

Report Title: SEND Update - Update on the progress of the implementation of the action plan arising from the Written Statement of Action following the Torbay Local Area Special Educational Needs (SEND) Joint Inspection

Agenda item:

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1. Purpose

WSOA update

Torbay have seen a slower and less impactful month, with a continuation of activity in some pillars but very little evidential change to impact, there remains a momentum and ambition for development over the next 3 years in line with our SEND strategy but with significant changes to the Governance within the ICB, it is essential that we re-group and focus our priorities.

One of our main priorities within the SEND strategy is to ensure that SEND is everyone's business - by embedding our values through education, health and social care, changing culture and reforming our workforce which is closely linked to another priority for Torbay in making sure that all early year's providers and mainstream educational settings support an inclusive approach to education.

Our Torbay Graduated Response and its new SEND van has begun it's Roadshow generating enthusiasm and interest in SEND for parent/carers and practitioners, the aim is to visit every school in Autumn term and our first Roadshow and train the trainer session have occurred.

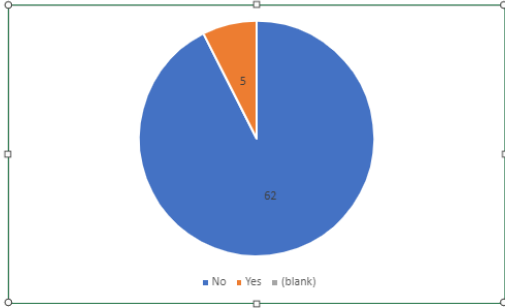


The toolkits can now be found on our new Local offer on the Family Hubs website alongside lots of accessible SEND information. [Torbay SEND Local Offer | Family Hub \(torbayfamilyhub.org.uk\)](https://torbayfamilyhub.org.uk) This term Torbay will begin its Graduated Response workforce development plan which will ensure that every teacher and practitioner is equipped to meet the needs of children and young people with SEND. While Torbay acknowledges the time it will take to embed the toolkits and build parental confidence and trust, we are committed to this process, as reflected in our data on Requests for Statutory Assessment, which currently exceeds our target.

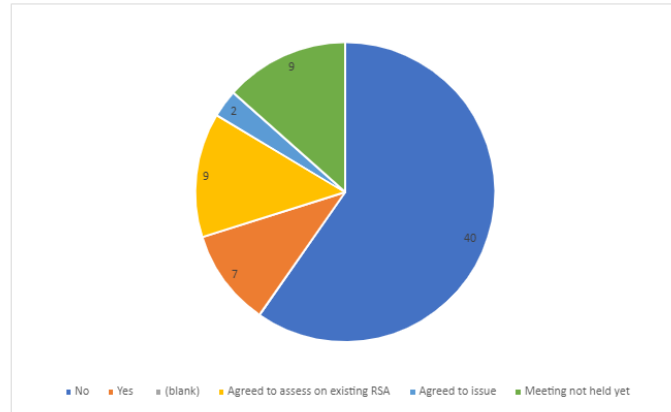
Requests for statutory assessment remain too high, with the majority coming from the 11-15 age group and from schools. Torbay have been consistent with their 'no to assess' responses which are on average for the year 38%. We understand that the impact from the Roadshows and Graduated Response training will take time to be embedded across each and every school. Our Next Steps data for 22-23 shows

Next Steps Meetings

How many proceeded to having a EHC plan, following the Next Steps Meeting



How many proceeded to having an assessment, following the Next Steps Meeting



that our response meeting to a no to assess decision is reducing the reoccurrence of a request for an EHCP with 62 of 67 not having an EHCP within 6 months of the first request.

Our Newsletter has seen a 20% increase in subscriptions between July and August which means our reach is extending and we are starting to measure our hits on the SEND Local offer through the Family hubs.

Timeliness of EHCP's is down to 40% in July and needs improving, as does the timeliness of advice which is sitting at 50% across the partnership.

Exclusions and suspensions have reduced for children with EHCP's and are reducing for children registered as SEND K, which is attributed to case conferences and new processes for children and young people with EHCP's and also an indication of cultural change. There were no EHCP exclusions from January to July 2023.

Torbay is currently delivering Autism Education in schools, collaborating with parent/carers and the Autism Education Trust to offer valuable support. The Learning Academy and SEND service has developed a workforce development offer to schools to promote an inclusive approach to education, which will all be advertised on our Family Hubs website.

Another priority, in which we are making good progress, is the identification of children's needs at the earliest opportunity, through valuing lived experience and expertise. Torbay SEND partnership have a newly rolled out Section 23 process which will ensure signposting or support and intervention is accessed at the earliest opportunity. An exciting and recent advancement has been the successful application for Dingley's promise, which will enable all of our settings providing for children under 5 to access high quality training, ensure sufficiency of inclusive places and promote engagement in early years childcare entitlements for children with SEND.

To ensure effective collaboration with children, young people, and their families, Torbay has taken proactive steps. Their newly appointed CYP participation officer has been actively engaging with schools to gather valuable thoughts and feelings through the Participation Survey Feedback. This initiative aims to give children and young people a voice in shaping decision-making at a strategic level. Torbay is in the process of establishing a child and young person's SEND group. This group will provide a platform for children and young people to express their thoughts and views, enabling them to actively contribute to strategic discussions.

Adults Services have been imperative at coordinating a more joined up approach to improve transition planning for young people moving into adulthood. It should be noted that Torbay have sought support from their Sector Led Improvement Partner aide the scoping of the landscape of post 16 providers and their offer to ensure that CYP will have choice and control moving forward but this is yet to have impact. Adults and children's commissioners have also met to look at the here and now quick wins and are furthering the joint planning work in the Autumn term by collaborating to share good practice.

One of our key priorities is to understand the needs of our children, young people and families and ensure joint commissioning supports service delivery, and that we make best use of all resources. The focus of our work is now focused on securing the essential strategic agreement and mechanisms for how we commission as a collective for children and young people with complex needs, EHCP's or where there is a gap in the provision for children and young people. Without such a shared agreement there is a significant risk that we will not move further forward in this key priority area and there is little reported impact in this highlight report. For example Torbay partnership are in agreement that the Torbay parent programme for

ASC need re procuring but are still undecided on the long term plan for the Parent Programmes whilst children and young people wait for a diagnosis. Whilst there is some delay in this commission, Family Hubs have recruited a practitioner to lead the send peer support programme in collaboration with send family voice Torbay.

It should be noted, and it is encouraging, that the ICB have bought in a strategic partner to aid the development of the agreement across Plymouth, Torbay and Devon but this work is in its early stages and significant impact is yet to be secured. To supplement this work there is a need to develop a shared understanding across the partnership of the detail setting out the focuses for joint commissioning. In particular, this will require the ICB and Local Authority (Children's and adults) to work in partnership to agree the shared priorities and what should be joint commissioned using statutory provision. The DfE and NHS England 'deep dive' exercise will support us as a local area to evaluate our current position and plan next steps.

Safety Valve update

- In this quarter the number of plans within the Local Area have been held consistent to our previous quarter, we have improved our position by 4 plans since our last submission. The number of plans continues to be below our peak of plans at 1673 in August 2022. The reduction of plans is aligned to our DSG Management plan and Safety Valve agreement. Plans continue to be ceased as demonstrated below, however it should be noted that the identification of plans to cease is more difficult during the school/college holiday period. We have also issued a high number of plans in July 2023 as we recruited a full complement of staff, enabling us to deliver on our statutory 20 week timescale. We remain on track to make the reduction by March 2024. We have 29 plans that are in progress to cease that are not yet included in the figure and we recognise that the Autumn Term (quarter 3) supports the identification of young people that may select a different pathway into employment post the publication of their results.
- Special School numbers continue to be maintained at our agreed commissioned levels. The following chart details our commissioned placements against our position in August 2023.
- 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 £1.037m**. This position is positive against the agreed budget **overspend of £1.263m** in the safety valve.
- Tribunals and appeals have increased significantly since our November 2021 inspection. It is evidence that where Tribunal and Appeal is deemed necessary that pathways are understood. 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.
- We are also challenging the financial contributions from our health partners. Although it has been identified that there has been no health funding for the last two years for our children with EHCP. The level of health funding to support our children has not been forthcoming this continues to be tracked by the Local Authority. The work with Health partners to ensure that a budget and process is created continues to be escalated and is understood at a strategic level within the Council, The Chief Nurse, ICB Board and NHS Commissioner are all engaged in the conversations. Despite the escalations there is no identified budget within the ICB to contribute. This remains a key strategic risk.
- Not only is there a financial challenge, but there is also a gap in service provision at the level required to meet needs. This results in the local authority making provision through the high needs block.
- At the end of August 2023 we had 38 children who attend an independent specialist placement, this is an increase from 35 children in the previous academic year. There are multiple reasons for the increase, our deep dive into young people attending independent provisions indicated that the

highest needs being met were SEMH and ASC. We have made a decision to ensure that some children who were previously supported through an EOTAS package have been moved to an Independent Placement as they had made sufficient progress to be able to access provision within a group based offer.

2. Summary

- There are some areas of delay that have been identified in the WSOA
- The HNB reductions are in line with our DSG projections
- Requests for Statutory assessment remain too high and the Graduated Response is not embedded
- There requires the need to identify a budget within the ICB to ensure effective joint commissioning and contributions can be made.

3. Recommendations

1. To consider the report and request an update from the new SEND Governance Executive on progress.
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