 Staying Put)
<b>Vacancies</b>	7
<b>Respite Beds</b>	17
<b>Voids</b>	24

In March 2024, the total number of approved fostering households was 80. This is a decrease of five mainstream carers from the 85 as of the 31<sup>st</sup> March 2023.

Throughout 2023/2024 financial year there have been **0** cases through the Independent Review Mechanism process.

From 1st of April 2023 to 31st of March 2024, 12 fostering families were deregistered of which 9 were mainstream fostering families for the reasons as outlined below:

**Mainstream Foster Carers**

- Five were personal reasons around family circumstances.
- One due to ill health.
- One due to lack of availability concerns.
- One carer adopted their foster child.
- One carer was deregistered due to concerns.
- One death of foster carer.

**Connected Foster Carers**

- Two were awarded SGOs.

## 7. Recruitment and Marketing Strategy and Campaign

Fostering recruitment remains a key strategic focus within Regulated Services. Whilst continuing to recognize the immense skill and expertise contained within our current fostering family cohort, there is an ongoing need to expand the placement sufficiency and variety we are able to offer our cared for children. Whilst the number of cared for children continues to decrease overall, the needs of cared for children do not and there is specifically a need to develop our in-house ability to provide placement options for: older children; children with additional needs; children with complex needs; young people bridging out of residential provisions; unaccompanied asylum seeking children; sibling groups.

Torbay's aim is to increase our fostering family cohort by a net increase of ten new fostering families per year, to ensure that we have sufficient, local in-house provision to meet the needs of all of our children; the Strategy incorporates a profile of our cared for children, and their evolving needs (for example the increased need for fostering families who can support Unaccompanied Asylum Seeking Children). When considering an increase nationally in foster carer resignation, the drive and focus on increasing our in-house provision must continue. The Fostering Network have undertaken research which indicates that for every ten initial enquiries, only one will convert to an approval. On this basis, and in line with Torbay's target, we will need to generate 100 enquiries at minimum per year.

In the year 2023/24, an analysis of the recruitment and marketing activity evidenced that the majority of interest is created via a staff presence at activity and information sessions, which are advertised via the website and social media platforms. Having a face-to-face discussion is then prompting people to make online enquiries. Information sharing sessions are also a critical means of establishing an initial contact with prospective foster carers, and building relationships with them from the outset of their fostering journey. Insight analysis demonstrates that those a high proportion of prospective foster carers who make initial enquiries are those who have come into contact with the fostering service, either through first or second-hand experience of being a foster child or knowing someone who has fostered. As such, there is great power within social media campaigns for example in providing insights into being a foster carer, for those who already foster for Torbay.

On July 1st 2024, it is anticipated that Torbay's updated website, and social media campaign will be going live.

As from April 2024, there will be the introduction of a new regional fostering recruitment support hub for the South west. The regional hub is called Fostering South West and covers all local authorities. The new hub will work to improve the customer journey for prospective foster carers from initial enquiry through to applications. The aim is to help increase the conversion rate between initial enquiry and application.

The regional support hub will be a centrally run front door across our regional local authority cluster and will act as the first point of contact for prospective carers making an enquiry. Once processed through the hub each local authority will pick up the enquiries and ensure the prospective foster carers have the information and support, they need. Fostering South West will continue to provide increased levels of support and share resources for the benefit of children and fostering families. The new approach will provide an efficient approach particularly in the early

stages of prospective foster carers finding out information. The regional hub will build on and enhance the good work already being created by individual local authorities. The hub will support prospective applicants through their assessment process with their local authority and offer opportunities for additional learning, support and guidance to help in preparing them in their transition to become a foster carer with the purpose of increasing the number of applicants being approved to become foster carers.

The Fostering Recruitment Strategy outlines the following three year plan moving forward:

Month/Year	Targeted Marketing Activity	Frequency	Policy or procedure changes
April 2022 – March 2025	Offering our Foster Carers Refer a Friend incentive	Ongoing	<ul style="list-style-type: none"> <li>April 2022 – advised Foster Carers of the new incentive. Refer an Applicant Scheme now launched which will provide a £250 one-off payment to any existing foster carer who refers a fostering applicant, at the point the applicant is approved and accepts their first placement. This has already generated three high quality initial enquiries.</li> </ul>
April 2024	Fostering South West goes live	Ongoing	<ul style="list-style-type: none"> <li>Links to Fostering South West to be included on all Torbay marketing material.</li> </ul>
By July 2024	Update of the Fostering section on the Torbay Council Website and linked to the Family Hubs website. The update will be including up to date events, incentives, and restorative language.	Reviewed every three months	Fostering Service Manager, Fostering Retention, Recruitment & Events Coordinator to work with Torbay Council Web Team to update the current website and Family Hubs website.

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June 2023 – September 2023	Consult with fostering families on the enhancement of the Family Hubs website, to ensure this is a one stop shop for fostering families in Torbay in terms of signposting, advice and guidance.	Reviewed every three months	Fostering Service Manager, Fostering Retention, Recruitment & Events Coordinator to work with Family Hubs lead to update the website.
March 2022 – ongoing	Weekly social media posts to promote Fostering with Torbay Council.	Weekly	A procedure for requesting for regular social media posts to be added needs to be created and implemented.
March 2023- Sept 2024	Developing the resilience of our fostering panel and panel advisors by a recruitment campaign to support development of panel membership and targeted training for Panel advisor role – lead by Fostering Service Manager.	One off	
Aug 2022 – ongoing	Running of Fostering Information Sessions on a monthly basis. This will be via Teams on an ad hoc basis if required.	Monthly	A new PowerPoint to be created and used during Information Sessions and the same information can be sent to all applicants awaiting an initial visit.
May 2023, 2024 and 2025	Childrens Services and Fostering Celebration Event. This is to be run on or around Foster Carer Fortnight.	Annually	
March 2023, 2024 and 2025	Foster Carer Workshop with Childrens Services Management, Chief Executive, councillors, and Foster Carers	Annually	
March 2023 onwards	Skills for Fostering training for new applicants	Monthly	New training has been created and a new procedure has also been created and shared with the

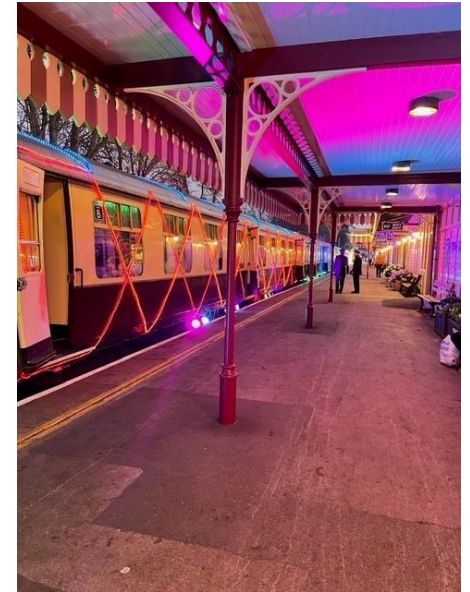
	Birth children Skills for Fostering training to be undertaken during assessment.	As and when	fostering assessment team and managers.
April 2023 onwards	Fostering Forums to be held at minimum quarterly and face to face.	Every three months	
March 2025	Implementation of Mockingbird first constellation.	Work ongoing.	Key policies and protocols are in progress.

## 8. Events

The Torbay Fostering Service have, as part of ongoing recruitment activity and the developed Corporate Parenting Offer, been able to attend and participate in the following 45 events in the year 2023-24

- Armed Forces Day
- Childrens Week
- Torquay United Event
- Lions Club Community Day
- Kings Coronation event
- Paignton/Torquay/Brixham town centres
- Paignton/ Torquay/Brixham/Newton Abbot/Churston Libraries
- Oldway Primary school summer fete
- Galmpton Gooseberry Pie Fayre
- Career Fayre – Torquay
- Torbay Pride
- South Devon College Careers event
- Totnes Christmas markets
- Torquay town hall – Fostering Friendly event.
- Celebration event for staff and carers

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In 2024/25, we have 70 planned events that we will be attending and providing a platform to promote our fostering service. These events will have representation from our fostering team and other staff members; in addition, current foster carers that have committed to support these events and share their experiences of being a foster carer with Torbay. The events have increased by 36% and therefore there has been a greater presence of the fostering campaign in and around Torbay.

## 9. Foster carer support

### Performance

Torbay Fostering Service aim to provide the best possible care for children and maintain high standards in respect of children's care. In order to ensure that this is consistently achieved, Torbay have rigorous and comprehensive quality assurance frameworks in place, with audit activity across Children's Services taking place regularly.

The Fostering Service routinely provides reports in respect of the profile of the cared for children cohort and their placement types, information relating to vacancies and investigations, recruitment activity and performance, staffing considerations, training and development, service outcomes and aims and any other information relating to the performance of the service and the wellbeing of our fostering families and our cared for children.

Themes and patterns arising from Fostering Panels are tracked and monitored, with specific actions arising from any consistent areas for development. Compliance with policies and procedures is monitored by managers in supervision and audit and dip sample activity. All staff receive regular supervision, the frequency agreed according to their role, experience and need.

The performance of the service is also monitored within our regulatory framework, and by the Corporate Parenting Board, the Overview and Scrutiny Board, the Continuous Children's Improvement Board and the senior leadership team.

### Areas of key quality assurance focus for the Torbay Fostering Service are:

- \*The numbers of cared for children, in relation to their plan of permanence.
- \*Placement stability, with a key focus on minimising disruption for cared for children and enhancing placement stability which involves monitoring the number of placement changes for cared for children.
- \*Placement sufficiency and the recruitment of new fostering families.
- \*Compliance, including foster carer training, DBC checks, timely Annual Reviews and fulfilment of basic training requirements. \*Timely and quality foster carer supervision.
- \*Purposeful and comprehensive placement planning meetings.
- \*The use of placement support and stability meetings.
- \*The timeliness and impact of unannounced visits.

The Fostering Service have consistently sustained good performance in the four Key Performance indicators.



Fostering performance as of the 31<sup>st</sup> March 2024 stands at:

Foster carers with up-to-date training – 64%

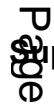
Foster carers with up-to-date DBS – 100%

Foster carers with up-to-date medical – 98%

Foster carers with up-to-date Annual Review – 87%

The percentage of foster carers post one year who have completed the minimum (TSD) training has decreased from 89% to 65% in February 2024. This decrease relates to newly approved carers in the last two years. One significant change which appears to have had an impact the transition of this training to the central iLearn system. Some newly approved foster carers and Connected Carers have cited issues in finding the time to complete training due to work and fostering commitments and the fostering service are providing high levels of support to these carers to ensure they have protected time to complete the work, with each relevant fostering family having a bespoke session booked with them to provide support.

Performance against these key indicators is a regular focus of the monthly performance surgeries chaired by the Head of Service, Regulated Services.



## Support Groups

Torbay Fostering Service also run a number of support groups, which are organised at various times throughout the year and through various platforms. Torbay are committed to learning from feedback and participation and are constantly looking for ways in which we can make our training as accessible and purposeful and meaningful for fostering families as possible.

It is intended that support groups provide an opportunity for fostering families to meet with each other and share their views and experiences of fostering; in addition, fostering families can access support, guidance and signposting through these groups, and receive information about recent changes to policies and guidance and practice.

Currently, Torbay Fostering Service offer:

- A support group run by CAMHS which offers support through a therapeutic lens.
- Special Guardianship Support group for all Special Guardians receiving support from the Special Guardianship Team.
- A general foster carer support groups which is held monthly face-to-face.
- Foster Carer Forums which are held quarterly.

- Evening support groups and Connected Carer support groups.
- Single foster carers support group.
- Evening support groups.

Foster carers receive financial allowances which value and respect their skills, learning and commitment. Detailed financial information and guidance around expectations are made available to each foster carer. In addition to the financial support, our foster carers benefit from local discounts and offers from providers that have made a commitment to support Torbay's foster care families as part of the Corporate Parenting Offer. Paignton Zoo have made a pledge to provide all of our foster carers an annual family pass in addition to other local attractions providing discounted rates to access to foster carers.

### **Out of hours support**

Torbay Fostering Service currently also have access to an out of hours team which offers direct support to fostering families whereby issues in relation to placement instability have been identified; this is operating through our Building Futures team and provides a weekly response until 9pm weekdays and a service on weekends 10-6pm Saturdays. In addition, the EDS (Emergency Duty Service) provides advice and support 24 hours, 7 days a week. This is a generic service and will provide a duty response in the event of an emergency.

### **Support during Allegations**

Torbay Fostering Service also commission specialist support, for example mediation or advocacy services, in situations whereby this is required for foster carers through the allegation process. Fostering Service commissions, the independent individual support for foster carers from Fostering Network to support them through the investigation process.

### **Training**

At Torbay, we believe that every moment of the fostering experience provides rich opportunity for learning and development; we are committed to supporting fostering families to grow and learn and develop their practice and recognise that this will be on an individualised basis, with at times a bespoke training need.

Fostering families begin their training journey during the assessment and approval process and build on this learning as they move on to complete the Training, Support and Development Standards. Fostering families receive a full induction, in order to enable them to understand the expectations of the fostering role, the key principles and values which underpin the fostering role and how they can best meet the needs of the cared for children they may be supporting and caring for.

**Foster Carer training includes:**

Record Keeping for Foster Carers

Safer Caring

LADO Role and Allegations Against Foster Carers

SGO PACE Training

Delegated Authority for Foster Carers

Paediatric First Aid

Life Story Work

Introduction to attachment theory and practice

Grief, Loss and Change

Family Time Supervision

Bridging to Adoption

Fostering Changes Training

PACE Training

Skills to foster (as part of the assessment)

In certain circumstances, Torbay Fostering Service will explore alternative types of bespoke training for individual or groups of fostering families, where this is an identified need.

Torbay foster carers have been able to access relationship and sexual health training led by health in 2023-24.

## 10. Special Guardianship Support

As of March 2019, all Special Guardianship assessments and Special Guardianship Support has been held within the Fostering Service. In December 2023, Special Guardianship Support moved to Family Hubs and since this time there has been a joined-up approach between Special Guardianship Support and Regulated Services.

The following staff make up the Special Guardianship Support team:

1 Team Manager – FTE 1 fixed term since January 2024 (with oversight for Special Guardianship Support and Breathing Space Service)

3 Community Care Workers

- Full time – FTE 1 fixed term since May 2024
- 4 days – FTE 0.8 permanent
- 4 days – FTE 0.82 permanent \*absent due to sickness since January 2024

All Special Guardianship Order assessments are undertaken by social workers within the Fostering Assessment Team; all support for children subject to these Orders and their families is coordinated through the Special Guardianship Support team. Referral routes, roles and responsibilities in relation to Special Guardianship Support are currently being reviewed in light of 'Championing Kinship Care; the national kinship care strategy' (DofE, 2023) and 'Kinship Care: statutory guidance for local authorities' (DofE, 2024) \*pending publication.

A flowchart outlining social work responsibility in respect of Special Guardianship support plans, how these are recorded and the recording of communication of this to applicants. This has been communicated to all teams across Children's Services.

Information leaflets for assessment and support are in use by both the Fostering Assessment and Support teams. Consultation was offered by legal services in the creation of these leaflets.

A Special Guardianship Order tracker is being maintained, to include all those children subject to the Order, the status of the support being offered to them and the dates for review of the Special Guardianship Support plan. Additional reporting capabilities are also expected through Liquid Logic pending a review of the Special Guardianship pathways open for our Special Guardians. This will include trigger dates for the children at the age of fifteen years and six months, which will then prompt a letter explaining their rights to access from the Care Experience service.

Each Special Guardianship Support plan is then reviewed annually, in line with the month the Order was made, and a letter is sent to every Special Guardian at this point, outlining the support available to them, information in respect of our Family Hubs and our Family First support leaflet. For

those Special Guardians receiving active support from the team, more frequent reviews of the Special Guardianship Support plan are undertaken in line with the child, Special Guardian, and family need.

Special Guardianship Support team have completed 22 Adoption and Special Guardianship Support applications between April 2023 – March 2024.

An internal Special Guardianship Support working group was initiated in January 2024 in order to consider the support needs of our SGO children and Special Guardians. The working group has considered the findings of a survey completed by 15 Special Guardians and begun work on improving areas of support that Special Guardians have told us matter to them. Some priorities for the working group have been on hold pending publication of new Kinship Care statutory guidance and associated anticipated Kinship local offer.

Key priorities for Special Guardianship Support 2024 – 2025:

- Reimplementing local support group – this is now up and running monthly with positive engagement from Special Guardians. Additional national support groups will be available via ‘Kinship’.
- Quarterly Special Guardianship events/activities – this is up and running with a successful Easter event held at Paignton Zoo. Planning for 2x summer events is underway and a further event will take place at Christmas.
- Updating Special Guardianship Support Offer – this action will be replaced by the anticipated Kinship local offer.
- Kinship information page for Family Hubs website – this is being developed and subject to publication of statutory guidance.
- Quarterly Kinship Support Newsletter to be sent out to all Special Guardians and added to Family Hubs Kinship information page – this is being developed with the first newsletter anticipated July 2024.
- Training programme for Special Guardians – this requires finalising subject to partnership meeting with ‘Kinship’ Network Development Officer in June 2024.
- Kinship Information packs – not yet actioned.
- Annual Special Guardianship survey provides means of consultation – survey completed in January 2024, further survey planned for January 2025.
- Updated systemic process for Special Guardianship assessment and support – this has begun to be considered and is subject to statutory guidance.

In conjunction with the Learning Academy and the charity, ‘Kinship’, Special Guardians will have access to specific training opportunities and also benefit from our growing Corporate Parenting Offer. In addition, Special Guardianship support groups are in place, and we will look to develop this over the next year and also through Torbay’s ongoing Family Hub implementation.

## 11. Key Priorities and Actions of the Service in 2024/25

- Embed the Stable Homes Built on Love reforms including strengthening our offer to those children in a kinship arrangement.
- Strengthen the process of reunification with timely reviews and assessments to inform good quality planning.
- Relaunch the fostering website and associated branding with communications, and links to both Fostering South West and the Torbay Family Hubs website.
- Make the fostering brand recognised and effective and linked in with the Fostering Hub.
- Progress a community of foster carers for our children in Torbay within a Mockingbird community 'constellation' and continue to work with the Fostering Network.
- Embed the new process of the Fostering Hub and readiness for increased enquiries.
- A review of the Fostering Contract will be finalized, to support a relevant and up to date response to our inhouse fostering carers.
- Ongoing consultation with foster carers will take place over this year via thematic surveys looking at specific topic such as their participation within the professional groups working with the children, training and development, support systems within the inhouse fostering, developing back up carers and use of enablers and other support services.
- Continued development of our offer of Parent and Child placements, with a clear support and assessment plan.
- Whilst the number of cared for children reduces, there remains a vital need for greater variety in respect of the nature of in-house placements on offer to our cared for children, particular our older children, our sibling groups and our children who have additional or more complex needs. As such, recruitment must and does remain a key priority.
- Continue to implement the Former Foster Carer SGO Offer and secure Special Guardianship Orders in respect of identified children who could achieve enhanced permanence through this option.
- Increasing the numbers of cared for children engaged in the Cared for Council.

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<b>Report authored by:</b>	<b>Colin Schumacher (Head of Service), Lucy Reeves and Gina Powell (Service Managers)</b>
<b>Date:</b>	<b>24<sup>th</sup> May 2024</b>
<b>Date of Review:</b>	<b>1<sup>st</sup> April 2025</b>



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**Meeting:** Cabinet **Date:** 20<sup>th</sup> August 2024

**Wards affected:** All

**Report Title:** Local Authority Designated Officer (LADO) Annual Report 2023 - 2024

**When does the decision need to be implemented?** For Information

**Cabinet Member Contact Details:** Cllr Nick Bye, Lead Cabinet Member for Childrens Services

**Director Contact Details:** Nancy Meehan, Director Childrens Services

## 1. Purpose of Report

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- 1.1 The Local Authority Designated Officer (LADO) Annual Report provides an overview of allegations referred to the LADO regarding people in a position of trust working or volunteering with children in the Torbay locality.
- 1.2 It summarises the statutory role of the LADO and both the national and regional context of the role, the number of consultations and referrals, a breakdown of the types of allegations and the profile of the LADO's work from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024.

## 2. Reason for Proposal and its benefits

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- 2.1 Whilst there is not a statutory requirement for each Local Authority to produce and publish an Annual Report in respect of the work of the LADO, there is an expectation that one is completed to inform both the local authority and partner agencies of the number and nature of contacts over the period and to identify trends and learning from the data to inform any local action plans.
- 2.2 The information within this report helps us to deliver our ambition for Torbay to become child-friendly in every sense of its meaning, whereby the community and key partners are aware of their duty to consult and refer to the LADO service when safeguarding concerns about those in a position of trust become known.
- 2.3 The nature of the LADO role, as set out within Working Together to Safeguard Children 2023 and Keeping Children Safe in Education (KCSIE), is such that it forms an integral part of the safeguarding response to children, and therefore fits with Torbay's ambition to ensure enhanced and robust response to vulnerable groups, with children often being especially vulnerable. This is particularly the case in regards to Torbay's corporate parenting responsibilities.

## 3. Recommendation(s) / Proposed Decision

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1. That the Cabinet endorses the Local Authority Designated Officer (LADO) Annual Report 2023-24 set out at Appendix 1 to the submitted report to be published in accordance with Council's requirements.

### **Appendices**

Appendix 1: Local Authority Designated Officer (LADO) Annual Report 2023 - 2024

### **Background Documents**

None

## Supporting Information

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### 1. Introduction

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- 1.1.1 The LADO Annual Report provides an overview of allegations referred to the LADO regarding people in a position of trust working or volunteering with children in the Torbay locality. It summarises the statutory role of the LADO and both the national and regional context of the role, the number of consultations and referrals, a breakdown of the types of allegations and the profile of the LADO's work from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024.

### 2. Options under consideration

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- 2.1 N/A – No other options have been considered.

### 3. Financial Opportunities and Implications

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- 3.1 N/A

### 4. Legal Implications

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- 4.1 The role of the LADO and the LADO's responsibilities remain set out in Working Together to Safeguarding Children 2023, Keeping Children Safe in Education (KCSIE) and the Southwest Child Protection Procedures. There are no legal implications as a result of the decision to endorse this Annual Report.

### 5. Engagement and Consultation

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- 5.1 The nature of the LADO role is such that engagement and consultation occurs naturally as an integral part of the role. The Torbay LADO continues to take an active role in the regional Southwest LADO network meetings, to share learning and improvement. Close informal arrangements also include peer observations and audits, to support service-led improvement and strengthen effective cross-boundary working.

### 6. Purchasing or Hiring of Goods and/or Services

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- 6.1 N/A

### 7. Tackling Climate Change

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- 7.1 N/A

## 8. Associated Risks

- 8.1 There are no associated risks with endorsing this Annual Report.
- 8.2 Should the Report not be endorsed, there will be no change to the function of the LADO as this is set out within relevant legislation and policy; however, the Report would not be published and this may impact on the ability of partners and other agencies to learn from the patterns and trends identified within the report.

## 9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	The LADO service ensures that children are safeguarded from people in a position of trust appropriately.		
People with caring Responsibilities	Enhanced confidence in the safeguarding procedures in place through people in a position of trust and services/providers.		
People with a disability	The LADO service ensures that children are safeguarded from people in a position of trust appropriately.		
Women or men			There is no differential impact.
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)	The LADO service ensures that children of all ethnic backgrounds are safeguarded from people in a position of trust appropriately.		
Religion or belief (including lack of belief)			There is no differential impact
People who are lesbian, gay or bisexual	The LADO service ensures that children, no matter their gender identity, are safeguarded		

	from people in a position of trust appropriately.		
People who are transgendered	The LADO service ensures that children, no matter their gender identity, are safeguarded from people in a position of trust appropriately.		
People who are in a marriage or civil partnership			There is no differential impact.
Women who are pregnant / on maternity leave			There is no differential impact.
Socio-economic impacts (Including impact on child poverty issues and deprivation)	The LADO service ensures that children, no matter their socio-economic status, are safeguarded from people in a position of trust appropriately.		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	The role of the LADO ensures the physical, emotional and sexual safety of the children living in and supported by Torbay; as such, its integral safeguarding function has a positive impact on the general health of children and young people.		

## 10. Cumulative Council Impact

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10.1 None.

## 11. Cumulative Community Impacts

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11.1 None.

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**TORBAY COUNCIL**

**Torbay Council**

**Local Authority Designated Officer**

**Annual Report**

**April 2023 to March 2024**

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## 1. Introduction

This report summarises the work of Torbay Local Authority Designated Officer (LADO) for April 2023 to March 2024.

Working with statutory agencies (Children's Social Care and the Police), it is the responsibility of the LADO to manage and oversee the processes to deal with allegations of abuse against a person working with children and young people in positions of trust.

This report provides an overview of allegations referred to the LADO service regarding a person in a position of trust working or volunteering with children in the Torbay area.

## 2. The statutory role of the LADO and national context

The LADO responsibilities are set out in Working Together to Safeguard Children and Keeping Children Safe in Education (2023)

'Working Together to Safeguard Children' and 'Keeping Children Safe in Education' are available on the links below:

[Working together to safeguard children - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/working-together-to-safeguard-children)

[Keeping children safe in education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/keeping-children-safe-in-education)

For all other organisations, the procedure falls within the Southwest Child Protection Procedures:

[https://torbaychildcare.proceduresonline.com/local\\_resources.html](https://torbaychildcare.proceduresonline.com/local_resources.html)

The key aspects of the LADO role include the following responsibilities:

- To coordinate the safeguarding and investigative process in response to allegations made against people working with children.
- To provide advice/guidance to employers or voluntary organisations.
- To consult with Police and other agencies including Ofsted and professional bodies such as the General Medical and the General Teaching Council.

- To monitor the progress of referrals/consultations to ensure they are dealt with as quickly as possible, consistent with a thorough and fair process.
- To resolve any inter-agency issues.
- To collect strategic data and maintain a confidential database in relation to allegations.
- To disseminate learning from LADO enquiries throughout the children's workforce.
- To ensure that measures are in place to prevent further harm or abuse and that where required, referrals/consultations are made to the appropriate Social Care team.

The LADO should be alerted to all cases in which it is alleged that a person who works with children has:

- Behaved in a way that has harmed, or may have harmed, a child.
- Possibly committed a criminal offence against children or related to a child.
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children; or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

## **Page 157** Regional/National context

The LADO continues to take an active role in the regional Southwest LADO and National LADO network meetings to share learning and improvement.

Close informal arrangements with the regional LADO network include peer observations and audits and continued regular network meetings to support service-led improvement and strengthen effective cross-boundary working.

The LADOs are consistent and comply with statutory guidance and the Southwest Child Protection Procedures. Additionally, the forum is used to share information, best practice and lessons learnt from each other's professional experiences as well as learning from serious case reviews. This forum enables the identification of training needs and input into policy development at a local and national level.

#### **4. Service structure and staffing**

In Torbay, the LADO service consists of one full time permanent post with business support and sits within the Safeguarding and Reviewing Service (SARS) within Children's Services. A LADO rota is in place to ensure there is an extra layer of resilience to the role as well as providing LADO cover during sickness and annual leave.

The Safeguarding & Reviewing Service Business Support Office provide administrative support. Their role includes:

- maintaining an up-to-date database, including consultations and referrals.
- arranging LADO meetings and reviews.
- maintaining contact with partner agencies when necessary.
- distributing LADO minutes securely.

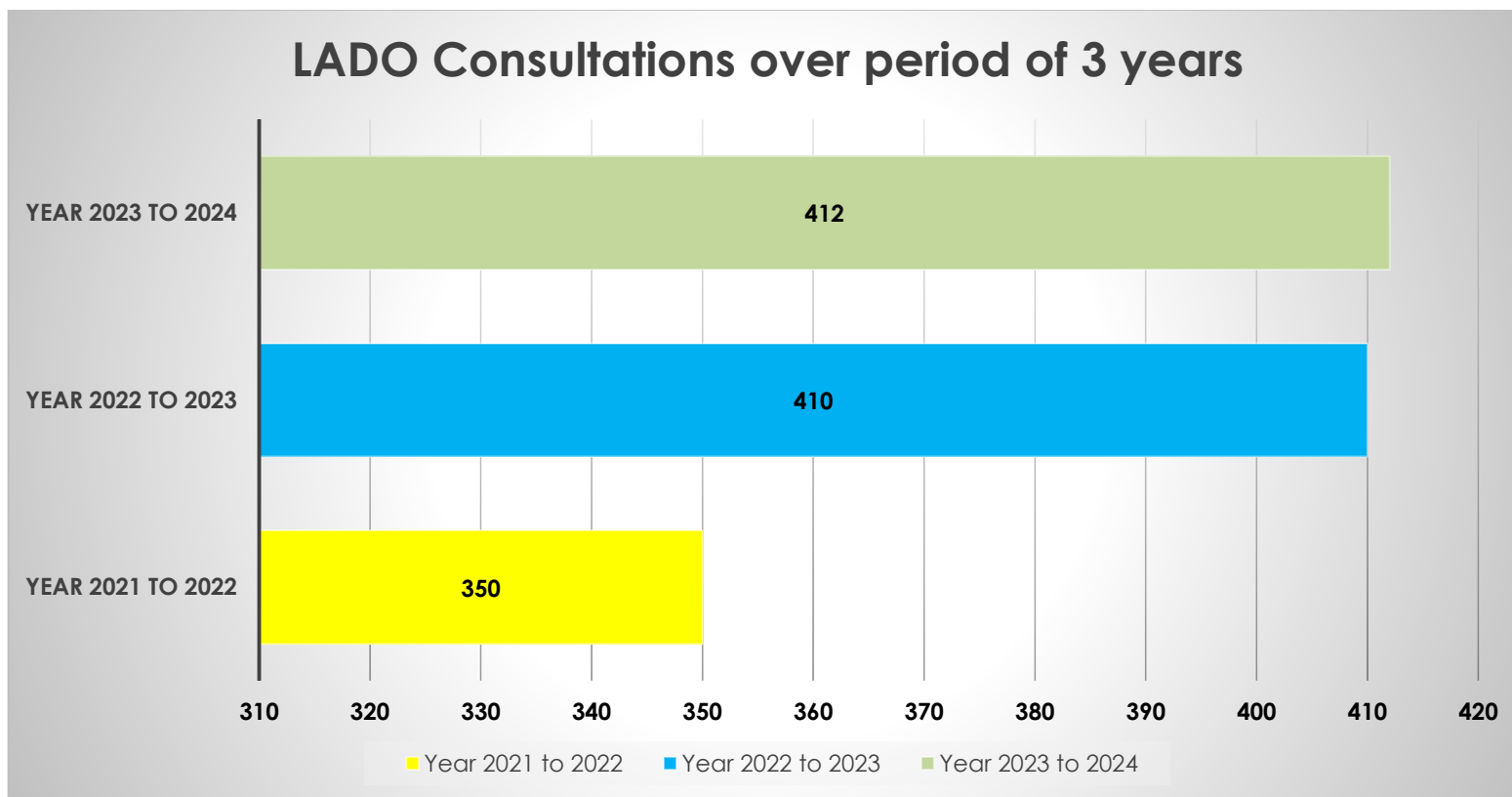
#### **5. Numbers of Consultations and Referrals**

##### **Referrals**

The LADO receives enquiries from a range of sources and most of these come in the form of a Consultation or Referral.

Consultations and Referrals are tracked on a spreadsheet and recorded on the LADO database. Torbay LADO service have used Liquid logic as a data recording system since June 2021.

**Consultations and Referrals over period of three years (2021 – 2024)**

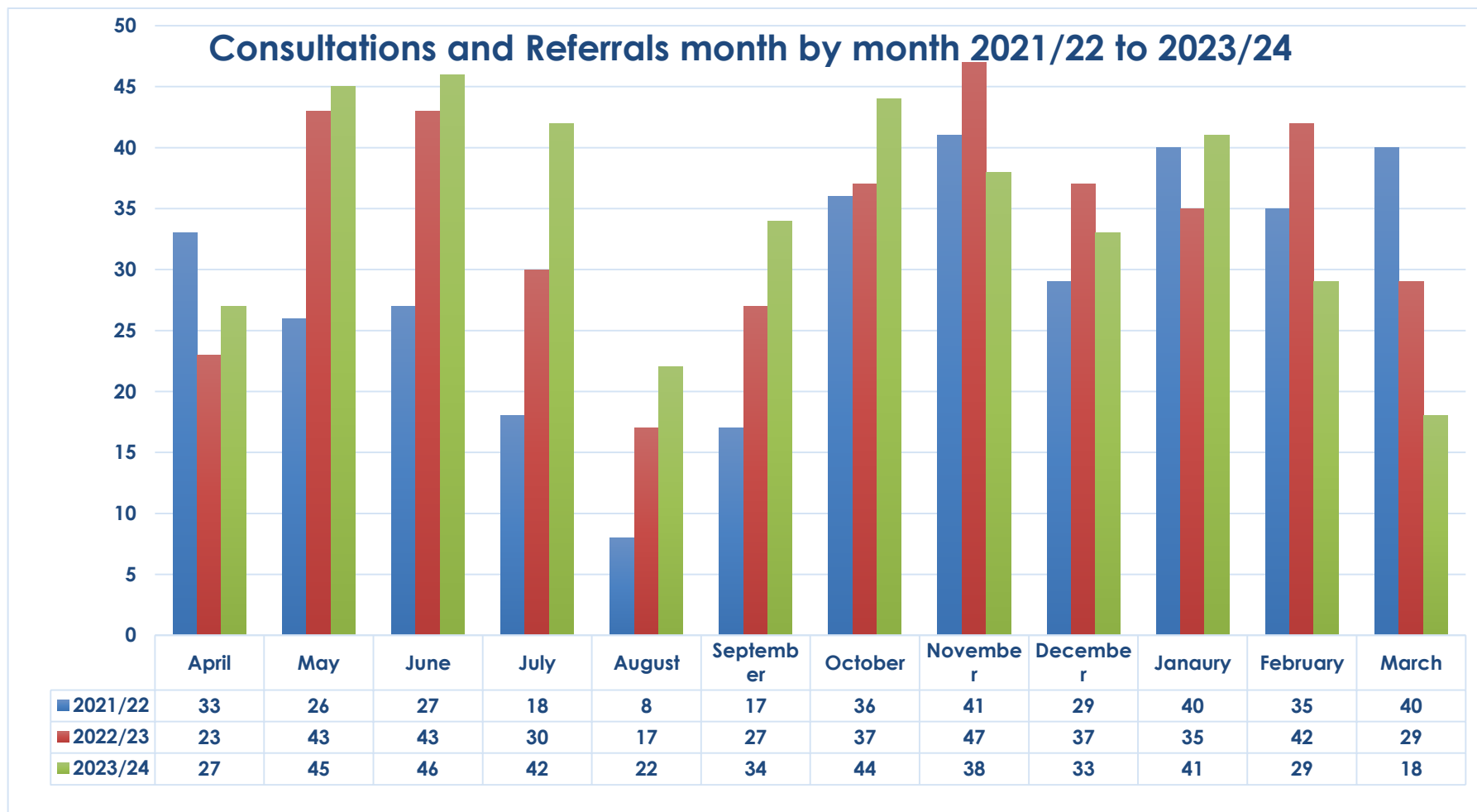


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<b>April 2023 to March 2024</b>	Data system recorded that the LADO received 412 consultations. 30 of these met LADO thresholds and progressed to Allegation Management Meeting
<b>April 2022 to March 2023</b>	Data system recorded that the LADO received 410 consultations. 30 of these met LADO thresholds and progressed to Allegation Management Meeting.
<b>April 2021 to March 2022</b>	Data system recorded that the LADO received 350 consultations. 53 of these met LADO thresholds and progressed to Allegation Management Meeting.

Previously, the data collected showed that there was a year-on-year increase in the number of consultations being managed by the LADO service in Torbay. However, by comparison, the year 2023-24 compared to the previous year does not differ greatly. The data evidences only a difference of a two consultation increase from last year and a slight increase of six consultations which met threshold. This suggests that the rate of referrals as now stable following the previously identified demand year on year on the service as a result of greater awareness.

The chart below illustrates the comparisons of LADO Consultations and Referrals received for periods: 2021-22, 2022-23 and 2023-24.



## April 2023 to March 2024:

A high volume of consultations during this period related to allegations made against education staff. These came from a combination of:

Early Years	Schools/Academies	Total
19	147	166

**Early Years/Schools/Colleges:** Consultations initiate from Early Years settings and OFSTED. The providers notify the LADO of any serious accident or injury to a child or allegation from a child while in their care. The data for this year's report almost mirrors that of the previous year.

We need to consider that the number of consultations may be due to organisations seeking clarity as to whether the alleged incident meets the harm threshold to trigger the managing allegations procedure. Early Years and Education staff attend LADO forums and have close contact with the LADO service, to ensure a seamless service is provided to all young people who report harm from an adult in a position of trust.

The LADO ensures that all consultations are recorded, as it depicts a potential pattern of behaviour of a person in a position of trust. Regardless of whether the threshold is met, each consultation generates a considerable amount of work to assess, research (including seeking additional information) and recording the information. All correspondence, evaluation, decision making, and actions taken are recorded in detail for each matter for future reference.

During the period of 2023-24, the number of consultations /referrals the LADO recorded in total equated to 412, compared to 410 in 2022/23. Therefore, this data almost mirrors that of the period 2022-23.

Anecdotally, many of the consultations received may be attributed to the referrer seeking more confidence to determine if any of the criteria are met and/or wishing to have an audit trail of consultation with the LADO service to satisfy expectations by regulatory bodies. Also, Torbay LADO service encourage that a chronology of low levels concerns on an adult is kept. Education establishments in the Torbay

area adhere to a consistent approach in dealing with the statutory guidance of Keeping Children Safe in Education 2023 by dealing with low level concerns of teachers, support staff, and contractors (DFE 2023). Consultations are often held to support a safe approach by schools/colleges.

<b>In-House Foster Carers</b>	<b>Independent Fostering Agencies</b>	<b>Independent Residential Setting</b>	<b>Total</b>
28	27	29	84

**Cared for Children:** The data shows that a decrease in consultations for cared for children from 109 the previous year to 84 this year. Torbay LADO service is confident that training provided to foster carers is regular and robust and social care audits evidence that the LADO service and the need to consult when appropriate is well embedded in care planning considerations. In addition to this, the Torbay LADO service has collaborated with providers to look at safer recruitment process, induction, and training for all staff.

Torbay LADO and Fostering Services have conducted joint work with all in-house foster carers (new and existing) as well as linking in with residential provisions and semi-independent homes for children. Support is provided to foster carers to have a deeper understanding into the allegations process and how these impacts on children.

The LADO service is working jointly with the Fostering Service to understand the decrease in reported incidents of harm. However, there is also further work required to understand the reason these figures, which are still proportionately high.

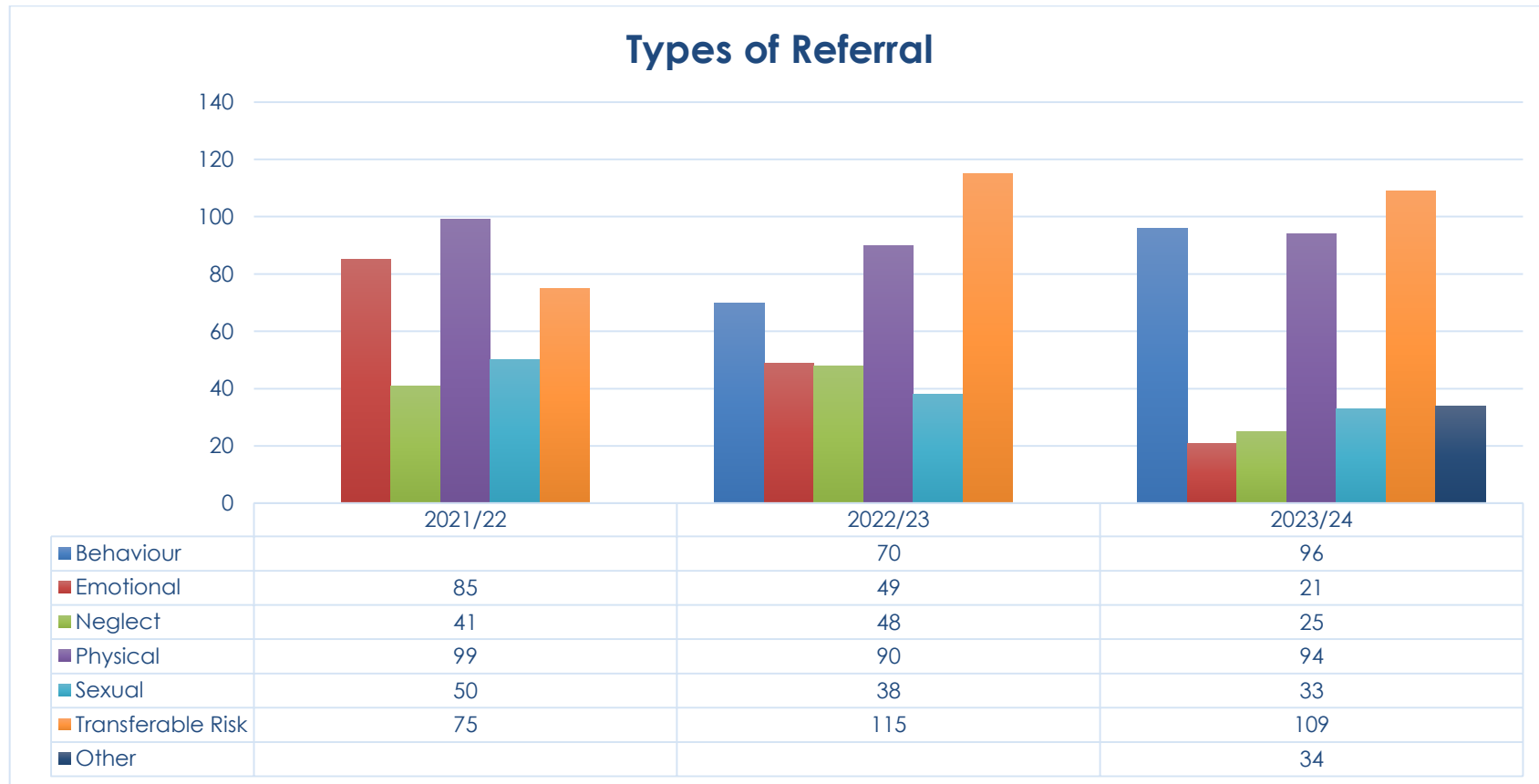
All information held by the LADO Service is compliant with Data Protection Act (2018) and General Data Protection Regulations (GDPR). Information is retained in accordance with the Council's Date Retention policy.



## 6. Profile of work

In this reporting period, the LADO has completed 412 consultations. During the previous year, 410 consultations were recorded. Therefore, there is an increase of 2 compared to the previous year.

### Type of Referrals



The type of concerns referred to the LADO varies widely.

## **Types of Allegations**

This year 'transferable risk' was identified in relation to 109 allegations. This high figure may relate to the LADO having management oversight over incidents of harm as identified in Keeping Children Safe In Education (Transferable Risk), which includes behaviour taking place both inside and outside of the school, for example behaviour in an individual's private life that raises concerns or a close association with someone in an individual's personal life who may present a risk of harm to children. The number of allegations which identify 'transferable risk' is slightly lower in 2023/24 compared to the previous years.

The next significant category is behaviour which appears to be an emerging issue and physical harm continues to be a category of harm which is prevalent.

Torbay LADO service is seeing agencies who work with children who experience special educational needs, disabilities or additional needs frequently reporting that staff are using interventions to keep a child safe when they are distressed or presenting with behaviours that would place them at risk. This can result in physical contact made and reports of harm shared with the LADO service.

Conduct and suitability also remains a key area within concerns raised and demonstrates a recognition of young people, parents and professionals challenging and striving for better practice and bringing to the LADO's attention any repeat pattern of low-level concerns. The LADO service records any low-level concern shared with them and ensure that the adult is aware that a consultation has been held regarding the allegations management process. The number of reports relating to concerns around the behaviour of staff reported reached a high of 96.

Allegations associated with emotional harm is recorded at 21 for the 2023-24 year.

During training and awareness, the Torbay LADO service encourages a consistent approach to improve culture and practices within agencies which can in turn improve care provided for the children in Torbay.

Allegations involving concerns relating to sexual harm concerns have decreased on last year at 33. This can be a combination of non-recent matters being referred in, with older children and adults sharing reports of harm in their past. Irrespective of this, if the allegation of harm relates to non-recent abuse and the adult of concern is still in a position of trust then the LADO service deals with this as a contemporaneous matter.

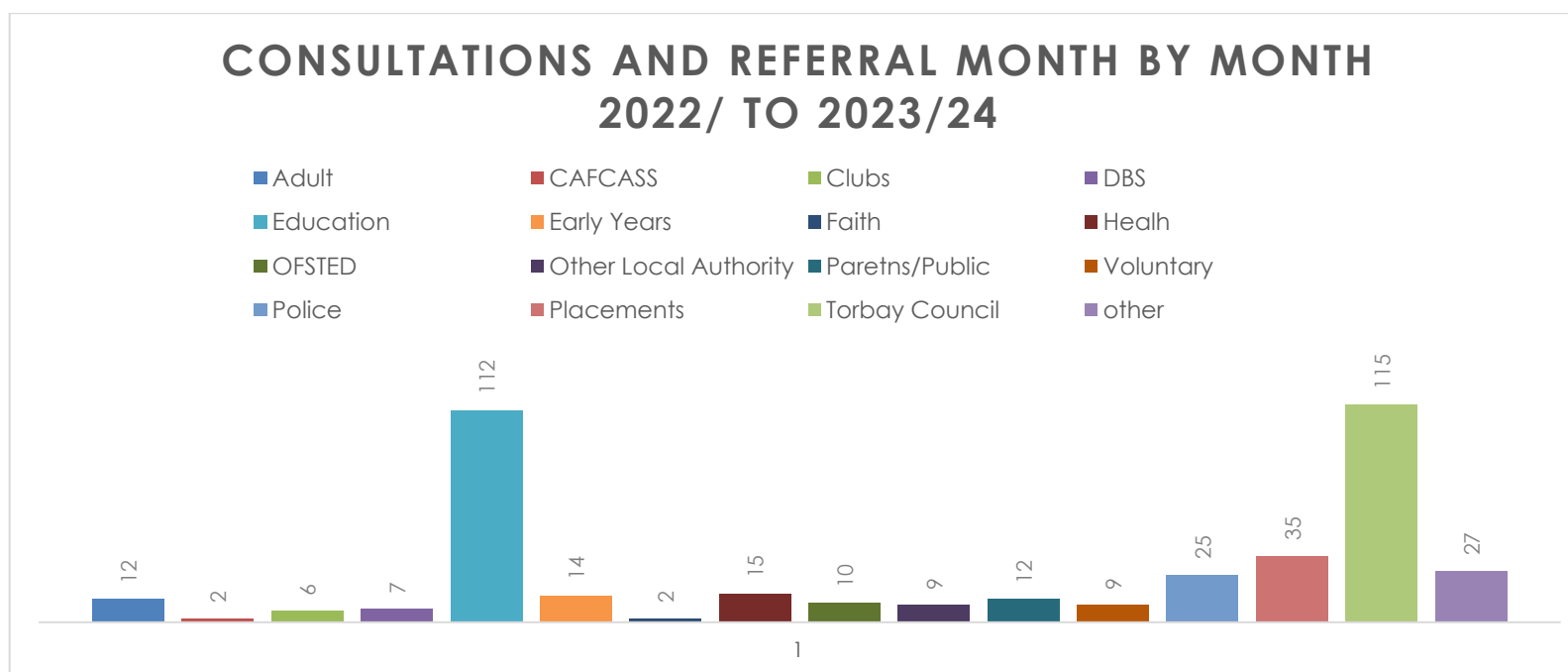
## Outcome Referrals:

Outcomes will sometimes be recorded following the completion of a police investigation which may mean that some cases are kept open on the LADO database without a timescale.

In relation to investigations in respect of foster carers, Torbay Council have a timescale for 'internal investigations' to be completed within 21 working days. If the allegations are substantiated or unsubstantiated, these must then be presented to Fostering Panel.

## Referral Source and Subject

During 2023 – 2024, the LADO service received 115 consultations from Children's Services which highlights a consistent approach and greater understanding of the allegation process to ensure reports of harm against people in positions of trust are addressed using a seamless approach. All council staff receive training on the role of the LADO and are made aware of how and when to seek advice and guidance.



## LADO consultations

As noted previously in this report, the number of Consultations for 2023 to 2024 reached 412 of which 30 reached thresholds for Allegations Management Meeting. This mirrors the previous year 2022-2023 with 410 Consultations and of 30 reached thresholds for Allegations Management Meeting.

### Analysis of the total consultations received (412)

This category is further broken down into the following:

- Does Not Meet LADO Threshold: 185
- Referred to another Local Authority: 25
- Does Not work with child: 9.
- Info and Advice: 38
- NFA: 9
- Chaperone Interviews: 20
- Referred to CQC: 16.
- Pending: 110

Total: 412

The high numbers of consultations, including those not meeting the threshold, continues to create pressures on capacity. Each consultation requires considerable administrative processing time e.g., logging on databases, and evaluation of the information. The time devoted to this can be extensive, including the need to collate and clarify information received before determining if the criteria is met for the allegation management meeting process to be triggered.

One contributory factor to the high number of referrals is possibly due to the requirement by Ofsted on regulatory settings to send consultations on all incidents involving inappropriate behaviour by staff. Furthermore, there has been an increase in the reporting of lower-level concerns following changes in legislation coupled with greater awareness of the LADO achieved through training to internal and external workforces.

## 7. Outcomes of Allegations:

### Allegations Management Meetings (AMM)

Allegations Management Meeting refers to the multi-agency meeting process in respect of the individual who is subject of an allegation or concern. The person who is the subject of the allegation or concern is referred to as the 'adult of concern'.

The following table demonstrates the outcomes of Allegations Management Meetings:

	2021-22	2022-23	2023-24
Unfounded	12	4	10
Malicious	0	0	0
False	0	0	0
Unsubstantiated	21	11	7
Substantiated	15	15	9
Pending outcome			4

Allegations Management Meetings are sometimes able to conclude the outcome of a concern at an initial meeting. Sometimes, however, additional information is needed through the completion of actions agreed at the initial meeting and attendees need to re-convene on a further occasion, or more often in complex cases. This is due to ongoing police investigations where all parties need to be interviewed, or where forensic examination of devices is required for example. This does impact on timeliness of outcomes for those adults subject to the Managing Allegations Process. In these cases, it is difficult for the LADO to ensure that matters are concluded in a timely fashion, although the LADO service does consult with police colleagues for regular updates where necessary.

1. **Substantiated** – where there is sufficient identifiable evidence to prove the allegation.
2. **False** – where there is sufficient evidence to disprove the allegation.
3. **Malicious** – where there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false.

4. **Unfounded** – where there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.
5. **Unsubstantiated** - This is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Where concerns are unfounded or unsubstantiated, it may still require further internal investigation by the employer or other action to be taken and does not necessarily mean there are no concerns at all.

Of note this year is the change in outcomes for Substantiated and Unsubstantiated cases. There were substantiated outcomes recorded at 15 for 2022-23 which mirrors that of the previous year 2021-22, however, there has been a decrease in 2023/24 to 9. Unsubstantiated outcomes have also decreased from 11 to 7.

### **Management Oversight.**

Parbay Council ensure effective management oversight includes elements of quality assurance, LADO supervision, dealing with developing areas of concern in individual cases and facilitating improvements in LADO practice.

### **Timescales to Close Consultations**

The statutory guidance requires that all consultations are resolved as quickly as possible consistent with a fair and thorough investigation. To this end, a key aspect of the role of LADO is to be involved in the management and oversight of all consultations/referrals ensuring that agencies and organisations involved avoid unnecessary delays.

### **Limiting Factors**

There are several factors that make these timescale targets challenging to achieve including:

- The length of time a referral may take to work through the criminal justice process to conclusion.

- Employers awaiting the outcome of a criminal investigation before formally investigating the concerns under its own disciplinary procedures.
- Practical considerations such as the availability of people for interview.
- Capacity of the LADO to monitor and follow-up on processes being followed e.g., disciplinary investigations by the employers.

## Outcomes

- Participants are informed of the outcome by the referrer.
- Young people may also be written to informing them of an outcome, depending on the suitability of this in individual circumstances.
- It is not always appropriate for the referrer to be informed of an outcome – for example, if this is a member of the public – however, they are made aware that the information they have provided has been dealt with appropriately.
- The LADO service deals with sensitive information and seeks guidance on the sharing of this as appropriate through the Information Governance team and HR colleagues.

## Participation and Partnership

The LADO service continues to work in close partnership across a variety of agencies. Information and guidance are on the Torbay Safeguarding Children's Partnership (TSCP) website to support understanding of the LADO role.

This has developed further following the redevelopment of the TSCP website to include.

- Advice for organisations.
- Attending a LADO Allegations Management Meetings.
- What happens when an allegation is made against you.
- When there are concerns raised about you in your personal life.

### 8. Complex cases

At times, the LADO responds to concerns of a sensitive nature that may attract public interest either by virtue of the media profile of an individual or because of information being shared that raises concerns about the wider safeguarding practices of an organisation. In these cases, the LADO service provides alerts and updating information to Senior Managers who take responsibility for information management with the media and/or strategic responses. Such matters are usually conveyed to senior manager via the established 'Need to Know' process.

## 9. Training and Service Awareness

Raising the profile of the LADO role across the partnership has increased in the reporting year. The LADO service continues undertake a series of virtual presentations on the role of the LADO to Early Years, Education Leads and the Fostering Service.

The training includes an overview of the LADO role, process of managing allegations as well as how staff can protect themselves from allegations being made. This has raised awareness for those in the children's workforce regarding appropriate behaviour and safe practices resulting in timely responses to incidents as well as professionals feeling more able to contact the LADO for advice and support prior to matters escalating.

The LADO Service in Torbay advocates for the importance of safer working cultures that not only protect children dynamically but also proactively, ensuring safer recruitment practices are adhered to and advocating for this within organisations. As such, the Torbay LADO service provide joint safer recruitment training with Human Resources and can provide high quality advice to organisations to consider risk and allegations as they occur, as well as supporting organisations to improve their recruitment processes and develop a safer working culture for the children and young people that use their services.

## 10. Peer Audits

Previously, Annual Peer Audits have been arranged with the Southwest LADO Group which introduced Peer Audits involving every Local Authority across the Southwest. Torbay LADO service attend the group which meets monthly via a virtual platform. The Southwest Group is developing a number of templates to standardise reporting across the region; this includes a template for the LADO Annual report and a model for other organisations to complete their investigations. Other developments in this reporting year have included the introduction of the LADO Tri-X regional procedures and a peer auditing programme which includes a moderation group. During the last year, the Torbay LADO has shared the vice chair role with Devon and Cornwall LADO's across the Regional LADO Group.

In addition, the Torbay LADO service is embedded and active in the National LADO Network.

## 11. Actions for 2023-2024 along with current progress

- Quality Assurance with File Audits of LADO cases: creating a Proforma to look at processes and decision making. Considering consistency in how the LADO's work and the service provided. Outcome following review: Ongoing/partially completed.
- Continue to work together with Local Safeguarding Partnership to assess the safeguarding issues within the secure estate, ensuring the correct agencies are actively scrutinising and challenging the use of force and care of the children within the establishment. Continue to raise awareness and offer support to agencies to ensure the young people are adequately safeguarded within the secure estate. Outcome following review: Further ongoing work required.



- Seek feedback from young people regarding their experiences on the Torbay LADO services. Outcome following review: Further ongoing work required.
- Work with the Safeguarding Partnership and Devon and Cornwall Police to ensure information sharing occurs when the criteria set out in Working Together is met for a serving officer and that there is liaison between Professional Standards and the LADO service. Also, to develop closer working relationships with the DBS department locally to ensure the appropriate exchange of data. Outcome following review: Ongoing/partially completed.
- Developing a LADO Induction Pack that clearly sets out all the aspects of the LADO services and the intricacies of how it works to enable any Duty LADO to assist with the service. Outcome following review: Ongoing/partially completed by the NLN.
- There are key agencies, primarily the Teacher Regulation Authority, Social Work England, and Disclosure Barring Service, that Torbay LADO service link with when there is a substantiated concern regarding an individual. As a service, Torbay Council need to explore how we can collaborate more closely with them in receiving outcomes of cases referred to them. Outcome following review: Further ongoing work required.
- LADO Handbook: The sharing of the LADO handbook with senior management. The purpose of this handbook will be to provide a clear outline of the roles and responsibilities of the LADO and how these should be applied when allegations and serious concerns have been raised against people who work with children. Outcome following review: To be shared in Autumn 2024.
- In response to the above, the LADO service in Torbay is progressing with the development of better practices. The LADO Service works proactively closely with Children's Services Commissioning and our regional partners to ensure information and concerns are addressed in a systemic and timely manner to protect children and young people. Outcome following review: Further ongoing work required.
- Ensure children have a full awareness off the LADO Service and how they can raise a concern. This to be facilitated via the publication of a child/young person led leaflet. Outcome following review: Leaflet design has been completed in conjunction with the Children and Young People's Panel, and will now be progressed to publication.

Author: Ivan Sullivan – Torbay LADO

Date 23<sup>rd</sup> May 2024

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**Meeting:** Cabinet      **Date:** 20<sup>th</sup> August 2024

**Wards affected:** All

**Report Title:** Independent Reviewing Service (IRO) Annual Report 2023 - 2024

**When does the decision need to be implemented?** For Information

**Cabinet Member Contact Details:** Cllr Nick Bye, Lead Member for Childrens Services

**Director Contact Details:** Nancy Meehan, Director Childrens Services

## 1. Purpose of Report

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- 1.1 An annual report of the Independent Reviewing Service (IRO) for cared for children is required in accordance with the Children and Young Person's Act 2008 and subsequent statutory guidance published by the Department for Children, Schools and Families in 2010 as set out in the IRO Handbook.
- 1.2 The annual report should be presented to the Director of Children's Services, Lead Member for Children and the Corporate Parenting Board at minimum and should also be available as a public document on the relevant Council website.
- 1.3 In line with our aspirational Corporate Parenting Strategy, the IRO Annual Report requires endorsement from Cabinet, reflecting each and every Member and Officers role as corporate parent.

## 2. Reason for Proposal and its benefits

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- 2.1 There is a legislative need for the IRO Annual Report to be considered as part of the Council's corporate parenting responsibilities.
- 2.2 Torbay's vision is one whereby its people are able to thrive; in line with Torbay's corporate parenting responsibilities, our cared for and care experienced young people require particular focus and support, in order for them to achieve their goals and aspirations, and be safe, happy and healthy.
- 2.3 This report evaluates the effectiveness and impact of the Independent Reviewing Service; Independent Reviewing Officers play a key role in ensuring that care plans for children are progressed with a central focus on their needs, their ascertainable wishes and feelings and what intervention and support is required to help children achieve their goals.

### 3. Recommendation(s) / Proposed Decision

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1. That the Cabinet endorses the Independent Reviewing Service (IRO) Annual Report set out at Appendix 1 to the submitted report and the publication of this in accordance with the legislative requirements outlined in the report.

#### **Appendices:**

Appendix 1 - Independent Reviewing Service (IRO) Annual Report 2023 - 2024

#### **Background Documents**

N/A

## Supporting Information

### 1. Introduction

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- 1.1 The IRO Annual Report provides an overview of the activity of the Independent Reviewing Officer Service, which sits within the wider Safeguarding, Reviewing and Early Help service within the Children's directorate. The report contains comprehensive analysis in respect of key performance indicators relating to cared for children specifically, including long and short term placement stability, those becoming and ceasing to be cared for, permanence outcomes and the timeliness of reviews. The report also considers the staffing structure, developments within the service and the key improvement objectives for the service moving forward.

### 2. Options under consideration

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- 2.1 N/A – no other options have been considered.

### 3. Financial Opportunities and Implications

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- 3.1 N/A

### 4. Legal Implications

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- 4.1 The IRO Annual Report is required in accordance with the Children and Young Person's Act 2008 and subsequent statutory guidance published by the Department for Children, Schools and Families in 2010 as set out in the IRO Handbook.
- 4.2 There are no legal implications as a result of the decision to endorse this Annual Report

### 5. Engagement and Consultation

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- 5.1 A priority of the Independent Reviewing Officer service has been to enhance and develop the opportunities for children to participate and engage with their own cared for reviews, and also service improvements. This feeds into a wider participation strategy, and a continuous and embedded culture whereby the views of our cared for children and young people are sought, listened to and acted upon

### 6. Purchasing or Hiring of Goods and/or Services

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- 6.1 N/A

## 7. Tackling Climate Change

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7.1 N/A

## 8. Associated Risks

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8.1 There are no associated risks with endorsing this Annual Report.

8.2 Should this report not be endorsed, Torbay will not be compliant with the statutory requirements as outlined above - there will no change in terms of the fundamental function of the service however if the report cannot be published this would limit the ability of the service to share learning in respect of patterns and trends, and achieve clarity across the service about the priorities for improvement.

## 9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

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	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	The IRO Annual Report outlines the strengths, areas to strengthen and the priorities for the Independent Reviewing service who play a critical role in overseeing the implementation of plans in relation to cared for children.		
People with caring Responsibilities	The Report considers placement stability, and as part of this, feeds into the fostering service development plan in terms of continuing to enhance the support we provide to our fostering families.		No differential impact.
People with a disability			No differential impact.
Women or men			No differential impact.
People who are black or from a minority ethnic			No differential impact.

background (BME) (Please note Gypsies / Roma are within this community)			
Religion or belief (including lack of belief)			No differential impact.
People who are lesbian, gay or bisexual			No differential impact.
People who are transgendered			No differential impact.
People who are in a marriage or civil partnership			No differential impact.
Women who are pregnant / on maternity leave			No differential impact.
Socio-economic impacts (Including impact on child poverty issues and deprivation)	The ambition of the IRO Annual report is to ensure that any child, no matter their level of need or their socio-economic status, has access to the highest quality support as a cared for child as possible.		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	The IRO service plays an integral part in overseeing the holistic care plan for a child, including their educational and health needs; as such, the provision of the highest quality IRO service can have a significant, positive impact on the longer term health outcomes for cared for children.		

## 10. Cumulative Council Impact

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10.1 N/A

## 11. Cumulative Community Impacts

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11.1 N/A





# Torbay Independent Reviewing Service (IRO) Annual Report

2023-24

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## Executive Summary

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The Annual Report provides an account of the activity of the Independent Reviewing Officer Service between 1<sup>st</sup> April 2023 and 31<sup>st</sup> March 2024. It evaluates the effectiveness and impact of the Independent Reviewing Service in the planning and outcomes for Torbay's cared for children and young people and ensures that Torbay Council, as a corporate parent, is discharging its statutory responsibilities towards them and remains ambitious in what it achieves with its cared for children and young people in Torbay. The Independent Reviewing Officers have a pivotal role to play in ensuring that care plans for children effectively address their needs, consider Torbay's cared for children and young people's ascertainable views and opinions and improve outcomes for them.

The report demonstrates the continuous development of the Independent Reviewing Service over the last year and its role in the continuous journey of practice development in Torbay. The report also identifies areas of strength and areas for further development.

The stability of the service has been enhanced as all vacant posts have been filled and it is positive to report that the service has continued to be supported by a permanent IRO workforce.

Further to the above, both the Service Manager and Head of Service have been in post for a significant period of time, ensuring further stability for the service as a whole. Service stability is undoubtedly a factor in the continued progress of the IRO service and delivering better outcomes for cared for children across Torbay. An example of this is the increase in efficiency, with 803 cared for reviews taking place in 2023/24. This is an increase from the 740 reviews which took place the previous year. The timeliness of reviews has also increased to 96% within statutory timescale, compared with 94% the previous year and slightly exceeds the target set for this year of 95% of reviews being within statutory timescale.

The number of cared for children decreased over the year and stood at 298 as of 31<sup>st</sup> March 2024 compared with 314 at the same point the previous year. The decrease was due to a combination of preventative work that reduced the number of children becoming cared for in the year along with a substantial reduction in unaccompanied asylum seeking children (UASC) presenting in Torbay.

The number of babies being cared for has remained relatively stable. There were 28 children under the age of two that became cared for in the year compared to 24 in the previous year.

With regards to gender, this shifted significantly from the previous year with 54% of newly cared for children being male in 2023/24 compared to 65% being male in 2022/23. 0.3% identified as non-binary, with the remaining 45.7% being female. However, it should be noted that this is against a trend whereby all the unaccompanied asylum seeking children presenting to the Local Authority in 2022/23 were male. Therefore, the data relating to gender last year was somewhat skewed.

There has been a shift back towards boys being more likely to go missing than girls with a ratio of 57% boys versus 43% girls of all missing cared for children in the year 2023/24

Foster placement sufficiency in Torbay continues to be a challenge with the number of children placed more than 20 miles away still being significantly above the statistical neighbours and national average. The figure of 34% for 2023/24 is slightly higher than the previous year (31% in 2022/23).

There is evidence to suggest that permanency for Torbay's cared for children has continued to improve, with further progress in adoptions and staying put arrangements coupled with SGOs all out performing statistical neighbours and national averages.

Although long-term stability overall remained similar to the previous year, the picture fluctuates significantly by age group with the 12-14 year old children experiencing more instability in terms of more than one placement in a two year period. This could possibly be attributed to the fact that these

early teenage years are pivotal in young people's lives and are critical in terms of their development and crucial transitions such as into secondary education. It may also be indicative of needs not being captured effectively via regular assessments to inform care planning.

43 young people ceased to be cared for in the 2023/24 year who were aged 18 or over at that point. 25 of those were in foster placements at the point they ceased to be cared for. Of those 25, 13 remained Staying Put with their foster carers. That is 52% of children in foster care ceasing to be cared for aged 18 or over who Stayed Put. Of the remaining 12, 2 left care to live with a person with no parental responsibility, 7 went on to live in an independent living arrangement and 3 were listed as 'ceased for any other reason'.

There has continued to be challenges within the partnership in terms of promoting the health of our cared for children. Last year, there was an improvement in all areas of health related key performance indicators compared to 2021/22. Annual review health assessments have dropped from 91% to 79% as of the end of March 2024. Dental checks have dropped significantly from 83% to 42% as of the end of March 2024. Immunisations have also dropped from 82% to 55%. All of these are now below the national average and require further and immediate investigation and action.

A long-standing challenge and an area identified again for continued improvement over the next year is children and young people's participation in their cared for reviews. However, this year there has been an improvement in participation. In 2022/23, participation was 79%, whereas this year (2023/24), it has increased to 87%. Advocacy sufficiency has been identified as a potential contributory factor here and this is an area of commissioning that is a current focus.

The report concludes with a review of the previous year's action plan along with a set of key improvement objectives for the service over the year 2024/25.

# 1. Introduction – Purpose of Service and Legal Context

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1.1 The Safeguarding and Reviewing Service consists of the Independent Reviewing Officers (IROs). The Service is set within the framework of the IRO Handbook (2010) and is linked to the revised Care Planning Regulations and Guidance which was introduced in April 2011.

1.2 The functions and requirements of the IRO and the service as a whole are:-

- To ensure all Cared for Children and Young People have a named IRO who, as far as reasonably possible, remain a consistent figure in the child's life, during their journey through care.
- There should be the same IRO for sibling groups where this is reasonably possible and appropriate.
- The IRO should chair the child or young person's Cared for Child Reviews (within 28 days of the child being in care, then within 3 months after the initial review, and every six months thereafter).
- The IRO should promote, and ensure that due regard is given to, the voice of the child in their cared for child review, care plan, permanence planning and care arrangements.
- The IRO should ensure that plans for the child are based on a detailed and informed assessment, which is up to date, effective and provides a real and genuine response to each individual child's needs.
- The IRO should meet with the child and consult with him or her, making sure that the child understands what is happening to them, can make a genuine contribution to their plans, fully understands the implications of any changes, and understands how an advocate could help them in their cared for child reviews.
- The IRO should ensure the child is aware of his or her entitlements from the Local Authority.
- The IRO should ensure the child is aware that they are entitled to legal representation (either directly or via a court appointed CAFCAS guardian).
- The IRO should be alive to, and if necessary, take action to prevent any unnecessary delays in care and permanence planning for children in the care of the Local Authority as well as the delivery of services to them.
- The IRO should have full oversight of the Local Authority as the corporate parent in order to ensure care plans have given proper consideration and weight to the child's wishes, feelings, needs and aspirations.
- The IRO should provide challenge and support to social workers and their managers to ensure the best life chances for children via the delivery of purposeful social work that has clear outcomes leading to positive impacts for children.
- The IRO should have access to an effective means of challenging the Local Authority including, a Dispute Resolution Procedure, with the ability to convey concerns to CAFCASS and access to independent legal advice where appropriate.

## 2. Profile of Torbay's Independent Reviewing Service

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- 2.1 The Safeguarding and Reviewing Service is a Local Authority wide service that sits within the Children's Services Directorate of Torbay Council. However, the service is managed independently to the statutory social work services to maintain objective oversight and provide appropriate challenge and support to social workers and Team Managers, to ensure the needs of children are placed above any other matters that may give rise to conflicts of interest for the Local Authority.
- 2.2 Management capacity in the IRO Service includes a permanent Head of Service (appointed in December 2021) who reports to the Divisional Director for Safeguarding, and a Service Manager who reports directly to the Head of Service. This has provided the service with the management capacity to lead and develop the service and provide the levels of support, supervision and monitoring necessary to deliver high quality practice.
- 2.3 As of 31<sup>st</sup> March 2024, the Safeguarding and Reviewing Service had a staffing establishment of 7.7 FTE IROs. The team consisted of:
- Permanent staff (7.3 fte).
  - Vacant posts (0.4 fte).
- 2.4 The amalgamation of the 0.4fte vacancy (that has strategically been held vacant for the last year) and a 0.6fte post, due to an IRO retiring in April 2024, has resulted in the successful appointment of a full time IRO who will be in post at the beginning of July 2024.
- 2.5 The service continues to have no reliance on agency staff, which in turn has increased stability within the team and has had a positive impact on Torbay's cared for children as a result of children having a consistent IRO. Furthermore, there has been no turnover of IROs during the last year and the only planned leaver going into April 2024 is due to an IRO retiring after lengthy service in Torbay.
- 2.6 Ensuring staff wellbeing is a management priority in the IRO service. As of 31<sup>st</sup> March 2024, 38 days sickness had been recorded for the year across the entire service. This is an increase from 17 days on the previous year however this is due to a known personal issue relating to one member of staff, who is being appropriately supported. The IROs flexible approach and willingness to ensure reviews are covered has resulted in minimal impact on children's care planning and reviews arising from sickness.
- 2.7 All IROs are skilled, knowledgeable, and experienced children's social workers, with clear minimum requirements of five years post qualifying and some social work management experience being essential elements of the role. Some of the IROs in the Service have more than 20 years' practice experience.
- 2.8 The average allocation of children for an IRO in Torbay has risen slightly against what is recommended within the IRO handbook. This is due to an increase since December in children being made subject to child protection plans as opposed to an increase in cared for children. However, it is anticipated that when the new IRO is in post this will again reduce to the recommended level.
- 2.9 It should also be noted that the IROs have a dual role as Child Protection Chairs. However, this particular aspect of their role is not commented on in this report which is confined to cared for children.

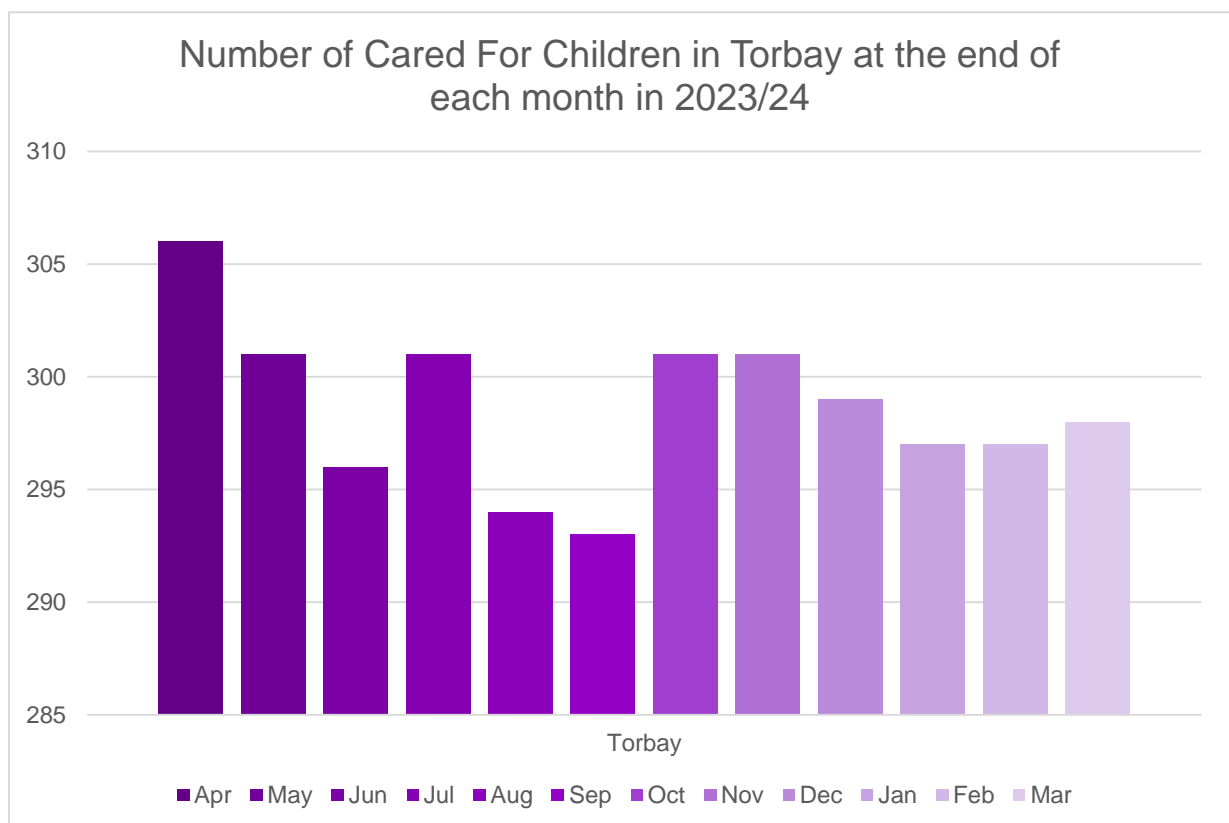
### 3. Profile of Torbay's Cared for Children

- 3.1 Torbay's cared for population stood at 298 children and young people on the 31st March 2024. This is down from 314 at the same time in 2023.
- 3.2 The rate of cared for children decreased by 2% over the year, but is still 23% higher than the SN average.
- 3.3 The rate per 10,000 children also remains significantly higher than the national average, at 118 compared to 71 nationally. However, this is slightly down on last year's 124 per 10,000

#### Number of children cared for during the year by calendar month

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
<b>Torbay</b>	306	301	296	301	294	293	301	301	299	297	297	298

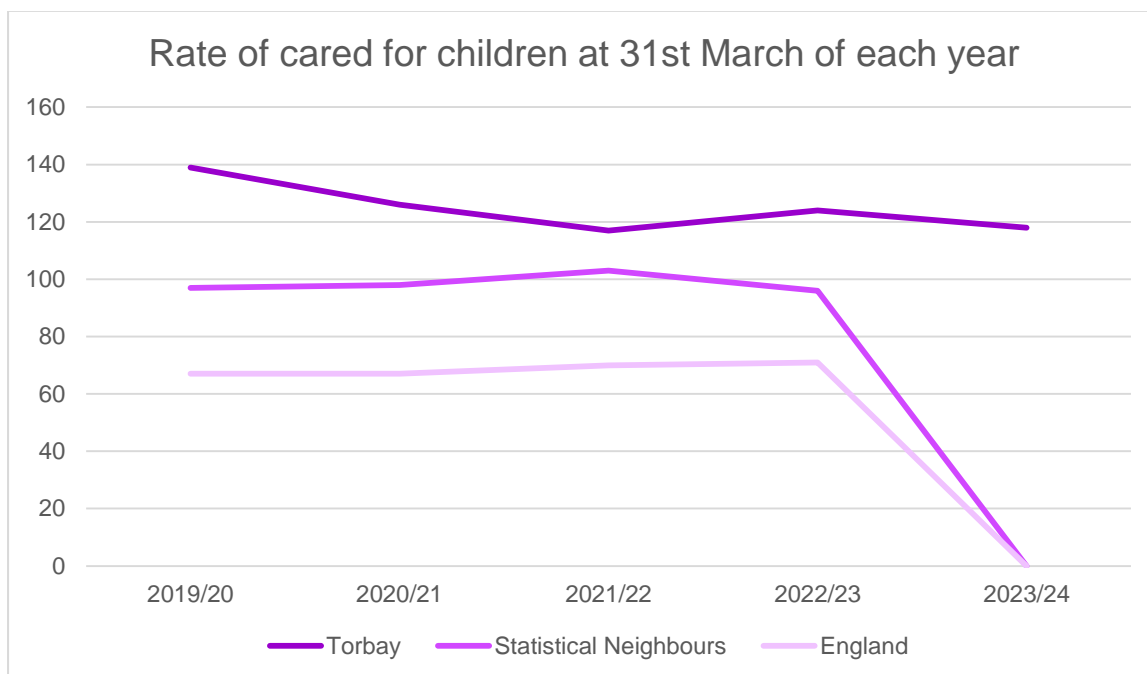
- 3.4 As can be seen from the graph below, Torbay's cared for population fluctuated at the start of the year but stabilised to just below 300 from December 2023. This is in part a consequence of a number of the UASC that presented the previous year at the assessed age of 17 turning 18 at the end of 2023.





### Rate of cared for children per 10, 000 children on 31<sup>st</sup> March each year

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Torbay	142	139	126	117	124	118
Statistical Neighbours	83	97	98	103	96	-
England	65	67	67	70	71	-

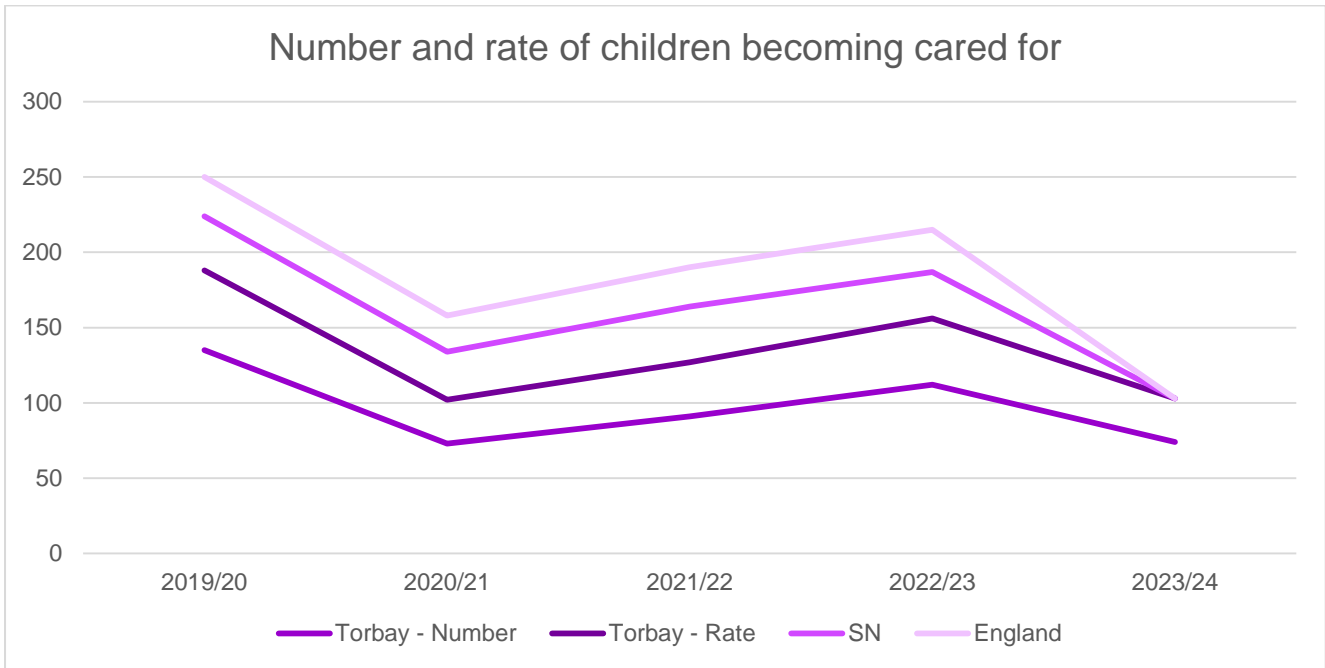


3.5 The rate of children becoming cared for children decreased significantly in 2023/24, with 74 new children becoming cared for during the year compared to 112 in the previous year. This brings the rate in which children are becoming cared for in line with SNs and National average. However, due to the legacy of historically high numbers of cared for children, Torbay's rate of cared for children per 10,000 children (see above) is projected to remain high for some years to come. The focus here, alongside preventative work, is reunification where safe to do so, as well as other forms of permanency such as SGO.

### Children becoming cared for children

	2019/20	2020/21	2021/22	2022/23	2023/24
Torbay - number	135	73	91	112	74
Torbay - rate	53	29	36	44	29
SN - rate	36	32	37	31	-
England - rate	26	24	26	28	-

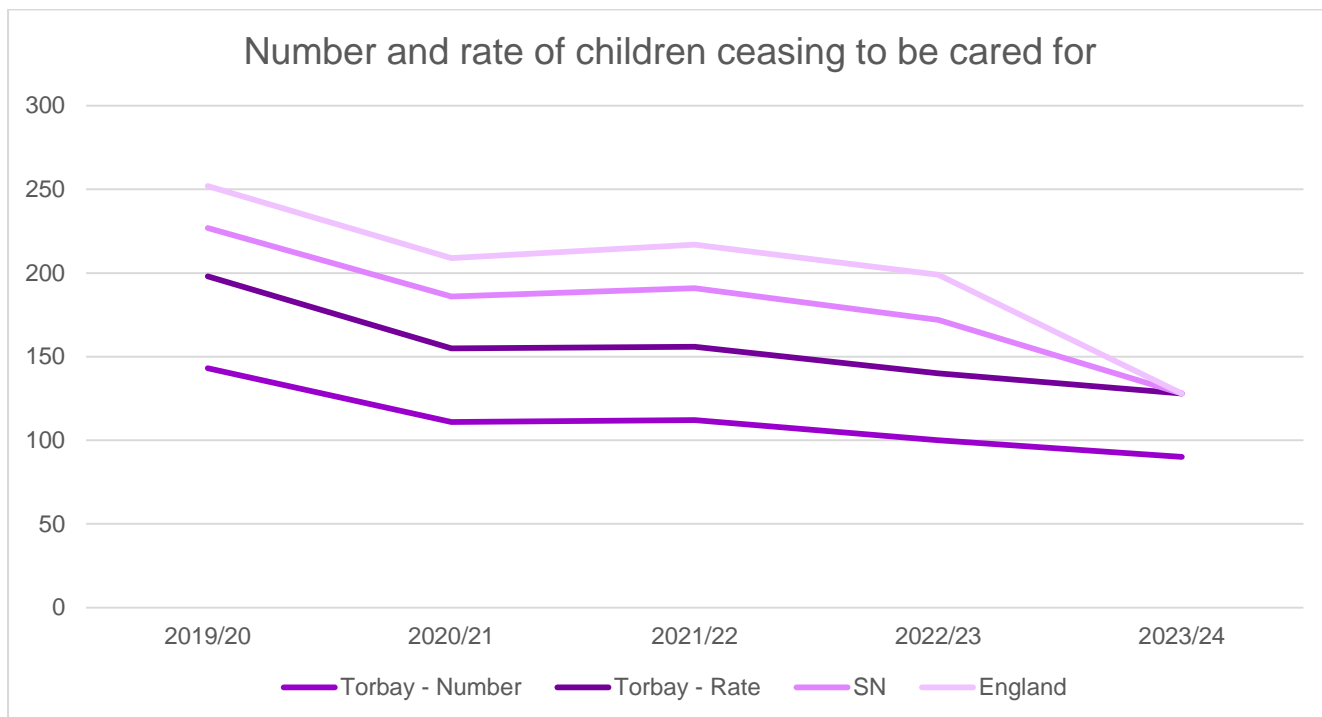




3.6 The rate of children ceasing to be cared for fell by 5% compared to 2022/23 and continues to remain favourable compared to SNs and the National average. This has been a trend for the last three to four years but accelerating the decrease in cared for children in Torbay remains a significant challenge in the main due to the legacy high cared for numbers along with historically higher levels of new into care over previous years.

**Children ceasing to be cared for children**

	2019/20	2020/21	2021/22	2022/23	2023/24
Torbay - number	143	111	112	100	90
Torbay - rate	55	44	44	40	38
SN - rate	29	31	35	32	-
England - rate	25	23	26	27	-



3.7 The proportion of children in foster care has risen slightly from 73% in 2022/23 to 75% in 2023/24. This has increased now to above the national average of 74%. This is most likely a result of a number of the UASC presenting in the previous year who needed to be placed in other care placements, such as semi-independent accommodation, who then turned 18 years old in the year 2023/24.

3.8 There were 11 children adopted throughout the year 2023/24 out of 97 total children who ceased to be cared for, equating to 12%. This compares favourably with the Torbay figure of 4% in 2022/23 and 3% in 2021/22 and demonstrates the strength that Torbay is showing in leading the way across the South West Peninsular with regards to adoption performance.

#### ***Cared for children on 31st March 2024 by placement type***

<b>Placements at 31st March 2024</b>		<b>Number</b>	<b>%</b>
Foster placement with relative or friend	Inside local authority	23	8%
	Outside local authority	16	5%
Placement with other foster carer:	Inside local authority	109	37%
	Outside local authority	76	26%
Secure unit		0	0%
Homes and hostels (residential care, K2 code)		16	5%
Hostels and other supportive residential placements (H5 code)		15	5%
Residential schools		0	0%
Other residential settings (codes R1, R2, R3, R5)		1	0%
Placed for adoption (including placed with former foster carer)		5	2%
Placed with own parents		24	8%
In lodgings, residential employment or living independently		0	0%

Placements at 31st March 2024	Number	%
Other placements (Z1) ( <i>DfE guidance suggests use for unregulated foster care only</i> )	13	4%

The national picture is as follows:

	2021/22	2022/23
Foster care (U codes)	70%	54%
Placed for adoption (A codes)	3%	3%
Placed with own parents (code P1)	7%	9%
Children's homes (code K2)	16%	21%
Hostels / Semi-independent living accommodation not subject to Children's Homes regulations (code H5)		
Secure units (code K1)		
Residential schools (code S1)	-	-
Other residential (adult residential care homes, NHS provision, family centres, mother and baby units, YOIs or prison - R codes)	1%	4%
Independent living (code P2)	2%	5%
Other (mostly unregulated foster placements with family / friends, code Z1)	2%	4%

**NOTE:** The national data groups several codes together (K2 children's homes, H5 supported living and K1 secure units), so comparisons are not straightforward, but in general the national and local pictures are similar.

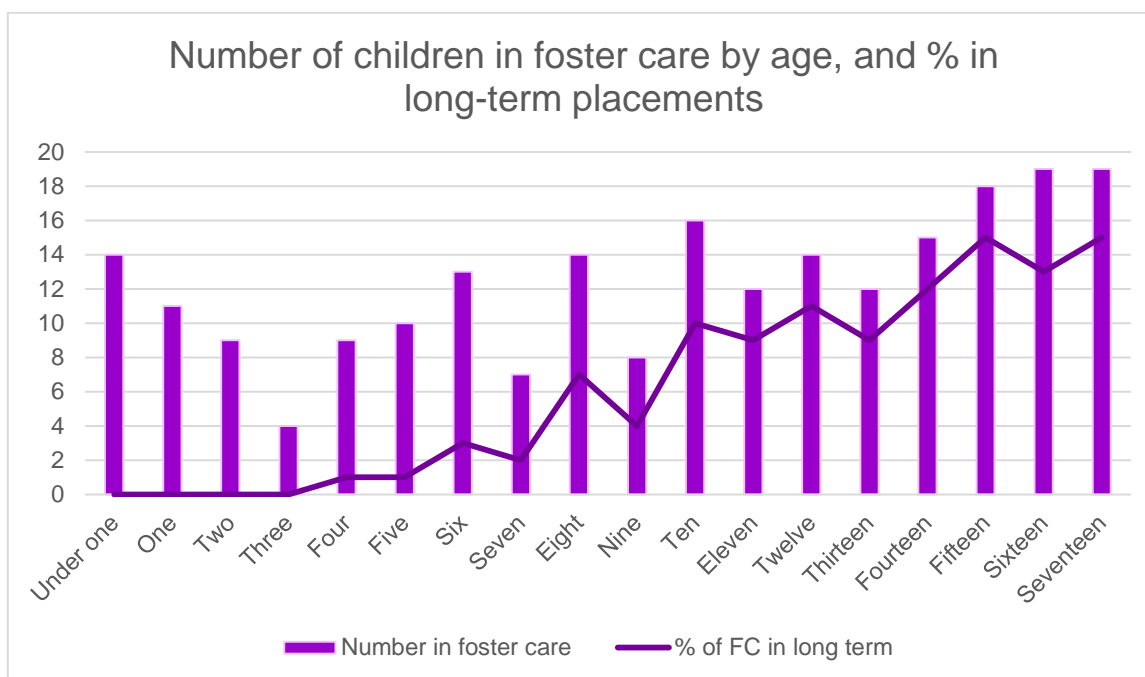
### In-house foster care

- 3.9 As of 31<sup>st</sup> March 2024, 77% of children in foster care in Torbay were in in-house provision. Although this is now close to the national average of 76% and substantially higher than last year's figure of 57%, there remain challenges with in-house foster placement sufficiency connected to factors such as the aging profile of long-term foster carers who have retired and the challenges in recruiting new foster carers against a backdrop of a cost of living crisis.
- 3.10 49% of children in foster care were in long-term placements at the end of the year, an increase from 39% in the previous year and this is a reflection of more robust permanency planning and tracking through Permanence Panel. Long-term matching also allows decisions to be made with children and their foster carers around reduced visiting which in turn allows cared for children to experienced childhoods that feature less intrusion from the Local Authority.

Placement type	Own provision	Private	Voluntary / third sector	Total children in placement type
U1 Foster placement with relative(s) or friend(s) – long term fostering	3	0	0	3
U2 Fostering placement with relative(s) or friend(s) who is/are also an approved adopter(s) – fostering for adoption /concurrent planning	0	0	0	0
U3 Fostering placement with relative(s) or friend(s) who is/are not long term or fostering for adoption /concurrent planning	22	0	0	22
U4 Foster placement with other foster carer(s) – long term fostering	9	10	1	20
U5 Foster placement with other foster carer(s) who is/are also an approved adopter(s) – fostering for adoption /concurrent planning	11	0	0	11
U6 Foster placement with other foster carer(s) – not long term or fostering for adoption /concurrent planning	63	21	0	84
Number by provider type	108	31	1	140
% by provider type	77%	22%	1%	
England % by provider type, 2023	76%	18%	6%	

### *Number and % of children in long-term fostering placements by age*

Age	Number of CfC	Number in foster care	Number in long-term FC	% of FC in long-term
0	17	14	0	0%
1	11	11	0	0%
2	11	9	0	0%
3	5	4	0	0%
4	11	9	1	11%
5	13	10	1	10%
6	14	13	3	23%
7	8	7	2	29%
8	14	14	7	50%
9	9	8	4	50%
10	18	16	10	63%
11	15	12	9	75%
12	16	14	11	79%
13	16	12	9	75%
14	28	15	12	80%
15	28	18	15	83%
16	27	19	13	68%
17	37	19	15	79%
<b>Total</b>	<b>298</b>	<b>228</b>	<b>112</b>	<b>49%</b>



3.11 The number of babies aged under 1 becoming cared for children as a percentage of all newly cared for children has increased to 28% from 21% the previous year. The high percentage of babies becoming cared for strongly suggests that care proceedings are being initiated in a timely manner and children are being safeguarded at the outset of their lives, not left to experience chronic neglect and/or abuse over their formative years. It also indicates the effective use of the Unborn Baby Panel and assessments being completed pre-birth in order to inform care planning immediately following birth. It is also encouraging to see that the percentage of children aged 13 to 17 has reduced to 16% from 41% last year. However, there is a need to facture in the significant reduction of UASC this year compared to last year. Nevertheless, the trend is showing a slight downward trajectory which is important given the correlation between children coming into care late on in their childhoods and poor outcomes as they transition into adulthood along with other issues such as placement stability. This is also likely to reflect the impact of investment and focus on high quality edge of care services, provided through the Building Futures team.

**Number of children becoming cared for in 2023/24 by age**

Age year	Number of children becoming cared for	%
0	19	23%
1	5	6%
2	6	7%
3	4	5%
4	5	6%
5	5	6%
6	5	6%
7	4	5%
8	5	6%
9	2	2%
10	6	7%

Age year	Number of children becoming cared for	%
11	1	1%
12	2	2%
13	4	5%
14	3	4%
15	3	4%
16	1	1%
17	2	2%
<b>Total</b>	<b>83</b>	

3.12 Looking at the proportion of children ceasing to be cared for by end reason in 2023/24 compared to the England average, Torbay's proportion of children adopted was higher than the national average, 12% compared to 9% nationally. The proportion of young people Staying Put post 18 was also higher than average, 18% compared to 13% nationally. The proportion ceasing to be cared for due to a Special Guardianship Order being granted was in line with the national figure, at 14% compared to 13% nationally. The majority of SGOs made in 2023/24 made were to connected people (17 out of 24), however there were still 6 children who had special guardianship orders made to previous foster carers who were not family or friends. Overall, this demonstrates a positive picture for cared for children in terms of permanency within a forever family during childhood.

### *Children who ceased to be cared for in 2023/24 by end reason*

End reason and code	England 2022/23	Torbay	
		Number	%
Accommodation on remand ended (E14)	-	1	1%
Adopted (E11, E12)	9%	12	12%
Age assessment determined child aged 18 or over (UASCs) (E15)	1%	8	8%
Aged 18 and remained with current carers (inc under staying put arrangements) (E17)	15%	17	18%
Care ceased for any other reason (E8)	10%	5	5%
Care taken by another local authority (E3)	4%	2	2%
Child moved abroad (E16)	-	0	0%
Died (E2)	-	0	0%
Left care to live with parents, relatives or other person, who had no parental responsibility (E13)	6%	3	3%
Moved to independent living (with no formalised support) (E6)	3%	3	3%
Moved to independent living with supported accommodation (E5)	12%	9	9%
Residence order or child arrangement order granted (E41)	3%	2	2%
Returned home to live with parents or other person with parental responsibility which was not part of the care planning process (E4B)	4%	1	1%
Returned home to live with parents or other person with parental responsibility which was part of the care planning process (E4A)	17%	10	10%
Sentenced to custody (E9)	1%	0	0%
Special guardianship order to former FCs who are relatives or friends (E45)	12%	15	15%
Special guardianship order to former FCs who are not relatives or friends (E46)		6	6%
Special guardianship order to relatives or friends who were not former FCs (E47)		2	2%
Special guardianship order to people who were neither relatives or friends or former FCs (E48)		1	1%

End reason and code	England 2022/23	Torbay	
		Number	%
Moved to residential care funded by adult children's social care (E7)	2%	0	0%
<b>Total</b>		<b>97</b>	

**For special guardianship orders specifically –**

	2021/22	2022/23	2023/24
The number of children leaving care as a result of a Special Guardianship Order in the year	19	14	18
The number of children ceasing to be looked after in the year	112	100	90
% of children leaving care as a result of an SGO	17%	14%	20%

3.13 A smaller percentage of children returned home in a managed way this year, 10% compared with 13% last year. This will need further work in terms of IRO oversight in ensuring all cared for child reviews consider the viability of reunification within the annual cared for review and ensuring that plans for children returning home are made in a timely way and monitored closely to prevent drift and delay. A piece of cross service work that triangulates the social work care planning with Building Futures interventions as well as IRO oversight will be developed over the next year to promote improvements in this area of work, alongside the creation of a specific Reunification Policy and training schedule.

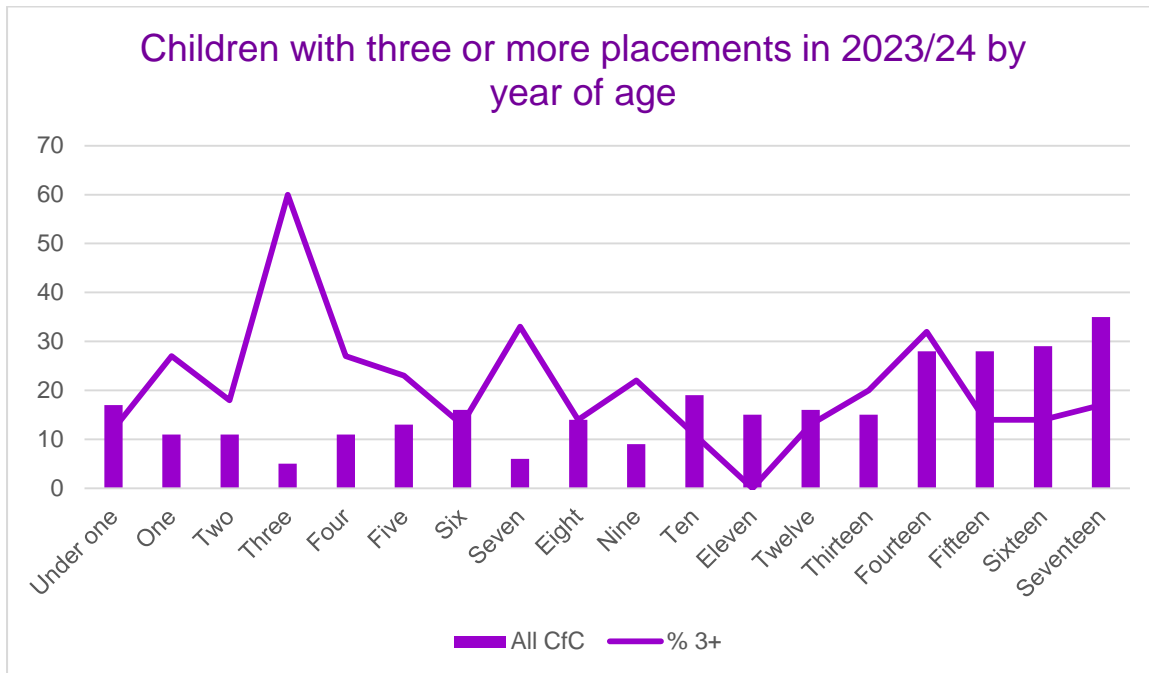
3.14 The number of young people aged 18 that remained in their foster placements as a Staying Put arrangement has reduced slightly this year (18% for 2023/24 compared to 22% the year prior, and 13% the year before that). This inevitably provides stability for these young people as they transition into adulthood. However, this needs to be balanced against the impact on placement sufficiency going forward.

3.15 Short-term stability has improved slightly in 2023/24 with 18% of children having three or more placements compared with 21% in 2022/23. This now compares favourably to the national figure which stands at 22% and that of SNs, which stands at 20%. As can be seen from the table below, the age group most likely to experience instability is the 14 plus cohort (taking the three and below out of the equation where placement changes are usually due to planned moves from emergency to foster care and then final placement such as a connected carer).

**Short-term stability at 31st March 2024 by age**

Age year	All CfC	3+ placements	% 3+
0	17	2	12%
1	11	3	27%
2	11	2	18%
3	5	3	60%
4	11	3	27%
5	13	3	23%
6	16	2	13%
7	6	2	33%
8	14	2	14%
9	9	2	22%
10	19	2	11%

Age year	All CfC	3+ placements	% 3+
11	15	0	0%
12	16	2	13%
13	15	3	20%
14	28	9	32%
15	28	4	14%
16	29	4	14%
17	35	6	17%
<b>Total</b>	<b>298</b>	<b>54</b>	<b>18%</b>



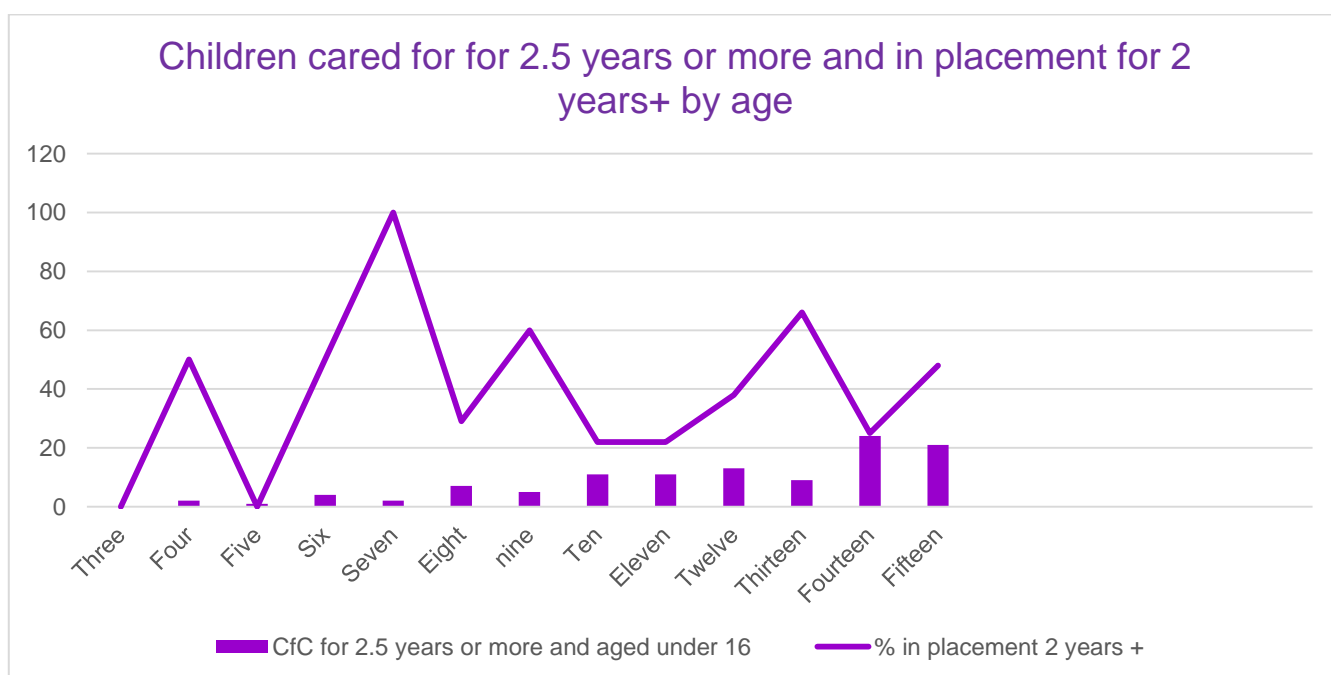
3.16 Whilst previously recognising the increased percentage of children in long term placements, overall long-term stability stands at 41% as of 31<sup>st</sup> March 2024, compared to 62% at the same time last year. This is now significantly below the national rate of 69% and that of our statistical neighbours at 73%. There are however noticeable improvements for children aged 7 years with stability over the year for this age at 100% compared with 0% in 2022/23. However, there is significant reduction in stability for the 12 and 14 year-old cohorts, from 67% and 68% in 2022/23 to 38% and 25% respectively in 2023/24. This appears to correlate with the challenges for the adolescent cohort with regards to three or more placements.

3.17 Further to the above, foster care sufficiency and resilience is acknowledged and the impact this will have had on stability for the 12 and 14 year old cohort in particular. Work is being undertaken including the implementation of the Mockingbird Programme and preventative stability intervention for fostering placements through the Building Futures team. It is also important to consider children’s views and where reunification is being expressed as an aspiration by a child, then this is considered appropriately, and decisions made via robust assessment of need and risk. IROs will need to ensure the planning is appropriate and timely in order that placements do not break down as a result of children becoming frustrated resulting in them leading on their care planning in an uncontrolled manner. To support this matter, the IROs have begun to challenge more robustly where there is drift and delay in Schedule 3 assessments being completed and or in progression to the legal arena when Care Orders could safely be revoked.



### Long-term stability of placement at 31<sup>st</sup> March 2024 by age

Year of age	Children cared for for 2.5 years or more and aged under 16	In placement for 2 years or more	%
3	0	0	0%
4	2	1	50%
5	1	0	0%
6	4	2	50%
7	2	2	100%
8	7	2	29%
9	5	3	60%
10	11	4	22%
11	11	4	22%
12	13	5	38%
13	9	6	66%
14	24	6	25%
15	21	10	48%
<b>Total</b>	<b>110</b>	<b>45</b>	<b>41%</b>



3.18 There has been a decline in performance in terms of promoting and monitoring the health of our cared for children. Last year, there was an improvement in all areas of health related indicators from 2021/22. However, health checks have dropped from 91% in 2022/23 to 79% as of the end of March 2024. Dental checks have also dropped significantly from 83% to 42% as of the end of March 2024. Immunisations have also dropped from 82% to 55%. All of these are now below the national average and this needs further investigation and addressing. There is an acknowledgement that, within Torbay, identifying an appropriate dentist is currently very challenging and this is the focus of ongoing work in conjunction with our Public

Health and ICB partners. Furthermore, there has also been a reduction in health professionals attending cared for children's reviews which may have had an impact on the health needs of the cared for children. However, it is acknowledged that many cared for teenagers choose to opt out of any form of health check and do not want certain professionals at their cared for meetings. Nevertheless, the IROs are often best placed to encourage this cohort to address their health needs as they often have the one of the most established relationship with these young people.

### **Health and Dental Checks and Immunisations**

	2023/24			England average 2022/23
	Cohort	Number	%	
Health assessments	298	235	79%	89%
Dental checks	298	125	42%	76%
Immunisations	298	164	55%	82%

3.19 The proportion of cared for children for whom an SDQ score was received was low at 8%. This figure stood at 27% the previous year. It is also significantly below the England average of 75%. This is an area of challenge for the IRO service and should be highlighted at cared for reviews and again at the midpoint checks. It is acknowledged that the Cared for Children's Teams are looking at this matter with Health partners to explore ways the SDQ can be integrated into the Single Assessment that should be completed on an annual basis for cared for children. This work has already resulted in significant increases in SDQ completion in data provided for April 2024.

3.20 The gender split for missing episodes within our cared for children cohort in 2023/24 has seen a widening of the ratio between boys and girls with 43% of the missing episodes being related to girls as opposed to 57% for boys. In 2022/23, the ratio was 48% girls to 52% boys.

### **Missing Episodes by Gender, 2023/24 figures**

	Number	%
<b>Children with an episode of missing or away from placement</b>	<b>46</b>	
Female	20	43%
Male	26	57%
<b>Number of children cared for at any point in the year</b>	<b>395</b>	
Female	175	44%
Non-binary	2	1%
Male	218	55%

3.21 46 cared for children had an episode of missing in the year, which equates to 12% of all children cared for in the year. This is an increase on 2022/23 that stood at 38 children (9% of the cared for cohort). However, this is on a par with the National figure of 11%.

3.22 As with previous years, more than half of children who went missing had one or two episodes, 65% compared with 55% in 2022/23. However, the number of children with chronic missing episodes (31 plus episodes) increased to 3 from just one child the previous year. This may of course be reflective of enhanced reporting, tracking and monitoring of this vulnerable cohort.

### *Cared for children going missing*

Episodes of missing - Torbay 2023/24	No of children	%
1 or 2	30	65%
3 to 5	5	11%
6 to 10	6	13%
11 to 15	2	4%
16 to 20	0	0%
21 to 30	0	0%
31+	3	7%
<b>Total children</b>	<b>46</b>	

**NOTE:** The above figures do not include episodes of 'away from placement', as opposed to missing, of which there were 87 in the year. This is children who are absent from placement but their location is known.

### *Cared for children going missing*

Duration of missing incidents	% of incidents of missing	
	Torbay 2023/24	England 2021/22
Incidents where duration is less than 1 day	70%	35%
Incidents where duration is between 1 and 2 days	22%	56%
Incidents where duration is between 3 and 7 days	8%	0%
Incidents where duration is between 8 and 10 days	0%	0%
Incidents where duration is between 11 and 15 days	0%	0%
Incidents where duration is between 16 and 20 days	0%	8%
Incidents where duration is between 21 and 30 days	0%	1%
Incidents where duration is more than 30 days	0%	0%

- 3.23 The proportion of children placed more than 20 miles away from the address from which they came into care has risen slightly since 2022/23, to 34% from 31% the previous year. The England average figure is 21%. It should be noted that the definition does not include unaccompanied asylum seeking children, as they have no home address in the UK.
- 3.24 Reasons for Torbay being 13% higher than the national average is in the main a reflection of placement sufficiency in the immediate locality, as well as this being reflective of some deliberate decision-making in respect of placements aligned with the wishes and feelings of young people, particularly unaccompanied asylum seeking children who have a preference for a more urban setting.

### Distance from home

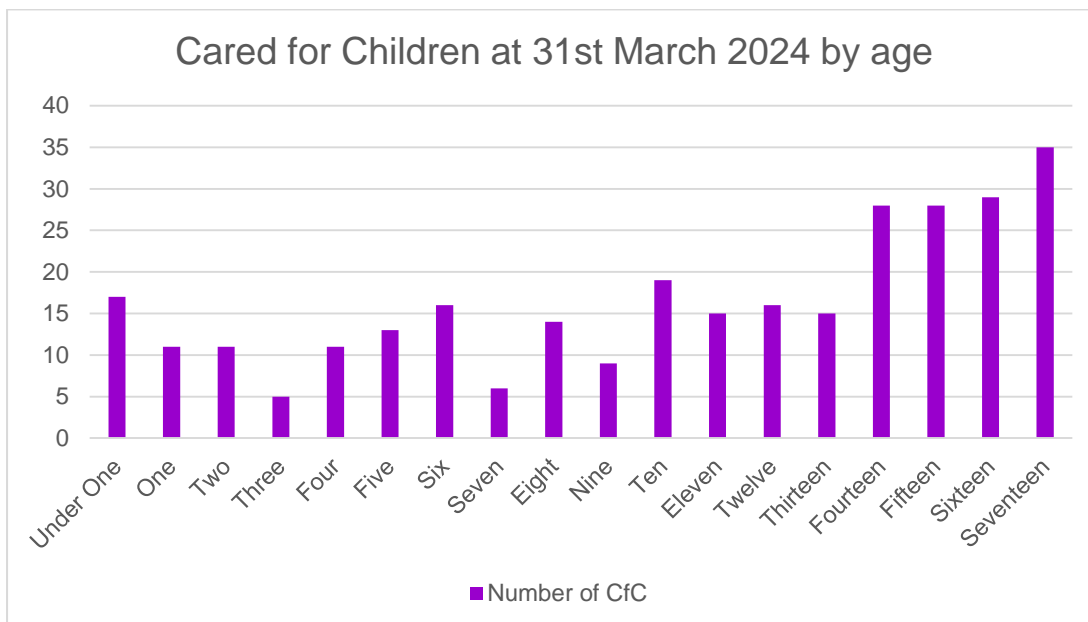
	2021/22	2022/23	2023/24
The number of children in care placed more than 20 miles from where they used to live	91	97	100
The number of children in care on 31st March	299	314	298
% placed more than 20 miles from where they used to live	30%	31%	34%

3.25 Children aged between 10 and 15 continue to be the highest represented within the Torbay cared for population at 31<sup>st</sup> March 2024 with children under 1 years old being the lowest represented. This is in line with the national average for year 2022/23. Torbay has a lower proportion of children aged 16 and 17 than the national figure. However, this will most likely align with the national average next year with the rising cohort of 16 year olds.

### Cared for children age ranges by %

	England	Torbay	
	2022/23	2022/23	2023/24
<b>Under 1 year</b>	5%	5%	6%
<b>1 to 4 years</b>	13%	13%	13%
<b>5 to 9 years</b>	18%	18%	19%
<b>10 to 15 years</b>	38%	40%	41%
<b>16 years and over</b>	26%	25%	21%

Age year	All CfC	% by age
0	17	6%
1	11	4%
2	11	4%
3	5	2%
4	11	4%
5	13	4%
6	16	5%
7	6	2%
8	14	5%
9	9	3%
10	19	6%
11	15	5%
12	16	5%
13	15	5%
14	28	9%
15	28	9%
16	29	10%
17	35	12%
<b>Total</b>	<b>298</b>	



3.26 The 2022/23 IRO annual report noted that there were 57% of boys compared to 43% of girls in Torbay’s cared cohort on 31<sup>st</sup> March 2023. This gap between boys and girls has decreased in 2023/24 to 55% boys, and 44% girls. The remaining 1% is made up of two children who identify as non-binary. However, taking out the cohort of UASC that remain cared for, the ratio would be very near to 50:50.

3.27 White British remains the largest represented ethnicity (87%) by far at 31<sup>st</sup> March 2024 (which reflects the ethnic profile of Torbay being predominantly White British), compared to the national average which now stands at 71%. The decrease in other ethnic groups compared to last year is linked to the number of asylum-seeking children, which has decreased over the year as many turned 18 in 2022/23.

#### ***Cared for children by ethnicity***

	England	Torbay	
	2022/23	2022/23	2023/24
White	71%	84%	87%
White and Asian, Black African or Black Caribbean	10%	8%	8%
Asian or Asian British	5%	2%	1%
Black or Black British	7%	0.3%	1%
Other ethnic groups	5%	5%	2%
Refused or information not yet available	1%	1%	1%

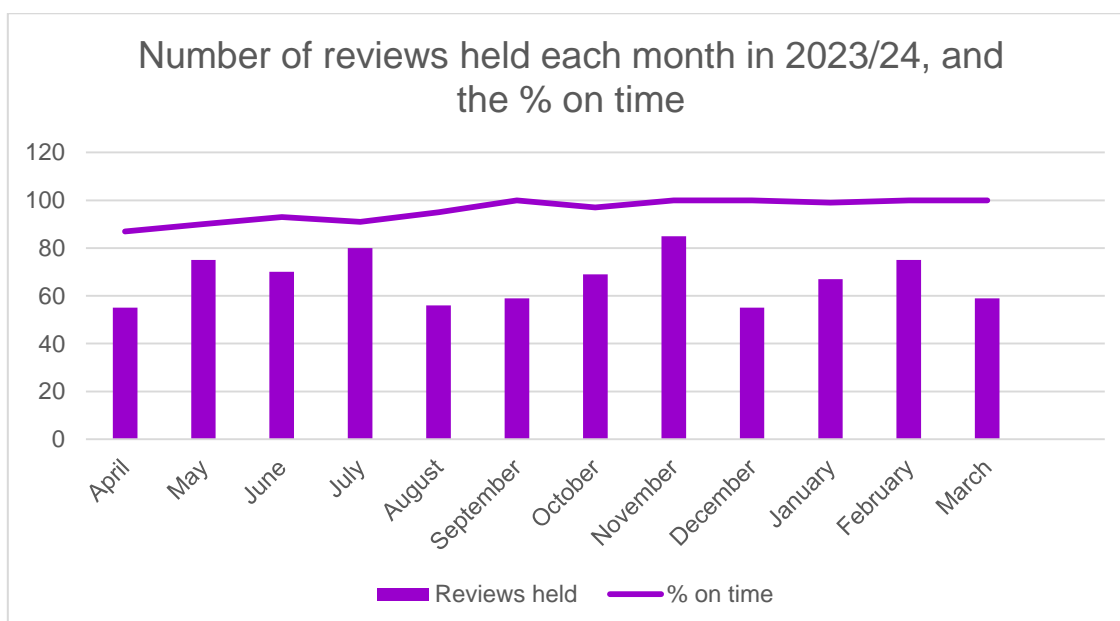
## 4. Timeliness of Review Records Completion

4.1 803 cared for reviews were held between 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023. This is an increase from the 740 reviews held in 2021/22. This not only reflects the timeliness of reviews as a service wide focus but also that additional reviews are being held to support placement stability and changes to care plans.

Review timescales		2020/21	2021/22	2022/23	2023/24
Numerator	The number of reviews taking place in the year which were <b>not</b> held on time	84	95	44	32
Denominator	The number of reviews taking place in the year	685	816	740	803
%		12%	12%	6%	4%

### Reviews over the year in Torbay

Month 2022/23	Reviews held	On time	% on time
April	55	48	87%
May	75	66	90%
June	70	65	93%
July	80	73	91%
August	56	53	95%
September	59	59	100%
October	69	67	97%
November	85	85	100%
December	55	55	100%
January	67	66	99%
February	75	75	100%
March	59	59	100%
<b>Total</b>	<b>803</b>	<b>771</b>	<b>96%</b>



- 4.2 The service has continued to look at timeliness of completion of review records and sees this as a key measure of our effectiveness: for children's plans to be progressed effectively, the reviews and records that drive the plans need to be available to support moving plans forward and to ensure that the impact of the plan on children is maximised.
- 4.3 Work to ensure timeliness of reviews has continued throughout 2023/24, building on previous work. This year there has been a modest increase of cared for reviews within statutory timescale to 96% from 94% in 2022/23. Nevertheless, the positive progress here has seen the service exceed the overall local target of 95% in time reviews.
- 4.4 It can be seen from the table and graph above that, in 2023/24, timescale performance was reasonably consistent month on month with minor dips in April and May which were predominantly due to managing sickness.
- 4.5 The system remains in place in terms of achieving timeliness of reviews. That is, the only time a review can go out of timescale is where a purposeful delay has been agreed for example the child not being able to attend. This must be agreed by the HoS and agreed only when all other options have been explored. This robust approach will hopefully enable us to reach and maintain the target of 95% or above.

## 5. Voice of the Child and Young People Participation

- 5.1 A primary objective of the IRO role is to ensure children are central to decisions about them and that their voice is evident within their care plans. A key element in delivering this objective is the measure of the young person's participation in the statutory review of their care plan and care arrangements.
- 5.2 Across the year from April 2023 - March 2024, 87% of cared for children aged 4 years and over had participated in their reviews. Although an increase on last year's figure of 79%, there clearly continues to be room for improvement and plans are in place to encourage more children to not only participate in their reviews but to also co-chair them in line with our commitment to deliver restorative reviews. The stability within the IRO service should encourage more children and young people to participate in their reviews as IRO's are often the most consistent professional in their lives whom they can form trusting relationships with.

### Participation in reviews, 2020/21 to 2023/24

Review participation		2020/21	2021/22	2022/23	2023/24
Numerator	The number of reviews taking place in the year where child was aged 4+ at the date of review where child participated in the review (all codes except PN4 and PN7)	401	527	484	611
Denominator	The number of reviews taking place in the year where child was aged 4+ at the date of review	467	641	614	705
%		86%	82%	79%	87%

### Participation in reviews – all categories of participation

Detailed review participation	2022/23	2022/23 %	2023/24	2023/24%
Child under 4 at the time of the review (PN0)	126	17%	98	12%
Child physically attends and speaks for him or herself (PN1)	185	25%	199	25%
Child physically attends and an advocate speaks on his or her behalf (PN2)	14	2%	21	3%
Child attends and conveys his or her view symbolically (non-verbally) (PN3)	2	0%	2	0.2%
Child physically attends but does not speak for him or herself, does not convey his or her view symbolically (non-verbally) and does not ask an advocate to speak for him or her - attendance without contribution (PN4)	6	1%	2	0.2%
Child does not attend physically but briefs an advocate to speak for him or her (PN5)	140	19%	297	37%
Child does not attend but conveys his or her feelings to the review by a facilitative medium (PN6)	143	19%	89	11%
Child does not attend nor are his or her views conveyed to the review (PN7)	124	17%	92	11%

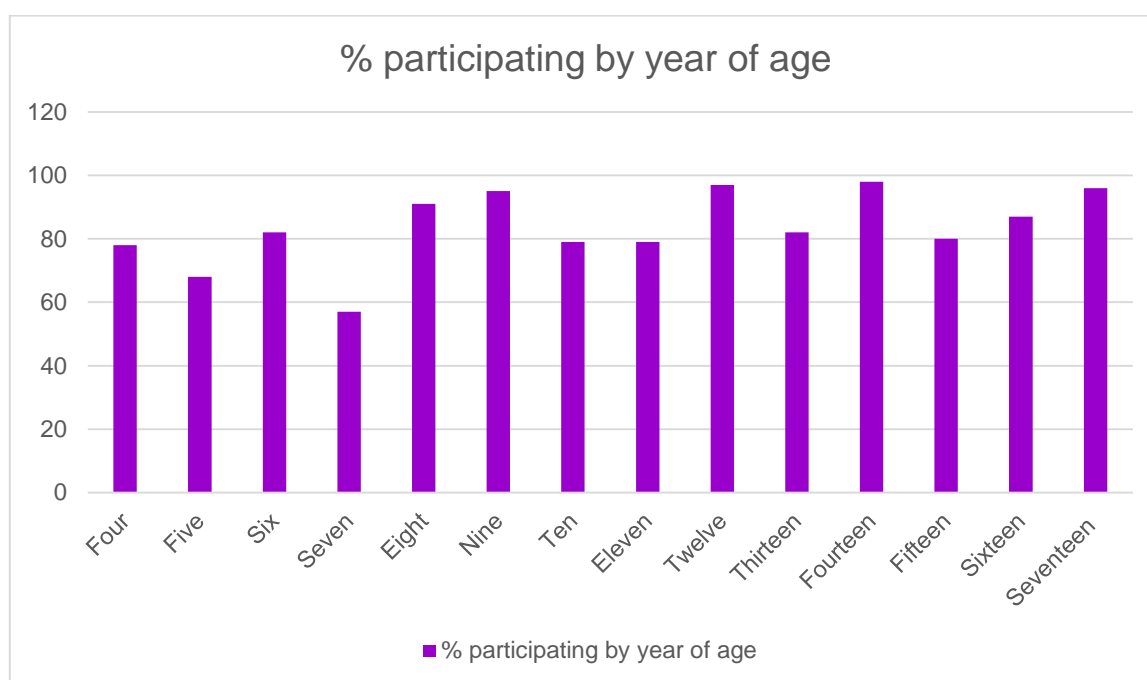


Please note there were 3 additional reviews that took place over 23/24 where the participation code has been listed as 'null'. These have been included in the participation calculation but are not listed in the table above. 803 reviews occurred in total.

### Participation by age

Age of child	Reviews	Attended and participated		Attended, did not participate		Did not attend or participate		Did not attend, participated		Participated	
		Number	%	Number	%	Number	%	Number	%	Number	%
4	37	1	3%	0	0%	2	5%	28	76%	29	78%
5	38	1	3%	0	0%	12	32%	25	66%	26	68%
6	34	2	6%	0	0%	6	18%	26	76%	28	82%
7	30	5	17%	0	0%	12	40%	13	43%	17	57%
8	33	5	15%	0	0%	3	9%	25	76%	30	91%
9	21	5	24%	0	0%	1	5%	15	71%	20	95%
10	47	8	17%	1	2%	9	19%	29	62%	37	79%
11	33	7	21%	0	0%	7	21%	19	58%	26	79%
12	34	11	32%	0	0%	1	3%	21	62%	33	97%
13	38	13	34%	0	0%	7	18%	18	47%	31	82%
14	66	23	35%	0	0%	1	2%	42	64%	65	98%
15	69	29	42%	1	1%	13	19%	26	38%	55	80%
16	63	25	40%	0	0%	8	13%	30	48%	55	87%
17	91	46	51%	0	0%	4	4%	41	45%	87	96%
<b>Total</b>	<b>634</b>	<b>181</b>	<b>29%</b>	<b>2</b>	<b>0.3%</b>	<b>86</b>	<b>14%</b>	<b>358</b>	<b>56%</b>	<b>539</b>	<b>85%</b>

**NOTE:** The participation column in the above is the sum of those attending and participating, or not attending but participating indirectly (via an advocate or other trusted adult).

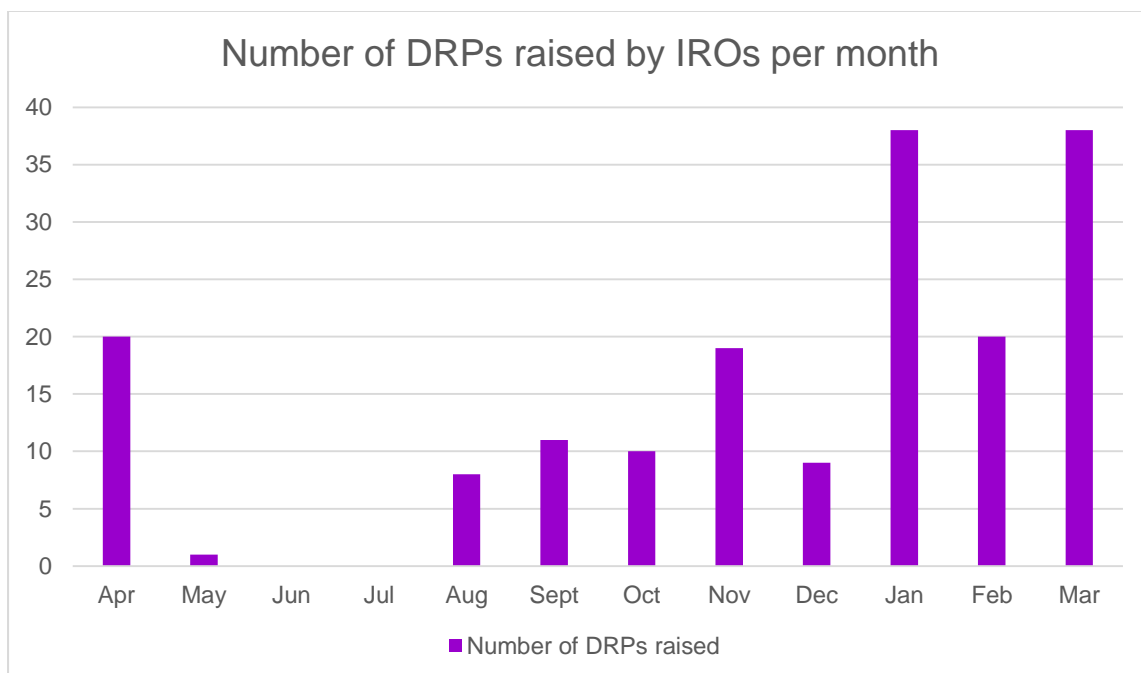


## 6. Dispute Resolution and Escalation

- 6.1 One of the pivotal roles of the IRO is to raise issues affecting a child’s care with the social work service where, for example, performance issues, care planning and resources are affecting the child or young person’s plans progressing, and their needs being met.
- 6.2 There is an established Dispute Resolution and Escalation process available in Torbay’s procedures and practice standards. IROs continue to seek resolutions informally to issues through dialogue with the social worker or their manager before and at each stage of the procedure, but if no resolution is achieved the issue can and should be escalated to the attention of senior managers.
- 6.3 Between April 2023 to March 2024, there were 174 formal DRP escalations completed across all the IROs which is significantly higher than the 2022/23 figure of 100.
- 6.4 It should be noted that during the first quarter of 2023/24, a new DRP process has been remapped on the Liquid Logic case recording system. It is evident that the new streamlined process has resulted in more DRP escalations along with resolutions achieved in a timelier manner. This is beginning to become embedded and whilst there is still some fluctuation in terms of the number of DRPs being raised, there is a noticeable upward trajectory towards the latter end of the year.

### *Number of Dispute Resolution Processes raised by IROs each month*

	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
2022/23	0	5	1	3	16	9	12	14	8	7	7	18
2023/24	20	1	N/A	N/A	8	11	10	19	9	38	20	38



## 7. Achievements and Impact of the IRO Service and Summary of Progress

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- 7.1 The IRO Service is continuing to make steady and purposeful improvement on many of its key activities. Children and young people continue to be provided with an IRO within three working days of becoming cared care or within two days of notification to the service, and changes in IRO have reduced and have been kept to a minimum during the year.
- 7.2 The IRO service continues to challenge through formal and informal escalation means whenever there are concerns about children's care plans not being effective or there is delay in plans being pursued. In addition, the IRO footprint on children's files as continued to improve. The introduction of mid-point check alerts on LCS has improved the level of IRO oversight on children's files. Case summaries are comprehensive as to are cared for child review minutes. In line with restorative practice, the IRO's are now writing review minutes to the child.
- 7.3 The Head of Service has been in post since December 2021 and the service manager since January 2023. Furthermore, the IRO service is now completely staffed by permanent workers who are committed to Torbay and the children they are allocated to.
- 7.4 Performance with regards to statutory reviews continues to improve and is now 1% above the local target of 95%, an increased from 94% in 2022/23.
- 7.5 Performance meetings continue to happen on a regular basis with data being looked from a child's lived experience perspective.
- 7.6 The IROs have continued to develop good links internally and externally with each IRO being tasked with being the link into other services throughout the statutory care services in Torbay. These links have now extended to partners such as Health and in particular Education where a significant amount of joined up work is being done with the Virtual School to improve educational outcomes for cared for children. The service manager attends the TSCP contextual safeguarding forum with a view to developing a contextual child protection model. The IRO service is also represented at Adopt South West's adoption panel and on the Mockingbird implementation group.
- 7.7 The IROs profile within Torbay has continued to develop over the last year and, working within the framework of restorative practice, their high level of support and challenge is now very much evident on children's files through case recordings, midpoint reviews and care for children's review minutes.
- 7.8 The IROs have been setting a positive example with regards to audit completion with an 100% in time completion rate for the department across the year 2023/24.

## 8. Independent Reviewing Service Performance Planning Procedure

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- 8.1 The IRO data set includes the following:-
- Timeliness and timescales for CfC reviews,
  - Timeliness of completion of review records and sharing of key decisions and Outcomes,
  - Availability of social work reports and plans for children,
  - The participation and attendance of children and young people at reviews,
  - Whether the child has a suitable plan for permanence,
  - Whether a midpoint check has been undertaken and progress of planning,
  - Details as to escalations both formal and informal,
  - Timeliness of health assessments.
- 8.2 The data set is reported to the Head of Service for Safeguarding, Early Help and Business Intelligence on a monthly basis and used as a basis for scrutiny and discussion during the monthly performance meetings.
- 8.3 Areas for learning and improvement are identified during the performance meetings and the minutes and plans shared with the Divisional Director for Safeguarding.
- 8.4 Supervision is an essential activity for providing support and development to individual IROs and to work toward creating consistency across the service in terms of practice, process, and overall service performance. The team's supervision consists of both case and personal.

## 9. Progress Against Areas for Development noted in the 2022/23 Annual Report

- i. **Ensure reviews are held within Statutory timescales** – This objective met with reviews in timescale at 96% set against a local target of 95%.
- ii. **Increased participation** – This objective has been met as there has been an increase in participation. However, this can be improved upon. The IRO's are moving towards more face-to-face reviews and away from using a solely virtual platform. IRO's are increasingly visiting children between reviews which will encourage children to be part of their reviews or at least enable them to have the opportunity to discuss with their IRO any concerns they may have along with the opportunity to express their views. Furthermore, in line with the restorative model of practice, cared for reviews minutes are routinely written to the child.
- iii. **Parent and child feedback** – This objective has not been met with the online feedback forms not being used as consistently as we would like. This remains an area for further development. More focus is required on socialising the online feedback form and mechanisms with children and parents so that their opinions are fed into the development of the service and in particular the development of the restorative model of practice.
- iv. **Practice improvement** – This objective has been met via a number of channels. The new DRP process affords the IRO's more control over the more formalised challenges in relation to social work practice. The IRO's routinely contribute to training programmes such as the child protection training that forms part of the induction for new social workers. Consideration is also being given to whether the IRO's could contribute to the legal training given that two of the IRO's have previously been employed by CAFCASS. The IROs also lead the way on completion of audits and dip samples that contribute to the wider learning across all service areas.
- v. **Use data more effectively** – This objective is partially met. The IRO PBI dashboard has now been developed and is in the final testing stage. The initial feedback is positive as it focuses exactly on what the IROs need to see on their individual case load to track their own performance and link that to what it means for individual children they are working with. This data, and how it informs practice, will be used to inform the discussions at the monthly IRO performance surgery.

## 10. Areas for Development 2024/25

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- i. **Practice Improvement** - each IRO to have / develop a particular area of interest which will potentially be used for further training and development in teams across all area of service.
- ii. **Apply more Learning from DRPs** – Themes from DRPs to be identified and used as a means of highlighting areas for practice development and fed into the Practice Improvement Forum (PIF).
- iii. **IRO Oversight to be Further Enhanced** – This to be facilitated by all cared for children having mid-point reviews, EDS notifications to be followed up by IROs, Placement notifications/information to be followed up by IROs, missing notifications to be followed up by IROs, New into Care Meetings to be followed up by IROs, cared for child health reviews and other health related matters to be followed up by IROs. Furthermore, further assurance to be applied via Service Manager and HoS oversight to these matters.
- iv. **Increased participation** - There is a need to continue to work with Operational and Regulated Services to ensure that children and parents have access to social work reports in a timely way before reviews. Alongside this, gaining parent and child feedback is paramount to ensuring adequate feedback loops are present within the participation system. This will require a 'relaunch' of the online feedback form.
- v. **Data** - The IRO PBI dashboard to be made live and embedded in practice and used routinely. Data to be analysed at IRO monthly performance meetings.

Report authored by:	Shaun Evans (Head of Service) and Emma Thomas (Service Manager)
Date:	24 <sup>th</sup> May 2024

**Meeting:** [Cabinet](#) **Date:** [20 August 2024](#)

**Wards affected:** [All](#)

**Report Title:** [Establishment of Cabinet Working Parties and Council Local Plan Working Party](#)

**When does the decision need to be implemented?** [As soon as possible](#)

**Cabinet Member Contact Details:** [Councillor David Thomas, Leader of Torbay Council,](#)  
[David.Thomas@torbay.gov.uk](mailto:David.Thomas@torbay.gov.uk)

**Director Contact Details:** Matthew Fairclough-Kay, Director of Corporate Services,  
[matthew.fairclough-kay@torbay.gov.uk](mailto:matthew.fairclough-kay@torbay.gov.uk)

## 1. Purpose of Report

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- 1.1 To establish Cabinet Working Parties and make a recommendation to the Council to establish a Local Plan Working Party.

## 2. Reason for Proposal and its benefits

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- 2.1 The Working Parties will ensure that all political groups on the Council are represented and will also guide Officers in ensuring that there is good engagement with relevant interested parties and external representatives to ensure that the Council is:
- Putting our residents at the heart of everything we do;
  - Making evidence based decisions;
  - Making the most out of Council owned assets; and
  - Working together.

## 3. Recommendation(s) / Proposed Decision

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1. That the following Cabinet Working Parties be established:
- **Cabinet Capital Projects Working Party**

Terms of Reference: To receive detailed briefings on capital projects, to ensure Members have up to date information on key capital projects and be aware of upcoming project milestones and future Council decisions related to the overall Programme and to allow officers to seek members views (individual and collective) on certain project elements where options are available.

Membership: 3 Conservatives (to include the Cabinet Member for Finance (who will Chair the meetings)), 2 Liberal Democrats and 1 Independent.

- **Cabinet Oldway Working Party**

Terms of Reference: To review proposals for use of buildings and grounds and oversee delivery of works from allocated monies.

To ascertain community views in respect of these matters with relevant members from the local community and representatives from the business, public and voluntary sectors are to be invited to meetings when needed.

Membership: 3 Conservatives (to include the Cabinet Member for Place Development and Economic Growth, (who will Chair the meetings)), 2 Liberal Democrats and 1 Independent.

- **Cabinet Road Network and Travel Working Party**

Terms of Reference: To consider current and emerging road network and travel matters (encompassing all forms of transportation around the Bay and parking) and make recommendations to the appropriate decision maker.

Membership: 3 Conservative (to include the Cabinet Member for Pride in Place, Transport and Parking, (who will Chair the meetings)), 2 Liberal Democrats and 1 Independent.

2. That Cabinet recommends to Council:

- That the Local Plan Working Party be established with the following Terms of Reference and Membership:

Terms of Reference : To assist Officers with the preparation of the revised draft Local Plan including the content, timing and scope of key consultation and submission documents in accordance with the timetable as set by the Local Development Scheme (or similar document required by subsequent legislation); to make appropriate recommendations to Cabinet and Council; and to respond to issues that may arise during examination.

Membership: 3 Conservatives (to include the Cabinet Member for Place Development and Economic Growth (who will chair the meetings)), 2 Liberal Democrats and 1 Independent.

This Working Party will be disbanded once it has completed its review of the revised Local Plan documents.

## **Appendices**

None

## **Background Documents**

Constitution: Local Protocol on Working Parties



### 1. Introduction

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1.1 The Council, its committees, the Leader of the Council, the Cabinet, Cabinet Committees and the Chief Executive may establish a working party or amend the terms of reference or membership of existing working parties. In establishing working parties, the appointing body or person will determine the precise terms of reference of the working party (having regard to the terms of reference of any other working parties), initial membership and (if appropriate) duration of the working party.

1.2 The Cabinet has identified the need to appoint three Cabinet Working Parties whose purpose will be to act as a consultee for the development of operational policies and working practices relating to their specific areas in accordance with their agreed Terms of Reference. These are:

- Cabinet Oldway Working Party
- Cabinet Road Network and Travel Working Party
- Cabinet Capital Projects Working Party

The Cabinet is also recommending that the Council establish a Local Plan Working Party with terms of reference as set out in the recommendations above.

1.2 The Working Parties will follow the Local Protocol on Working Parties, the Working Parties and in particular will operate as follows:

They will consist of a small group of cross-party members with officers in attendance at meeting to provide support and advice, with a remit to consider policies and specific matters;

They will not have any decision-making powers and can only make recommendations to Cabinet, Council, or an Officer when required;

They will act in the manner of “consultative panels” receiving reports from officers on potentially sensitive or controversial matters or their views sought on operational policies on which they will be expected to provide guidance to the decision maker. In the case of the Local Plan Working Party, they will be tasked with investigating complex policy issues e.g. the Local Plan (Policy Framework document) and will be expected to formulate recommendations for the Cabinet to consider before submitting the Policy Framework document to Council for final approval;

It is at the discretion of the Chairman/woman of each working party whether the press and public shall be permitted to attend any meetings. Details of meetings that are open to the press and public will be published, along with the agendas for those meetings.

All non-working party members will be entitled to attend and receive documentation submitted to working parties.

The relevant Cabinet Member will Chair the Working Party.

These Working Parties are ongoing, except for the Local Plan Working Party (which will be established for the duration of the review of the Local Plan) and are acting as a consultee.

The role of Cabinet Working Parties is different from the role of the Overview and Scrutiny which carries out more detailed investigations into specific topics and holds decision-makers to account either via Task and Finish Groups over several meetings or via Spotlight Reviews which take place in a single meeting. Except for the Local Plan all other Policy Framework documents will be reviewed by the relevant Overview and Scrutiny body in accordance with the Standing Orders in Relation to Budget and Policy Framework,

## 2. Options under consideration

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- 2.1 Not to appoint the Working Parties, this option is not recommended as it will lose the opportunity for wider public engagement with cross party Councillors.

## 3. Financial Opportunities and Implications

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- 3.1 There are no financial implications associated with the operation of the Working Parties. They will be facilitated using existing Council resources.

## 4. Legal Implications

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- 4.1 None

## 5. Engagement and Consultation

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- 5.1 The Cabinet Members have been consulted on these proposals as well as the Group Leaders.

## 6. Procurement Implications

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6.1 Not applicable

## 7. Protecting our naturally inspiring Bay and tackling Climate Change

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7.1 Not applicable. Further climate considerations will be developed as part of any decisions arising from the recommendations of the Working Parties.

## 8. Associated Risks

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8.1 None

## 9. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	There is no differential impact.	Not applicable	Not applicable
Carers	At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.	There is no differential impact.	Not applicable	Not applicable
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	There is no differential impact.	Not applicable	Not applicable
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community	There is no differential impact.	Not applicable	Not applicable

	answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.			
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	There is no differential impact.	Not applicable	Not applicable
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	There is no differential impact.	Not applicable	Not applicable
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	There is no differential impact.	Not applicable	Not applicable

Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no differential impact.	Not applicable	Not applicable
Sex	51.3% of Torbay's population are female and 48.7% are male	There is no differential impact.	Not applicable	Not applicable
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	There is no differential impact.	Not applicable	Not applicable
Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.	There is no differential impact.	Not applicable	Not applicable
<b>Additional considerations</b>				
Socio-economic impacts (Including impacts on child poverty and deprivation)		There is no differential impact.	Not applicable	Not applicable
Public Health impacts (Including impacts on the general health of		There is no differential impact.	Not applicable	Not applicable

the population of Torbay)				
Human Rights impacts		There is no differential impact.	Not applicable	Not applicable
Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	There is no differential impact.	Not applicable	Not applicable

## 10. Cumulative Council Impact

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10.1 None

## 11. Cumulative Community Impacts

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11.1 None