

Schools Forum Meeting Agenda

Thursday, 20 June 2024 at 9.00 am
to be held in Teams

Membership

Stewart Biddles
Steven Hulme
Stuart Bellworthy
Mike Lock
Clive Star
Jim Piper
Tim Stephens

Jayne Jones
Steve Margetts
Alex Newton
Tamsin Summers
Laurence Frewin
Jake Grinsill
Sarah Tomkinson

1. **Apologies/Changes to Membership**
2. **Minutes of the last meeting** (Pages 3 - 8)
3. **Financial report - Rob Parr** (Pages 9 - 11)
4. **Schools Capital Funding - Rob Parr/Claire Talbot**
5. **Safety Valve Update - Nancy Meehan** (Pages 12 - 27)
6. **Schools reducing PAN - Claire Talbot**
7. **Drop in Birthrate - Rachel Setter** (Page 28)
8. **Nursery and pre school sufficiency in light of new funding - Emma Kerridge**
9. **Dashboard breakdown of Ofsted and CQC - Dan Hamer** (Pages 29 - 30)
10. **S19 in connection with the high needs block spend - Dan Hamer** (Pages 31 - 32)
11. **AOB and Items for next meeting**
Update from health paying towards the EHCP's - Nancy Meehan

For information relating to this meeting or to request a copy in another format or language please contact:

Louise Willmott,

Schools Forum Minutes 9/5/2024

Attendees

Sarah Tomkinson
Nancy Meehan
Rachel Setter
Hannah Baker
Rob Parr
Dan Hamer
Steven Hulme
Stuart Bellworthy
Mike Lock
Jim Piper
Jake Grinsill Head Teacher Ilsham Academy
Tim Stephens
Jayne Jones
Steve Margetts
Alex Newton
Stewart Biddles

Apologies

Tamsin Summers
Clive Star
Laurence Frewin
Malcome Coe
Rachael Williams

1. **Previous minutes**

Agreed in principle but grammatical issues require a re-write.

2. Matters arising

Points that RW agreed to bring to future meetings will be addressed at our agenda setting meeting.

Allocation to next meeting

Send statistics and transition budgets to future meetings.

Financial Report

Rob Parr

The final position for last financial year is £1.024 million, slightly better than the deficit budget that we set on our safety valve plan of £1.263 million. We have been in the safety valve for 18 months, at the end of 23/24 we are £207,000 better off than we thought we would be.

The pressure area is independent special school placements.

The cumulative position it is just under £12.8 million overspend. Overall, we have received just short of £7.3 million from the ESFA, which leaves a net deficit of £5 - £5.5 million, if the safety valve continues, we can wipe that out over the next few years.

On page 13 is the EHCP adjustments to schools in year and although that is over budget, it is less than we spent in 22/23. We have started to see an impact on ceasing some of the EHCPS. This has had an impact on the finances. On the following page is the high needs contingency, which is the special school places and various ad hoc adjustments from the high needs block where we are closer to budget.

Tim Stephens asked if we have checked the 95% funding received has flowed through to the settings and Rob Parr said we need to wait for the adjustment to be made in July.

3. Safety Valve Report

Weekly/monthly high-level overview of where we are on the report.

There is a concern now as the number of EHCP's are going in the wrong direction- we have been aware for the last 4 to 5 months.

Submission due 29th May as to where we are with our DSG management plan.

Nancy Meehan

The challenge is as of yesterday we had 1,576 EHCP's in the system with another 34 plans still to issue through the Feb, March, April period and only 10 to cease so we will be actually be at 1,600. This is veering back to where we were at the end of 2022, which is not a good position for us to be declaring to the DfE.

The challenge we have is that the starting point was let's see what plans are in the system that could be ceased. What we are not seeing is a reduction in the request for statutory assessment. Our DSG management plan and our written statement of action was saying we should be at 15

per month, with the graduated response being embedded, the culture change being embedded, etc. and we are still hugely above that each month. We are averaging 27 a month. Approximately 60% become plans considering previous rates, the present position now is that we are going in the wrong direction with our request for statutory assessment. We have put in place to have an early next step meeting prior to the request for statutory assessment.

We are still seeing a huge rise in RSA's and we are not seeing the equivalent ceasing of plans at this stage. There are now five local authorities that have had their payments suspended because they haven't met their DSG management plan, and it appears there is now becoming a much more robust scrutiny of the plans as we're moving forward into this financial year. We have spoken to one of those local authorities around any insight into how that has occurred for them. They had been placed because they were not meeting their original submitted DSG management plan, they were placed on enhanced management. They still did not meet what was required under an enhanced management and monitoring plan, which was monthly meetings, and on that basis, therefore all their payments have been stopped, as are four other local authorities.

We know that it is going to be a challenging position for us going forward. Rob met with some of the wider local authorities' people, and they were very clearly identifying some of the challenges.

Rob Parr

The DfE are implying that each LA that has problems are alone but what came out from every single local authority was that they all had issues but generally, nobody had any sort of agreement or financial support from health for EHCP'S.

Nancy Meehan

Pre-December, Nancy came to a school forum and talked about the ICB funding and funding around the EHCP's coming from health and the nonexistent funding we've had from the last two years from our ICB colleagues. We did submit a pre proceedings letter to them and they understand they need to be funding several of the of children's EHCP's we're yet to see any monies yet. Nancy had a conversation with Anne Marie Bond as the chief exec and said, she was very clear when we met with them, January, February time, we had to have a position by this financial year of what they were going to do and support.

We could not go into another financial year where we end up with no supportive funding for our children with complex needs who are on ECHP's, that should be coming through ICB funding. We have struggled to get a further meeting with them, so we did say that we were going back to the pre action letter unless they came round the table within the next two weeks.

They are now going to meet with us on Friday of this week.

Nancy has met Anne Marie and we are putting a very clear position from ourselves about what we're expecting this year from them.

We will work through a pathway that is Devon, Plymouth and Torbay wide where we have a consistency because that is the ICB footprint, but not being in a position where we are in a financially negative position this year, while we wait for that pathway to be put in place.

Nancy will update at the next school forum.

Rob Parr

Every authority has the same issues.

Hannah Baker

In terms of the cessation work that's going on in the local authority, we really are scrutinising every annual review that is coming in and, we did do a piece of forecasting work at a whole group of Year Elevens and also some year thirteens that we were hoping we were going to cease.

Because the safety valve has moved the deadline forward, we are not going to be able to report on the 30 ceased plans. We can say that they are ceasing in progress, but because we have had to pull those annual reviews forward and because there is an 8-week legal period of the cessation process, we have had the rug pulled from under us a little bit.

Hannah wanted to give the assurance that she spoke to all of the SENCO's at the last two SENCO forums actually about cessation and looking for the ceases and celebrating when those young people have met the outcomes on their plan that is still very much there and very much live.

We have moved the next steps meetings; they can still happen and a thank you to your SENCO s and your schools who did that pilot piece of work and we have now rolled that out.

What the SENCO's are coming back and saying quite clearly is it is very much about parental confidence.

She thinks that is a theme that we are seeing throughout a lot of the SEND improvement work that's happening is that the confidence in our parents to believe that need can be met is just not there at the moment, although we can offer these next steps meetings to happen earlier and we are going to do a little bit of a comms campaign in the next newsletter and I would really appreciate that all that the SEND newsletter goes out in your newsletters, also ultimately if parents want to put that request for statutory assessment in they can and she wanted to highlight that was the feedback from the SENCO's that actually it's very much about parental confidence that is the issue at the moment.

Stewart Biddles

Was at a meeting yesterday and there's a paper there saying that 40% of our 0 to 9-year-olds are going to have speech and language communication needs forecast. There is going to be that increase in

EHCP requests, those RSA's because there's also the same paper said that the health authority don't have enough speech and language therapists to meet the level of need that's there. It's coming at the same time where schools are pressurized in terms of their own funding.

There are less adults in school to support those children and do the work even if we have the speech and language progression tools, etc. There are not the adults to then do that screening, that is another burden that schools are having. The guidance we are getting from Islington, though their schools are funded in a very different way, our schools also have less money per pupil in the first instance, when we look at changes to EHCP's and changes to school funding, all that support that is going into children is being squashed. The only way that schools can support some of these children and give the parents the confidence they need is by going down the RSA route. Previously we might have had additional staff that we could move from other areas in the school to support some of these children and reduce the need for statutory assessment. But those times are long since passed, and there is nothing we can do about it in this meeting, but it's worth highlighting some of those elements that are impacting.

Sarah Tomkinson

Asked whether we could have a breakdown of what phase the requests for statutory assessment are coming from because we know that when children are coming into school, our early years colleagues are working really hard with them, but we've got an increased number of children coming into school who are nonverbal and still in nappies. It would be good to have some understanding of what phase the RSA's are coming from and the areas of need that the children have.

Nancy Meehan

We have got a really positive and robust dashboard now that we have built based on all the information, when we meet, we could consider bringing that dashboard forward, which breaks this down to the detail of need area, age group, etc. When we went to speak to Ofsted, and CQC we were chosen as one of the local authorities that under the new inspection framework to have an engagement meeting with Ofsted and CQC in February. Because we have got that dashboard and know ourselves so well now, we were able to speak to where it's coming from, what are the issues, what areas and what do we need to do about it. It is important to bring that forward at the next meeting, then we can decide how much information is wanted at the meeting.

4. Exclusions and Suspensions EHE

Dan Hamer

See report attached from agenda.

A team approach was suggested by Stuart Bellworthy for all principles to come together to share the information and discuss the issues that are currently putting us under pressure with the numbers of Exclusions and Suspensions and EHE.

Rachel Setter/Nancy Meehan have picked up with Ofsted and ICB to work as a partnership with Headteachers.

Nancy to co-ordinate

5. S19 Funding

See report attached from agenda.

Issues re MTS - Not quorate – Dan to bring back to next meeting.

Spending £1.2 million and only recouping £20k

Mike Lock would like further information re MTS plan, building and needs.

Waiting for oversight when papers are in the public domain. Agreed to defer and bring back 20.6.24.

Stuart Bellworthy

Asked about sharing information and bringing all Headteachers together to discuss issues with EHCP's etc. Possible to invite the lead inspector for Ofsted and DfE and ICB to work as a partnership.

Steven Hulme would welcome the meeting.

Nancy to co-ordinate.

We are at a point in time now for our young people and we can't let this escalate any further, we can see the figures, they're not going in the right direction, and behind each one of those figures is a young person and a child who is actually not achieving in both their education but social, emotional as well.

Steven Hulme

Would welcome an opportunity to meet with Headteachers.

6. Items for next meeting

Update from health paying towards the EHCP's.

Summary of school allocations

S19 in connection with Hannah's high needs block spend – Dan Hamer

Early years funding update – Rob Parr - September

Vacancy for a primary Academy Governor – check membership

Agenda Item 3

Forecast Year End Position 2024/25 – Schools Forum 20th June 24

Dedicated Schools Grant (DSG) funded activities are currently forecast to **overspend by £848k**.

The following table details the main areas of both over and under spend. Many of these budgets are demand led and will be monitored during 24/25 and revisions reported accordingly.

Budget Heading	Budget	Actuals to date	Projected Year End	Over / (Under) Spend
Early Years – under 2's and 2, 3 & 4 yr old payments – PVI's, Schools & Academies	£10.815m	£1.729m	£10.815m	£0k
Early Years – ALFI	£411k	£91k	£411k	£0k
Early Years – Deprivation (IDACI)	£331k	£0k	£331k	£0k
Early Years – Pupil Premium	£160k	£0k	£140k	(£20k)
Early Years – Disability Access Fund	£123k	£18k	£103k	(£20k)
Early Years – Retained element	£427k	£60k	£392k	(£35k)
Joint Funded Placements	£200k	£64k	£202k	£2k
Recovery of funding from schools for Excluded Pupils, Medical Tuition Service and Elective Home Education	(£150k)	(£0k)	(£150k)	£0k
Contribution from Health towards EHCP's	(£100k)	(£119k)	(£119k)	(£19k)
South Devon College Placements	£1.000m	£0k	£1.237m	£237k
Independent Special School Placements	£2.392m	£627k	£2.827m	£435k
Other packages for EHCP pupils and SEND personal budgets	£1.470m	£475k	£1.470m	£0k
Payments to / recoupment from other authorities for mainstream and Special School places	(£268k)	(£81k)	(£301k)	(£33k)
Medical Tuition Service	£970k	£270k	£920k	(£50k)
Virtual School / Hospital Tuition / Vulnerable Students Team	£560k	£77k	£448k	(£112k)
School contingencies (Planned pupil growth, NQT induction etc)	£162k	£80k	£162k	£0k
EHCP in-year adjustments (see separate paper for details)	£500k	£36k	£500k	£0k
Special Schools / High Needs in-year adjustments (see separate paper for details)	£350k	£189k	£350k	£0k
School Intervention / Commissioning	£13k	£25k	£13k	£0k
Business Support / Business Intelligence	£262k	£40k	£257k	(£5k)
Senior Management, Central Recharges, Admissions, EAL / Travellers, SACRE,	£599k	£76k	£586k	(£13k)
Visually impaired / Hearing impaired / Advisory Teachers	£181k	£28k	£181k	£0k
Deficit DSG budget set for 24/25	(£481k)	£0k	£0k	£481k
Total – Forecast Outturn Position 24/25				£848k

Cumulative overspend before Safety Valve payments C/Fwd from 23/24 £12.756m

Cumulative forecast overspend before SV payments at end of 24/25 £13.604m

Safety Valve payments received up to end of 23/24 from ESFA (£7.270m)

Forecast 24/25 in-year Safety Valve payments from ESFA (£990k)

Forecast net overspend at end of 24/25 after Safety Valve payments £5.344m

Education, Health & Care Plan Funding for 23/24 & 24/25

	23/24	24/25	Increase / (Decrease)
Number of pupils with EHCP	556	578	22.00
Number of FTE's with EHCP	490	520	30.00
	£	£	£
Funding below £6k allocated through school formula elements	2,939,171	3,096,000	156,829
Funding above £6k allocated as a top-up per eligible pupil	3,290,903	3,511,178	220,275
EHCP Contingency	538,500	500,000	(38,500)
In-Year adjustments			
April	106,783	48,648	(58,135)
May	(783)	(12,827)	(12,044)
June	80,221	70,745	(9,476)
July	58,835	51,885	(6,950)
August	273,431	241,131	(32,300)
September	(8,661)	(7,638)	1,023
October	58,954	51,990	(6,964)
November	20,996	18,516	(2,480)
December	30,488	26,887	(3,601)
January	1,902	1,677	(225)
February	6,081	5,363	(718)
March	4,109	3,624	(485)
Total - In-Year adjustments	632,356	500,000	
Projected (underspend) / overspend	93,856	0	

Special School and other High Needs funding adjustments for 24/25

	Combe Pafford	Combe Pafford	Mayfield School	Mayfield Chestnut	Mayfield Total	Brunel SEMH	Brunel SEMH	Lodestar AP	Lodestar AP	Totals	Totals £
Number of places - January 24	265		231	32	263	55		55		638.00	
Number of pupils - January 24	258		229	32	261	52		52		623.00	
Number of places - September 24	265		231	32	263	55		55		638.00	
		£			£		£		£		
Initial Place led funding		2,650,000			2,630,000		550,000		550,000		6,380,000
Initial Pupil led funding		1,797,680			3,028,826		968,500		707,616		6,502,622
Initial pupil specific additional funding		87,068			196,979		3,043		0		287,090
To mirror 3.4% increase in mainstream schools additional grant		147,870			191,727		52,140		43,230		434,967
Previously Teachers Pay & Pension Grants		178,080			176,736		36,960		36,960		428,736
Other funding - Outreach / 6th day provision / rent		0			330,877		0		0		330,877
Pupil Premium		169,440			192,270		36,750		32,550		431,010
Total initial funding		5,030,138			6,747,415		1,647,393		1,370,356		14,795,302
In-Year adjustments	Pupils	Funding £	Mayfield Pupils	Chestnut Pupils	Funding £	SEMH Pupils	Funding £	AP Pupils	Funding £	Pupils	Funding £
April	260	28,172	230	32	1,290	53	18,625	52	0	627	48,087
May	260	4,780	231	32	8,902	53	0	52	0	628	13,682
June										0	0
July										0	0
August										0	0
September										0	0
October										0	0
November										0	0
December										0	0
January										0	0
February										0	0
March										0	0
Total In -year pupil / place led adjustments		32,952			10,192		18,625		0		61,769
Enhanced Provision (in-year changes in pupil top-ups)											(1,088)
Enhanced Provision (in-year increases in place numbers)											
Additional Funding - Step Provision (Apr - Aug)											
Excluded Pupils / 6th Day Provision - Mayfield (Sept - Mar)											72,978
Excluded Pupils / 6th Day Provision - Mayfield - Additional Staffing											27,000
In-year pupil specific additional funding		1,200			22,827		2,391		2,302		28,720
Total - In-Year adjustments		34,152			33,019		21,016		2,302		189,379
Special School / High Needs contingency budget											350,000
Current balance (under) / over											(160,621)



Torbay Council Safety Valve Summary Update Report Quarter Four 2023/2024

Date Submitted:	29 th May 2024
Data date:	January – April 2024
Section 151 officer signature:	
Director of Children's Services signature:	
Linked document:	Safety Valve Agreement DSG Management Plan

This is progress since the

the fourth report

agreement of the Safety Valve in March 2023. The report sets out the progress made against each of the conditions of the grant, an overview of the budget position as of 29th May 2024 and the trajectory of the budget. The report also includes data that demonstrates the impact of our work to date.

The Safety Valve Work continues to be viewed as high priority across the Local Area Partnership with its agenda being heard and scrutiny of performance being shared and owned by the Integrated Care Board, Schools Forum and the CEO. Further challenge is provided by the Executive SEND Strategic Board and Continuous Children's Improvement Board.

The interdependencies between the Safety Valve and Written Statement of Action for SEND and the implementation of our Family Hubs continues to be aligned. Most recently further plans for a new transformative SEND Improvement programme which embeds the priorities of the Safety Valve into a new sustainable vision for Torbay SEND, will be considered with system leaders this summer across the Local Area Partnership.

Overall progress of our work to date can be seen in two key performance indicators.

Number of Education Health and Care Plans

In this quarter the number of plans within the Local Area have decreased by 15 EHCP's since our last submission. Although this final total is disappointing the number of plans continues to be below our peak of plans at 1673 in August 2022.

We continue to take action to cease plans and have 23 plans where ceasing is planned for the end of this academic year (July 2024) but do not yet show in our final figures. This will take our current plans to 1538 by the end of the summer term.

Although our Requests for Statutory Assessment remain higher than we would wish, our processes to refuse requests where the legal test is not met are robust with our rolling average of refusal remaining high at 44%. We understand our improvement work so far has had limited impact. In Torbay one of our challenges is that entry to targeted support is through the use of an EHCP and therefore we have plans to lower requests for statutory assessment in our transformative SEND improvement programme where EHCPs will no longer be a requisite for the majority of support for SEND, thus negating the need for an RSA and EHCP.

Work also continues on cessation, especially at post-16, where a reassessment of parameters to continue a plan are being redefined for next academic year, which will result in cessation processes happening more quickly where young people consider or decide alternative pathways.

	Jan-24	Feb-24	Mar-24	Apr-24
EHCPs Start of Month	1582	1556	1557	1561
New Plans Issued	10	7	7	16
Transfers In	3	1	2	0
Reinstated via Tribunal/Other				
EHCPs IN - SUBTOTAL	13	8	9	16
Ceased Plans	21	7	3	4
Moved Out	5	0	2	0
Made Inactive Deceased / Other	1	0	0	0
EHCPs OUT - SUBTOTAL	27	7	5	4
Adjustment (+ / -) (changes to funding LA)	12			
Difference (EHCPs ins v outs)	26	-1	-4	-12
Monthly reduction target	7	8	9	13
Overall reduction required to meet target	22	23	27	39
EHCPs Year To Date	1556	1557	1561	1573

	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
EHCPS Start of Month	1612	1592	1590	1575	1575	1566	1572	1567	1569	1564	1589	1584
New Plans Issued	16	10	18	13	17	18	21	14	11	30	13	5
Transfers In	2	2	3	1	1	4	2	3	5	5	1	0
Reinstated via Tribunal/Other	0	0	0	0	0	0	0	0	0	0	2	0
EHCPS IN SUBTOTAL	18	12	21	14	18	22	23	17	16	35	16	5
Ceased Plans	32	11	28	14	26	9	28	14	18	9	11	0
Moved Out	3	3	8	0	1	6	0	1	1	1	9	1
Made Inactive Deceased / Other	1	0	0	0	0	1	0	0	0	0	1	0
EHCPS OUT SUBTOTAL	36	14	36	14	27	16	28	15	19	10	21	1
Adjustment (+/-) (changes to funding LA)	2								2			
Difference (EHCPS ins v outs)	20	2	15	0	9	-6	5	-2	5	-25	5	-4
Target	Average reduction required :			3.4	3.7	3.2	4.2	4.1	5.0	5.0	11.0	12.5
EHCPS Year To Date	1592	1590	1575	1575	1566	1572	1567	1569	1564	1589	1584	1588

Financial outturn position at 29th May 2024

At the end of 2023/2024, Torbay are in a better financial position than initially forecasted in the plan by £207,000.

The projected DSG budget position remains aligned to the DSG management plan. The work to reduce spend continues to demonstrate that our financial position is improving. Dedicated Schools Grant (DSG) funded activities are currently forecast to **overspend by £1.024m**. This position is positive against the budget **overspend of £1.263m** in the safety valve.

Budget Heading	Budget	Final Spend	Over / (Under) Spend
Early Years 2, 3 & 4 yr old payments – PVI's School & Academies	£6.229m	£6.229m	£0k
Early Years – ALFEY	£295k	£272k	(£23k)
Early Years – Pupil Premium & Disability Access Fund	£158k	£99k	(£59k)
Early Years – 5% retained element	£383k	£331k	(£52k)
Joint Funded Placements	£400k	£248k	(£152k)
Recovery of funding from schools for Excluded Pupils, Medical Tuition Service and Elective Home Education	(£175k)	(£117k)	£58k
Contribution from Health towards EHCP's	(£100k)	(£0k)	£100k
South Devon College Placements	£1.030m	£1.153m	£123k
Independent Special School Placements	£2.300m	£2.740m	£440k
Other packages for EHCP pupils and SEND personal budgets	£1.612m	£1.446m	(£166k)
Payments to / recoupment from other authorities for mainstream and Special School places	(£128k)	(£196k)	(£68k)
Medical Tuition Service	£1.070m	£927k	(£143k)
Virtual School / Hospital Tuition / Vulnerable Students Team	£519k	£472k	(£47k)

Refund from Medical Tuition Service from underspend during 22/23		(£200k)	(£200k)
School contingencies (Planned pupil growth, NQT induction etc)	£70k	£59k	(£11k)
EHCP in-year adjustments (see separate paper for details)	£539k	£633k	£94k
Special Schools / High Needs in-year adjustments (see separate paper for details)	£400k	£394k	(£6k)
School Intervention / Commissioning	£48k	£9k	(£39k)
Business Support / Business Intelligence	£240k	£240k	£0k
Senior Management, Central Recharges, Admissions, EAL / Travellers, SACRE,	£586k	£522k	(£64k)
Visually impaired / Hearing impaired / Advisory Teachers	£166k	£142k	(£24k)
Deficit DSG budget set for 23/24	(£1.263m)		£1.263m
Total – Final Position 23/24			£1.024m

Cumulative overspend on DSG before Safety Valve payments	£12.756m
Safety Valve payments received to date from ESFA	(£7.270m)
Net overspends on DSG after Safety Valve payments	£5.486m

Progress Update Reports for Each Agreement Condition

Agreement Condition	Assurance Level			
	Q1	Q2	Q3	Q4
3.1 Maintain existing special school numbers through increasing parental confidence and provision within mainstream settings				

Numbers of electively home educated young people continue to rise in Torbay with most citing parental confidence in our school system. We are aware that approximately 25% of these young people have additional needs at SEN Support but only 24 children with an EHCP are EHE (below our statistical and national data).

Special School numbers continue to be maintained at our agreed commissioned levels. The following chart details our commissioned placements against our position in April 2024.

Special Schools	Commissioned Number	As at 15 th April 2024
Combe Pafford	265	260
Mayfield	263	262
Brunel	55	53
Lodestar* formally Burton	55	52
Preston ASC ERP	16	16
Barton S&L ERP	10	10
St Margaret's Academy HI ERP	8	5
Brixham ASC ERP	22	21
The Spires HI ERP	8	5
The Spires ASC ERP	16	12
Paignton STEPS ERP	12	11
TOTAL	730	707

Through careful management of admissions and prioritising need we have maintained our commissioned numbers aligned to our planning.

In line with our JSNA and recent deep dive data analysis and forward forecasting the review into our Enhanced Resource Provisions has been concluded. This forms part of our transformative proposal which will see Enhanced Resource Provisions re-aligned and re-purposed to match the most presenting need in our Local Area.

Exclusion and reintegration at secondary phase has achieved a balanced position with all places at Lodestar filled with only one young person accessing Alternative Provision. (due to conflicting needs)

Although not a key need for Torbay the specialist provision at Combe Pafford School for MLD is in demand in our neighbouring local authority Devon for parental preference and continues to be cited in Tribunals. Although this results in no financial burden on Torbay, it is reflected within our move into areas and growth. The overall approach/cost to provision that is then needed to be provided to meet the needs of additional children. We have met with the DFE and Regional Delivery Team to discuss a facilitated conversation/project to consider joint working on this area and are waiting for them to respond to us.

Our Special School trajectory is in line with our agreed budget for 2023/2024. We do, however, have a large increased demand for places in our SLD/PMLD Special School, Mayfield, where a large number of younger children do meet criteria for this school. As we have a lack of available places, we have enhanced our Outreach Offer to these families to allow them to be supported in the short term whilst we consider how to repurpose our special school spaces available to meet this level of need over the next 4-5 years.

Despite Devon CC having three similar settings within their boundary, parent/carers are choosing to name Torbay maintained Special School within our boundary, due to reputation. This is therefore putting Torbay resources under pressure, as a result we are actively looking at special education sufficiency. Due to neighbouring Local Authorities taking 27 pupils placement, Torbay Council Local Authority have had to subsidise an Outreach Service for 24/25 academic year, at a cost of £100,000, to meet needs of our most complex young people.

As a local area partnership, we are robustly applying thresholds and ensuring consistency in our decision making to ensure that specialist placement and EHCP's are issued in line with assessed need. As a result, we continue to see an increase in the number of Tribunals and Appeals.

Registered cases by calendar year	2018	2019	2020	2021	2022	2023	2024 (YTD)
Tribunals	6	9	7	9	17	24	14 (+6 pending)
Mediations	2	0	6	2	19	34	10

Torbay have been successful in two Tribunals on refusal to issue, based on our assessment process. We are using both formal mediation and global mediation to manage demand and management of specialist provision numbers. We have Tribunals lodged for a variety of disputes including Section I, Section F, refusal to issue and cessation.

Since the last submission we have had two Tribunals, one resulted in a specialist placement out of area, and we were successful in a further tribunal where we put an alternative package in place as opposed to special school placement.

Our strategic Tribunals and appeals panel which sits 6 weekly is reviewing emerging issues which include a lack of health contribution to funding EHCP's and robustness of assessment from health where a private health report exists. We have started to work up a process to tackle private health reports between our health partners and the Local Authority to place us in a more robust position. The Chief Executive and Director of Children's Services continue to meet and challenge the ICB in relation to the urgent financial contribution, which is exponentially rising without an agreed process. As we still have no mechanism or method of historical recoupment for any health payments this poses a significant strategic risk to our safety valve agreement with seemingly no timeline for a new funding mechanism to be created or launched.

Agreement Condition	Assurance Level			
3.2 Create a culture change in Special Educational Needs and Disabilities (SEND) services, driving forward inclusive practice and workforce development	Q1	Q2	Q3	Q4

During this quarter we have continued to embed our coproduced SEND Strategy via new action plans which are being delivered through a new five strand project structure based on the key priorities in the strategy. We have also continued work to deliver Restorative training on our Pledge values across the Local Area. These projects continue to underpin our work to change culture and bring confidence in the system for inclusion.

Our key focus this year has been to embed our Graduated Response toolkits, which were launched with our roadshows in the Autumn term. All schools have received 'train the trainer' events and a suite of resources to then cascade into their schools during INSET time. This has included some self-audits and leaderships audit resources so that each school can support individual teachers to self evaluate their own practice as well as undertaking an audit on the areas the whole school needs to focus upon.

A specialist professional development area on our learning platform to enhance training for staff and holds sample documents and templates to support their delivery. The first of five webinars (matching each of the five toolkits) launches in June, with the subsequent four are planned to follow over the summer and autumn.

Further specialist training has been delivered in our SENDCo forum which saw over 35 SENDCOs engage in some recent training on identification of SLCN. The AET leadership training continues to be rolled out to Secondary schools with some planned training area wide being worked up on SLCN for a 24/25 delivery, working alongside our partners at Whole School SEND and SWIFT.

Agreement Condition	Assurance Level			
3.3. Reform Torbay's graduated response and address multi-agency contributions to Education Health and Care Plans (EHCPs);	Q1	Q2	Q3	Q4

The Graduated Response toolkits can be found at [Graduated Response - Torbay Council](#). Activity on embedding these can be seen above in our culture section. This term 2 full time SEND Officers have been visiting each primary and secondary mainstream school to offer support to embed the toolkits. Planned for the Autumn term is a SEND Audit completed by our auditing team to identify further gaps and barriers so the Local Area Partnership can plan to support emerging needs early.

These new toolkits are taking time to embed and as such the Requests for Statutory assessments continue to be higher than we would like at this point of our improvement journey.

Contributions to Education, Health and Care Plans have improved recently with SEND audit results showing 25 new EHCPs finalised between August and December 2023 had used the Invision 360 auditing tool to evaluate, record and analyse the content of EHCPs. The audit found Sections A, B, E, I and K were all rated good. There was also evidence of some good practice in the advice provided for Section C - 10 (40%) and Section D - 5 (20%) with a good grading.

Although 12 (48%) of the new EHCPs audited received a requires improvement grade for Section C, and 6 (24%) for section D, this was often because the section did not provide sufficient information about the health needs that a child or young person may be facing in their day-to-day life. As a result, there continues to be a focus on social care and health advice to support the continued improvement of the quality of Torbay new EHCPs.

In the previous audit both Section C and Section D had a small number (3 (12%) and 2 (8%) respectively) were graded as inadequate, whereas in this audit neither section reported this low grade. This has been the result of improvement work linked to our Written Statement of Action which means we are improving the quality advice to make a robust assessment of need. This has been the result of much improvement work in our Written Statement of Action which now means we have quality advice to make a robust assessment of need.

However, not all requests for statutory assessment result in a plan being issued. Through robust multi agency decision making processes and ensuring consistency of the offer against our graduated response the refusal rate continues to be high demonstrating our challenge and robust decision making back to the system.

Detailed analysis is conducted monthly to understand where individual schools are submitting requests against the refusal rates. We have recently introduced 'Next Step' meetings offer further support for parents and carers; this offer means they can request to meet with professionals to find out what support can be put in place prior to any RSA. We hope this will give parental confidence and reduce the number of requests being made.

RSA requests	2019	2020	2021	2022	2023	2024 YTD
	319	206	309	345	348	113

Source	2017	2018	2019	2020	2021	2022	2024
Early Years Setting	12%	10%	16%	15%	15%	16%	18%
Parental request	20%	25%	26%	22%	24%	28%	32%
School	63%	62%	54%	59%	59%	52%	44%
Student Request	5%	3%	4%	3%	3%	3%	6%
Grand Total	100%	100%	100%	100%	100%	100%	100%

Refusal Rates	2019	2020	2021	2022	2023	Jan 24	Feb 24	Mar 24	Apr 24
	97/316 (31%)	51/206 (25%)	89/309 (29%)	119/340 (35%)	139/348 (40%)	38%	51%	42%	0%

									(not processed through yet in data)
--	--	--	--	--	--	--	--	--	-------------------------------------

Average refusal rate for January to Mar inc. 2024 = 44%
 Average refusal rate for 2023 was 40%

Important. The refusal rate is only valid for the month once all RSAs have passed the received and assessment stages. The above refusal rates include all refusals, which can occur at different stages of the statutory process.

- For this period the RSA refusal rate remains higher than previous years at 44%.
- Average refusal rate in 2023 was 40% which was higher than the National Average
- We are working to meet our required WSoA target of 15 RSA's per month
- Schools remain the highest requesters of EHCP's in line with the highest population of students, with the highest age group now being 5-10

Source	2024
Early Years Setting	17%
Parental request	31%
School	45%
Student Request	6%
Grand Total	100%

	RSAs received per month			
RSAs Tracking 2024	01/01/2024 31/01/2024	01/02/2024 29/02/2024	01/03/2024 31/03/2024	01/04/2024 30/04/2024
RSAs Received	24	35	31	22
RSA Status				
Received	1	0	5	22
Assmt. Complete	0	0	0	0
Awaiting decision to assess	0	0	0	0
Assmt. in progress	13	17	13	0
Subtotal (in progress)	14	17	18	22
REFUSALS / STOPPED / WITHDRAWN				
Inactive after Recd.	0	0	0	0
Inactive after Assmt Decision	9	18	13	0
Withdrawn EHCP	0	0	0	0
Assmt. stopped	0	0	0	0
No EHCP Following Assmt	0	0	0	0
RSA Stopped subtotal	9	18	13	0
RSA Refusal Rate	38%	51%	42%	0%

RSAs by Age Group

Age 0-4	26
Age 5-10	44
Age 11-15	32
Age 16-19	11
Age 20-25	0
Total	113

--	--	--

Agreement Condition	Assurance Level			
3.4. Implement the Independent Placement Overview Panel to ensure that decision making on awarding EHCPs, and placements is rigorous and appropriate for children and young people;	Q1	Q2	Q3	Q4

Our scrutiny into Independent Placements continues through our Independent Placement Overview Panel. This is now a regular and rigorous multi agency approach, chaired by our Director of Children’s Services.

We have now embedded an escalation process whereby potential independent sector cases are first heard at our Education, Health and Care Management Board to see if any preventative or pre-emptive work can be done to reduce or stop a request for an independent placement.

We are also currently completing work on a Torbay EOTAS local offer to give us more robust EOTAS options to choose before needing to step into the Independent placement sector. Our collaborative work with the Virtual School is now embedded, continued partnership approach with our SEMH special school provision and work underway to repurpose our special school placements will mean we have a better forecast of sufficiency overall which should also support the continued reduction of ISEP placements over the next academic year.

	November 2022	April 2023	November 2023	April 2024
Number of Independent Specialist Placements	25	27	36	41

**this has changed from previous reports, following an error in our system which was counting one of our Post16 FE providers as an Independent Specialist Placement. (ISEP)*

Agreement Condition	Assurance Level			
3.5. Build confidence within the parental community on the level of provision that can be provided within special schools and enhanced resource bases;	Q1	Q2	Q3	Q4

Feedback and data are telling us that Parental confidence is still of concern and despite our attempts has been a stubborn area of improvement.

Parents still lack confidence in the provision of SEND in the wider school and health landscape, this is evident by the significant numbers of RSA.

Parents confidence is further impacted by the extremely lengthy waiting lists for specialist assessments. However, the level of confidence that parents have within the offer of special schools continues to be strong. This is demonstrated through the high number of requests that are received each year for consideration of a special school placement. In a significant area of need (SLD and PMLD) we have

used the current outreach offer at Mayfield special school to commission an enhanced offer to a cohort of young people who meet criteria but where spaces are limited. This enhanced outreach, commencing in September, will give parental confidence whilst support need in mainstream and building capacity for this need to continue to be met in a mainstream environment.

We have been continuing our work with our parent carer forum to grow parental confidence in SEND by:

- Re-design our Local Offer website and particularly our Graduated Response information for parents so it is parent focused.
- Give parents answers (“you said, we did”) to key areas of focus identified in the participation survey from 2023.
- Send Family Voice Torbay have co-produced and delivered an accredited Autism Education Trust Leadership Programme to all Torbay secondary schools.
- A new parenting training course, “Autism and Us”, has been designed and co-delivered by our parent carer forum, for parents for roll out this Autumn.
- A re-launched SEND newsletter every half term, with our parent carer forum co-creating and writing the editorial for every newsletter, which now includes items requested by parental feedback – for example this May it features support from our key health provider for those on waiting lists. Our subscription for this newsletter is now over 1500. [SEND newsletters - Torbay Council](#)

Agreement Condition	Assurance Level			
3.6. Implement a Transitions Panel to ensure timely and effective post-16 planning from an earlier age, including targeted employment and education support, and cessation of Post-16 EHCPs where needs have been met;	Q1	Q2	Q3	Q4

Torbay Internships have grown now with an established SEND Forum facilitated by our NTDi grant. We now have a baseline of internships data in Torbay, information on our Local Offer, a large range of engaged educational providers and local businesses as well as training on internships being rolled out free of charge. We are currently creating an internships ‘pathway’ for post16 and have a handful of young people signed up to begin an internship in September for the first time.

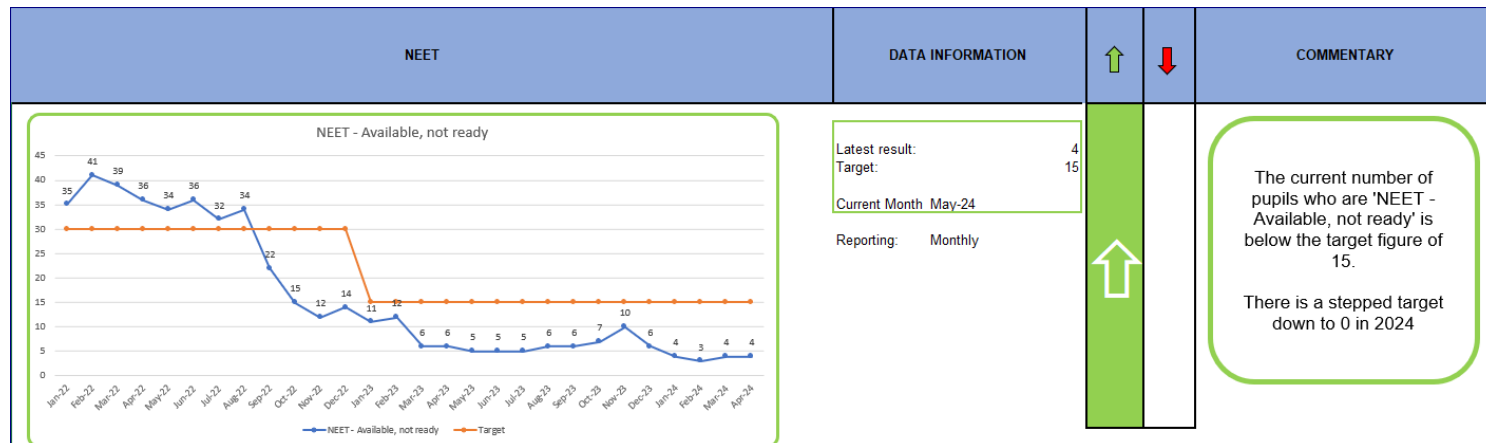
Recruitment of young people with SEN, Care Leavers and people with disabilities was discussed at the Children and Young People’s Overview and Scrutiny Sub-Board. The plan is to bring together three priority areas and actions in regard to the Council’s approach to the provision of traineeships, work experience, apprenticeships of students with SEND and/or care experienced young people and adults with disabilities.

The Cabinet were requested to work with Council Directors to identify more opportunities for internships within Torbay Council and SWISCo for our young people, including those with SEND.

The Head of SEND has met with HR to consider how as a Council/Directors we embed a shared responsibility to improving the life chances for our children with SEND and support the opportunities within “the family firm” to enable them to have the prospect of employment within the Council.

The proposal is being taken to the Director’s Overview Meeting by the Director of Corporate Services and we will, as part of our performance be tracking the number of vacancies which have been offered to our care experienced but also our young people with SEND.

Torbay continues to have a transitions panel in place that considers children from the age of 14 years. We understand in granular detail the young people with an EHCP and the reasons for them to be NEET. We continue to use the Council opportunities for young people with SEND to gain meaningful work experience opportunities alongside our NDTI programme. New processes in the SEND team review all NEET young people half termly with a team of colleagues supporting young people back to education from a NEET status; our data shows that NEET SEND young people have reduced in line with our Written Statement of Action targets.



	Total
NEET - Available, Not Ready	4
NEET - Available	10
NEET - Not Available, health prevents engagement	12
NEET – Pregnant	1
NEET - re-engagement	0
Apprenticeship	7

We are proactively working with young people rather than placing them into provisions which they will not attend. This is ensuring that we do not commit funding to unfilled placements but work directly on re-engagement and a suitable offer aligned to the young person’s needs.

Significant work continues to be undertaken with South Devon College (the single FE provider for Torbay). This work includes: -

- We are continuing to use the annual review process to recognise when outcomes have been achieved and bringing forward activity to conduct the review to impact on ceasing plans.
- SDC (along with all other providers) will start to use our new Funding formula for new plans and Phase Transfer
- Greater challenge and oversight of consults and decision making regarding the entry of learners.
- Partnership meeting between leaders of the college and council half termly has oversight on key themes and issues.
- Risk assessment process for young people with EHCP’s now embedded.
- The SEND team have brought forward the updating of EHCPs to Year 10 to allow for a higher quality, up to date, EHCP which in turn leads to better matching of destinations on college courses, reducing the level of ‘drop out’ or misplacing at post 16.

As a result of this work, we have increased the ceasing activity to celebrate the achievements of young people and reduce the EHCP’s in line with assessed need. The following data demonstrates the post 16 plans that have been ceased/made inactive.

The following data demonstrates a significant positive outlook with the average number made inactive (ceasing, moved out of area, passed away). This demonstrates we continue to improve on our trajectory year on year.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year Total
2019	15	10	24	4	6	19	24	47	51	32	6	7	245
2020	19	15	17	5	9	6	4	3	9	47	10	13	157
2021	6	13	6	5	10	9	8	15	33	4	16	8	133
2022	7	6	23	11	15	5	21	7	28	17	47	45	232
2023	36	14	36	14	27	16	28	15	19	10	21	1	237
2024	27	7	5	5	4								48

*incomplete month

This is the data broken down by age, to show Post16 cessation activity.

Age	Made inactive in month by age												Totals by age
	01/01/2024 31/01/2024	01/02/2024 29/02/2024	01/03/2024 31/03/2024	01/04/2024 30/04/2024	01/05/2024 31/05/2024	01/06/2024 30/06/2024	01/07/2024 31/07/2024	01/08/2024 31/08/2024	01/09/2024 30/09/2024	01/10/2024 31/10/2024	01/11/2024 30/11/2024	01/12/2024 31/12/2024	
2	0	0	0	0	0	0	0	0	0	0	0	0	0
3	0	0	0	0	0	0	0	0	0	0	0	0	0
4	0	0	0	0	0	0	0	0	0	0	0	0	0
5	0	0	0	0	0	0	0	0	0	0	0	0	0
6	0	0	1	0	0	0	0	0	0	0	0	0	1
7	0	0	0	0	0	0	0	0	0	0	0	0	0
8	1	1	0	0	0	0	0	0	0	0	0	0	2
9	1	0	0	0	0	0	0	0	0	0	0	0	1
10	0	0	0	0	0	0	0	0	0	0	0	0	0
11	0	0	0	0	1	0	0	0	0	0	0	0	1
12	1	0	0	0	1	0	0	0	0	0	0	0	2
13	0	0	0	0	0	0	0	0	0	0	0	0	0
14	0	0	0	0	0	0	0	0	0	0	0	0	0
15	0	1	1	0	0	0	0	0	0	0	0	0	2
16	2	1	0	0	0	0	0	0	0	0	0	0	3
17	5	2	0	2	0	0	0	0	0	0	0	0	9
18	6	1	2	1	1	0	0	0	0	0	0	0	11
19	7	1	0	1	1	0	0	0	0	0	0	0	10
20	3	0	1	0	0	0	0	0	0	0	0	0	4
21	0	1	0	0	0	0	0	0	0	0	0	0	1
22	1	0	0	0	0	0	0	0	0	0	0	0	1
23	0	0	0	0	0	0	0	0	0	0	0	0	0
24	0	0	0	0	0	0	0	0	0	0	0	0	0
25	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals by month	27	8	5	4	4	0	0	0	0	0	0	0	48

Age 0-4	0
Age 5-10	4
Age 11-15	3
Age 16-19	35
Age 20-25	6
Total	48

Agreement Condition	Assurance Level			
	Q1	Q2	Q3	Q4
3.7. Develop an early years outreach team as part of the Family Hub, to deliver stronger inclusive practice and early intervention;				

The Home Learning Environment Outreach worker is established in post and working with parents and children within the home. The children referred are not currently accessing an early year's provision. We are already seeing positive outcomes for the child's speech and language. For example, a pre-verbal child who was using a dummy is now speaking in full sentences. The referral process is now in place. The Early Years team including Education Psychologists are delivering Early Talk Boost train the trainer to Early Years providers which includes providing advice and guidance to parents.

The Early Language Consultant (ELC) is now established in post. The ELC is working with partners to establish clear Early Language pathways with our health partners.

The new Section 23 process is now established and has been in place for two quarters, so far 70 children have been through the process. The multi-agency meetings are being reviewed for impact. The meetings are now moving to 6 weekly so are more regular and the membership has been increased.

Alongside the direct work there has also been the development of the digital offer through the creation of the Family Hubs website that provides links to advice, resources and guidance. We have moved our local offer to this website alongside our graduated response framework to ensure that this can be accessed by parents and carers. The website has been co-produced with parents and is accessible in the information that can be retrieved.

A train the trainer model on Chat Play and Read has been provided to the community champions delivering early years groups within the community. They have been empowered with the knowledge and skill base to inform others of early development with the view that this is cascaded through the groups to help develop speech language and communication skills and early parental attachments. Chat Play and Read has also been provided to a range of professionals to ensure consistent messages to families. We are now evaluating the project and widening the reach of chat play read.

We are pleased to confirm in this update, NHS Devon ICB has agreed to contribute towards paying for the SENDIAS service which is now a fully joint funded service.

The Portage Service are delivering direct family groups in the Family Hubs, this is providing advice to parents regarding first steps, development support and demonstration of early communication tools directly with children. In the next quarter this will be further enhanced by making Education Psychology time available within the Hubs. The portage service are now triaging children and allocating to a group or 1:1 depending on the needs of the child. This ensures the children who need it are receiving timely 1:1 intervention.

Torbay was chosen to be included in year 3 of the Comic Relief Early Years Inclusion Project, run by Dingley's Promise. The project aims to increase the number of young children with SEND accessing early years and childcare places.

Dingley's promise was launched in October, we are monitoring the numbers of Early years Practitioners completing training. We have one Early Years provider who will be awarded the kite mark for all staff having completed all of the Dingley's Promise training modules. We are continuing to work with the sector to increase uptake.

Agreement Condition	Assurance Level			
3.8. Implement the co-produced new graduated response for Social Emotional and Mental Health (SEMH), led by the commissioner for mental health services,	Q1	Q2	Q3	Q4

working with early help and education provisions.

The Graduated Response for Social and Emotional Mental Health was launched in June 2023.

The TSCP, Continuous Improvement Board and Overview and Scrutiny have a focus on the improvement of emotional well-being and mental health services.

There has been a system leader change within the ICB, this unfortunately has not allowed us to have consistent leadership effective decision making to delivery of services on SEMH which have impacted negatively on our families. The Mental Health and Well Being Group led by ICB commissioner for mental health services has had limited impact.

We are working with our 5th Chief Nursing Officer since May 2023 and as a result we have not been able to have robust decision making on this area of work, this has resulted in further impact on our progress.

Our plans for Social Emotional and Mental Health continue to be below our DSG Management plan target. However, it is recognised that this is an area of pressure in the new RSA's that are being requested. We also believe that the continued delays in other waiting lists, especially speech and language therapy services, mean that unmet need in this area often presents itself as behaviours which challenge (SEMH).

Our pathways to ensure that families recognise how needs can be met without the need for an EHCP are central to this work. Ensuring that we are clear how children and families can be supported by Early Help and making these connections through early help panels with families consent is essential.

Our reconfiguration of our delivery of services to support poor attendance at school linked to anxiety and wellbeing concerns has been introduced during this quarter. This includes using Youth work provision to be able to reach non attendees, offering reengagement opportunities and a pathway back into education.

Our Education Neglect protocols have been adopted and are being used in the partnership to ensure that attendance is acted upon at a first point, supporting the identification of lower level social and emotional needs.

Emerging risks:

- The current rate of pace in addressing the gap in Health Funding is a significant risk and although there are strategic discussions this has not led to an agreed resolution.
- The reduction in funding to schools through the rigorous process of issuing and reviewing plans will lead to a deficit position for many schools at the time of increased costs and falling rolls in many of our schools. This limits the ability of some schools to provide services that could result in greater escalation, this continues to require careful monitoring and support.
- Other Local Authorities are implementing change with regards to financing top up funding and placement costs for EHCP pupils who are cared for, without agreements in place. This could lead to additional spend, which has not been accounted for.
- Despite all measures put in place to date, our requests for statutory assessments remain high, this poses as a high risk. We have plans for a more sustainable option but requires time to put in place.
- The continued extensive lengthy waiting times for SALT, OT, Autism, CAHMS services continues to mean that children and young people do not have up to date assessments to best inform

planning around their needs. This can lead to escalation from schools that are trying to meet need in isolation.

- New unfunded attendance duties will have an impact on the number of children and young people that are identified with unmet needs. Early work indicates that this could have an impact on SEMH and Section 19 requests which could create additional pressures within the higher needs budget.
- There is currently a significant risk that the rise in Tribunals from Devon and subsequent directions to our specialist provisions will impact on delivery of our specialist placements and commissioned numbers. This has been escalated to the DfE who are supporting with discussions.

Any support required:

- Continued work with Islington our Sector Led Improvement Partner and support to ensure this continues beyond September 2023.
- Region's Group Involvement on the culture change needed within schools.
- Support from the NHS England to support in addressing the identification of ICB Budget, recoupment for past contributions and a mechanism for future health contributions to take effect urgently.
- DFE support/facilitation for cross border working to support mitigating impacts of neighbouring authorities.

Summary of Key Documents

- School Forum Minutes [Browse meetings - Schools Forum \(torbay.gov.uk\)](https://www.torbay.gov.uk/schoolsforum)
- SEND Strategy [SEND Local Area Strategy Appendix 1.pdf \(torbay.gov.uk\)](#)
- SEND Pledge [Our pledge - Torbay Council](#)
- [Graduated Response - Torbay Council](#)
- Family Hub Website [Family Hub \(torbayfamilyhub.org.uk\)](https://www.torbayfamilyhub.org.uk)
- [SEND newsletters - Torbay Council](#)

Key contact details:

- Nancy.meehan@torbay.gov.uk
- Malcolm.coe@torbay.gov.uk

Agenda Item 7

2021

	Births	Rate per 1,000 women aged 15 to 44
Brixham	89	43.2
Paignton	411	51.9
Torquay	592	51.7

2022

	Births	Rate per 1,000 women aged 15 to 44
Brixham	86	41.8
Paignton	387	48.9
Torquay	522	45.6

2023

	Births	Rate per 1,000 women aged 15 to 44
Brixham	79	38.4
Paignton	363	45.8
Torquay	517	45.2

Rates of birth in Brixham are consistently lower than Torquay and Paignton

Based on Date of Birth

Ward of Churston with Galmpton has been allocated to Paignton

Rates are based on 2021 Census Population figures

Meeting: Schools Forum **Date:** June 2024

Wards affected: All

Report Title: OFSTED Ratings for Torbay Schools

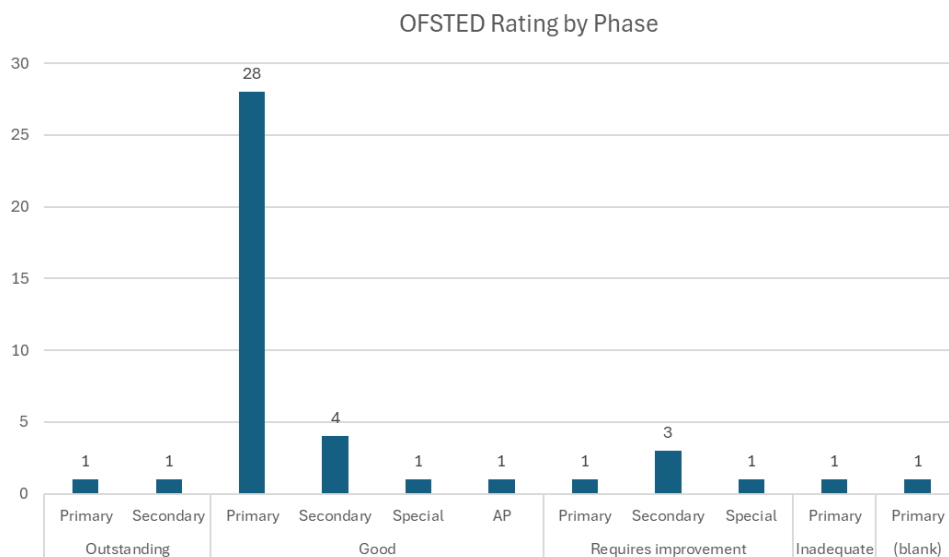
Compiled by: Dan Hamer, Head of Service for Vulnerable Pupils, dan.hamer@torbay.gov.uk

Director Contact Details: Nancy Meehan, DCS, nancy.meehan@torbay.gov.uk

1. Purpose of Report

1.1 To illustrate the current position in Torbay.

2. OFSTED Ratings



- 2.1 The local picture continues to be very good at Primary phase with inspections in the year to date all rating the schools as 'Good' One primary school remains as 'Inadequate' and one 'Requires Improvement'. Neither of these schools has been inspected since their judgements.
- 2.2 At secondary phase, the selective schools continue to be at least 'Good' with the latest inspection of Torquay Girls Grammar School finding them to be 'Outstanding'.
- 2.3 Two non-selective secondary schools are rated as 'Good' but three are rated 'Requires Improvement'.
- 2.4 Torbay's special schools are all 'Good' except for one that 'Requires Improvement'.

- 2.5 The secondary Alternative Provision Academy is rated as ‘Good’ after a period of ‘Requiring Improvement’.

3. Secondary Age Children

3.1

Rating	All Children	Torbay Children
Outstanding	9.74%	5.95%
Good	48.02%	47.40%
Requires improvement	42.25%	46.66%

- 3.2 When the large proportion of children in selective settings who are not Torbay resident are removed from the data; nearly 47% attend schools with RI judgements.

4. Support

- 3.1 The local authority is working with Education South West to support the maintained secondary school with an RI rating.
- 3.2 The primary school academy with an Inadequate rating has moved into a different trust and is well supported by that Trust.
- 3.3 Similarly, the RI special school has been taken into another Trust and is being supported by regular meetings of all partners.

4. Observations

- 4.1 As 60% of Torbay’s non selective secondary schools are not Good or Outstanding, Virtual School compliance with expectations for cared for children is challenging.
- 4.2 Both ‘Good’ non selective secondaries are in Torquay, creating an imbalance between the towns.

CHILDREN WHO ARE UNABLE TO ATTEND SCHOOL DUE TO HEALTH NEEDS

Section 19 of the Education Act 1996 states that the Local Authority has the following duty:

Each local authority in England shall make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them.

Furthermore 'Arranging education for children who cannot attend school because of health needs' (DfE Dec 2023) states that:

'.. where a child remains on the roll of their home school but requires a period of time in alternative provision due to their health needs, the local authority and home school may wish to consider the transfer of a portion of the school's funding associated with that child to the alternative provision.'

Equally Section 100 of the Children and Families Act makes the following provision:

This section places a duty on governing bodies of maintained schools, proprietors of Academies and management committees of pupil referral units to make arrangements for supporting pupils at school with medical conditions.

CURRENT SITUATION IN TORBAY

The graduated response for attendance and the Emotionally Based School Avoidance advice outline the aspiration for schools' S100 provision, but it is unclear how consistent the approach is across the local area.

In 2019, Torbay Schools Forum made a decision to recoup funding for children receiving education through the Medical Tuition Service (MTS) at Parkfield MySpace. This funding is recouped at 1/39th of AWPU per week of provision.

For reasons beyond the scope of this paper, the 35 children and young people at MTS have been reduced to 4 with the remainder either receiving an offer from MTS staff seconded to schools or through alternative provision (mostly tuition services)

This has significantly reduced the funding recouped and clearly does not meet the ambition in the guidance to '*ensure that the funding follows the child*'.

The High Needs Block has funded 59 packages for 30 children in the year to week 19 at a cost of £106,449. This has not been recouped. There are also 24 children supported by seconded MTS staff with 4 children on site. MTS provision is resourced at £1.2M with approximately £20,000 of recoupment.

RECOMMENDATION

1. The Local Authority undertake an audit of S100 provision to better understand the provision offered and reports this back to the Schools Forum.
2. Children who receive no supervised education from their on roll school but who are supported through the section 19 arrangements should be the subject of recoupment into the High Needs Block at the same rate as previously agreed for children attending MTS.
3. Children who receive supervised education from their on roll school but are also supported through section 19 arrangements (including seconded MTS staff) should be subject to proportional recoupment into the High Needs Block with the proportion expressed as hours/week accessed via each route.

EXEMPLAR

Given the AWPU rates for 24/25 below:

Phase	AWPU	Weekly Rate
Primary	£3562	£91.30
KS3	£5022	£129.54
KS4	£5661	£145.15

full recoupment would be as

If those children on packages were subject to recoupment to week 19, the High Needs Block would recover:

Phase	Number	AWPU	Total
Primary	7	£ 3,562.00	£ 12,142.90
Key Stage 3	6	£ 5,022.00	£ 14,767.56
Key Stage 4	17	£ 5,661.00	£ 46,883.45
			£ 73,793.91

This is against a commitment of £106,449.00