

Clerk: Governance Support
Telephone: 01803 207013
E-mail address: governance.support@torbay.gov.uk
Date: Thursday, 31 October 2024

Governance Support
Town Hall
Castle Circus
Torquay
TQ1 3DR

Dear Member

OVERVIEW AND SCRUTINY BOARD - WEDNESDAY, 6 NOVEMBER 2024

I am now able to enclose, for consideration at the Wednesday, 6 November 2024 meeting of the Overview and Scrutiny Board, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
6.	Special Educational Needs and Disability (SEND) and work with Local Government Association This report contains an exempt background document.	(Pages 3 - 18)

Yours sincerely

Governance Support
Clerk

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Meeting: [Overview and Scrutiny Board](#) **Date:** [6th November 2024](#)

Wards affected: [All](#)

Report Title: [Special Educational Needs and Disability \(SEND\) and work with Local Government Association](#)

When does the decision need to be implemented? [N/A](#)

Cabinet Member Contact Details: [Cllr Nick Bye, Lead Cabinet Member Children's Services](#)
nick.bye@torbay.gov.uk

Director Contact Details: [Nancy Meehan, Director of Children's Services](#)
Nancy.meehan@torbay.gov.uk

1. Purpose of Report

1.1 The purpose of this update is to detail to the board the progress being made against the SEND improvement journey, and to receive an update of progress following the work of the Local Government Association Advisor.

2. Reason for Proposal and its benefits

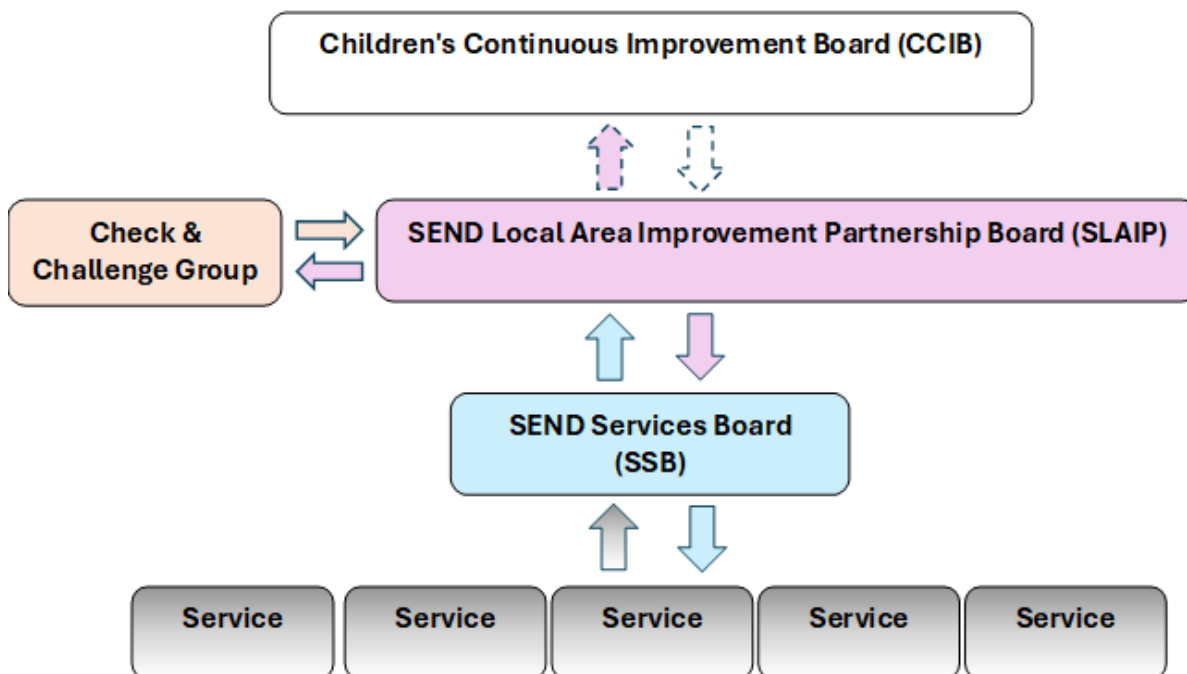
- 2.1 The provision for Children and Young People with SEND was judged to need improvement in the SEND Local Area Inspection in 2021. A written statement of action (WSOA) was produced to cover the 8 areas that were judged to need attention aligned to 8 different pillars. These Pillars were then amalgamated into 5 Priority Areas that emerged from the development of the SEND Strategy. Each of the 5 Priority Areas developed a Board to monitor developments. All developments were to be reported to, and held accountable by, the SEND Strategic Board. This was the SEND governance in place from 2021 until recently.
- 2.2 The inspection regime has changed since 2021 and so the development of a Self-Evaluation Framework (SEF) was required with co-produced contents outlining strengths and areas for development. These included the actions from the WSOA.
- 2.3 Following a report from a Local Government Adviser, the SEND Strategic Lead worked with the Director of Children's Services and the Head of SEND Service to agree a revised pathway for SEND Governance as it was identified that there were some issues that needed to be unblocked.
- 2.4 As such, this report has been prepared to provide an update on the above.

3. Recommendation(s) / Proposed Decision

- 3.1. That members of the Overview and Scrutiny Board note the contents of this report, and the progress made to date.
- 3.2. That members of the Overview and Scrutiny Board continue their oversight of the SEND improvement and preparation work.

Appendices

Appendix 1:



Appendix 2: [Link to Locality Model Consultation:](#)

[Proposed improvements to education services for children with additional needs](#)

Background Documents

LGA Advisor Report – Exempt

Supporting Information

1. Introduction

- 1.1 As stated above following a report from a Local Government Adviser, the SEND Strategic Lead has worked with the Director of Children's Services and the Head of SEND to agree a revised pathway for SEND Governance. This was required to ensure maximum impact for children and families and to prevent any delay in the strategic development of SEND.
- 1.2 The governance structure including the WSoA actions, priority areas, associated boards and pillars was considered to be complex, and a review was required to streamline this, therefore promoting maximum impact and progress.
- 1.6 Further to this and following the concerns raised by the Local Government Adviser in their report, and the concerns raised by the SEND Strategic Lead, it was decided to restructure the Governance of SEND Improvement. This restructuring has addressed the areas of action within the WoSA as well as emerging areas from the SEF. It also integrates with the DfE requirements for a SEND Local Area Inclusion Plan (SLAIP).
- 1.7 The new structure reduces the number of boards and returns activity to a state of 'business as usual' and prevents unnecessary additional meetings which were not evidencing sufficient impact.
- 1.8 A Proposal was put forward by the SEND Strategic Lead in early September - this was subsequently developed into the full structure where The SEND Executive Strategic Board and the SEND Project Board will be reformed respectively into the following governance boards (Please see appendix one for diagram):
 - SEND/AP Local Area Improvement Partnership Board (SLAIP)
 - SEND Services Board (SSB)
- 1.9 As such the 5 Priority Boards will be stood down. The work within the Strategic Board will identify what is 'Business as Usual' (BUA) and other strategic developments will be reported to, and held accountable by, the SLAIP.

SEND Ofsted Local Area Inspection Preparation:

- 1.8 The SEND Local Area inspection was reported to be expected in November however, this is now less certain although a substantial amount of preparation work has continued to be done to ready ourselves for an Ofsted re-inspection.

Locality Model:

- 1.9 Consultation on a Locality Model within Torbay is live and will establish and drive necessary Local Area improvements for children and young people with SEND and complex needs. A link to the consultation can be found here, and at appendix two:

[Proposed improvements to education services for children with additional needs](#)

2. Options under consideration

2.1 N/A no other options have been considered.

3. Financial Opportunities and Implications

3.1 N/A

4. Legal Implications

4.1 N/A

5. Engagement and Consultation

5.1 A Communications Strategy is being prepared via our communications team to enact once we are notified of the inspection.

6. Procurement Implications

6.1 N/A

7. Protecting our naturally inspiring Bay and tackling Climate Change

7.1 N/A

8. Associated Risks

8.1 N/A

9. Equality Impact Assessment.

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	<p>The above measures are being put into place to support the Council and its partner agencies on their improvement journey to improve outcomes for Children and young people with SEND.</p>		
Carers	<p>At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.</p>	<p>No Differential Impact</p>		
Disability	<p>In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.</p>	<p>No Differential Impact</p>		
Gender reassignment	<p>In the 2021 Census, 0.4% of Torbay's community</p>	<p>No Differential Impact</p>		

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

Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	No Differential Impact		
Sex	51.3% of Torbay's population are female and 48.7% are male	No Differential Impact		
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	No Differential Impact		
Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.	No Differential Impact		
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		No Differential Impact		
Public Health impacts (Including impacts on the general health of		No Differential Impact		

the population of Torbay)				
Human Rights impacts		No Differential Impact		
Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	As above - The above measures are being put into place to support the Council and its partner agencies to improve outcomes for Children and young people with SEND.		

10. Cumulative Council Impact

10.1

10.2

11. Cumulative Community Impacts

11.1

11.2

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