




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
<i>Adjustment (+ / -) (changes to funding LA)</i>	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)
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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

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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.

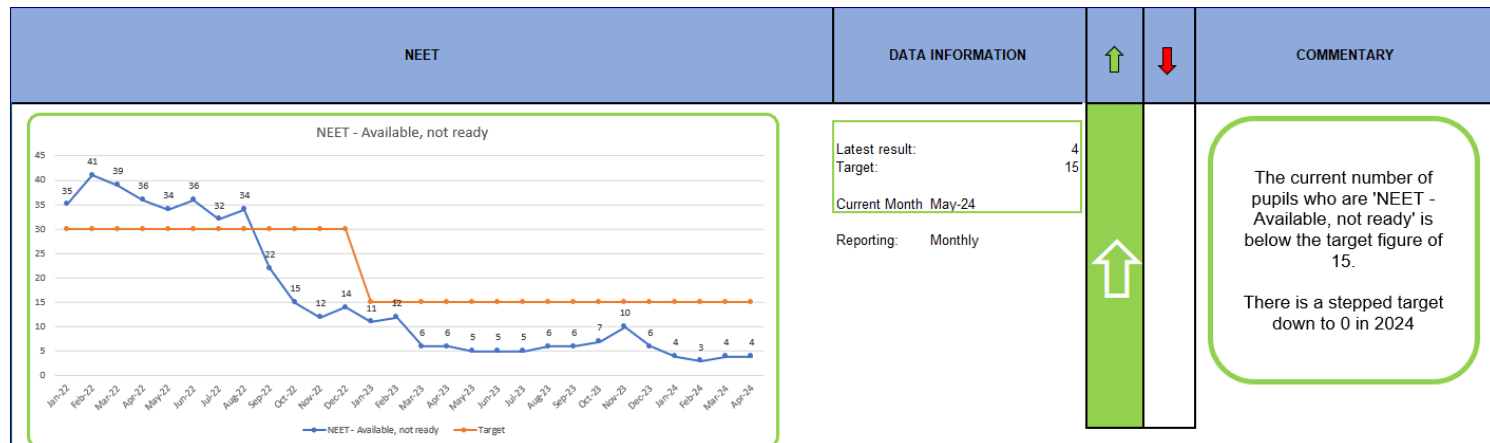
Recruitment of young people with SEN, Care Leavers and people with disabilities was discussed at the Children and Young People’s Overview and Scrutiny Sub-Board. The plan is to bring together three priority areas and actions in regard to the Council’s approach to the provision of traineeships, work experience, 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	1	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			
3.7. Develop an early years outreach team as part of the Family Hub, to deliver stronger inclusive practice and early intervention;	Q1	Q2	Q3	Q4

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](#)

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